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House of Representatives

The House met at 10 a.m.

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

We pray, Almighty God, that our minds and hearts would be open to the gifts of the spirit so that our daily experiences are not only the necessary duties that must be done, but that we would see more clearly the blessings of the spirit. Grant us new insight so we behold the gifts of wonder and beauty in Your creation and the marvelous gifts of love and grace and peace. Give us, we pray, a new vision of the meaning of justice that deals with the needs of every person and helps bring us all together in respect and dignity. This is our earnest prayer. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. DOGGETT led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2670. An act 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.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2670) ''An Act 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,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. CAMPBELL, Mr. COCHRAN, Mr. HOLLINGS, Mr. INOUYE, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title in which concurrence of the House is requested:

S. 1076. An act to amend title 38, United States Code, to enhance programs providing health care and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 15 1-minutes on each side.

THE BUREAUCRATIC DAYDREAMERS AT THE INTERNATIONAL MONETARY FUND ARE AT IT AGAIN

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

Mr. GIBBONS. Mr. Speaker, the bureaucratic daydreamers at the International Monetary Fund are at it again. They are exploring the far reaches of reality and resorting to voodoo economics.

My home State of Nevada is the largest gold producing State in the Nation. This vital industry helps put food on the table, buy homes, send kids to colleges for thousands of Nevada families. The trouble has been on the horizon for the past several months as the IMF has been scheming to dump part of their gold reserve on to the open market in an effort to hide its debt losses.

Their latest debt forgiveness scheme is nothing more than smoke and mirrors and voodoo economics.

The gold scheme sale will lead to a disrupted and flooded commodity market which translates into a plummeting economy for many countries. The reality in Nevada is still the same. It will cause more mines in North America to begin closing at an even more alarming pace and thousands of America's hardest working men and women will be out of work, unable to feed their families; all because of the IMF.

Congress has the power to stop this ill-conceived IMF scheme and I urge my colleagues to oppose the voodoo economics of this taxpayer giveaway.

A WHOLE NEW POLICY ON TERRORISM IN AMERICA: IF TERRORISTS APOLOGIZE, THEY ARE SET FREE

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

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for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, 12 terrorists from Puerto Rico who are responsible for 130 bombings in America, killing 6 Americans and wounding many more have been pardoned by the President. Now, if that is not enough to get away with murder, check this out: to get the pardon, the terrorists had to promise to give up violence. Unbelievable, Madam Speaker.

A whole new policy on terrorism in America. If terrorists apologize, they are set free. Beam me up, Madam Speaker.

An America that pardons terrorists is an America that invites more terrorism. I yield back the pain and suffering of their victims and their families.

DEMOCRATS DO NOT TRUST AMERICANS TO SPEND THEIR OWN MONEY THE RIGHT WAY

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

Mr. BALLENGER. Madam Speaker, many Democrats have stated that tax cuts would be risky. Well, of course they would. They believe the average Americans, to quote the President, might not spend it right.

Is this not the perfect expression of a liberal mindset? They really do believe that money that people earn does not really belong to them. They do not trust people to spend it right, whatever that means. After all, we all know that Washington knows best. It seems clear to me that Democrats do not quite agree with the proposition that rich or poor the money people earn belongs to them, not the Government.

In fact, liberals imply that any time the Government cuts taxes, it is doing everyone a favor, as if giving someone something. It is not giving anyone anything. It is merely taking less from what is already yours.

So every time we hear a Democrat call a Republican tax relief package risky, just remember why they are doing so.

COULD IT BE THE REAL REASON REPUBLICANS ARE DROPPING THE TAX BILL IS THE AMERICAN PEOPLE HAVE ALREADY VETOED IT?

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

Mr. DOGGETT. Madam Speaker, surely one of the most bizarre announcements of this do-little Congress was the declaration yesterday by the Republican leadership that there will be no tax bill this year, because there simply will not be enough time to consider the matter after the President vetoes the Republican tax giveaway. This is the same Republican leadership, of course, that has delayed now over a month in sending the tax bill to the President so that it can be vetoed, as they knew he would do all along.

Could it be that the real reason that they are dropping the tax bill is that the American people have already vetoed it?

They have vetoed the idea of borrowing from a still rising national debt to give more to those who have a PAC and a lobbyist here in Washington for the hundreds of billions of dollars of special interest tax provisions in this measure. They have vetoed the idea of taking from Social Security and Medicare to give a tax break to those at the top when most Americans will get pennies out of this tax proposal.

I believe the American people have vetoed this bad idea, and perhaps that is the real reason that even the Republican leadership, that has done so little this year, is giving up on the tax cut.

PARDON FOR TERRORISTS

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

Mr. ROYCE. Madam Speaker, I could not believe my eyes when I read the newspaper this morning that President Clinton had given clemency to 12 imprisoned members of the Puerto Rican terrorist organization, the FALN.

U.S. policy to terrorists has always been very consistent; it has always been very clear. We must make no concessions to terrorists. That has been the policy, not to pardon terrorists.

We should be sending a strong message that terrorism would not be tolerated. As my friend, the gentleman from Ohio (Mr. TRAFICANT), has pointed out, the FALN was responsible for 130 bombings in the United States that killed six people, at least; injured scores of other Americans; three police officers were maimed for life; two were blinded; one lost a leg while trying to diffuse one of the bombs that the FALN planted in 1982.

What does the President have to say to these victims and their families? What does Vice President GORE have to say about releasing these law breakers? All 12 terrorists given clemency were convicted on charges of seditious conspiracy and possession of weapons and possession of explosives. They belong in prison.

THE KIDNAPPINGS, KILLINGS AND FORCED EVACUATIONS IN EAST TIMOR ABSOLUTELY SHOULD NOT BE HAPPENING

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

Mr. PITTS. Madam Speaker, I too am deeply disturbed by the horrifying human rights violations currently taking place in Indonesia in East Timor. The kidnappings, the killings, the forced evacuations absolutely should not be happening. The horrific beheadings, with severed human heads being paraded around on sticks, is barbaric.

The government of Indonesia imposed martial law on the country to control the violence that erupted after the East Timorese voted for independence. Unfortunately, reliable reports suggest that Indonesian military officials are actually involved in orchestrating the unrest and violence that is occurring right now.

Madam Speaker, I call on President Habibie and the other Indonesian officials to accept the results of the referendum, get control of their military and bring an immediate end to the horrifying bloodshed and violence that is terrorizing the people.

RESPONSIBLE TAX CUTS

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

Mr. GREEN of Texas. Madam Speaker, only in this Congress, with a small Republican majority, would we experience the following: cuts in housing funds, cuts in science and space funds, cuts in education funds, no planning to safeguard Medicare for the future growth, almost $6 billion in national debt that is owed from the last 50 years, and the major issue we are talking about for the next few weeks is whether we want a tax cut.

Let us be clear about the debate. I would like to have a tax cut, too, just like most Americans, but the biggest concern we have is making sure Social Security is there, Medicare is there, and that we also pay down the national debt.

We cannot ignore those issues and only talk about a tax cut. The Republican plan for tax cuts is financially irresponsible. It only passed the House by a few votes and now they are going to use it for the next month to talk about how bad the President is. Let us put that aside and get on about our business of legislating.

During the August recess, I talked to hundreds of constituents in my district in Houston, like people did all over the country, and they talked about the need to safeguard Social Security, Medicare, and pay down that debt.

ORGAN DONATION IS AS SIMPLE AS FILLING OUT A DONOR CARD

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

Ms. ROS-LEHTINEN. Madam Speaker, we know that life is short, and the 60,000 patients who are currently on a waiting list to get organs know just how precious time is.

Sadly enough, only 20,000 people this year will receive organ transplants, and today nine people will lose their lives because a match was not found.

As the waiting list for organs continues to grow, so does the need for

organ procurement. Organ donation is as simple as filling out a donor card and by just one person's donation as many as 50 people may benefit through transplantation.

It is important that we as Members of Congress raise awareness on the importance of organ and tissue donations to increase donors across our districts and throughout our land. There is no greater gift than the gift of life. We must encourage this giving and work to leave a lasting legacy to prevent the needless and tragic deaths of thousands of Americans each year.

VOTE NO ON THE D.C. CONFERENCE REPORT

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

Ms. NORTON. Madam Speaker, in one of the great ironies of this session, I am forced to ask for a no vote on the D.C. conference report that will come before us later today. My appropriation is actually a local budget with the old federal payment now abolished. Though the budget comes balanced, replete with tax cuts and a surplus, it has proved needlessly contentious here, dragging Members into local matters that most want to avoid as somebody else's business about which Members necessarily know little.

The new Mayor, revitalized City Council and I cannot live with backdoor approaches to weakened self-government. Take it straight from D.C. itself. We all ask for a no vote on the D.C. conference report.

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WE MUST PROVIDE REAL, MEANINGFUL, AND REASONABLE TAX RELIEF FOR THE AMERICAN PEOPLE

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

Mr. KNOLLENBERG. Madam Speaker, Republicans in the House of Representatives are keeping their word to the American people. As a member of the Committee on Appropriations, I am very proud of the work that the committee has done and led by the gentleman from Florida who has crafted bills that will keep the agreement and maintain the budget caps that we promised back in 1997.

On the other side, the flip side, the President's budget proposal busts the budget spending by some 42 billion over our agreed upon limit. How does he get away with that my colleagues ask? By using gimmicks, by assuming new taxes on the American people knowing full well that the Republican Congress would never agree to those tax hikes.

Now we understand that a supplemental spending plan is coming our way from the White House. This emergency spending would add up to 12 billion more.

Madam Speaker, this illustrates our point about why we must provide meaningful tax relief to the American people. If we do not give the American people back their money, it is sure to be spent by the big government crowd here in Washington, D.C. That would be a huge disservice to the people who pay our bills, the American taxpayer.

STAND UP AND SAY SOMETHING ABOUT THE MASSACRES GOING ON IN EAST TIMOR

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

Mr. CAPUANO. Madam Speaker, 200,000 refugees, 3,000 people per hour leaving their homes and their country. Martial law imposed, paramilitary people roaming the countryside. Sound familiar? Four and a half months ago we did this in Kosovo. I thought the problem then was that this House did not have anything to say about it until we already had troops on the ground. I think we need to stand up now and say something about the massacres that are going on in East Timor.

One way or the other I happen to think that we need to do something. I think America stands for democracy; I think we need to stand up. That is why today's resolution being filed already has 20 cosponsors. It was only drafted yesterday in bipartisan support, and I ask every Member to look at that resolution and to join us to have this Congress stand up before, before we commit troops either ourselves or the United Nations or SEATO or someone else.

Stand up and be counted. Do our job.

LIBERALS HATE THE IDEA OF ALLOWING AMERICANS TO KEEP MORE OF THEIR OWN MONEY

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

Mr. WELDON of Florida. Madam Speaker, the Washington Post editorial page has editorialized yet again against the Republican tax cut proposals. Hardly a week goes by without the Washington Post and other liberal publications warning against the idea of letting Americans keep more of their hard-earned money. To me that is a pretty good indication that it is exactly what we need to do.

Of course, the same crowd that called Ronald Reagan's tax cuts dangerous, foolish, and irresponsible are now singing the same tune today. They are the same people who just 2 years ago said that it was impossible to cut taxes and balance the budget at the same time. And, of course, they are the same crowd that could not praise President Clinton enough for raising taxes by a record amount.

See, Madam Speaker, some people really do not believe that people can spend their own money better than Washington can, and they really hate the idea that people should be able to keep more of the fruits of their hard-earned labor and reap the benefits of saving and sacrificing and realizing their dreams, and of course they are against tax cuts.

GOP TAX CUT SELLS CHILDREN SHORT

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

Mr. CROWLEY. Madam Speaker, over the August recess, the message from America was clear:

We do not want the GOP tax break.

What is realized, the GOP plan provides little tax relief for middle-and lower-income Americans, the ones who need it the most. It does nothing to continue our efforts to reduce the Federal debt. It does nothing to strengthen Social Security or Medicare, and it does nothing, it does nothing to help the dire conditions of our schools, the infrastructure of our schools in the United States. Republicans offer only a small arbitrage provision in the recently passed tax bill as their aid for our beleaguered school system. This initiative would provide minimal tax benefits to school districts. These benefits can actually delay school construction for more than 2 years.

We can fix our highways; we can rebuild our bridges. Why do we sit by and do nothing for the infrastructure that houses our Nation's greatest asset, our children? There are many chilling accounts of near fatal accidents at schools in New York, and I fear the day that conditions at our schools deteriorate to the point where accidents are simply unavoidable.

I know that providing tax relief to our schools for construction assistance is not only the right thing to do as a Congressman, but the right thing to do as a new parent and as an American.

THE REPUBLICAN PLAN IS FOR ALL AMERICANS, NOT JUST THE RICH

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

Mr. CHABOT. Madam Speaker, Congressional Budget Office projects approximately $3 trillion in budget surpluses over the next 10 years. The Republican plan would take $2 trillion of that money and put it in the Social Security and Medicare lockbox. That means that $2 trillion goes towards retirement security for those two important programs. It also reduces the debt by $2 trillion. The remaining $1 trillion would be returned to the taxpayers, all taxpayers.

Now my liberal friends in the House here keep saying it is tax cuts for the rich, tax cuts for the rich. It is just not true. It is for all Americans.

The details? For example: The marriage penalty.

Right now, a married couple in this country pays higher taxes than a couple who is living together and not married. That is just not right. So it phases out the marriage penalty.

It also eliminates over time the death tax or the inheritance tax. Right now the Federal Government can take up to 55 percent of what a person has earned during the course of their life when they die. It means the family farm gets sold, small businesses get sold, people lose their jobs.

So let us save those important programs and cut taxes.

AS THE CHAMPION OF DEMOCRACY, OUR VOICE SHOULD BE THE LOUDEST FOR PROTECTING THE PEOPLE OF EAST TIMOR

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

Mrs. LOWEY. Madam Speaker, on August 30 the world watched as the people of East Timor exercised their right to self-determination for the first time with nearly full participation of eligible voters; and by a staggering margin, the East Timorese chose independence from Indonesia over autonomy within it. This courage has been rewarded with the destruction of East Timor, the displacement of its people, the inaction of the Indonesian government. Since the election, hundreds have died; and nearly one-quarter of the East Timorese have been forced to flee their homes. Indonesian officials have done nothing to stop the violence and to protect the U.N. personnel there.

For the people of East Timor time is running out. We must do our part to stop the horror; we must pledge logistical support to an armed peacekeeping force to restore order in East Timor. Until order is restored, all bilateral nonhumanitarian assistance to Indonesia should be suspended; and we should use our leverage in international financial institutions to cut off multilateral assistance. We should advocate in the U.N. Security Council punitive measures against Indonesia if Habibie fails to cooperate.

As the champion of democracy, our voice should be the loudest.

CLEMENCY FOR PUERTO RICAN TERRORISTS

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

Mr. HAYWORTH. Madam Speaker, my colleague from New York who preceded me in the well accurately points out yet another problem in the world, and while this House in a bipartisan basis will work its will in short order to deal with this crisis, it reminds us that we bear the bitter fruits of confusion, naivete, or worse on the part of this administration in dealing with foreign policy.

Madam Speaker, the best example and the latest example is the confusing dilemma in which our Commander in Chief has placed the American people because he apparently has chosen to reward terrorists. It is sad to note the President of the United States has granted clemency to about one dozen Puerto Rican terrorists who advocated the armed overthrow of the United States Government.

Madam Speaker, the President says that he will take the terrorists at their word.

Madam Speaker, as we have learned, when we cannot trust our highest elected officials and take them at their word, how can we possibly take the word of terrorists?

YOU DO THE CRIME, YOU DO THE TIME

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

Mr. WISE. Madam Speaker, I agree. When the President is right, I stand with him; but I also have to speak out when I believe he is wrong.

Now I oppose the President's act of granting clemency to terrorists. The acts that these people were convicted of are not necessarily all that they would have been involved in. Often a U.S. Attorney in order to get a conviction will bring those cases that are most evident, where the evidence is best, even though there were other cases that could have been brought.

The only authority of the law is when wrongdoers know that the penalty will be fully carried out. This becomes doubly important in the act of terrorism because it is also essential to remove those people as quickly as possible from the scene so they cannot carry out other groups and so we send a message internationally.

Madam Speaker, these people were part of a group that brought death and destruction. They maimed police officers. They should serve the entire term.

There is an old saying: ''You do the crime, you do the time,'' and that applies to this situation especially.

WE MUST RESPOND TO THE CRISIS IN EAST TIMOR

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

Ms. PELOSI. Madam Speaker, as we gather here today in Congress it is nighttime in East Timor. Thousands of refugees are fleeing the country.

East Timor is a country of 800,000 people, and nearly a third of them have had to flee since the election the other day. At that time, the people of East Timor voted overwhelmingly for independence; but instead violence rules in East Timor. And the world has not spoken out adequately, appropriately, sufficiently in any way to respond.

In the course of 500 years of domination of other countries' cultures including the Japanese occupation of 50 years, never in that time were the religious institutions attacked. But in the last few days, the home of Bishop Belo was bombed, was set afire. This place was a refuge, a sanctuary for people who came for shelter from the violence and has been set afire by the militia and the military.

Madam Speaker, how much more will have to happen there before we will act to cut off the funds from the IMF? Support the Capuano resolution that will come to the floor today.

GOOD NEWS FROM THE TASK FORCE ON SOCIAL SECURITY

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

Mr. SMITH of Michigan. Madam Speaker, I think I have exciting news, regarding what we have accomplished in our Social Security Task Force. Our bipartisan Task Force has been working on Social Security and the possibility of a bipartisan agreement to move a solution ahead. Last year, I was asked to head up a task force on Social Security with Democrats and Republicans. That was officially started early this year as a task force of the Committee on the Budget. Republicans and Democrats, when we started the discussion were inclined to have little agreement.

The good news is we have come up with 18 findings that the Republicans and Democrats have agreed on. Next week we will have a complete report of this task force effort. I am excited. Let us keep it in our minds. Let us not be nullified by the fact that we have a surplus and somehow that surplus is going to somehow fix Social Security. It does not.

THE REPUBLICAN PLAN IS OUT OF STEP WITH AMERICAN VALUES

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

Ms. DELAURO. Madam Speaker, American working families today want to use the budget surplus in a responsible way that protects, strengthens Medicare and Social Security, that pays down the debt. The Republican plan is out of step with American values. It does nothing to extend Social Security by a single day. It dedicates not one penny to Medicare. It would force deep cuts in education, crime fighting, and national defense.

But let me tell my colleagues there is a quote from one of my Republican colleagues that sums up their views about working families, and I quote: The American people are not too enthusiastic about a tax-cut package because

most of them are not paying taxes, and the top 1 percent of America earns 70 percent of all income and pays 32 percent of all taxes. The bottom 50 percent of America's income earners only pay collectively 4.8 percent of the taxes, so it is not surprising that they are not going to benefit.

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They do not want a tax cut. Not paying taxes? Not paying taxes? You talk to working families in this country today and find out whether or not they are paying taxes. They want and need targeted tax breaks. They also need to have Social Security and Medicare extended on their behalf.

PROVIDING FOR CONSIDERATION OF A MOTION TO SUSPEND THE RULES

Mr. REYNOLDS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 281 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 281

Resolved, That it shall be in order at any time on Thursday, September 9, 1999, or on Friday September 10, 1999, for the Speaker to entertain a motion that the House suspend the rules and adopt the concurrent resolution (II. Con. Res. 180) expressing the sense of Congress that the President should not have granted clemency to terrorists.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 281 provides for the consideration of House Resolution 180, a concurrent resolution expressing the sense of Congress that the President should not have granted clemency to convicted terrorists of the Armed Forces of the National Liberation, the FALN.

Last night the Committee on Rules held an emergency meeting to provide for suspension days on Thursday, September 9, and Friday, September 10, in order that the Congress be allowed to quickly respond to recent presidential action.

Mr. Speaker, this is a very short legislative week. Members of Congress just returned from meeting with their constituents during their August work period and honoring our Nation's workforce on Labor Day. In addition, Congress cannot extend the legislative week in respect to Rosh Hashanah. Therefore, the resolution will be considered under the suspension of the rules in order to accommodate the measure in this very short legislative week. Furthermore, the suspension process is normally used to consider such bipartisan measures.

The rule provides that it shall be in order at any time on Thursday, September 9, 1999, or Friday, September 10, 1999, for the Speaker to entertain a motion that the House suspend the rules and adopt a concurrent resolution, House Concurrent Resolution 180, expressing the sense of Congress that the President should not have granted clemency to these terrorists.

Mr. Speaker, on April 14, 1986, the United States military forces bombed the headquarters and terrorist facilities of Libyan strongman Mu'ammar Qadhafi. The strikes were ordered in retaliation for a cowardly act of terrorism that left two dead, including Sergeant Kenneth Ford, and 230 wounded, including 50 American military personnel.

In announcing the air strikes, President Ronald Reagan said, ''Those who remember history understand better than most that there is no security, no safety, in the appeasement of evil. It must be the core of Western policy that there be no sanctuary for terror.''

Yet we are here today because sanctuary has been offered to convicted terrorists. And make no mistake about that. The 16 Members of the FALN, duly tried and convicted, have not been imprisoned because of their political beliefs. They have been jailed because their reign of terror left six dead and dozens more permanently maimed, including members of our law enforcement community.

FALN has claimed responsibility for 130 bombings of civilian, political and military sites; and according to the Federal Bureau of Prisons, they are prepared to strike again.

Why, then, would President Clinton offer them clemency? Why should they be released from prison?

Not one of these terrorists contested the evidence against them. None showed remorse. In fact, in the years since their conviction for numerous felonies, including conspiracy, not a single one asked for clemency.

Much has been written and said about President Clinton's reasons for making this offer of clemency. I will leave those discussions to the pundits and to the commentators. But I will say this: this action is more than misguided, it is more than wrong, it is a very real threat to the safety and security of the American people.

Of course, their release is not without conditions. They needed to renounce violence. After almost a month, with the clock ticking, they finally agreed. Isn't something very, very wrong, when someone needs to be coerced and cajoled to renounce violence?

Mr. Speaker, not a single act of terrorism has been attributed to the FALN since these individuals were jailed. Why then should the power of the presidency be used to give them the freedom to renew their reign of fear and terror?

This House, this Congress and this Nation have been engaged in a great debate over how to best ensure the safety and security of our homes, our neighborhoods and our schools. During the course of that debate, President Clinton himself said that our responsibility is ''not only to give our thoughts and prayers to the victims and their families, but to intensify our resolve to make America a safer place.''

Mr. Speaker, we can make America a safer place, and we can start by keeping criminals off our streets and terrorists behind bars.

I urge the adoption of this rule and its underlying resolution.

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

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

Mr. Speaker, I thank my colleague, my dear friend the gentleman from New York (Mr. REYNOLDS) for yielding me the customary half hour.

Mr. Speaker, normally suspension bills can be brought up only on Mondays and Tuesdays, but this rule will add two more days, Thursday and Friday, and it will add those days for one reason, for one resolution, a resolution that my Republican colleagues are in a great, great hurry to pass.

They are in such a great hurry to pass this resolution, Mr. Speaker, that they are creating this special process just to bring this bill to the floor. So while we are rushing the resolution of the gentleman from New York (Mr. FOSSELLA) to the floor on a fast track, Mr. Speaker, I would like to propose adding some other bills to that same fast track, bills addressing issues that are much higher on the American people's agenda.

I think we should rush a patients' bill of rights to the floor to make sure doctors and patients make medical decisions and not insurance companies and CPAs.

I think we should rush a gun safety bill to the floor to get guns off our streets and get those guns out of our schools.

I think we should rush to the floor a bill protecting Social Security and protecting Medicare, which is scheduled to fall apart starting the year 2015.

Mr. Speaker, the American people are crying out for HMO reform, gun safety legislation, and Medicare reform. I say let us add those bills to the agenda.

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

Mr. REYNOLDS. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from New York for yielding me time.

Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, this is a defining moment for the United States of America as far as I am concerned. The question before us today is going to be what

type of signal do we send to terrorists contemplating acts of terrorism against this Nation?

This was the President's spokesperson yesterday, Mr. Lockhart, saying, ''You know, I think our efforts to bring terrorists to justice are one of the highest priorities of the President's national security agenda.''

Several weeks ago this White House offered clemency to 16 known terrorists, individuals who were part of a group known as the FALN that engaged in a reign of terror across this country, but primarily from New York to Chicago, a group that claims responsibility for 130 bombings, a group that killed innocent people and maimed innocent people during the seventies and eighties, and, if they were not caught, who knows how many more innocent people would have died?

Now, there are those who have advocated for the release of these terrorists for years. That does not make it right. Let us put a human face on what this group claims responsibility for.

A man by the name of Frank Connor, who in 1975 was having lunch in downtown Manhattan in Fraunces Tavern. Just because he was having lunch, an FALN bomb went off and killed him. His sons, Joseph Connor and Thomas Connor, were 9 and 11 years old at the time. Joseph Connor was celebrating his ninth birthday that day. His father never made it home. His wife was made a widow.

Or Diana Berger, whose husband was having lunch that very same day in Fraunces Tavern, who was 6 months pregnant with their first child. Her husband never made it home.

Or fast forward several years later to December 31, 1982, New Year's Eve in downtown New York once again, when an FALN bomb exploded, leaving Officer Rocco Pascarella without a leg. And when two of his colleagues, Officers Richard Pastorella and Anthony Semft responded to that bomb threat, they were called to another scene, another FALN bomb. And when Richard Pastorella was 18 inches from that bomb, it detonated.

Today, Officer Pastorella is blind in both eyes. He has no fingers on his right hand. He has 20 screws in his head to keep his face together. He has undergone 13 operations. His partner, Anthony Semft, is blind in one eye. He has had reconstructive surgery. He is partially deaf. And those are just some of the victims of this FALN organization.

Now we are about to set these people free, who call themselves freedom fighters? Now we are about to set these people free.

This group, they are not a bunch of Boy Scouts and Girl Scouts. They are a terrible, terrible group. These people had no regard for human life. They participated in this network that would rob and steal, that would videotape making bombs.

What were they going to do with those bombs? They were going to be used against innocent people. And the President has offered clemency to these individuals. Two of them have renounced it because they believe what they did was justified, that they are political prisoners. Well, tell that to the Berger family, tell this to the Pastorellas, tell that to the Pascarellas, tell that to every innocent person across this Nation who feels the best and most important priority we can do as public officials is to protect them.

In Oklahoma City several years ago, Terry Nichols was nowhere near the bomb scene, but he was sentenced to life. Can you imagine the outrage of the American people if in 10 or 15 years the then President offers clemency to Terry Nichols because he was nowhere near the bomb scene?

We have called upon the President to rescind that offer of clemency. I am afraid it may be too late.

□ 1045

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Mr. Speaker, I want to thank our colleague, the gentleman from New York (Mr. FOSSELLA) for introducing this resolution that he has brought before us today. I also thank the leadership for bringing this matter to the House floor with appropriate alacrity.

It is important to remember that the FALN targeted police officers with their violence. One of my constituents that the gentleman from New York (Mr. FOSSELLA) referred to, a former New York City police officer, Rocco Pascarella, lost his leg in an FALN attack in New York City on December 31, 1982. He lost the sight in one of his eyes.

By targeting police officers who were sworn to serve and protect our citizens, the FALN has targeted all of us. As I join with the gentleman from New York (Mr. FOSSELLA) with what I expect to be an overwhelming majority of our colleagues calling on the President to withdraw his offer of clemency, I am also gratified that the Committee on Government Reform, on which I serve, has subpoenaed documents from the administration related to this unprecedented clemency offer.

We look forward to further proceedings in that direction. I urge my colleagues to fully support this resolution, Mr. Speaker.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. OXLEY).

Mr. OXLEY. Mr. Speaker, I rise in support of the rule and of the resolution, and I want to commend my good friend, the gentleman from Staten Island, New York (Mr. FOSSELLA), for his work on this very important issue.

Mr. Speaker, this is really about the respect for law in this country, and whether folks who have decided to use terrorist activities and criminal behavior against innocent individuals should pay a price as dictated by the law, or whether we are going to turn our backs on law enforcement and the rule of law in this country.

What would happen if the President, whoever he may be in a few years, would grant clemency to the World Trade Center bombers, or the Oklahoma City terrorists? Or to my liberal friends, how about the folks who have bombed abortion clinics? Would they be a good subject for having clemency granted? I do not think so.

Basically what we have here is an issue of common sense and the rule of law. One hundred and thirty FALN bomb attacks on civilian and military targets, six people dead, dozens wounded.

I was based, Mr. Speaker, in New York City in the early seventies, right before these terrorist attacks took place, when I was stationed there with the FBI. I have had some discussions with some of my friends who had served in New York, and still some of them currently serve in New York, as well as with the FBI headquarters.

I can tell the Members without exception that those gentlemen who are sworn to uphold the law and in fact arrested these criminals are adamantly opposed to this action by the President. I would ask that the House pass this by a substantial margin and send a strong message to the White House that the rule of law must be protected.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from New York for yielding time to me.

Mr. Speaker, just for the purposes of debate, let me remind folks what we are talking about here. The power of clemency is an awesome power that is granted to the President under Article II, Section 2, Clause 1 of the Constitution, that says, ''The President shall have the power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.''

The party in power gives the President unlimited authority to grant full and committee pardons, conditional pardons, clemency, such as commuting sentences, reversing conditions, or nullifying conditions of release.

This President has exercised this awesome power only three times since he has been President. President Bush, to my understanding, did it three times. There have been more than 3,000 applications for clemency, and Lord knows how many other people sitting in prison would want this power of clemency granted to them, as well.

Of the three who have been released or granted clemency in the last 7 years, one was subsequently convicted and

sent back to prison. So this is not something that is done every day.

Now, all at once, 16 terrorists are being offered this power of clemency. Most of the 16 terrorists were charged with seditious conspiracy and weapons possession connected to 28 bombings that occurred, as I say, in northern Illinois in the late 1970s. There are those who are going to come forward today and say they had nothing to do with the bombings. Again, let us reinforce what this is all about. These people were part of a network of individuals who terrorized. They were a terrorist organization. They proudly proclaimed themselves to be part of a terrorist organization.

Ask any American with common sense. Ask any law enforcement agency. They will tell us that it takes more than one person to plant the bomb. It takes more than one person to detonate a bomb. It takes people who steal money to buy explosives and weapons. It takes others to do the planning and activities. To coin a phrase, it takes a village to pull off these operations.

Do we want to set these people free? I think not. If we do, and it seems it is likely, the American people are losers. The victims of these tragedies are losers. The terrorists are the winners.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. Mr. Speaker, I am not even going to try to make an argument against some of the things I have heard here today, because I realize that one of the most difficult things to do here today or this week or this year or any time is to sound like we are speaking on behalf of terrorism. We are not.

As has been stated over and over again, this is an issue of national reconciliation. The fact is that as Puerto Rico faces 101 years of a relationship with the United States, a relationship which started with an invasion in 1898, and has reached the point where Puerto Rico is still not an independent Nation, nor is it a State of the Union, that we will always have these kinds of discussions.

Some people will demonstrate to change that status question. Some people will lobby to change that status question. Some people in the past chose to be part of organizations that chose other methods.

Let me briefly just state the fact that these particular people that we are talking about were not charged with nor were they convicted of any acts of violence. That is a fact. When the President offered the clemency, he and the White House and the government understood that.

What I would like to do today for a couple of minutes is make a plea with the American people, a plea to try for a second, for one moment in our lives, to look beyond the issue as we see it, the issue of violence, the issue of anti-American sentiment, if that is the case.

I do not mind if Members disagree with us, if they are angry about it. That is fine. But I would like American teachers, I would like American parents, to try to teach our children and to ask ourselves, how did we get to this point? Where is Puerto Rico?

What is the relationship between Puerto Rico and the United States? Are Puerto Ricans American citizens? Yes. Why are they American citizens on the island and not allowed to vote for the President? Why did they serve in all our wars and do not have a voting representative in Congress? What is the relationship?

If we understand that relationship, if we understand that for 101 years Puerto Rico has been a colony in an unequal relationship with the United States, then we will understand that discussions like this one and many others related to this one, nonviolent, very political, in a lobbying form, will continue to take place.

So I would like to take a second to remind us that at the center of this problem is the relationship between the United States and Puerto Rico. At the center of the solution is the status question. If Puerto Rico either becomes the 51st State of the Union or an independent Nation, and only Congress has the right to do that, then this problem will not continue to exist in this fashion, or exist at all.

It is also interesting to note that some of the people who today support this resolution were here in 1979 when President Jimmy Carter gave clemency. President Carter in 1979, with the support of people who support this resolution today, gave unconditional clemency to Puerto Ricans who were in prison for attacking the House of Representatives. They came to the gallery and attacked the House of Representatives, and did not deny it. That group also attempted the assassination of President Truman, and they did not deny it. Those individuals supported that clemency at that time without conditions.

It is also interesting to note that those individuals went back to Puerto Rico and today publicly state, years later, publicly state that the only way to solve the status issue is by lobbying Congress and using the political process to make the change. They saw a different way of doing things, and so will everyone else, I believe.

I would like us also to try to understand something; to take a second, and this is not a plea, I am not complaining about my condition, but to understand what the gentlewoman from New York (Ms. Velázquez), the gentleman from Chicago (Mr. GUTIERREZ), and I go through on a daily basis.

I was born in Puerto Rico and raised in New York. I am a member of the United States Congress. I love my country. I served in the military. I would give my life to protect this country. But I also have great love for the place where I was born. I see that place as my mother. I see this place as my father.

For a long time I have seen my father mistreat my mother. We have to bring that to a conclusion. I know some people will think that is awfully dramatic, but please understand, for a long time I have seen my father mistreating my mother. My mother is Puerto Rico. For 101 years she has been saying, either take me in or let me go. Either take me in or let me go.

I have chosen Congress to make that argument. Some have chosen other ways. But also keep something in mind that history sometimes sees organizations in a different way. Nelson Mandela was seen by his government for 27 years as a terrorist. We saw him as somewhat of a terrorist, and now the world sees him as a hero.

The Irish in Ireland, as part of the peace process, have suggested that so-called terrorists or people who used violence on either side of the issue should be released from prison as part of the peace process. So what is wrong in suggesting that as part of our peace process with the longest colony in the history of the world, 400 years under Spain and 100 years under the United States, the longest serving colony in the world, that as part of a reconciliation to reach a new relationship with that country, that we allow 11 people who are in prison and who were never convicted of a violent act to come home and to integrate themselves back into the society?

Members can disagree with me, and I know I cannot win this argument. But for God's sake, just try to understand what this issue is all about. Try to understand what I go through. Try to understand what other people go through. Maybe we can solve this problem.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), the former Governor.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I would like to address this issue from a little different perspective, because in the first place, I believe, like the supporters of this resolution have stated, that the persons involved, the prisoners, are terrorists. They have tried to impose their political aspirations by force, by terror, and by violence on the people of Puerto Rico, an option that is rejected and has been rejected by over 95 percent of the people of Puerto Rico for the past 40 or 50 years.

The people of Puerto Rico have consistently voted against independence. These people seek to impose independence on the people of Puerto Rico.

□ 1100

One of the avowed purposes of the Armed Forces of National Liberation is precisely to obtain independence for Puerto Rico by means of violence and other acts. The group Armed Forces of National Liberation were involved in over 100 terrorist acts throughout the

United States, particularly in the Chicago area and the New York area and some of them in Puerto Rico, which resulted in the deaths of innocent parties.

In New York in the Fraunces Tavern, four people died and 55 people were injured. In Puerto Rico, a policeman was ambushed and killed. Another group attacked a Navy bus with people who were not armed, and the attackers were armed with submachine guns. They killed two persons and seriously injured nine others.

These are terrorists. People specifically involved have not been convicted for any act of murder or act of violence against another person, because those were not crimes at the times they were convicted. They were tried by 1983.

The Antiterrorist Act was not passed until 1990. There were no acts of murder or violence upon a person that resulted in maiming or incapacitating, disabilitating a person were not Federal crimes until 1990. So these persons could not have been indicted by the Federal Government for those reasons.

However, they were part of the organization. They have never denied having been part of the organization that, not only had over 100 bombing incidents, some of which bombs were deactivated, others exploded, and the assaults upon banks and stealing money in Connecticut, the Wells Fargo armed robbery. They confiscated about $7 million. They went over to Cuba. That money has never been recovered, and that money has most probably been used for other terrorist activities.

From the beginning, the President was presented with three options. One, on conditional release, as requested by people supporting the prisoners, or a denial of the conditional release, or a conditional release as he has decided.

I think that what the President has decided is not only the correct thing, it is a human thing. It is a human thing. It is a right thing to have been done. Because the conditions are that, in order for the clemency to take effect, each one of them have to sign a statement that they are asking for clemency, that they are renouncing violence as a means of obtaining their political purposes, and they will be subject to parole conditions; in other words, they will not be able to meet with each other, to talk with each other, to conspire again. They will be subject to other parole conditions. That is sufficient for protection for this society.

Why are people incarcerated? Why are people in prison? They are in prison for several reasons. First of all, one of them is to punish them for the crime they have committed. The other purpose is to protect society from the criminal elements. The third purpose is to rehabilitate them, give them an opportunity to be rehabilitated.

By giving them clemency under special conditions where they have renounced violence and allow them to reintegrate themselves in society under controlled conditions, then we can see if they really mean to have renounced violence for their purposes and we can see that they can be reintegrated back into society.

That is why I think the President's position is a responsible one, it is one that we should support. I do not think we should be criticizing the President when, through the process, nobody opposed it. I was one of the few persons that raised my voice against a conditional release. I raised my voice to the President. I raised my voice to the Attorney General. I raised my voice in public. I argued it in public.

Very few other people did that. All of the other people were supporting an unconditional release without any regard to the peace and security of their fellow Puerto Ricans.

I must repeat, these are people who are Puerto Ricans. Some of them were not born in Puerto Rico. Some of them are Puerto Rican becase their parents were Puerto Ricans. They lived, most of them, in Chicago or the New York area.

From there, we are trying to impose their will on the people of Puerto Rico who have overwhelming by over 95 percent of the votes rejected independence. So we feel that the action, although it has been severely criticized, is the correct action, and the action should be supported.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELAZQUEZ. Mr. Speaker, I rise in strong opposition to this resolution. Mr. Speaker, we have old, unfinished business before this body. We are here to debate a resolution that has not gone through the committee process and ran through the Committee on Rules in the night.

This resolution is factually incorrect, is a mirror of how this Congress and the United States Government has dealt with the political status of Puerto Rico. But that will be debated, and that discussion will take place during general debate.

Why is it that the majority does not want a true discussion on this issue? Because the majority does not want to understand this issue. This is not about terrorism, and we will discuss the true intent of this resolution during general debate.

It has to do a lot with what is going on in New York politics. We are having a Senatorial race in New York. That is the true answer of this question of this resolution that we are debating today.

But the truth is that these individuals, these distinct political prisoners, have been prisoners not once, but twice.

I rise in strong opposition of this, and we will present to my colleagues a historical perspective of the whole issue of the political question of Puerto Rico. We have had time, over 100 years of keeping a colony. That is a violation. That is a violation of the civil rights of the people of Puerto Rico.

It is ironic, it is shameful for this body that does not recognize the right of the Puerto Rican people to self-determination. My colleagues will bring back to me the fact that last year we were debating the legislation of the gentleman from Alaska (Mr. YOUNG), a legislation that again tried to impose a political decision upon the people of Puerto Rico.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Speaker, I will tell my colleagues, I rise in strong support of this concurrent resolution. Congress absolutely must speak out definitively on this subject.

It is incomprehensible to me that the administration would actually offer to release these convicted felons associated with the FALN members, and nobody denies these are terrorists. They have now, I am told, accepted the clemency proposal and have, in return, promised to denounce violence. Does anyone believe that?

Since when do we take the word of terrorists who have been asserting yet again that they will become terrorists and they will carry through? In any case, the terrorists did not renounce until 3 weeks after the offer and only after, and it has been discussed here earlier, that this has become a partisan political issue. I do not think it is, but the administration has made it a partisan political issue. As far as the terrorists are concerned, they only renounced terrorism after it became a political issue in the Senate campaign in New York.

I am really shocked by this whole thing. I do not know why in the world anyone would think that the Congress should not speak out on this subject. Terrorists who commit murder or sponsor other murderers should expect to spend the rest of their lives behind bars.

This clemency offer sends the entirely wrong message around the world, around the world, not only here. It totally distorts the law. It invites and incites terrorists, not only in the U.S., but in other parts of the world. Fundamentally, it violates the rule of law and order in a democratic society.

I ask my colleagues to please support strongly this resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, I rise in opposition to this resolution. I think that the resolution is just not founded on facts. I believe I have good knowledge of why the President of the United States offered clemency.

The President of the United States had not offered clemency because a group of politicians got together one day and decided to go down there and ask him for clemency for these 15 Puerto Rican political prisoners. He did so because he believes in peace and a reconciliation, and he believes that the rule of law is based upon justice and to

look and to examine the facts in an impartial manner.

I believe the President of the United States acted correctly when he listened to the petition and responded to that petition.

Now, people would like to think, and of course the discourse has been much about who did what for whom and why. Well, let me come here to try to explain why I believe the President acted and acted correctly. The President looked at this issue and said, there are 10 Nobel Peace Prize winners who have petitioned me, the President of the United States, for this release.

Among those 10 Nobel Peace Prize winners was Desmond Tutu; Coretta Scott King, the widow of Reverend Martin Luther King. Among those 10 Nobel Peace Prize winners was a former President of the United States, Jimmy Carter. That is a lot of different people coming together and saying to the President of the United States,

> In the spirit of peace and reconciliation, and as you view Puerto Rico's relationship with the United States, we ask you to initiate a new dialogue, a dialogue based upon peace. And you cannot have peace without justice.

They said to the President of the United States, let them go and allow them to return home.

Now, the question of violence, which is an issue which continues to get debate here, let us make it clear, and I would like to just read from the New York Daily News, an article written by Juan Gonzalez, and it says,

> In a statement the prisoners issued in early 1997 when they acknowledged with a sense of self-criticism that the FALN's war of independence had produced innocent victims on all sides and pledged, if released, to participate in the democratic process.

That is about peace and reconciliation.

I would like the American people to understand one other thing, that we also have to have the convictions of our own morals. We have gone out to Ireland, and we have set a course and help set a course for peace there. We have gone to the Middle East, and we have gone to set a course for peace in the Middle East.

We have gone throughout the world to bring about peace. In that peace process, we must close the past and close those chapters and begin a new chapter. So based upon a process of reconciliation, of bringing people together, we had hoped that the President would take action.

I want to make absolutely clear to everybody here that the 11 that have accepted the President's conditions, none of them, none of them were ever charged and/or convicted of any charge which caused the death or human hurt upon any individual. None of them. None of them. That is clearly the record. That clearly is the record.

Now, my heart goes out, as I know all of our hearts go out, to all innocent victims of violence. We want to end the vicious cycle of violence, and the President of the United States has taken a courageous step. I would hope that, and I am not going to ask for this to be entered into the RECORD, but we could read a Requiem en Cerro Maravilla, a Requiem en Cerro Maravilla, which will indicate to all that violence has two faces in this nature, that there has been violence from both sides.

The gentleman from New York (Mr. SERRANO) and the gentlewoman from New York (Ms. VELÁZQUEZ) and I and 10 Noble Peace Prize winners, including the Arch Bishop of San Juan and the Cardinal of New York, is asking everybody to come together in peace and reconciliation. Forgive us our trespasses as we forgive those who have tresspassed against us and bring peace to all.

□ 1115

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

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

I want to respond to the gentlewoman from New York who said this is about New York politics. Well, I am not from New York; I am from Arkansas. And generally people from Arkansas do not dabble in New York politics. I believe that this happens to be about issues of law enforcement, about issues of safety, and about issues of justice. And as a former federal prosecutor, I look at it from that context.

I am concerned about the President and his anticipated action in this regard. Clearly, the President has the constitutional authority to grant clemency, but I believe it is the responsibility of this Congress to express itself on this issue. In this case there are 16 individuals who have been given a conditional grant of clemency. These individuals are principals and leaders of the Armed Forces of National Liberation, or the FALN. They have launched a terror campaign; 130 bombings, killing six people.

Clearly, as has been pointed out, these individuals were not prosecuted specifically for those acts, but they went through the criminal justice system; and they received a certain number of years, of which they have not completed their service yet. So in this case the individuals went through the criminal justice system; and the system worked through the jury, through the judge, and now through the prison system.

I think there are a number of problems granting clemency in this case. First of all, clemency is rarely granted; three out of 3,000 requests. It is a rarely used remedy. In this case clemency is argued as an act of compassion and mercy, and that is an appropriate use of clemency when it does not undermine legitimate law enforcement functions, when it does not undermine our fight against terrorism, when it does not undermine those people who have trusted the system to achieve justice. And I believe clemency in this case would undermine those lofty objectives.

And then, thirdly, I believe that a problem with this clemency is that there is not sufficient expression of remorse, contrition, and sorrow. Now, certainly people may say, well, they have indicated they will not engage in violence in the future. Well, I think that everyone would agree that they would make that promise, but there is no guarantee that that promise will be effective tomorrow, the next day, or 10 years from now. So I would ask support for this resolution.

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

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

Mr. TRAFICANT. Mr. Speaker, I support the rule; I support the resolution. Twelve terrorists from Puerto Rico involved in 130 bombings in America, six Americans were killed, dozens more wounded, families fractured, and we are sort of setting a whole new policy on terrorism in America with this clemency act. It is very simple to understand: if an individual is a terrorist and they bomb and kill in America, if they promise never to do it again, to cross their hearts or swear on their mothers they are never going to do it again, apologize for their terrorist bombings and killings, that they will be pardoned. Beam me up.

I do not care what country they are from, what nationality they are. If they are a terrorist and they kill Americans, by God, they will get the wrath of Uncle Sam and not a damned pardon. And that is what we should be saying today in the Congress of the United States.

Now, I am not going to cast any aspersions on the whys of this action and question the President's judgment. All I will say is I disagree with that judgment. I think it is wrong. I think it is dangerous. An America that pardons terrorists who bomb and kill and murder our people is an America that invites more terrorists and invites more terrorism. Period.

I support the rule, I support the resolution and, by God, I hope we never get another clemency decision like this again.

Mr. REYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BONILLA).

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

Mr. BONILLA. Mr. Speaker, I rise in strong support of the rule and of this resolution. This bill's message is fundamentally simple: political violence is unacceptable in a democracy. There must be no compromise with terrorists.

My colleagues, the eyes of the world are on us today. An assortment of jackals and thugs are watching. Osama bin Laden, watching from his home in the mountains of Afghanistan; Terry Nichols and Ted Kaczynski from their cells

in federal prisons, all of these people are watching. They are waiting to see if America has the strength of its convictions. They are waiting to see if the President will succeed in raising the white flag in the war against terrorism. My colleagues it is up to us to disappoint this coalition of evil. It is up to us to uphold our commitment to the rule of law and justice.

This is not a partisan issue, and this is not an issue about race. Good people from all ethnic groups in this country denounce violence and support strongly law and order in this country. This is about our commitment to democratic principles in the face of terror. Senator MOYNIHAN spoke up eloquently when he joined our cause and made it clear that this offer of clemency is wrong. The First Lady has acknowledged that political gain cannot justify such a serious abandonment of law enforcement principles.

My colleagues, let us not forget that another set of eyes are watching us as well. These are the victims of terror, the jurisdiction who are with us, the survivors who lost their loved ones, and the victims who are watching us from above. Let us not tell them that we are abandoning them now because of political expediency. Our decision today should be open and shut. Please join me in reaffirming the American leadership in the war against terror. Please join me in reaffirming our commitment to justice. Let us slam the door that the President has opened for terrorists. Please join me in standing up to terrorism and supporting this rule and this resolution.

Mr. MOAKLEY. Mr. Speaker, would you be kind enough to inform my dear friend, the gentleman from New York (Mr. REYNOLDS), and myself of the remaining time.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Massachusetts (Mr. MOAKLEY) has 8½ minutes, and the gentleman from New York (Mr. REYNOLDS) has 9½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. FROST).

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

Mr. FROST. Mr. Speaker, I rise as one of the 435 Members of the House of Representatives who oppose terrorism. I will vote for this motion even as I make clear that none of us condones acts of violence committed against the people of the United States.

But, Mr. Speaker, none of us should condone the transparent political charade being put on by the Republican leadership here today. The Republican leadership refuses to allow this House to pass a bipartisan HMO reform bill. Doctors and patients support it, Democrats, and as many as 20 rank-and-file Republicans have supported it. But the insurance companies and big HMOs do not want it, so the Republicans cannot find time to let us pass a real patients' bill of rights. Neither can the Republican leadership find the time to allow the House to raise the minimum wage for working families. They cannot even find the time to send to the President the centerpiece of the Republican agenda, the huge tax plan that would risk Medicare and prevent us from paying down the debt.

But the Republican leadership is turning procedural handstands to make time for this vote today. Why? For the same reasons this Republican Congress does almost everything it does. First, because Republicans think this vote will provide them with the raw material for 30-second attack ads next year. And, secondly, because the Republicans are solely concerned with providing red meat for the right wing that remains obsessed with the President.

Mr. Speaker, the American people know that the House of Representatives opposes this terrorism, but the American people are also beginning to see that this Republican Congress will do everything it can to protect its special interest supporters and prevent Democrats from addressing America's real priorities.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I hold no brief for terrorism. I hold no brief for the actions of the FALN. I do not think arguments about the status of Puerto Rico, whether it is a colony or not, are relevant to this discussion. Whether Puerto Rico is a colony or not does not justify people to engage in armed revolt. All of that is irrelevant.

What is relevant, and what I want to talk about for a moment, is the rule of law. The rule of law says an individual should be sentenced by the court for the crimes they are convicted of. The rule of law says that people convicted of the same crimes, more or less, should be sentenced to more or less the same sentences. The rule of law says that before the Congress passes resolutions commenting on a particular criminal case it should know the facts and should hold hearings first and then have the resolution, not the other way around.

This resolution, frankly, is an outrage. It borders on a bill of attainder. Technically it is not, but it borders on it. This bill makes many questionable statements of fact: ''Whereas the Federal Bureau of Prisons reportedly based its decision in part on the existence of audio recordings indicating that some of the 16 have vowed to resume their violent activities upon release from prison.'' Well, are those audio recordings in existence or not? Certainly makes a difference. Reportedly? We do not know. Let us have a hearing and find out first before we do this.

''Whereas the release of terrorists is an affront to the rule of law.'' These people were not condemned as terrorists. They were condemned for the crimes of seditious conspiracy and weapons possession. I am told that the normal sentence for those crimes is about 10 years. They were sentenced to 90 years.

The contention is made that they were sentenced to lengths of time far in excess of what people normally convicted of these crimes are sentenced to. Remember, they were not convicted of bombing anybody, planning to bomb anybody, murdering anybody. If they did it, they got away with it because that could not be proved. Maybe somebody else did it. They have to be judged and sentenced and treated on the basis of what they were convicted of. That is the rule of law.

If the President believed that the interest of justice called for clemency because they had been sentenced far in excess of the normal sentence for their crimes for which they were convicted, that is his privilege as President to make that decision. It is all our privileges to agree or disagree and to criticize him severely as individuals. Congress, to my knowledge, has never passed a resolution condemning the exercise of the pardon or commutation power of a president. Congress did not pass a resolution condemning President Ford for pardoning President Nixon for any crimes he may have committed. Congress did not pass a resolution condemning President Bush for pardoning Secretary of Defense Weinberger 12 days before he was to go on trial for multiple felony indictments.

It is wrong for Congress to intrude itself in an individual case. Congress was right not to get into that. Many people were very critical of those presidents, and maybe they were right to be critical. And maybe people are right to be very critical of President Clinton for this. But it is wrong for Congress to pass a resolution on an individual criminal case, and on the exercise by the President of his clemency or pardoning power. And it is certainly wrong to do so before we have the facts and before we have the hearings.

This resolution, for instance, says, ''Whereas the State Department in 1998 reiterated two long-term tenants,'' I assume that should be tenets, not landlord-tenants, ''of counterterrorism policy that the United States will make no concessions to terrorists and strike no deals; and bring terrorists to justice for their crimes,'' as well. What that means is that we do not make concessions in negotiations with terrorists before we catch them and try them and punish them. It does not mean that we do not commute a sentence 20 years later.

These people have served 16, 18 years in jail. If people are normally sentenced to 10 or 15 years for the crimes these people were convicted of, that is what they should serve. It is not being soft on anybody. On terrorists? These people were not convicted of terrorism. We should adhere to the elementary rule of law that individuals should be convicted and should serve the time that the sentencing commission guidelines and the law says is appropriate

for the crime an individual is convicted of.

The President says these people were sentenced way beyond what people convicted of their crimes normally are. If he is right, if that is correct, then he was justified in his clemency. If he is not correct, then he was not. We do not have the facts, and we should adhere to the rule of law and not pass a resolution intruding into the criminal justice process, as Congress has never done before in the history of this country.

□ 1130

We should not set such a precedent. Let us individually criticize the President if we think it justified. But Congress should not overstep its bounds. And if it were going to, it should have the hearings and get all the facts first, not act on the basis of political gamesmanship.

Let me say one other thing. The motivation for this: Twenty minutes of debate on each side, no amendments, no hearings, no committee action. Why is this being rushed? For political reasons, to embarrass the President and the First Lady, who is considering running for the Senate in New York.

It demeans the Congress to act on this political basis. I do not think this had anything to do with the campaign, and I do not even want to talk about that. But the fact is that is why action is being rushed. That is why we are doing this resolution before we do hearings and find out what really happened, find out what the facts really are, come in and say what does the statute say, what are the sentencing guidelines, what are other people convicted for these similar crimes sentenced to, what are the normal lengths of time served, what are the circumstances, why did the President recommend this? And then we can make an intelligent judgment, not in haste.

We did not hear about this resolution until yesterday. No committee action. No committee consideration. No hearings. No facts. Just jumped to conclusions.

We heard a lot on this floor last year and in the Committee on the Judiciary about the rule of law. This makes a mockery of it.

Mr. REYNOLDS. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. FOSSELLA).

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

Let me again try to shift the focus back to what this is all about. It is sending a clear and convincing signal to terrorists around the world or right here on American soil that there is no place for terrorism in an American democracy to protect the innocent and the law abiding because too many people have died already.

There are those who have brought up that this is an issue of Puerto Rican political status. Well, for those who do not know, the people of Puerto Rico have had an opportunity to express themselves through plebiscites.

In the most recent plebiscite, the people of Puerto Rico have had three options: to maintain the commonwealth status, to seek statehood, or to seek independence for a free and independent Puerto Rico.

Less than three percent of the people of Puerto Rico chose independence. And that is exactly what the FALN espouses and continues to espouse and those who support release of the FALN prisoners seek to espouse.

So in a democracy, what we do is we vote; and if we do not get our way, we move on and we live under the rules of law. We do not go out and bomb innocent people.

To draw an analogy, Staten Island voted to secede several years ago from New York City. The people of Staten Island, 65 percent overwhelmingly, to secede New York City. Well, through some maneuverings, we were unable to do that. Does that mean we go out and bomb Fraunces Tavern in downtown Manhattan or bomb the Federal building or bomb Police Plaza? No. We move on.

The U.S. Attorneys Office, the woman who prosecuted these individuals in Illinois, was quoted recently in a letter to the editor in the Wall Street Journal. She wrote strongly opposing the clemency petition. She recently said that in the first prosecution, some of these petitioners were caught in the back of a van stocked with weapons to be used to commit armed robberies to fund the FALN operations.

In a second prosecution, three of the terrorists were caught on videotape in safe-houses making bombs that they were planning to plant in military installations.

This is not violent behavior? This is not terrorism?

In this House there are bullet holes, evidence of FALN activities. Those people convicted were released. The FALN prisoners were released and granted clemency. After they were released, the FALN continued on a barrage of terrorism, 139 bombs.

What type of signal do we send releasing those prisoners and then be forced to watch innocent people die by the same group or part of the same group of FALN? Have we not gotten the message? Have we not learned?

Let us talk about some of the people we are talking about here. In 1981, Ricardo Jiminez, who was released, had the following exchange with the judge in his sentencing proceeding: ''If it could be a death penalty, I'd impose the death penalty without any hesitation,'' the judge told Jiminez, who replied, ''You can give me the death penalty. You can kill me.''

Carmen Valentine, who accepted the President's offer of clemency, threatened the same judge: ''You are lucky that we cannot take you right now.'' She then proceeded to call the judge a terrorist and said that only the chains around her waist and wrists prevented her from doing what she would like to do, to kill him. That is in the UPI, 1981.

Alicia Rodriguez, Luis Rosa and Carlos Torres say they have nothing to be sorry for and have no intentions of an armed revolution. That was in 1995, 4 years ago.

Luis Rosa, in response to why the FALN bombed a suburban shopping mall, retail stores, banks, and the headquarters of a large U.S. corporation, where anybody's children could be, where anybody's parents could be, where anybody's grandparents could be, this was his exchange: ''They all had interests in Puerto Rico. We were attacking them in their pocketbooks. Capitalists understand it more when they feel it in their pocketbooks. We were retaliating for their dealings on the island and, hopefully, getting them to leave the island.''

Remember the words, ''we were attacking.'' This was a group. This was a disgrace.

Support this rule. Support this resolution. Let us not tolerate terrorists here on our soil.

Mr. SHERMAN. Mr. Speaker, I opposed the rule considered today as House Resolution 281. The clemency for 16 members of the FALN is a serious matter and deserves serious debate. If Congress acts in such matters by passing a resolution, that resolution should be as carefully drawn as possible—and it certainly should reflect the views and input of Members of this House.

However, under House Resolution 281, we are to consider the sense of Congress resolution offered by Mr. FOSSELLA under a truncated procedure designed for non-controversial matters. Under House Resolution 281 we are to consider Mr. FOSSELLA's proposal without the possibility of offering amendments. Clearly this is an important and controversial matter and the House should consider it under procedures that allow Members of the House to propose amendments.

Second, it appears that House Resolution 281 allowed the House to bypass the committee process. A committee hearing and markup should have been held prior to the consideration of Mr. FOSSELLA's resolution, so that the measure presented to the House would have reflected the deliberative process. Such a markup or hearing could have been held yesterday. That might have required suspending the committee rules; of course, we are being asked to suspend the rules of the House today.

In sum, House Resolution 281 provided for an inadequate procedure to deal with this important issue. We should expect better of the House leadership, and the country certainly expects better of us.

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

Mr. REYNOLDS. Mr. Speaker, I urge my colleagues to support this fair rule and the underlying bill.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 253, nays 172, not voting 8, as follows:

[Roll No. 397]

YEAS—253

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kennedy
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (FL)

NAYS—172

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Berman
Bishop
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—8

Berry
McIntosh
Pryce (OH)
Rangel
Rogan
Sununu
Towns
Young (AK)

□ 1158

Messrs. EVANS, EDWARDS and COSTELLO changed their vote from ''yea'' to ''nay.''

Mr. PHELPS changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT FROM THE COMMITTEE ON RULES ON AMENDMENT PROCESS FOR H.R. 1402, CONSOLIDATION OF MILK MARKETING ORDERS

Mr. REYNOLDS. Mr. Speaker, a ''dear colleague'' letter will be delivered to each Member's office today notifying them of the plan by the Committee on Rules to meet the week of September 13 to grant a rule which may limit the amendment process on H.R. 1402, Consolidation of Milk Marketing Orders.

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by 3:00 p.m. on Tuesday, September 14, to the Committee on Rules in Room H–312 in the Capitol. Amendments should be drafted to the text of the bill as reported by the Committee on Agriculture.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the Rules of the House.

□ 1200

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1621

Mr. CHAMBLISS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1621.

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

There was no objection.

EXPRESSING THE SENSE OF THE CONGRESS THAT THE PRESIDENT SHOULD NOT HAVE GRANTED CLEMENCY TO TERRORISTS

Mr. PEASE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 180) expressing the sense of Congress that the President should not have granted clemency to terrorists, as amended.

The Clerk read as follows:

H. CON. RES. 180

Whereas the Armed Forces of National Liberation (the FALN) is a militant terrorist organization that claims responsibility for the bombings of approximately 130 civilian, political, and military sites throughout the United States;

Whereas its reign of terror resulted in 6 deaths and the permanent maiming of dozens of others, including law enforcement officials;

Whereas 16 members of the FALN were tried for numerous felonies against the United States, including seditious conspiracy;

Whereas at their trials, none of the 16 defendants contested any of the evidence presented by the United States;

Whereas at their trials, none expressed remorse for their actions;

Whereas all were subsequently convicted and sentenced to prison for terms up to 90 years;

Whereas not a single act of terrorism has been attributed to the FALN since the imprisonment of the 16 terrorists;

Whereas no petitions for clemency were made by these terrorists, but other persons, in an irregular procedure, sought such clemency for them;

Whereas on August 11, 1999, President William Jefferson Clinton offered clemency to these 16 terrorists, all of whom have served less than 20 years in prison;

Whereas the Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists;

Whereas the Federal Bureau of Prisons reportedly based its decision in part on the existence of audio recordings indicating that some of the 16 have vowed to resume their violent activities upon release from prison;

Whereas the State Department in 1998 reiterated two longstanding tenets of counterterrorism policy that the United States will: ''(1) make no concessions to terrorists and strike no deals; and ''(2) bring terrorists to justice for their crimes'';

Whereas the President's offer of clemency to the FALN terrorists violates longstanding tenets of United States counterterrorism policy;

Whereas the President's decision sends an unmistakable message to terrorists that the United States does not punish terrorists in a severe manner, making terrorism more likely; and

Whereas the release of terrorists is an affront to the rule of law, the victims and their families, and every American who believes that violent acts must be punished to the fullest extent of the law: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that making concessions to terrorists is deplorable and that President Clinton should not have offered or granted clemency to the FALN terrorists.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. PEASE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. PEASE).

GENERAL LEAVE

Mr. PEASE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H. Con. Res. 180, the concurrent resolution under consideration.

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

There was no objection.

Mr. PEASE. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. FOSSELLA), and I ask unanimous consent that he be permitted to control the time.

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

There was no objection.

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

Mr. Speaker, this House is about to vote on a resolution that I believe will simply allow Members in this House to send a clear and convincing signal to terrorists around this Nation, around this world contemplating acts of terrorism, that the United States has a zero tolerance policy towards terrorists.

The background for this is the group known as the FALN, a terrorist organization that wreaked havoc across this country in the 1970s and 1980s, and claimed responsibility for 130 bombings, killing innocent people, maiming innocent people across this country from New York to Chicago. Too many families were left without fathers. Too many families were left without husbands. Too many communities were left without, innocent people who died as a result of FALN activities.

Mr. Speaker, those people are rightfully convicted and sentenced to prison, and now the White House wants to release some of these people back into society. This is the absolutely wrong signal we could be sending to the American people, absolutely wrong to terrorists contemplating acts of violence. And in the goodness of the Members here, can we at least vindicate the memory of the Berger family, of Officers Richard Pascarella who lost his eye, or Rocco Pastorella who lost a leg as a result of FALN activities?

We should be sending a convincing signal that there is no place in American society for all of this. That is why the FBI, the Bureau of Prisons, the U.S. Attorneys Office in Connecticut and Illinois that prosecuted these criminals recommended against clemency, and it has also been stated by someone that the supporters of this clemency included John Cardinal O'Connor from New York. In the New York Post, the top aid to John Cardinal O'Connor said yesterday the Archbishop of New York never backed clemency for FALN terrorists despite White House claims that he did. So just to correct the RECORD, I know some who are under the misimpression that he did.

Mr. Speaker, I encourage every Member of this body to understand who we are talking about. We are talking about people who believe themselves to be freedom fighters; but at the root of it, they believe that we can replace the rule of law if they do not get their way and bomb buildings, bomb restaurants, bomb office buildings in order to achieve their goals, and as a result we have experienced what that means. Innocent people loose their lives.

Think about Oklahoma City bombing, think about the World Trade Center bombing, think about 10 or 15 years if we were to let Terry Nichols free because he was nowhere near the bomb scene. I think the American people would be outraged, and well they should.

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

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong opposition to what is clearly a politically motivated and totally senseless resolution.

We are a Nation of laws, and if any matter is abundantly clear by our Constitution, it is that the President has the sole and unitary power to grant clemency. Is there any Member that does not understand that? Every President has the sole and unitary power to grant clemency.

For the first time in American history, the House of Representatives, under our present leadership, has determined that we should have a vote to determine whether clemency should be granted or whether the President is doing the same or doing the right thing from their point of view. Now the reason that he has the power to grant clemency is that it is that the President is uniquely positioned to consider the law and the facts that apply in each request for clemency.

Despite this long and uninterrupted history of congressional nonintervention through both Democratic and Republican Presidents, today the Republican Congress tells us that we have an emergency on our hands, an emergency. This matter has not even gone through the Committee on the Judiciary. It arrives here on the Floor after a lot of talk over the media over the weekend. We have an emergency on our hands that requires that we stop all of our legislative business so that we can express our opinion on a clemency that he has already granted.

Mr. Speaker, the majority is forcing us to vote on this phony emergency at the same time that our Nation faces serious economic and social issues which should be requiring our immediate attention. Thirteen children killed each day in this country by handguns, and yet the majority does nothing about gun safety; millions of Americans face serious health care insurance problems, and yet we do nothing about the Patients' Bill of Rights; billions of dollars of special interest money corrupting our political system, and yet the majority continues to ignore campaign finance reform.

The real reason that we are voting on this emergency resolution today is because the majority is looking to score some cheap political points. How sad. They were so eager to begin pointing the political finger that they skipped the normal hearings and markup as well as the floor process that this measure would require or that any measure would require that comes before the floor for disposition.

Now of course, if anyone would bother to look at the actual record, they would see that the clemency was justified and appropriate.

First off, the clemency is not absolute. It is conditional, and it is so conditional that it is really a parole. This is parole for life. The President attached several important serious conditions to the grant of clemency, any violations of which would immediately result in the revocation of the commutation. One condition was that the offenders had to renounce the use and advocacy of violence. Some inmates do not receive clemency because they declined to sign the pledge to renounce violence. Another condition restricted the grantees' freedom of travel and association. The grantees, even those related to one another, can no longer associate with each other.

Finally, the inmates received excessive sentences and have served terms far longer than comparable offenders. The individuals in question have served some 20 years in prison for nonviolent offenses. Although they possessed weapons, no one was harmed. Ultimately no person, no single person, was harmed. So this is far longer than average for most violent offenses. The reason they received such harsh sentences

was because they received consecutive sentences for various offenses even though almost all defendants who were prosecuted for multiple crimes received concurrent sentences.

So the resolution before us today is a tawdry one, a sham one, an embarrassing one, an insult to our Constitution and the Puerto Rican people who care so deeply about the clemency issue.

Can we not move forward?

Please vote no on this concurrent resolution before us.

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

Mr. FOSSELLA. Mr. Speaker, I yield myself such time as I may consume, and the purpose of this resolution in part was because the offer of clemency was given just several weeks ago and it was rejected by the prisoner because it appeared that they did not want to agree to the terms and the conditions, and we thought we could at least bring enough public pressure upon the White House to change the mind and rescind the offer.

That is why for those who think it is a partisan thing they have Senator MOYNIHAN, Bill Bradley, Hillary Clinton, all of whom oppose this clemency as well.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS).

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

Mr. GOSS. Mr. Speaker, I rise in strong support of this resolution because the seriousness of terrorism is a challenge to our national security, and I urge its strong support.

Mr. Speaker, I thank my friend from New York for yielding and I rise in support of this resolution. As most Americans were, I was deeply disturbed to learn that President Clinton would consider granting clemency to 16 members of the FALN terrorism group who were tried and convicted of participating in acts of terror. In an effort to make sense of an otherwise inexplicable decision by the President to offer freedom to these criminals, some have claimed that the President was somehow influenced by political considerations affecting the election aspirations of Mrs. Clinton. But even she has spoken out against the clemency offer. Combating terrorism is one of the highest priorities in protecting our Nation's security—and that means standing firm in our absolute intolerance of acts of terror. We must not send mixed signals to those who wish to wage war by wreaking havoc, triggering chaos and generating terror. Our message—from the President on down—is supposed to be clear and unmistakable: Promote or participate in terrorism and we will find you, punish you and make sure that no leniency is offered to you. With this act of irresponsibility, President Clinton has created a dangerous crack in our wall of resolve—he has broadcast to would-be miscreants and their political promoters that for every rule we can find an exception. We can expect from this a domino effect—as every activist group with an agenda will rachet up the political pressure in hopes of finding favor with this seemingly easily-influenced President. What will be next? Is the President planning to grant clemency to Johnathan Pollard, the convicted spy accused of betraying some of this Nation's most important secrets and causing tangible damage to our Nation's security? Those who are lobbying for that outcome have no doubt been cheered by the President's action in the FALN case. There is nothing wrong with political agitation for a cause—this is a free country after all. But when the President of the United States signals that it may be open season for special interests to get their way—even against the best judgments of the senior presidential advisors with expertise on the subject—then there is trouble ahead. The Congress has to speak out with one voice that we reject this type of ad-hoc policy, informed by political or other considerations in violation of our national security interests.

Mr. FOSSELLA. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform.

Mr. BURTON of Indiana. Mr. Speaker, I will not take much time, but there has been some disturbing things that have come to my attention in the past couple of days that I think the Members ought to be aware of.

One is that we sent subpoenas to the White House asking the President to give us the rationale for this pardoning exercise he has been involved in with these terrorists; and the second, we sent a subpoena to the Bureau of Prisons asking them for any information or transcripts of telephone calls that may have been made by these convicted terrorists to others that may have indicated that they were still involved or wanted to be involved or were advocating additional terrorist activities.

I was informed that some people at the Justice Department have contacted us and said that the President and the Justice Department may claim executive privilege, and all I want to do is protest that because I think if they claim executive privilege, the American people will be kept in the dark about why these terrorists were pardoned. The President needs to make clear to the American people the reasons why these people were pardoned, number one; and, number two, we need to know if they were making telephone calls from the prisons advocating additional act of terrorism. If they were, they should not be on the streets under any circumstances.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. LAFALCE).

□ 1215

Mr. LAFALCE. Mr. Speaker, this is a sad day in the history of the House of Representatives. This resolution will pass. This resolution will pass overwhelmingly, but it should not be before us today.

When I initially heard the question posed a few weeks or so ago, should terrorists, should convicted terrorists be pardoned, I thought, what is the President doing? But, you know something? We are not talking about convicted terrorists. Not one individual has been convicted of terrorism. Not one individual was indicted for terrorism. So strike the word from our language.

You are saying anybody who we find guilty of terrorism by association with a group. They were convicted of weapons possession; they were convicted of seditious conspiracy. What is seditious conspiracy? That is a desire to have independence for Puerto Rico from the United States.

Might they have been involved in something worse? Might they have been involved in terrorism? It may be, but they were not indicted for it, and they were not convicted of it. So it is inappropriate for us to be talking about that today.

Look at this resolution. The resolution reads, ''Whereas, President William Jefferson Clinton offered clemency to these 16 terrorists.''

He did not. He offered it to 14, not 16. The resolution is factually incorrect.

''Whereas, the FBI reportedly based its decision.'' ''Reportedly.'' That means you do not know. You are reading a newspaper and saying, well, they report it, so it must be true.

And what is it that they reportedly based their decision upon? The existence of audio recordings indicating that some of the 16 have vowed to resume their violent activities. What is ''some''? Is it one, or is it two, or is it 15, or is it 16 of the 16?

I would urge at least an abstention on this. There is no way that we should rush to judgment on this.

Mr. FOSSELLA. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELay. Mr. Speaker, I do think it is unfortunate that this debate has become what the definition of terrorism is.

Mr. Speaker, I rise in strong opposition to giving clemency to terrorists. This Nation cannot afford to give the world the impression that we are weak, but that is exactly what pardoning terrorists does. The act of pardoning criminals gives the impression that justice has already been done, but that is not the case.

An old adage says that justice is truth in action. Well, the truth of the matter here is that justice is being perverted. The President does have the sole power to grant clemency, but this House has the responsibility of expressing itself on the actions of the President. Clemency should not simply be given at the irresponsible whim of one leader. It should rest on the perception of justice held by the people.

Terrorism is an attack on the everyday sense of security of a people. Terrorists strike randomly and violently to break the will of governments and their citizens.

Now, dealing harshly with terrorists sends the message that a nation is not willing to suffer attacks on its actual safety or its sense of security. If for no other reason, government exists to protect the people. Pardoning terrorists

abandons the real necessity to deter others from these tactics. After all, what kind of message is sent by pardoning those who use violence against Americans to make political points?

Though no one should be surprised by this action by this President, in fact, this clemency for terrorists should go down as a metaphor for Clinton policy, which has been an ongoing comedy of capitulations.

Let us just look at his litany of failure in foreign policy:

North Korea continues to flaunt international law by speeding ahead with their nuclear program, with no consequences whatsoever.

Afghanistan and Sudan were bombed at the blink of an eye without any success at curtailing the terrorist bin Laden.

Iraq is periodically bombed, without getting any closer to the supposed objective of removing Saddam Hussein from power.

Russia, with its massive nuclear capability, is coming apart at the seams and selling weapons technology to scrape by, and we do nothing.

China is walking all over us, pure and simple.

Mr. Speaker, coddling terrorists shows the world that America is weak, but this simply reinforces the impression already constructed on 6 years of a foreign policy embarrassment.

So, Mr. Speaker, clemency for those who attack America's sense of security is a mistake, and I urge an ''aye'' vote on this resolution.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, we are debating today a concurrent resolution that states that it is the sense of Congress that ''the President should not have granted clemency to terrorists.'' The resolution uses the word ''terrorist'' 10 or 15 sometimes.

I have heard the word terrorist used incalculable times during this debate, and I am sure I will continue to hear it throughout the rest of this morning. So I would like to talk about that word and its connection to these people who have been offered clemency, in a way that is a little more accurate, a little more honest, and perhaps a little less driven by politics.

They were convicted of crimes. Specifically they were convicted of weapons possession, car theft and robbery. These are not acts of terrorism. These individuals are not terrorists.

They are also convicted of seditious conspiracy, a political charge, a charge entirely unrelated to violence, a charge virtually never used in America in the second half of the 20th Century.

For these crimes, ''crimes,'' that is an absolutely essential point, crimes in which not one person was seriously injured, crimes which did not cause one person to be killed, not one, they were sentenced to 90 years in prison. Ninety years.

In the late 1980s when they were sentenced, the length of their sentences for these nonviolent crimes was consistently longer than most criminals received for unspeakable acts of violence, more than for assault, for rape or for murder.

Now, we have heard supporters of this resolution talk about very serious acts of violence that were associated with the FALN, of which these people were associated with. These were terrible acts, they were wrong, and I am not here to defend them. As a Puerto Rican and an American, I express my deepest condolences to the victims and their families. Violence such as those acts should not be tolerated. But these were not the acts where these individuals were convicted. This is the plain and simple truth of the situation. That does not excuse what they did, and they have served very long sentences for what they were convicted of.

But for what they were convicted of, and that is the only fair standard in any democracy, they have served long enough. And that is why 10, 10 Nobel Peace prize winners support their release. That is why Coretta Scott King and former President Jimmy Carter and Archbishop Desmond Tutu support their release. That is why an unprecedented international coalition of human rights organizations, of religious, labor and business leaders support their release. That is why the United Council of Churches of Christ, why the United Methodist Church, why the Baptist Peace Fellowship, why the Episcopal Church of Puerto Rico, why the Presbyterians of Puerto Rico, why the Catholic Archbishop of San Juan, support their release.

These are reasonable people I just mentioned, concerned organizations that speak for hundreds of thousands of Americans. They have examined the facts, they have studied the evidence, and they have concluded that these people have served a long enough time for their crimes and they are no longer a danger to our society.

A strong supporter of independence for Puerto Rico, it is with a heavy heart that I think about violence that was associated with this movement long ago, and it is with a heavy heart that I think about the people that were hurt at the time, and it is with a heavy heart that I think about all of the anger and pain that is associated with it. And I hope with a sense of hopeful necessity and fairness and forgiveness that we can all come together and look for peace and reconciliation among the people of Puerto Rico and among the people of this great Nation, as we have done in Ireland and as we have done in the Middle East.

Let us be a leader here at home for peace and reconciliation.

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

Mr. Speaker, for those who have a problem with the word ''terrorism'' or ''terrorist,'' terrorism is defined as the use of violence and threats to intimidate or coerce, especially for political purposes.

I would suggest anybody who has a problem with that language to read all of the public documents to demonstrate exactly what these people are.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, is this debate really about what the definition of terrorism is?

Mr. Speaker, terrorism has become a headline issue all too often. When President Clinton bombed strategic targets in Afghanistan and Sudan last year, he attempted to send a strong message to terrorists that terrorists must pay for their crimes. But on August 11 of this year, President Clinton sent a very different message to terrorists here at home by offering clemency to 16 terrorists.

Much has been said of the political motives of the clemency offer, but this is not the issue. This is an issue of terrorism and victims' rights. What about the countless victims who have been maimed and killed by the FALN bombs and guns?

Yesterday I met with Diana Berger, a constituent from Cherry Hill, New Jersey, who lost her husband in 1975 to these FALN terrorists. What about their rights?

Mr. Speaker, I urge everyone to vote in support of this very important resolution.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. LAFALCE.)

Mr. LAFALCE. Mr. Speaker, every person who has thus far spoken on behalf of this resolution has not only used the word ''terrorist,'' but has called these individuals terrorists and has conveyed the impression that these individuals were convicted of terrorism.

That is 100 percent wrong. They were never convicted, they were never accused, they were never indicted. It is weapons possession, or robbery, or car theft, but it is not terrorism. You may not use that word with respect to individuals if they have not been convicted or accused of it.

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

Mr. Speaker, the people were not convicted of terrorism, because there was no federal statute dealing with terrorism when they were convicted.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA.)

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

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

Mr. Speaker, I totally associate myself with the statements made by our colleague from Staten Island (Mr. FOSSELLA), but I must say, this is incomprehensible that we are nitpicking over whether or not these members,

these people, were not only convicted felons, but openly associated with the FALN. They have publically committed themselves to terrorism. There is no question about that.

However, I want to spend the rest of my time and associate my remarks on this resolution in the name of Joseph and Thomas Connor, who lost their father in an FALN bombing, or, I am sorry, terrorist attack, in New York some years ago.

As they noted in their outspoken opposition to clemency in a Wall Street Journal editorial page article from the Connor brothers, ''Not a day passes without our feeling the void left in our lives.''

In the name of the Connor brothers and the others who have suffered at the hands of terrorists, we must pass this resolution.

Mr. Speaker, I rise to support the concurrent resolution expressing the sense of the House that the President should not have granted clemency to terrorists. Congress must speak out definitively.

Given the nature and scope of the crimes committed by the FALN, I find it incomprehensible that the Administration would make any offer to release any convicted felons associated with this group. The FALN has a history of violence against innocent civilians and there are indications that members of the group may be contemplating a return to terrorism. To release convicted members of this group in this context would be highly irresponsible.

The FALN members who have accepted clemency have promised to renounce violence in return. Since when do we take the word of terrorists? Terrorists who took 3 weeks after the offer and only after it became a political issue in the Clinton Senate campaign. I, for one, do not take convicted terrorists at their word. The President should not be risking lives on a promise that can be broken so easily. This is a mistake of overwhelming magnitude.

In my Congressional District, this matter is of more than academic interest. On January 24, 1975, the FALN bombed the Fraunces Tavern in New York City, killing four innocent individuals and injuring 53 others. One of those killed was Frank Connor, a Wall Street banker from Fair Lawn, New Jersey.

Mr. Connor was an American success story. The only son of an elevator operator and cleaning lady, he was born and raised in a working class neighborhood, went to a public college and worked his way up from the ground floor to a successful career in business. Mr. Connor was a husband and father. In fact, he was looking forward to a joint birthday party that evening for the ninth and eleventh birthdays of his sons, Joseph and Thomas. He obviously never made it home for that party and those young boys never saw their father alive again.

Today, Joseph and Thomas Connor are Wall Street bankers like their father and have been among the leading opponents of this misguided offer of clemency. I quote from an op-ed article Joseph and Thomas wrote for the Wall Street Journal: ''Not a day passes without our feeling the void left in our lives.''

In the named of the Connor brothers and others who have suffered at the hands of terrorists we must pass this resolution.

None of the 16 FALN members who have been offered clemency are alleged to have been involved in Mr. Connor's brutal murder. Nonetheless, they were core members of a group that used terror as an instrument of action. The FALN has not engaged in bombings since these terrorists were incarcerated.

Terrorists who commit murder or sponsor murder should expect to spend the rest of their lives behind bars. This clemency offer totally distorts the law; invites terrorists to U.S. action; and violates the fundamentals of a law and order democratic society.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks and include extraneous material.)

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong opposition to this resolution. You are talking here about violence and terrorism. What about terrorism when you keep Puerto Rico as a colony for over 100 years? For over 100 years all branches of the Federal Government have claimed plenarial or absolute power over Puerto Rico and its people.

□ 1230

How hypocritical it is of us, how embarrassing, that the greatest democracy in the world turns a blind eye to our own condition.

We seek to export democracy to all parts of the world, from Ireland to Kosovo. We celebrate where it takes hold, in South Africa and so much of Eastern Europe. But what about our own backyard? We do not have the integrity to look ourselves in the mirror and ask the difficult question. We do not have the courage to get our own house in order.

Today it is not about whether clemency should be granted, and many of us know it. This is a political issue and many of us know it. The only reason for this resolution is to embarrass the President and the First Lady. All Members need to do is to look at our history.

Allow me to provide some historical perspective which will hit closer to home. In 1979, Members of Congress on both sides of the aisle approved of President Carter's decision to commute the sentence of four Puerto Rican nationalists. Can anyone in this Chamber explain to me what is the difference between the release of four nationalists in 1979 and the release today of these 11 prisoners, political prisoners?

Do Members know what the difference is? It is that in 1979 we were not facing a senatorial race in New York. That is the difference. Not only that, but Members from both sides of the aisle congratulated President Carter for that humanitarian gesture.

The Republican leader at the time, Representative John Rhodes of Arizona, said the following on this very floor on September 7, 1979. I quote: ''Mr. Speaker, the action of the President in releasing the prisoners meets my approval. I do think that enough time has elapsed.'' Those were the words of the Republican leader. In addition, other Republican Members of Congress, Members who are still in this body, expressed similar statements.

Mr. Speaker, I include for the RECORD the comments made by one of the cosponsors of this resolution, the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I want to commend the gentleman from Puerto Rico for his statement and for his support of this initiative. I join in commending the President for undertaking this humanitarian gesture.

In like manner, I hope that President Fidel Castro will honor the promises he made to our congressional delegation which visited with him in January of this year, at which time he stated that when the United States undertakes a humanitarian gesture releasing Puerto Rican prisoners, that he would entertain a reciprocal humanitarian gesture and release the American prisoners presently being held in the Cuban jails, some of whom have been imprisoned for as long as 15 years.

I thank the gentleman for yielding.

Mr. FOSSELLA. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from beautiful upstate New York (Mr. SWEENEY).

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

Mr. SWEENEY. Mr. Speaker, I just want to make one brief point. As a New Yorker who, like many Americans, is outraged at the actions taken here, and really quite confounded by my colleagues on the other side for their statements, what people are outraged about, what my constituents care about, is what appears to be the total disregard for the depth of the issues involved here, the rashness with which the President acted for what appears to be purely political purposes.

Members talk about people raising this issue for a political practice. It was the President who practiced it. We are outraged by it. It threatens the security of all of us.

Mr. Speaker, I, like so many Americans, am outraged that the President has risked undermining the security of the people, in order to score political points with New York's Latin community. There is no way to excuse the release of eleven convicted terrorists. None, whatsoever.

This nation has the most effective system of criminal justice system in the world, because, as a people, we insist on holding criminals accountable for their actions. The American people understand this, they have seen through the ruse that the President has tried to pull on them.

As a former campaign director on many high profile, high stakes elections, and as a candidate myself, I understand the passion involved in wanting to win. But, I also know there are some lines that you just don't cross. The latest action by the President to offer clemency to these terrorists clearly crosses this line.

Mr. Speaker, I want to applaud the leaders of New York's Latin community, especially our colleague from New York, Mr. SERRANO, for putting politics aside and sticking to their beliefs. They could have sat in quiet support of their political ally, the First Lady, but they didn't and I commend them for their honesty.

The political campaign process is intended to strengthen our system of government. But, what the Clinton-Gore campaign machine has done, undermines our judicial system. When the President, the chief enforcer of our laws, weakens this structure by releasing convicted criminals for cheap, political purposes, there is a serious problem. It denigrates American Democracy.

Support the Fosella Resolution!

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. SERRANO), a former member of the Committee on the Judiciary.

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

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

Mr. Speaker, I think the President did the right thing. As I said before during the rule debate, he did it, or he wanted to do it, actually, right before we had that horrible situation with the impeachment situation. He wanted to do it then as part of the observance, if you will, of the 100th anniversary of the invasion of Puerto Rico by the United States. He wanted to do it as a first step towards a national reconciliation, a national reconciliation which we support in other parts of the world but we do not support here.

We may not like to hear it, but the fact is that Puerto Rico is a colony of the United States. The fact is that since 1898, the American government has held Puerto Rico as a possession. As long as Puerto Rico remains a colony of the United States, we will have demonstrations, we will have lobbying, we will have plebiscites, we will have discussions.

I can almost assure that we will not have these kinds of discussions anymore because the people who came to Congress once and used violence here who were pardoned in 1979, with the support of Members who are still in this Chamber today, those people have renounced all forms of violence and now admit that the way to bring about the change in the political status in Puerto Rico is through the democratic process.

There is no democratic process in Puerto Rico. The 4 million American citizens who live in Puerto Rico do not have the right as an independent Nation to set their tone in the world and find their place, and they cannot vote for the Commander in Chief who has sent them to every war in the past. The people in Puerto Rico cannot send a Member here who has a vote, as I do from New York, to be able to argue these points.

We have to understand that what the President did he did at the request of Cardinal O'Conner from New York, notwithstanding what our local newspaper says. We have, and I tell the gentleman from New York this in case he brings it up, we have the letter from the Cardinal that says that he wants these people out of prison. He did it after people throughout the world said, for national reconciliation, do this. He did it after Members of Congress went to see him. I spent the last 6 years, a lot of hours, working on this issue.

I am not celebrating anything. How can we celebrate when people get out after 20 years in prison? Not one of them, as has been said on this floor, not one were accused or convicted of any violent acts.

So while Members condemn this action, in which I support the President, while Members use the word ''terrorism,'' which scares the American people, and should, why not look also at the larger picture? Is it not about time that we resolve the issue of the status of an island that we invaded in 1898, that we took from Spain; incidentally, an island Spain invaded in 1493?

In closing, very shortly, as I said before, take some time to think about what we go through, we who are Americans and love this country and were born in Puerto Rico; we who serve in Congress and want to solve this problem soon. Think about that. Members might want to take some new action.

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

Mr. Speaker, again, the name of the Cardinal O'Conner has been invoked. Of course, we wish him well. He is convalescing. But his statement from Mr. Joe Swilling is that he has not taken a position on this. ''I don't expect that he will.'' For those who have a problem, I guess it comes down to do you believe the Cardinal or do you believe the President. It is ultimately up to the Members here to decide.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, 45 years ago this year a bullet was fired into this Chamber. It does not matter who fired the bullet, who bought the bullet, who drove the getaway car. They were all involved in terrorism.

The debate today is about terrorism. I have heard a word used, ''Phony emergency.'' They are about to be released. That is why it is an emergency. I hear it has been called a political resolution. Then we are joined by such politicians as Hillary Clinton, Senator Moynahan, and Bill Bradley.

Then we also hear we should be working on social issues in this Chamber. The same people who are using a political club of gun control are willing to release people that use bombs and guns and weapons in destroying families' lives.

Mr. Speaker, we can stop the release of these people, but if we do not, I urge those who have willingly said they should be released then to invite those terrorists to their districts and allow them to live in their districts. But I do not want them in mine.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HANSEN). The Chair will remind all Members to refrain from characterizing the positions of individual Senators on the pending legislation.

Mr. FOSSELLA. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from New York for yielding time to me.

Mr. Speaker, I have listened with great interest to the tortured reasoning that has been brought forward in this Chamber, trying to muddy the waters.

Let us make it very simple, Mr. Speaker. This has nothing to do with politics or parsing words. This has everything to do with what is just and what is right.

My colleague, the gentleman from New York, spoke of what went on in this Chamber 20 years ago. Let us take that as an object lesson. Clemency and leniency was granted. It did not deter the FALN, that continued a decade-long campaign of terror resulting in bombing, resulting in deaths. I was not in this Chamber, I protested at that time as a private citizen.

But we have this simple question. It is one, Mr. Speaker, we should put to the President of the United States: Are we willing to take as the policy of the government of the United States forgiveness for acts of terror on the flimsy promise that people utter the statement, they will never do it again? We cannot trust the word from the top. We should not trust the words of terrorists.

Mr. FOSSELLA. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. Cox).

Mr. COX. Mr. Speaker, the President is the chief law enforcement officer of the United States. In that capacity he has the power to pardon convicted criminals. I know this from firsthand experience because I worked in the White House counsel's office which, for the President, performs the function of screening pardon applications.

Usually this pardon power is used to wipe the slate clean for convicted criminals after they have served their time and paid their debt to society. President Clinton, for example, has used the pardon power in this way 108 times, but he has only let people out of jail three times before, this despite the fact that thousands of people nationwide ask the President to be freed from the sentences that they have been asked to serve after conviction for serious crimes.

How did the President pluck these terrorist cases from the thousands that have asked him to be released from prison? It is because of Hillary Clinton's Senate campaign in New York. Now she says she opposes the release of

these prisoners from jail. Now that she has changed her mind, Hillary Clinton is right. Vote with Hillary Clinton. Vote yes on this resolution.

Mr. FOSSELLA. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. TANCREDO).

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

The gentlewoman from New York said a little bit ago, asked the question, what is the difference between the grant of clemency today and what happened in 1979?

Let me tell the Members the difference. In 1979 we had not experienced two of our embassies being blown up by terrorists. In 1979 we had not experienced the World Trade Center being bombed. In 1979 we had not experienced the Murragh Federal building being bombed. That is the difference.

Today there is no greater threat to the United States of America. There is no army, no foreign army that is a greater threat to the United States than terrorism. That is the threat today, foreign terrorists and domestic terrorists.

That is why this decision, whether it was made for political reasons or personal conscience, I do not care. It does not matter to me what it was. We have talked about what may have motivated the President. It is not significant. It is not relevant.

The fact is that he is making this decision at the worst possible time. It is our responsibility in this House to voice a concern about the fact that terrorism does threaten the United States, today more than ever before.

I have heard words like the resolution is a sham and it is embarrassing. The only thing that is a sham and is embarrassing here is opposition to this resolution, because we are in fact in the most severe situation we have ever faced with regard to terrorism. So therefore to suggest that these people are not terrorists because that is not what they were convicted for, to suggest that we should not be using the word ''terrorism'' here to describe these people, is something like suggesting that we should not use the word ''murderer or thief'' to describe Al Capone simply because he was convicted of tax evasion, when we all knew that he was responsible for and guilty of many other crimes. So ''terrorism'' is the right word, and we should support this resolution.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. BECERRA), a former member of the Committee on the Judiciary.

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

Let us make it clear, violence cannot be tolerated in this country. We must prosecute vigorously anyone who commits violence, including terrorism. We must punish them vigorously as well.

□ 1245

But in this case, we are talking about crimes where the people convicted were not convicted of terrorism. They are not terrorists. They were, in fact, not even convicted of crimes of violence. They have served more time in jail than anyone in this country probably sitting in jail today has served for crimes of similar character, nonviolent crimes.

So what is the issue here? It is guilt by association. Those who vote for this resolution at the end really should be convicted of guilt by association, because what they are doing is they are saying, because they are using the label terrorism for people who are not convicted terrorists, they are trying to make all of us here believe that, if we vote no, we are soft on terrorism.

Timothy McVeigh was convicted. Terry Nichols was convicted. Should we now say that every one of the individuals that they associated with even if they should happen to have racist views should now serve time equal to the time of Timothy McVeigh and Nichols? Of course not. We do not convict people here by guilt from association. But that is what this does.

Today 13 children will die, most of those as a result of someone who has a firearm. Today there are 42 million Americans who do not have insurance and have to run through the risks of life and work without any type of protection in case they get injured or hurt.

This resolution is politically motivated. It will make for a very tough vote for Members. But at the end of the day, let us keep in sight what is really before us. These folks are being granted clemency, not because they are terrorists, but because they have served more time than other individuals in this country will have for the same type of crime.

This vote today has nothing to do with that. It has everything to do with sending out a message playing on people's fears about violence and terrorism and hopefully being able to use this next year in a political campaign commercial to say someone was soft on crime. Shame on us for doing that. Shame on us for doing guilt by association.

It is time for us to do something like giving people insurance, giving people protection from gun violence. Let us get to work and get through with this.

Mr. FOSSELLA. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, I rise today in strong support of the resolution offered by the gentleman from New York (Mr. FOSSELLA).

Though we are a Nation that believes strongly in an individual's right to freedom of expression, we must condemn in the most forceful manner those individuals who work to extend their political expression into violent behavior.

It is well-known now that some have found it proper to offer clemency to such individuals, despite the best recommendations of the FBI, the Bureau of Prisons, and several U.S. Attorneys.

This uncommon and ill-advised gesture of leniency has baffled many of us. It has appalled many of my colleagues in the New York delegation, and it has apparently confused some of those who aspire to be included in the New York delegation.

The offer of clemency represents a failure to acknowledge the primacy of public safety over politics, and I urge Members of this House to support this resolution condemning it.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Michigan (Mr. CONYERS) has 1 minute remaining.

Mr. CONYERS. Mr. Speaker, I yield the balance of the time to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) to conclude our debate on this.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I am very concerned about the people of Puerto Rico in this debate, because it would appear that the people of Puerto Rico would support violence, and they do not. On the contrary, Puerto Ricans love democracy and reject violence as a way of imposing their political ideas.

I have stated publicly that these persons, these prisoners are terrorists. They belong to an organization, the Armed Forces of National Liberation, that was involved in terrorist acts, and they committed acts of terrorism. They conspired to commit, and they supported them, they applauded them, and they financed them.

But a long time has elapsed since they have been in prison. A lot of pressure was put upon the President to release these people unconditionally. I was the lonely voice in Congress that raised the opposition to the unconditional release at that time.

I indicated to the President they should not be released unconditionally; and the conditions that they have imposed upon these people are reasonable conditions that will be imposed on any other criminal.

Their conditions: First of all, they have to ask for clemency. Second, they have to renounce violence for achievement of their political means, political aspirations. Third, they will be subject to all the conditions of parolees, so that they will be under supervision by the parole system. I oppose this resolution because the President has acted reasonably with conscience and also in a humane order.

Mr. FOSSELLA. Mr. Speaker, may I inquire about the time?

The SPEAKER pro tempore. The gentleman from New York (Mr. FOSSELLA) has 3 minutes remaining.

Mr. FOSSELLA. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, let us remind everybody why we are here. We are here again to send a signal to anybody contemplating terrorism on American soil that we will not tolerate it because we

regard the value of innocent human life. When our society begins to devalue innocent human life, we begin to head in the wrong direction.

We just heard the distinguished gentleman from Puerto Rico who admits that these people are terrorists. I hope that puts to rest those who still believe that these people are not terrorists.

The FBI, the Bureau of Prisons, the U.S. Attorneys office who found these people making bombs oppose clemency. Anybody with an ounce of common sense will tell us that it takes a network of individuals to perpetrate these crimes against humanity, that kill innocent people, that maim innocent people.

Let us put a face on it. Diana Berger is at home right now. She was 6 months pregnant when her husband was killed. Joseph and Thomas Conner grew up without a father.

These are the people we want to release, Carmen Valentine who accepted the President's offer of clemency, threatened the judge who sentenced her, ''You are lucky that we cannot take you right now.'' She then proceeded to call the judge a terrorist and then said only the chains around her waist and wrists prevented her from doing what she would like to do, to kill him.

Is that the people we want back in society? People who have demonstrated no remorse, have offered no apologies, no contrition for the fact that innocent people have gone?

They consider these people who lost fathers, who lost family members casualties of war. God forbid it is anybody here. God forbid it is anybody at home right now.

Anthony Semft who was blinded when he responded to a bomb, we were asking Anthony, ''Why are you so upset?'' He said, ''I did not think I had a voice. Nobody was speaking for me when the President offered clemency to these people.'' We are his voice. Now we can send and use that voice for the good of the people, the good of the innocent law-abiding people of this country, or we can take a stand and say, do you know what? We can set these terrorists free.

It is up to the Members of this House. Do we speak for Diana Berger? Do we speak for Officer Richard Pastorella who will never see again? Do we speak for Anthony Semft who believes that he does not have a voice? Or do we say that, do you know what, if you renounce violence, and by the way, some of the people who have offered clemency have not renounced violence or agreed to the terms and conditions, do we want somebody set free who will not even do those things?

Let us remember the power of clemency that we are talking about here exercised three times in 7 years which more than 3,000 people have requested and God knows how many others who want to be set free. If my colleagues are willing, if they are willing to say that anybody in prison who renounces violence should be set free, then come down here and say it. But if we want to speak for the law-abiding citizens, we should keep these people behind bars where they belong.

Mr. BEREUTER. Mr. Speaker, this Member would ask his colleagues to consider carefully the following editorial from the September 8, 1999, edition of the Daily Nebraskan, entitled ''Policy Problems—Clemency Move Looks Like Hypocrisy.''

Once again, President Clinton did not think his actions through.

In mid-August, Clinton offered clemency to 16 members of a Puerto Rican nationalist group called FALN, which is a Spanish acronym for Armed Forces of National Liberation.

Law enforcement officials blame FALN for a least 130 bombings in the United States and Puerto Rico between 1974 and 1983.

As part of the clemency offer, Clinton gave the 11 men and give women until Friday to renounce political violence and pledge to disassociate with FALN.

The separatists have already served between 14 and 19 years for crimes such as bomb-making and conspiring to commit armed robbery.

When criticized, the White House was quick to point out that the clemency offer was extended to only those ''not associated with the more violent acts that led to injuries.

With this offer, Clinton has made an abrupt about-face from the terrorism policy the espoused following the embassy bombings in Kenya and Tanzania last year.

Following those incidents, the United States bombed terrorist training headquarters and launched a manhunt for alleged mastermind Osama bin Laden while Clinton vowed that we would not bow to terrorists.

Now we are going to pardon the terrorists simply because they hail from a U.S. territory?

That is wrong.

Even President Clinton's wife now thinks so.

Speculation abounds that the president offered clemency to this group to help his wife's chances in next year's New York Senate race.

Initially, Hillary Clinton supported clemency, but with a move out of her husband's play book she reversed her position last weekend.

Regardless of the motives, this is simply a bad idea.

The United States should not condone terrorism in any form.

Clemency only reinforces terrorists' actions, and any pledge to renounce violence on their part would hardly be worth the paper it was printed on.

The SPEAKER pro tempore. All time for debate has expired.

The question is on the motion offered by the gentleman from Indiana (Mr. PEASE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 180, as amended.

The question was taken.

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 311, nays 41, answered ''present'' 72, not voting 10, as follows:

[Roll No 398]

YEAS—311

Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauzin

Taylor (MS)	Turner	Weldon (PA)
Taylor (NC)	Udall (NM)	Weller
Terry	Upton	Weygand
Thomas	Visclosky	Whitfield
Thompson (CA)	Vitter	Wicker
Thornberry	Walden	Wilson
Thune	Walsh	Wise
Thurman	Wamp	Wolf
Tiahrt	Watkins	Wu
Toomey	Watts (OK)	Young (FL)
Traficant	Weldon (FL)	

NAYS—41

Abercrombie	Hilliard	Olver
Baldwin	Hinchey	Owens
Becerra	Hoeffel	Payne
Brady (PA)	Jackson (IL)	Rodriguez
Carson	Jones (OH)	Roybal-Allard
Clay	Kilpatrick	Rush
Clyburn	Kucinich	Schakowsky
Conyers	Lee	Scott
Davis (IL)	McKinney	Serrano
Dingell	Meek (FL)	Thompson (MS)
Engel	Meeks (NY)	Velazquez
Fattah	Menendez	Waters
Gutierrez	Mink	Wynn
Hastings (FL)	Napolitano	

ANSWERED ''PRESENT''—72

Ackerman	Hoyer	Pallone
Berman	Jackson-Lee (TX)	Pascrell
Bishop	Johnson, E. B.	Pastor
Blumenauer	Kanjorski	Peterson (MN)
Bonior	LaFalce	Rahall
Borski	Lantos	Reyes
Brown (FL)	Lewis (GA)	Rivers
Brown (OH)	Lofgren	Sabo
Capuano	Markey	Sanchez
Clayton	Martinez	Sanders
Coyne	McCarthy (MO)	Sawyer
Crowley	McDermott	Slaughter
DeFazio	McGovern	Snyder
DeGette	Meehan	Stabenow
Delahunt	Millender-McDonald	Stark
Deutsch	Miller, George	Tauscher
Dixon	Moakley	Tierney
Eshoo	Moran (VA)	Udall (CO)
Farr	Nadler	Vento
Filner	Neal	Watt (NC)
Ford	Oberstar	Waxman
Frank (MA)	Obey	Weiner
Gejdenson	Ortiz	Wexler
Gephardt	Pelosi	Woolsey
Hooley	Pryce (OH)	

NOT VOTING—10

Berry	Rangel	Towns
Hinojosa	Rogan	Young (AK)
Jefferson	Sununu	

□ 1314

Mr. SIMPSON and Mr. CUMMINGS changed their vote from ''nay'' to ''yea.''

Messrs. DIXON, ORTIZ and WEINER changed their vote from ''nay'' to ''present.''

Mr. FORD changed his vote from ''yea'' to ''present.''

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. PELOSI. Mr. Chairman, on the last vote, H. Con. Res. 180, I was detained in traffic while returning to the Capitol. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 398, I was unavoidable detained by heavy traffic. Had I been present, I would have voted ''Present.''

□ 1315

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material of H.R. 2684.

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

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 275 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2684.

□ 1316

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 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, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, September 8, 1999, the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) had been disposed of and the bill was open for amendment from page 74, line 17, through page 75, line 18.

Are there further amendments to this portion of the bill?

Mr. SMITH of Michigan. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent that we be allowed to return to page 64 for consideration of this amendment.

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

Mr. WALSH. Mr. Chairman, I object. The amendment of the gentleman is out of order. That portion of the bill has already been completed, and by regular order he would not be allowed to reenter the bill.

The CHAIRMAN pro tempore. Objection is heard.

The Clerk will read.

The Clerk read as follows:

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2000, as authorized by Public Law 105–276, shall not be less than 100 percent of the amounts anticipated by FEMA necessary for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2000, and remain available until expended.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, $110,000,000: *Provided*, That total administrative costs shall not exceed three and one-half percent of the total appropriation.

FLOOD MAP MODERNIZATION FUND

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968, $5,000,000, and such additional sums as may be provided by State or local governments or other political subdivisions for cost shared mapping activities under section 1360(f)(2), to remain available until expended.

NATIONAL INSURANCE DEVELOPMENT FUND

Notwithstanding the provisions of 12 U.S.C. 1735d(b) and 12 U.S.C. 1749bbb–13(b)(6), any indebtedness of the Director of the Federal Emergency Management Agency resulting from the Director borrowing sums under such sections before the date of enactment of this Act to carry out title XII of the National Housing Act shall be canceled, and the Director shall not be obligated to repay such sums or any interest thereon, and no further interest shall accrue on such sums.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, as amended, not to exceed $24,333,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $78,710,000 for flood mitigation, including up to $20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2001. In fiscal year 2000, no funds in excess of: (1) $47,000,000 for operating expenses; (2) $456,427,000 for agents' commissions and taxes; and (3) $50,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations. For fiscal year 2000, flood insurance rates shall not exceed the level authorized by the National Flood Insurance Reform Act of 1994.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding sections 1366(b)(3)(B)–(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, $20,000,000 to remain available until September 30, 2001, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, $2,622,000, to be deposited into the Consumer Information Center Fund: *Provided*, That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of $7,500,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 2000 in

excess of $7,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,388,000,000, to remain available until September 30, 2001.

AMENDMENT NO. 1 OFFERED BY MR. LATOURETTE

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. LATOURETTE:

In the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; HUMAN SPACE FLIGHT'', after the dollar amount, insert ''(reduced by $67,986,000)''.

In the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; SCIENCE, AERONAUTICS AND TECHNOLOGY'', after the dollar amount, insert ''(increased by $67,986,000)''.

Mr. LATOURETTE. Mr. Chairman, I am offering this amendment with my good friend, the gentleman from Ohio (Mr. KUCINICH) from the west side of Cleveland, and also I think we will hear from the gentlewoman from Ohio (Mrs. JONES of Ohio) of Cleveland.

I want to commend the gentleman from New York (Chairman WALSH) the VA–HUD subcommittee chairman, also the work of two great Ohioans on that committee, the gentleman from Ohio (Mr. HOBSON) and the gentleman from Ohio (Mr. REGULA) for their hard work on this bill.

I understand and support the fiscally responsible attitude underlying the committee's recommendation, but I believe that the specific cuts disregard the public enthusiasm for NASA funding.

Much like the amendments offered yesterday by my colleague the gentleman from California (Mr. ROGAN), the purpose of this amendment is to restore funding to the NASA administration relating to science, aeronautics, and space administration.

This amendment, however, differs from the one that we voted on yesterday in that it recognizes the difficult tasks that our appropriators face working within current budget restraints and constraints and honors the overall funding level that they have provided NASA in the bill.

Our amendment's increase and offset are both provided for within NASA's funding, reflecting the importance of fully funding the aeronautics administration without affecting the money appropriators have directed to other agencies, including Veterans.

The work that is done, specifically in Northeastern Ohio at NASA Glenn Research Center, is important not only to the people of Northeastern Ohio but to the entire country as the world leader in the highly competitive aviation market.

NASA Glenn has been and is an international leader in avionics and jet engine research since 1941. The Glenn Research Center also has expertise in advanced space propulsion and space power systems including the electrical power solar rays for the International Space Station, combustion research, aircraft engine noise and emissions reduction, chemical and electric rocket propulsion, and advanced turbojet aircraft engines.

The Glenn Research Center has received 74 R&D 100 Awards, more than all other NASA centers combined. This proposed increase of $67,986,000 will help maintain core competency programs in aeronautics. Many NASA research programs have impacted and will impact the lives of all individual citizens.

For example, innovations in the ultra efficient engine technology seek to develop quieter airplanes in anticipation of increased airport congestion in many of our major cities in the United States.

A critical mass of talented people, Mr. Chairman, and scientific resources will be irrevocably damaged in Ohio and elsewhere if the downward swing for funding levels in aerospace programs continues.

The partnerships which emerged between industry and NASA have enabled American products to dominate leading-edge technologies. But funding for aeronautical research has received sharp decreases by almost 50 percent in the last decade.

Continued slashing of funding jeopardizes the development of vital technologies to thrust America forward in the world aviation market.

Mr. Chairman, at the conclusion of my remarks, and I think I will be joined on the floor by my colleagues from Ohio, I see the gentleman from Ohio (Mr. KUCINICH) will be here in a minute to take time on this his own behalf, I will be asking unanimous consent, if the subcommittee chairman is kind enough to yield me time, to withdraw this amendment and not have a vote on it.

I do want to emphasize, however, that the gentleman from Texas (Mr. DELAY), the majority whip, in published remarks has indicated that he intends when this matter moves forward to conference with the other body to fight hard to make sure that the funding levels of NASA are restored.

I want to thank the gentleman from New York (Chairman WALSH) for his patience. I know he has a lot to do on this bill. I fully appreciate the challenge that he and other members of the Committee on Appropriations are faced with as they try to do their work while honoring our commitment to fiscal responsibility.

I daresay that he and his colleagues on the committee have jobs quite unlike those of appropriators of years past. But I believe strongly in the need to fully fund NASA's Science, Aeronautics and Space Administration, as I know the gentleman from Ohio (Mr. KUCINICH) does.

As the amendments offered yesterday indicate, if my colleagues look at the amendment offered by the gentleman from California (Mr. ROGAN), 185 Members of this House joined the gentleman from California (Mr. ROGAN) with the need to increase funding for this level of program. His offsets came from the EPA environmental programs.

Again, we do not move money from account to account, but we would like this amendment to serve as a bookmark; and I urge the subcommittee chair, which I know he knows the importance of this funding to not only Northeastern Ohio but to the entire area.

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

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

Mr. KUCINICH. Mr. Chairman, I want to first of all thank the gentleman from Ohio (Mr. LATOURETTE) for his work and his support on the concerns which we have for the NASA Glenn Research Center in the Greater Cleveland area.

I want to say that people in that community certainly know that we have a bipartisan coalition working together on behalf of that Center.

The budget in the bill for NASA currently before the House represents about a $1 billion cut, or cut of 10 percent from current funding. The LaTourette amendment would effectively restore $68 million for important programs for NASA's science, aeronautics, and technology. This increased funding would benefit NASA research centers, projects, and American jobs.

NASA Administrator, Dan Goldin, has said that if the 10-percent cut in this legislation becomes a reality, then one or more NASA centers could be closed and significant layoffs in the existing workforce would be likely.

What a terrible loss to American business and consumers that these cuts closed centers like NASA Glenn Research. NASA Glenn is one of the most important sources of technological innovations and advancement.

For example, NASA Glenn has produced the de-icing system used on every small commercial aircraft, thus enhancing passenger safety. NASA Glenn has developed the coating for scratch resistant eyeglasses used by millions of people who wear glasses. NASA Glenn developed artificial hip joints. NASA Glenn developed fire-resistant fabrics. And NASA Glenn is

now developing aircraft engines that use less fuel, release fewer pollutants, and generate less noise.

Clearly, American consumers stand to benefit from continued NASA Glenn research and activity. So does American business.

For instance, NASA Glenn has helped a Cleveland electronic manufacturer demonstrate the capabilities of its antenna enabling it to win a contract with a German automobile manufacturer. NASA Glenn helped an American vacuum manufacturer improve its products by reducing noise associated with its fans by using sophisticated computer software that was developed for jet engines.

NASA Glenn helps the American satellite industry with developing cutting-edge communications electronics. NASA Glenn helps the aerospace industry with improved jet engines. And NASA Glenn has advanced important microgravity experiments.

The gentleman from Ohio (Mr. LATOURETTE) and I support increasing funding for NASA science, research, and technology that could be used for activities at various research centers nationwide, including NASA Glenn, where more than 2,000 employees work for a better present and a better future.

The funding for NASA's science, research, and technology promises to yield innovation and major advancements that will make possible a high-technology economy for a long-term future. We must focus on our long-term priorities. These priorities must include the future of American workers with advanced training who deserve high-paying jobs. They must include the future of the American economy.

Let us demonstrate our commitment to the advancement of science and technology. Let us demonstrate our commitment to American workers nationwide. Let us demonstrate our commitment to American consumers and businesses and an expanding economy. And let us demonstrate our commitment and appreciation of NASA.

I also want to thank the scientists the engineers and the support personnel at NASA Glenn for the work that they do, because they are truly serving our country and it is only right that their representatives stand in defense of their work and in appreciation of the work that they do every day for this country and for NASA Glenn.

□ 1330

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

Mr. Chairman, I appreciate the fact that both gentlemen from Ohio (Mr. KUCINICH) and (Mr. LATOURETTE) have offered this amendment. I understand their concerns. As we discussed yesterday, there were many very difficult decisions to be made, but I must reluctantly oppose the amendment.

I would like to support the additional funding for science, aeronautics and technology; but I cannot do so at the expense of the space station or the shuttle. We all recognize the important work that is done at the Glenn Research Center, and I pledge to do all that I can when we get to the conference on this bill to restore funding to ensure the center can continue its work.

The problems with funding for the Glenn Research Center should not be solved by creating other problems elsewhere for NASA. A reduction of this magnitude to either the shuttle program or the station program would cause significant problems. If the funding reduction were taken against the shuttle program, safety and reliability upgrades would have to be deferred. If the funding reduction were taken against the space station, NASA would have to defer development of the crew return vehicle or any one of the numerous other efforts under way to ensure timely completion of the station.

There are no easy choices in this bill, but I do pledge to work with the gentlemen from Ohio to address these concerns with regard to the Glenn Research Center, but I must oppose the amendment because it creates more problems than it solves.

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

Mr. WALSH. I yield to the gentleman from Ohio.

Mr. LATOURETTE. Mr. Chairman, I thank the distinguished chairman, the gentleman from New York (Mr. WALSH), for yielding. I also appreciate very much his remarks; and as I indicated during my 5 minutes, the majority whip has also indicated his support, and I am sure that everybody on our side and the other side recognizes the difficulty that the chairman was placed under, and we accept the pledge that we are going to figure our way out of this in conference.

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

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Ohio?

Mr. KUCINICH. Mr. Chairman, reserving the right to object, I want to thank the gentleman from Ohio (Mr. LATOURETTE) and the chairman for their concern over this, and we really need support on this and we are going to do everything we can. I want the people to know we are going to do everything we can to try to resolve this.

Mr. WALSH. Mr. Chairman, if the gentleman will yield under his reservation, both gentlemen should know this is a major concern to the subcommittee also.

Mr. KUCINICH. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

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

Mr. Chairman, I rise at this time to engage in a colloquy with the chairman, the gentleman from New York (Mr. WALSH), and also the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. Chairman, at the full Committee on Appropriations markup, I spoke on the issue of NOx, although I did not offer an amendment on the subject. I addressed what I felt was an apparent inequity created by two separate and conflicting actions that occurred last May. One was EPA issuing a final rule implementing a consent decree under section 126 of the Clean Air Act that is triggered in essence by EPA not approving the NOx SIP Call provisions of 22 States and the District of Columbia by November 30, 1999. The other was by the United States Court of Appeals for the D.C. Circuit in issuing an order staying the requirement imposed in EPA's 1998 NOx SIP Call for these jurisdictions to submit the SIP revisions just mentioned for EPA approval.

Caught in the middle of these two events are electric utilities and industrial sources who fear that now the trigger will be sprung next November 30, even though the States are no longer required to make those SIP revisions because of the stay, and even though EPA will have nothing before it to approve or disapprove.

Prior to this, EPA maintained a close link between the NOx SIP Call and the section 126 rule, as evidenced by the consent decree.

My proposal was to apply a parallel stay. It would have simply prevented EPA from implementing the NOx regulations through the back-door until the litigation is complete.

I believe such a stay is needed, because even though EPA said only a few months ago that the principles of State discretion embodied in the Clean Air Act require that States first address any interstate ozone transport problems through State implementation plans submitted in response to the NOx SIP Call rule, I understand that EPA is now suggesting it may reverse its interpretation of this act, forcing businesses to comply with EPA's federal emission controls under section 126 without regard to NOx SIP Call rule and State input.

This proposed reversal is creating confusion for the businesses and States. Under EPA's proposed new position, businesses could incur substantial costs in meeting the EPA-imposed section 126 emission controls before allowing the States to use their discretion in the SIP process to address air quality problems, less stringent controls or through controls on other facilities altogether.

Indeed, the fact that these businesses almost certainly will have sunk significant costs into compliance with the EPA-imposed controls before States are required to submit their emission control plans in response to the NOx SIP Call rule would result in impermissible pressure on their States to forfeit their discretion and instead simply conform their State Implementation Plans or SIPs to EPA section 126 controls.

While I think such an amendment is needed, I recognize the concerns of my good friends and agree not to offer it. Nevertheless, I believe that if EPA proceeds on its present course, we will have an untenable situation that EPA could avoid if it has a mind to do so.

In summary, the two independent actions in May, EPA's issuance of a final rule implementing the consent decree and number two the court stay of the NOx rule, need to be addressed.

Therefore, I ask my distinguished colleagues if they would agree with me that EPA should find a reasonable way to avoid triggering the 126 process while the courts deliberate.

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

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

Mr. WALSH. Mr. Chairman, I thank the gentleman from Michigan (Mr. KNOLLENBERG), my friend, for yielding.

Mr. Chairman, I very much appreciate the gentleman bringing this to the House's attention, the apparent dilemma created by these two events both occurred in May. I recognize, of course, the concern for my State, New York, that this matter be resolved swiftly and real remedies be adopted. I would encourage and expect the EPA to, over the next several months, find a way that is fair to all sides and recognize that the States should be the one to control the air pollution problems and not have them addressed by the sources therein without State input through the SIP process.

I, therefore, will work with the gentleman to see that EPA is fully responsive to these legitimate problems.

Mr. KNOLLENBERG. Mr. Chairman, I thank the chairman for his comments.

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

Mr. KNOLLENBERG. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman from Michigan (Mr. KNOLLENBERG) for yielding.

Mr. Chairman, as my friend, the gentleman from Michigan (Mr. KNOLLENBERG) knows, I share his concerns on this matter. I would agree that EPA's apparent decoupling of the section 126 petitions from the NOx SIP Call is causing major confusion to industry and State regulators alike, particularly in my State of West Virginia. I join him in his strong encouragement that EPA work with all parties involved in this situation to find a fair resolution, and I look forward to working with him and the chairman and EPA and the industries in this regard.

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

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

Ms. KAPTUR. Mr. Chairman, I would like to engage the distinguished subcommittee chairman, the gentleman from New York (Mr. WALSH), in a colloquy.

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

Ms. KAPTUR. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I would be happy to join in that colloquy with the gentlewoman from Ohio (Ms. KAPTUR), a distinguished member of the Committee on Appropriations.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from New York (Mr. WALSH) for his cooperation on this matter.

Mr. Chairman, in the bill, we have granted some additional funding to the National Credit Union Administration for its revolving loan fund for low income credit unions, and I thank the chairman for his leadership and consideration.

The purpose of the revolving loan fund is to make low interest loans to credit unions that serve primarily low income populations, and the earnings from the fund are used for technical assistance grants to low income credit unions so we really can help people become bankable.

Mr. WALSH. The gentlewoman is correct.

Ms. KAPTUR. I would like to emphasize then that when such technical assistance is made available to credit unions, the National Credit Union Administration should make every effort to ensure that such assistance is provided in a manner that is sensitive to the particular needs of the given credit union and considers the technical sophistication and background of the credit union's board and management.

Specifically, the National Credit Union Administration should recognize the unique circumstances of community development credit unions as opposed to all other credit unions and assure that specific technical staff is designated and trained to provide appropriate assistance to community development credit unions which primarily serve low income communities which are a unique subset of all credit unions.

Mr. WALSH. The gentlewoman's suggestion is an excellent one, and it is clearly consistent with the intent of the subcommittee's action today.

Ms. KAPTUR. In addition to formal technical assistance funded by the interest earned on community development revolving loan fund loans, occasionally the National Credit Union Administration examiners will assist a small or a troubled credit union with some aspect of operations as part of the regular examination process.

I also want to urge the National Credit Union Administration, when providing such assistance, to ensure that staff take special care to act in ways that respect and honor the dedication of a credit union's board and managers.

Mr. WALSH. Once again, the gentlewoman from Ohio makes an excellent point, and I would urge the NCUA to heed her advice.

Ms. KAPTUR. I want to thank again the chairman for all of his work on this bill, which is not an easy bill to move through this Chamber with all the respective departments and agencies, and for his special consideration on this particular subset of credit unions, largely serving communities where all other financial institutions have moved out.

Mr. WALSH. I thank the gentlewoman for her comments and for her dedication to the committee and to this issue of credit unions, where she has been a leader.

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

Mr. Chairman, I rise to enter into a colloquy with the chairman of the Subcommittee on VA, HUD and Independent Agencies concerning the current level of funding for veterans medical care on H.R. 2684.

Mr. Chairman, I am most thankful for the good work of the Members of the House Committee on Appropriations for bringing to the floor a bill with a $1.7 billion increase in spending for veterans medical care. This is the largest increase ever and would not have been possible without the hard work of the chairman of the Subcommittee on VA, HUD and Independent Agencies chairman, my good friend, the gentleman from New York (Mr. WALSH).

Unfortunately, despite this increase, lower New York and northern New Jersey could receive $40 million less than last year. According to the VISN 3 director, our network faces an estimated $125 million deficit due to inflation, VA's funding methodology and an increased demand for services, especially hepatitis C treatment.

The staff in VISN 3 have worked hard to identify cost savings and efficiencies, reduced its workforce and streamlined operations to work within the funding levels dictated by VA's methodology. Now, after squeezing every available dollar from the system, the VISN 3 director tells us we are at the point where veteran medical care, quality and access is at risk if he is forced to make any additional cuts in fiscal year 2000.

Mr. Chairman, I would like to get assurances that the Subcommittee on VA, HUD and Independent Agencies chairman will examine the distribution of funds to ensure that all regions of the country have the resources to provide quality health care for all of our Nation's veterans.

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

Mrs. KELLY. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentlewoman for bringing these important points to the committee's attention today, and I also would like to congratulate her and thank her for the leadership that she has provided on veterans issues. Veterans issues are constantly before her attention, and she makes very solid arguments in defense of and in support of veterans health.

I, too, as a member of the New York delegation am well aware of the problems in VISN 3. Under this funding level, we have opportunities to address those issues.

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

Mrs. KELLY. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman from New York (Mrs. KELLY) for yielding.

Mr. Chairman, I rise today to join my colleague, the gentlewoman from New York (Mrs. KELLY), in entering into a colloquy with the Subcommittee on VA, HUD and Independent Agencies chairman, the gentleman from New York (Mr. WALSH), concerning the current level of funding for veterans health care in H.R. 2684; and I want to commend the chairman and the other Members of the House Committee on Appropriations for their significant efforts to secure an additional $1.7 billion over the President's request for veterans medical care.

Regrettably, this historic increase in funding will do nothing to help meet the needs of our veterans in lower New York and northern New Jersey. The implementation of the Veterans Equity Resource Allocation system, known as VERA, some 3 years ago has led to over $120 million being taken away from the operating budget of our area, VISN 3.

To date, the VISN director and his staff have worked hard to trim the fat in their budget while assuring our offices they would notify us when further cuts would negatively impact care.

VISN 3 has now reached that point. Since 1997, the VA hospitals in my district at Castle Point and Montrose have had their budgets cut by $7.3 million. Since 1995, these hospitals have lost some 549 employees, a decrease of some 25 percent, the equivalent of an entire hospital.

At the same time, medical inflation has raised pharmacy costs for the VISN by 16 percent. The gentlewoman from New York (Mrs. KELLY) has noted the financial shortfall facing VISN 3. This shortfall will have a very real impact, a severe impact, on the quality of care being delivered to a veterans population that is older, less mobile, and in more need of specialized care than its counterparts in other VISNs.

Accordingly, I respectfully request the subcommittee chairman, the gentleman from New York (Mr. WALSH), to carefully review the distribution of medical care funds to ensure that the veterans of VISN 3 are not going to be denied the quality of care that their service to their Nation has earned for them.

Mr. WALSH. I thank my colleague from New York for his dedication to this issue, as he has provided leadership on this issue and so many others.

I assure him I will keep a close watch on the funding challenges for VISN 3.

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

Mrs. KELLY. I yield to the gentleman from New York.

Mr. LAZIO. Mr. Chairman, I want to thank the gentlewoman from New York (Mrs. KELLY) for yielding.

Mr. Chairman, I want to begin by complimenting the chairman of the Subcommittee on VA, HUD and Independent Agencies for his outstanding work on housing and a number of different issues that we work closely on. As the chairman knows, we have and I have had a particular concern about the overall level of funding for veterans programs, and veterans health programs in particular, throughout this appropriations process.

As submitted by the President, the funding level for this account in the President's budget would have resulted in dramatic reductions.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. KELLY) has expired.

(By unanimous consent, Mrs. KELLY was allowed to proceed for 2 additional minutes.)

Mr. LAZIO. The President's budget, as we all know, would have resulted in dramatic reductions in health care services for many parts of the country.

I have met with constituents in many different areas of New York State who rely on this for their primary health care. I have heard the struggles that they have had in times of declining resources.

I appreciate, perhaps as much as anybody in this House, the leadership that the chairman has shown in crafting the bill that now contains the largest increase in veterans medical care in 20 years.

I am concerned, however, to learn that the veterans in my district may not share in this historic increase. Of the $1.7 billion increase, veterans in my region may receive as little as $6 million over FY 1999.

The North Port Medical Center, which supports veterans from my district and throughout Long Island, may still have a shortfall of millions of dollars. This shortfall would be the third consecutive year for reductions to this VISN, compounding the health care concerns of my constituents who have already experienced it with an increasing demand on services like treatment for hepatitis C and long-term health care.

Mr. Chairman, I believe this bill was intended to provide sufficient funding for all regions of the country to avoid cuts in services to veterans. I would like to get the assurances of the Subcommittee on VA, HUD and Independent Agencies chairman, my distinguished friend, that in the face of this historic increase in funding all VISNs will have sufficient resources to provide quality health care, and in particular the North Port facility in Long Island.

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

Mrs. KELLY. I yield to the gentleman from New York.

Mr. WALSH. I thank the gentleman for his comments regarding our efforts on the bills in general, and I would like to commend him for the leadership that he has provided and the dedication he has shown to veterans and his congressional district and all over New York State.

I appreciate the efforts of all of my colleagues in New York and northern New Jersey in increasing the amount of funding available for veterans health care, and will continue to work with the gentleman and our colleagues in the Senate and the administration to ensure VISN 3 will have the resources to ensure that the level of services and care for veterans in New York and New Jersey are not reduced as a result of this bill, including distribution of reserve funds.

Mrs. KELLY. Mr. Chairman, we all appreciate the committee's efforts on that and look forward to continuing our work, Mr. Chairman. We would like to have the chairman's assurances that he will continue in the future to work with us on this allocation.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. KELLY) has expired.

(On request of Mr. WALSH, and by unanimous consent, Mrs. KELLY was allowed to proceed for 1 additional minute.)

Mr. WALSH. Mr. Chairman, I stand ready to work with all Members to assure that each VISN receives sufficient funding.

Mrs. KELLY. I want to thank the chairman, the gentleman from New York (Mr. WALSH), and the committee for their continued efforts on behalf of our veterans and look forward to working with them to ensure the proper medical care for all veterans in the Nation. We thank the gentleman so much for his hard work.

Ms. McCARTHY of Missouri. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, in a colloquy.

Mr. WALSH. I would be happy to join the gentlewoman in a colloquy.

Ms. McCARTHY of Missouri. Mr. Chairman, I thank the gentlemen from New York (Mr. WALSH) for his leadership efforts on this most important effort.

As we have been made aware, I have some concerns about the bill. First and foremost among those concerns is the omission of the funding for the new surgical suite and post-anesthesia care unit in the Kansas City Veterans Affairs Medical Center in my district.

This medical center serves a growing population of almost 200,000 veterans in the Kansas City area, as well as referrals from 15 other medical centers from the four-state region. Those veterans are currently being served by an underfunded and undersized and deteriorating 50-year-old surgical facility, where corridors are used to store equipment; operating rooms are used for preoperative care; and backlogs extend as long as 24 weeks.

In these appalling conditions, veterans are wheeled down crowded corridors from surgical room to holding areas to post-operative care in plain view of their loving families. Veterans are waiting between 2 and 6 months for critical medical procedures ranging from hip replacement to neurosurgery.

In my letter to the chairman dated August 30, I explained that the new 31,000 square foot medical facility will eliminate these flaws by imposing both the quality and the access to medical attention. The project will reduce operating room turnover time from 45 minutes to 15 minutes, thus allowing 325 more cases to be performed each year.

□ 1345

The addition of holding rooms will also reduce scheduling backlogs, thus enabling 200 additional procedures per year.

This facility was listed by the Department of Veterans Affairs as the single most important construction project in the entire country. To disregard that judgment contradicts their unique expertise and effectively shuts our eyes and ears to the health care needs of this country's proud veterans. I think I can speak for the entire region when I say we must provide quality medical care for our veterans, and more than that, we must be guided by our veterans as we do so.

Every Member of this Chamber is painfully aware of funding limitations, but I would request of them that every effort be made in the conference committee to restore funding to this vitally important provision.

Mr. WALSH. Mr. Chairman, I thank the gentlewoman for her comments and for her concern and her advocacy for this important project. We faced some extremely difficult decisions when working with our allocation. We agree that the surgical suite project at Kansas City Veterans Affairs Medical Center is a meritorious project worthy of funding. Unfortunately, money was tight. We chose two projects that already had prior year funding to complete them.

As we move to conference, I assure my colleague from Missouri (Ms. MCCARTHY) that we will make every effort to fund this important project.

Ms. MCCARTHY of Missouri. Mr. Chairman, I thank the gentleman from New York (Mr. WALSH) for his leadership.

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 79, line 5, insert ''(increased by $250,000,000)'' after the dollar amount.

Page 79, line 19, insert ''(increased by $449,000,000)'' after the dollar amount.

Page 80, line 14, insert ''(increased by $225,600,000)'' after the dollar amount.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer this amendment along with my colleagues, the gentleman from Tennessee (Mr. GORDON), the gentleman from Texas (Mr. GREEN) and the gentleman from Texas (Mr. LAMPSON).

After yesterday's debate on the floor of the House specifically relating to the funding of NASA, a number of amendments that have been offered by my colleagues, both Republicans and Democrats, to add more dollars to the massive funding and most of whom or all of which failed, I offer this amendment, Mr. Chairman, to in fact restore the full funding to 924,600,000, the amount of moneys, almost a billion dollars, that was cut from NASA. This is with the understanding and appreciation of the leadership of the chairman, the gentleman from New York (Mr. WALSH), and the kind words that they have already said to me along with the gentleman from West Virginia (Mr. MOLLOHAN) on their viewpoints about NASA and the efforts along with some of the other concerns colleagues have expressed as we move toward conference. But I thought that the reduction of almost a billion dollars was so devastating that it was simply important to make the record for the American people that this basically halts, if my colleagues will, the American space program of which I believe over the years we have gleaned and garnered the commitment, the support, and the appreciation of the American people.

If I take, for example, the Johnson Space Center in Houston which provides work for over 15,000 people, a work force consisting of 3,000 NASA Federal service employees and 12,000 contractor employees, NASA predicted the effects of the cuts on the Johnson Space Center, and that picture is not pleasant. NASA predicts that an estimated 100 contractors would have to be laid off, contractors composed of many employees and workers. Clinic operations, would be reduced. Public affairs, community outreach would be drastically reduced. Also NASA would likely institute a 21-day furlough to offset the effects of the cuts.

I just recently met with and visited with some of those who are members of the Machinists Union, individuals who work and saw the nuts and bolts of what is going on at NASA Johnson. They would be drastically impacted. The hundred million dollar reduction in the International Space Station would be attributed to the space center and would cause reductions in the crew return vehicle program. This would result in a 1- to 2-year production slip and would require America to completely rely upon Russia for crew returns.

This is not only a Johnson Space Center issue. NASA Goddard Space Flight Center would maybe cut over 2,500 jobs. Such layoffs would affect both Maryland and Virginia. The hundred million dollar reduction in NASA's research and development would result in an immediate reduction in the work force of 1,100 employees for FY 2001. This would also require a hiring freeze, and NASA would not be able to maintain the necessary skills to implement future NASA missions.

Mr. Chairman, we have seen some of the exciting efforts that NASA has engaged in over the past months. The journey of John Glenn that tested and did research on the aging process, the leadership of Eileen Collins who commanded one of the recent shuttles, the docking of the Discovery with Russian Mir, and we also realized that Russian Mir is to be retired and the International Space Station is to be the leader of research in space that will deal with strokes, and high blood pressure, diabetes, HIV/AIDS.

This $924 million cut, almost a billion dollars, warrants this extreme measure that I am offering today which is to restore those funds. It calls upon this Congress and this House and this subcommittee to waive the point of order and to allow us to proceed and restore NASA to where it was. This is not a request for additional funds. This is not a request to in any way put NASA above some of the other concerns of Members. It is a request to, if my colleagues will, keep our commitment to NASA where we indicated there would be even funding for the last 5 years of the 13 approximately point 5 billion dollars.

What we are saying is that this cut of almost a billion dollars literally stops NASA in its tracks. It literally says, ''If you're building a bridge, you have stopped the building of that bridge, and you've caused everyone traveling on that bridge to fall off into the deep waters.'' I would ask my colleagues to realize as well that NASA has been one of the leanest, and I will not say meanest, agencies who has offered to cut itself willingly. In fact, it has cut itself $35 billion, and that has resulted in $35 billion in savings.

As I close, Mr. Chairman, let me simply ask that we have an opportunity to vote on this amendment and restore full funding to NASA for this budget year.

Mr. Chairman, I rise to offer an amendment with my colleagues, Representatives BART GORDON, GENE GREEN and NICK LAMPSON to satisfy the NASA appropriations request, raising the Appropriations Committee's recommendation by $924,600,000.

I have not offered any offsets because this bill is so flawed, we cannot provide offsets without impinging upon other vitally important budget items. It is my hope that my colleagues will realize that it is necessary to waive any point of order so we can fund this very significant agency. We must remain united against this poorly drafted bill.

Recently, the movie ''October Sky'' captured our imaginations. This movie, based upon the autobiographical book written by Homer Hickam, tells the tale of a young boy who dreams of building rockets. Hickam grew up in a blue-collar town in West Virginia, yet, he believed in his abilities. He believed that he could build rockets that would torch the sky. And ladies and gentlemen, he succeeded. His

rockets won him national acclaim, and he eventually became a NASA engineer.

This bill would take such a dream and crush it beneath the weight of political posturing. This bill would tell our children, ''Forget about space. You will never reach it.''

And our children's dreams are not the only casualties. Jobs are at stake. As a Representative for the City of Houston, I cannot stand by and watch my Houstonians lose their jobs because of these cuts. The Johnson Space Center in Houston provides work for over 15,000 people. The workforce consists of approximately 3,000 NASA Federal civil service employees. In addition to these employees are over 12,000 contractor employees.

NASA has predicted the effects of the cuts on the Johnson Space Center, and the picture is not pleasant. NASA predicts that an estimated 100 contractors would have to be laid off, contractors composed of many employees and workers; clinic operations would be reduced; and public affairs, particularly community outreach, would be drastically reduced. Also, NASA would likely institute a 21 day furlough to offset the effects of the cuts, and this furlough will place many families in dire straits. Also, the Johnson Space Center would have to eliminate its employee Safety and Total Health program.

The entire $100 million reduction in the International Space Station would be attributed to the space center and would cause reductions in the Crew Return Vehicle program. This would result in a 1 to 2 year production slip and would require America to completely rely upon Russia for crew returns. This is a humiliating situation! We pride ourselves in being the world leader in space exploration, yet, what does it tell our international neighbors when we do not even have enough funding to bring our astronauts home?

The cuts would not only affect Houston; they would affect the rest of the country. NASA's Goddard Space Flight Center would need to cut over 2,500 jobs. Such layoffs would affect both Maryland and Virginia.

The $100 million reduction in NASA's research and development would result in an immediate reduction in the workforce of 1,100 employees for FY 2001. This would also require a hiring freeze, and NASA would not be able to maintain the necessary skills to implement future NASA missions.

Negative effects will also occur across our Nation. Clearly, States such as Texas, Florida, and Alabama will see substantial cuts to the workforce, but given today's widespread interstate commerce, it is easy to imagine that these cuts to the NASA program will hit home throughout America. And NASA warns that the country may not see the total effects of this devastation to our country's future scientists and engineers for many years.

NASA contractors and employees represent both big and small businesses, and their very livelihoods are at stake—especially those in small business. They can ill afford the flood of layoffs that would certainly result from this bill.

Dan Goldin, head of NASA, has already anticipated the devastating effects of the NASA cuts. He predicts a 3 week furlough for all NASA employees. This would create program interruptions and would result in greater costs. Ladies and gentlemen, we are falling, if not tumbling, down a slippery slope. This bill would reduce jobs for engineers and would increase NASA's costs, a result that will only result in more layoffs as costs exceed NASA's fiscal abilities.

We are at a dangerous crossroads. This bill gives our engineers and our science academics a vote of no confidence. It tells them that we will not reward Americans who spend their lifetimes studying and researching on behalf of space exploration. I urge my colleagues to join me in my effort to stop the bleeding.

Over the past six years, NASA has led the Federal Government in streamlining the Agency's budget and institution, resulting in approximately $35 billion in budget savings relative to earlier outyear estimates. During the same period, NASA reinvented itself, reducing personnel by almost ⅓, while continuing to increase productivity. The massive cuts recommended by the Committee would destroy the balance in the civil space program that has been achieved between science and human space flight in recent years.

In particular, the Committee's recommendation falls $250 million short of NASA's request for its Human Space Flight department. This greatly concerns me because this budget item provides for human space flight activities, including the development of the international space station and the operation of the space shuttle.

I firmly believe that a viable, cost-effective International Space Station has been devised. We already have many of the space station's components in orbit. Already the space station is 77-feet long and weighs over 77,000 pounds. We have tangible results from the money we have spent on this program.

Just this past summer, we had a historic docking of the space shuttle Discovery with the International Space Station. The entire world rejoiced as Mission Commander Kent Rominger guided the Discovery as the shuttle connected with our international outpost for the first time. The shuttle crew attached a crane and transferred over two tons of supplies to the space station.

History has been made, yet, we seek to withdraw funding for the two vital components, the space station and the space shuttle, that made this moment possible. We cannot lose sight of the big picture. With another 45 space missions necessary to complete the space station, it would be a grave error of judgment to impede on the progress of this significant step toward further space exploration.

Given NASA's recognition of a need for increased funding for Shuttle safety upgrades, it is NASA's assessment that the impact of a $150 million cut in shuttle funding would be a reduction in shuttle flight rate, specifically impacting ISS assembly. Slowing the progress of the ISS assembly would defer full research capabilities and would result in cost increases.

Both the International Space Station and the space shuttle have a long, glorious history of international relations. We can recall the images of our space shuttle docking with the Russian Mir space station. Our nations have made such a connection nine times in recent years. This connection transcended scientific discovery: it signified the true end of the Cold War and represented an important step toward international harmony.

The International Space Station, designed and built by 16 nations from across the globe, also represents a great international endeavor. Astronauts have already delivered the American-made Unity chamber and have connected it to the Russian-built Zarya control module. Countless people from various countries have spent their time and efforts on the space station.

To under-fund this project is to turn our backs on our international neighbors. Space exploration and scientific discovery is universal, and it is imperative that we continue to move forward.

I also denounce the cuts made by the Appropriations Committee to NASA's science, aeronautics, and technology. This bill cuts funding for this program $678 million below the 1999 level.

By cutting this portion of the NASA budget, we will be unable to develop new methodologies, better observing instruments, and improved techniques for translating raw data into useful end products. It also cancels our ''Pathfinder'' generation of earth probes.

Reducing funding for NASA's science, aeronautics, and technology hinders the work of our space sciences, our earth sciences, our academic programs, and many other vitally important programs. By under-funding this item by $449 million, the Appropriations Committee will severely impede upon the progress of these NASA projects.

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Chairman, I continue to reserve a point of order.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate my colleague from Houston, Texas (Ms. JACKSON-LEE) bringing her amendment. Service on the Committee on Science, I think points out the need for this.

I have a district in Houston. It does not come close to the Johnson Space Center, but I also know the benefits that we all receive, even if we do not represent that particular area from both NASA and the science investment that NASA is doing and also the International Space Station. I appreciate the Committee on Appropriations adding the 400 additional million for NASA, however it still falls about a billion dollars short of what NASA needs to be an effective agency and to continue to be literally the world leader in preeminent space program. U.S. space program is the envy of the world, and I know a lot of Members get to visit with other countries, and oftentimes that will be sometimes the first issue they will talk about is the space program. The continued success of programs like the Mars Lander or the Hubble Telescope should not be halted because of shortsighted funds.

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We are just beginning to understand this great huge universe that we have, and missions to search for water on the moon or to find life on Mars is what is keeping our Nation's technology and academic advancements going.

For the past few years I have had the opportunity, though, to have astronauts visit in the schools in my district. They will come in to our middle schools and talk about what they do and their job to encourage students to continue efforts or have an interest in math and science.

So we are not just talking about dollars and cents when we are talking about the NASA budget. We are talking about the impact of having an astronaut or a contractor who works with NASA come to our schools and make our students realize how important it is to have math and science. Maybe we would have more math and science majors than lawyers, Mr. Chairman. Since I am a lawyer and was not good in math and science, maybe I needed an astronaut when I was in the seventh or eighth grade to convince me of that.

The proposed cuts would eliminate a host of technology and research programs, and particularly at the Johnson Space Center in Houston in their research in astro materials such as extraterrestrial water that was trapped in crystals from outer space that just recently landed in West Texas, a meteor.

The proposed cuts would scuttle any progress on the Mars exploration. Even though the Mars exploration is being done literally on the cheap right now, this would make it even worse.

Space exploration is important and plays a critical role in our Nation's future, and I would hope that we would be able to, if not in this amendment today, then through the conference committee, restore the funding to NASA, because they have adopted a pretty good lean machine the last 3 or 4 years under Dan Goldin, and I think we ought to continue that success.

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

Mr. GREEN of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I want to thank the gentleman for his support in joining me in offering this amendment. One of the things I think Americans understand is when you tighten your belt yourself, and you just mentioned NASA has done that. But what we lose as well, and I know it impacts the gentleman's district, is an enormous number of jobs.

I do not know if the gentleman wants to further comment on that, but we already know there will be furloughs. We know that working men and women, people who are just blue collar workers, will lose their jobs, as well as our scientists and researchers.

Mr. GREEN of Texas. Mr. Chairman, reclaiming my time, my colleague is correct, although Mr. Chairman, I have to be honest, when somebody in my district that is a blue collar worker gets a job at Johnson Space Center, they move to the district of the gentleman from Texas (Mr. LAMPSON) or the district of the gentleman from Texas (Mr. DELAY) or the district of the gentleman from Texas (Mr. BENTSEN). They do not stay typically in my district in the inner-city. But it is important to those blue collar workers. That is why, Mr. Chairman, I hope when we do go to conference committee, that that funding will be restored.

POINT OF ORDER

The CHAIRMAN pro tempore (Mr. LATOURETTE). Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Speaker, I do insist on my point of order.

Mr. Speaker, I make the point of order against the amendment because it violates the rules of the House since it calls for an en bloc consideration of two different paragraphs of the bill. Precedents of the House are clear on this matter. Amendments to a paragraph or section are not in order until such paragraph or section has been read.

The CHAIRMAN pro tempore. Does the gentlewoman from Texas (Ms. JACKSON-LEE) wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. I would appreciate it very much, Mr. Chairman.

Mr. Chairman, can I inquire whether or not I can yield to the distinguished gentleman from Texas (Mr. HALL) on the point of order, or can he be heard on the point of order, the ranking member?

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman from Texas (Mr. HALL) be heard.

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

There was no objection.

The point of order is reserved.

Mr. HALL of Texas. Mr. Speaker, I move to strike the last word.

Mr. Chairman, I will be brief. I just want to point out the great need and the devastation that will occur if this is not carried. I want to point out some of the background.

Back in the early nineties there was a great effort made at the time when we had projected continued deficits that we would have cutbacks, and they called on all of the committees to cut back anywhere from 5 to 10 to 15 percent.

Well, space particularly and the NASA program, it is hard to cut back when you do not really know the effect of what you are doing. So with the help of the then ranking minority Member, the gentleman from Wisconsin (Mr. SENSENBRENNER), I as chairman of the Subcommittee on Space and Aeronautics called in Mr. Goldin and told him what our problem was.

We said, You can cut it with a surgeon's knife or we will cut the budget with a baseball bat, and it makes more sense to do it by someone like you, because when we cut the budget, we are always frightful we are going to cause loss of life or cut it in some life-threatening area.

Well, the thing I want to report to you is in the early nineties the projected spending for NASA was some $18 billion, and the reorganization and streamlining that took place at that time reduced it some 30 percent. So we have already taken hard licks in the NASA budget, hard licks in the space program, and really and truly by keeping the faith now we really do suffer from the cut that is proposed at this time.

I urge a reconsideration of this. I totally support the gentlewoman from Houston and those from other parts that support NASA. I do not doubt that you on that side support NASA and want the best for the program. I just urge you to reconsider and to give us some help somewhere along the line, whether it is at the level of the House and Senate conference committee or wherever it might be, to reconsider this.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from New York (Mr. WALSH) insist on his point of order for the reasons stated?

Mr. WALSH. Mr. Chairman, I do insist on the point of order. I would offer to the gentleman and gentlewoman that spoke the comments I made throughout the debate on this bill, that we understand your concerns. We have those same concerns. The difficult choices made while producing this bill caused us to make these rather difficult cuts.

As I have said, I will continue to work with all who have an interest in supporting this terribly important program, that as we work through the process and get to conference, we will try to fill those gaps as we go down the road.

Mr. HALL of Texas. Mr. Chairman, I thank the gentleman for that. I would like to point out that today the real dollar funding has gone down from the $14.4 billion to the $13.6 billion. At a time when they are projecting a $1 trillion savings in the next 10 years, this is no time to cut down our opportunity to really move ahead in the field of science.

The CHAIRMAN pro tempore. Does the gentlewoman from Texas (Ms. JACKSON-LEE) wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank my colleagues who have come to the floor. I said yesterday that this is a hard question of choices, and I realize I asked originally for the point of order to be waived.

At this time, Mr. Chairman, with the representation of the chairman and the good work of the ranking member, I would simply ask at this time, Mr. Chairman, that the amendment be withdrawn and that I would offer to work with the chairman of the subcommittee and the ranking member of the full committee, the chairman of the full committee and the ranking member of the subcommittee on this very vital issue, not only to Texas, this is not a selfish position, but to the Nation. I wanted to call this America's space program, and I hope we will get NASA back to full funding soon, to save American jobs and to save America's space program.

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

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

There was no objection.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $4,975,700,000, to remain available until September 30, 2001.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; space communications activities including operations, production and services; maintenance; construction of facilities including repair, rehabilitation, and modification of facilities, minor construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed $35,000 for official reception and representation expenses; and purchase (not to exceed 33 for replacement only) and hire of passenger motor vehicles, $2,269,300,000, to remain available until September 30, 2001.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $20,800,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in ''Mission support'' pursuant to the authorization for repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2002.

Notwithstanding the limitation on the availability of funds appropriated for ''Mission support'' and ''Office of Inspector General'', amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2000 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year.

NASA shall develop a revised appropriation account structure for submission in the fiscal year 2001 budget request consisting of the ''Human Space Flight'' account; the ''Science, Aeronautics, and Technology'' account; and the ''Office of Inspector General'' account. The accounts shall each include the planned full costs (direct and indirect costs) of NASA's related activities and allow NASA to shift civil service salaries, benefits and support among accounts, as required, for the safe, timely, and successful accomplishment of NASA missions.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2000, administrative expenses of the Central Liquidity Facility shall not exceed $257,000: *Provided*, That $1,000,000, together with amounts of principal and interest on loans repaid, to be available until expended, is available for loans to community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft, award-related travel, $2,778,500,000, of which not to exceed $245,600,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2001: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

MAJOR RESEARCH EQUIPMENT

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, including award-related travel, $56,500,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, award-related travel, and rental of conference rooms in the District of Columbia, $660,000,000, to remain available until September 30, 2001: *Provided*, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; $146,500,000: *Provided*, That contracts may be entered into under ''Salaries and expenses'' in fiscal year 2000 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $5,325,000, to remain available until September 30, 2001.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $80,000,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

To carry out the orderly termination of the programs and activities authorized by 5 U.S.C. 4101–4118, $7,000,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefore in the budget estimates submitted for the appropriations: *Provided*, That this provision does not apply to accounts that do not contain an object classification for travel: *Provided further*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further*, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefore set forth in the estimates in the same proportion.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 403. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and

facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 406. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between their domicile and their place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 408. None of the funds in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 410. Except as otherwise provided under existing law, or under an existing Executive Order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within twenty-four months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 411. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency: (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; and (B) the contractor who prepared the report pursuant to such contract.

SEC. 412. Except as otherwise provided in section 406, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 413. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 414. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 415. (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.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 417. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 2000 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that the bill, title IV, sections 401 through 419, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

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

If not, the Clerk will read.

The Clerk read as follows:

SEC. 420. Notwithstanding section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)), funds made available pursuant to authorization under such section for fiscal year 2000 may be used for implementing comprehensive conservation and management plans.

Ms. NORTON. Mr. Chairman, I move to strike the last word for the purposes of engaging in a colloquy with the gentleman from New York (Chairman WALSH).

Mr. Chairman, I had intended to introduce an amendment, but have elected not to do so because the gentleman from New York (Chairman WALSH) has agreed to engage in a colloquy with me, and I appreciate his willingness to do so.

My amendment would have sought to extend for an additional year a provision that was included in the FY 1998 VA–HUD appropriation that states that the Federal share of grants awarded under title II of the Federal Water Pollution Control Act for publicly owned treatment works in the District of Columbia shall be 80 percent.

Currently the matching formula for water treatment projects in the District of Columbia is 80–20 because of a measure included 2 years ago by the VA–HUD chairman, at the time the gentleman from California (Mr. LEWIS). I have spoken directly with the gentleman from Pennsylvania (Mr. SHUSTER), the Chairman of the Committee on Transportation and Infrastructure, and he has indicated his support.

The gentleman from Pennsylvania (Chairman SHUSTER) has already indicated his willingness to work with me in devising permanent language that could be included in a clean water funding bill that the committee intends to consider shortly. I also have the support of the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, for extending the provision.

The 80–20 match has been indispensable to the District of Columbia Water and Sewer Authority in helping it to undertake necessary capital improvements. I intend to work with the gentleman from Pennsylvania (Chairman SHUSTER) to obtain passage of legislation to make this change permanent.

In the meantime, however, the provision that was passed 2 years ago is set to expire on December 30, 1999. Therefore, I must seek an additional 1-year extension so that important projects that WASA will be undertaking next year will not be jeopardized because of lack of funding.

I would ask the gentleman from New York (Chairman WALSH), I understand that you would like additional time to consider my request for a 1-year extension and that you would be amenable to working with me to have language included in the VA–HUD conference report. Is that the gentleman's understanding?

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

Ms. NORTON. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, yes, that is my understanding. I recognize the importance of this provision to the District of Columbia, and I look very much forward to working with the gentlewoman in that regard.

Ms. NORTON. Mr. Chairman, reclaiming my time, I thank the gentleman for his kind consideration.

AMENDMENT OFFERED BY MR. BOEHLERT

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

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT:

Page 93, line 6: strike the period and insert the following:

'', subject to enactment of legislation authorizing funds for such purpose.''

Mr. BOEHLERT. Mr. Chairman, the amendment to section 420 on page 93 regards the usage of federal funds for comprehensive conservation and management plans for our national estuaries. That is a proper role for the Federal Government. All of us recognize that.

The Clean Water Act allows EPA national estuary program grants to be used for developing plans, not for implementing them. Section 420 would allow these grants to be used for implementation for FY 2000.

Section 420 constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI. However, we have talked with the chairman and ranking member and advised them that the Committee on Transportation and Infrastructure is currently considering legislation to reauthorize the national estuary program. We are determined to do so, and we are moving with dispatch.

The proposed amendment would allow national estuary grants to be used for implementing plans, subject to passage of national estuary program reauthorization legislation.

I would urge its adoption. I would ask my colleagues to keep in mind that the gentleman from New York (Chairman WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, are both supportive, and I would ask that they affirm that support at this time.

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

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

Mr. WALSH. Mr. Chairman, I thank the chairman of the subcommittee for the excellent work that the gentleman from New York (Mr. BOEHLERT) has done in my State and across the Nation in protecting our air, water, and land. He has provided great leadership, in the tradition of the great Theodore Roosevelt also from New York State.

We see this as a friendly amendment, and I can say from our side that we are prepared to accept it.

Mr. BOEHLERT. I thank the chairman for those good words.

I would ask the gentleman from West Virginia (Mr. MOLLOHAN) also if that is his understanding.

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

Mr. BOEHLERT. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, it is indeed.

Mr. BOEHLERT. Mr. Chairman, I move the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BOEHLERT).

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that sections 421 through 423 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 New York?

There was no objection.

The text of sections 421 through 423 is as follows:

SEC. 421. Notwithstanding any other provision of law, the term ''qualified student loan'' with respect to national service education awards shall mean any loan made directly to a student by the Alaska Commission on Postsecondary Education, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

SEC. 422. Section 15d(a) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831n–4(a)) is amended by striking ''30,000,000,000'' and inserting in lieu thereof ''27,000,000,000''.

SEC. 423. None of the funds made available in this Act may be used to publish or issue an assessment required under section 106 of the Global Change Research Act of 1990 unless—

(1) the supporting research has been subjected to peer review and, if not otherwise publicly available, posted electronically for public comment prior to use in the assessment; and

(2) the draft assessment has been published in the Federal Register for a 60 day public comment period.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the distinguished gentleman from New York (Mr. WALSH), chairman of the Subcommittee on VA, HUD, and Independent Agencies of the Committee on Appropriations.

I rise today to discuss with the chairman of the subcommittee the need for a veterans outpatient clinic in the Seventh District of Georgia.

Mr. Chairman, currently there are 9 outpatient clinics located throughout Georgia. The Seventh District has one of the largest veterans population of any congressional district in the State. However, it does not have an outpatient clinic.

In the State of Georgia there are more than 667,000 veterans, and the Seventh District is home to many of those. Many of the constituents in my congressional district are veterans who must drive long distances to receive treatment. In 1998, many thousands of veterans from the Seventh District had to go to the VA hospital facility on the east side of Atlanta to receive medical treatment. For those veterans in the western-most portion of the Seventh District, that trip takes a complete day, beginning early in the morning.

Establishing an outpatient clinic in the Seventh Congressional District would provide a very important service to our veterans, and would relieve pressure from the other clinics and the veterans hospital in Atlanta. It would be extremely cost effective.

Over the last year I have been in contact with the chairman about the importance of this issue, and I am pleased the committee will look into this issue in the House-Senate conference.

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

Mr. BARR of Georgia. I yield to the gentleman from New York.

Mr. WALSH. I thank the gentleman from Georgia for bringing this issue to the attention of the Committee, Mr. Chairman.

Mr. Chairman, I understand there is a need for a veterans' outpatient clinic in the 7th District of Georgia. I would like to assure the gentleman that I will work with him on this issue toward the establishment of a clinic in that county of Georgia as we move towards conference.

Mr. BARR of Georgia. Mr. Chairman, I appreciate the commitment of the chairman.

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

Mr. BARR of Georgia. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, I have heard stories like the gentleman's all over the country, I say to the gentleman from Georgia (Mr. BARR), about the needs of various districts and our veterans. They are real. I am glad that the gentleman is fighting for them.

We had a series of amendments yesterday that would have put the money in that would have allowed us to take care of that. The illogic of the position that is being argued by folks on the gentleman's side is that we have these needs but we are not going to put the money in to meet them.

So I sympathize with the gentleman and I voted to get the gentleman the money to have that outpatient clinic,

but nobody on the gentleman's side voted for the amendments that would have allowed that. So I do not understand how the gentleman can ask the chairman to take care of his needs and then not vote for the positions that would give the money to do that.

Mr. BARR of Georgia. Mr. Chairman, reclaiming my time, I would like to express my appreciation for the support of the gentleman from California.

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Michigan:

At the end of the bill before line 4, page 94, insert the following:

SEC. . Not withstanding any other provision of this Act, the amount appropriated for Environmental Programs and Management for the Environmental Protection Agency is reduced by $2,500,000 and the amount appropriated for Emergency Management Planning and Assistance for the Federal Emergency Management Agency is increased by $2,500,000.

Mr. SMITH of Michigan (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 Michigan?

There was no objection.

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Chairman, the budget resolution, the authorization bill, H.R. 1550, and the FEMA director, James Lee Witt, all suggested that a $5 million appropriation to the Fire Administration be authorized in order to implement certain changes in the Fire Administration.

I would like to suggest to my colleagues that this is a compromise. The appropriators took out the $5 million. This amendment suggests that we move ahead with $2.5 million to implement these changes in the Fire Administration. The director of FEMA, James Lee Witt, has said at least with the $2.5 million they can move ahead and start making some changes necessary to help the first responders in this country.

We have 34,000 fire departments in this country. We have had very little support from the Federal Government. It has been suggested that, after all, it is already in this appropriation bill. There is a 20 percent increase in funding. The 20 percent is an increase from last year's $25 million to this year's $31 million, but they took out the $5 million for this special project.

Compare this authorization with what we have given law enforcement; for example, $1 billion for bulletproof vests in 1 year. What are we doing for our first responders? We make these first responders, 80 percent of whom are volunteers, do without any kind of support. We are now challenged in every community, in every township, in every hamlet, in every village of continuing to encourage these volunteers to perform the kinds of public service that they have been performing. Let us make some changes, and let us start giving these men and women a little support from Washington, D.C.

Since its creation in 1974, the Fire Administration has had a notable impact on communities across the country. Between 1986 and 1995, for example, fire deaths decreased 30 percent and the adjusted dollar losses associated with the fires decreased by 13 percent. Much of this decrease can be traced to research sponsored by the United States Fire Administration.

Earlier I had mentioned $1 billion to law enforcement for deaths. Last year we had about 200 deaths of law enforcement officers performing their duties. Last year we had 100 deaths of first responders, firemen trying to do their duty, and again, 80 percent of those individuals are volunteers, with little or no support.

We are talking about $2.5 billion. The $5 million was taken out. We are now talking about $2.5 million, at least starting down this road to help these first responders.

Losses from fire, I would call to the Members' attention, remain unacceptably high. During the period 1986 to 1995 period, an average of 2.1 million fires have been reported annually, and fires cost an average of 5,000 civilian deaths, 25,000 injuries, and $9.6 billion in losses each year.

Moreover, the United States has one of the highest fire death rates in the industrialized world, 15.6 deaths per million in population, higher than Australia, Japan, western Europe.

Mr. Chairman, we can and we must do better. I think this is a very modest request to move ahead with what needs to happen in the U.S. Fire Administration for them to do a better job servicing the 34,000 fire departments in our communities and the 1.2 million first responders that are trying to help their communities in protecting the environment, protecting from loss of life, protecting from loss of property.

A recent report by the blue ribbon panel made up of representatives of the fire service community spoke of a broken covenant between the Federal fire programs and the people and institutions they were created to serve. They listed 34 recommendations to improve the United States Fire Administration. At the top of the list was additional funding. This is a serious and earnest effort on the part of these stakeholders to bring about a positive change for the Fire Administration.

Mr. Chairman, the budget, the attorneys team Bill H.R. 155, and FEMA Director James Lee Wolf all suggested a $5 million appropriation to implement certain changes. Since its creation in 1974, the Fire Administration has had a notable impact on communities cross the country. Between 1986 and 1995, for example, fire deaths decreased 30 percent, and the adjusted dollar loss associated with fire decreased 13 percent. Much of this decrease can be traced to research sponsored by USFA that led to affordable smoke detectors.

Nevertheless, losses from fire remain unacceptably high. Over the same 1986 to 1995 period, an average of 2.1 million fires were reported annually, and fires caused an average of 5,100 civilians deaths, 25,000 injuries, and $9.6 billion in losses each year. Moreover, the United States has one of the highest fire death rates in the industrialized world—15.6 deaths per million in population—higher than in Australia, Japan, and most of Western Europe.

Mr. Chairman, we can and must do better, both for our citizens and for the firefighters who regularly put their lives on the line—80 percent of whom serve as volunteers. in an age where the word ''hero'' has been debased, firefighters still command the respect and thanks of the communities they serve, and rightly so. About 100 lose their lives every year in duty-related incidents.

However, a recent report by the Blue Ribbon Panel, made up of representatives of the fire-services community, spoke of a ''broken covenant between the federal fire programs and the people and institutions they were created to serve.'' They listed 34 recommendations to improve the United States Fire Administration. At the top of their list was additional funding. This is a serious and earnest effort on the part of these stakeholders to bring about positive change—to increase funding for the USFA while at the same time hold it accountable for its own performance.

The authorization that we passed overwhelmingly in this House provided this funding.

It also required the USFA to prepare a five-year plan on how the funding will be spent. It channeled new funding into the National Fire Academy for counterterrorism training for first responders and called for a review of National Fire Academy courses to ensure that they are up-to-date and complement, not duplicate, courses of instruction offered elsewhere.

This amendment restores the $2.5 million out of the $5 million requested necessary to achieve these goals.

It makes funding available to USFA through the FEMA ''Emergency Management Planning and Assistance'' account. It offsets this spending through a decrease in funding for the environmental protection Agency's ''Environmental Programs and Management'' account—a $1.8 billion account filled with earmarked programs not requested by the EPA. As Chairman of the Basic Research Subcommittee, it's important to me that we spend money on projects that meet the standards of competition and peer-review.

A sum of less than 2/10 of one percent from this account is reasonable to help this country's first responders.

Mr. Chairman, by funding the United States Fire Administration, this amendment has the potential of saving countless numbers of lives, significantly reducing physical injuries and decreasing the dollar amount of damages caused by fire and other forms of disasters. I would personally like to thank everyone from the fire service who has offered their support to me throughout this budget process. But more importantly, I would like to thank all 1.2 million first responders for their dedication and commitment to duty, and offer my best wishes for their continued success and safety.

I ask for your support on this amendment.

Mr. WALSH. Mr. Chairman, I rise in reluctant opposition to the gentleman's amendment.

Mr. Chairman, this surely is a worthy program. There is broad support certainly for fire prevention training. That is why the Committee on Appropriations increased the budget of FEMA's fire prevention training by 20 percent.

We have discussed and debated this bill for about 10 hours now, and we have seen clearly throughout the debate the difficult choices that we had. There is no other area, clearly, of this budget that has had a 20 percent increase. So it is a priority for the committee.

Mr. Chairman, the budget last year was about $25 million. This year it would be $31.4 million, under this budget, an increase of $6 million, $6 million that could have been used in any number of other programs that any number of other amendments would have affected.

FEMA had proposed an increase of over 45 percent for this budget item, but the committee could not support such an increase. The efforts of FEMA to overhaul and improve the United States Fire Administration are to be commended, but we should not smother the program with funding which may be not used effectively. How many times have we seen the Federal Government throw money at a problem, only to create more problems?

This would be a substantial increase for any budget. We need to give the agency time to implement the recommendations of the blue ribbon panel on the U.S. Fire Administration. While FEMA requested more money than this bill provides, the committee feels that slowing down the pace of implementation will be best for the program in the long run.

We remain committed to working with FEMA to implement changes in the Fire Administration, but we do not feel a funding increase of 45 percent in one year is merited.

Mr. Chairman, I would urge my colleagues to vote ''no'' on this amendment.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding to me.

Just to point out the percentages again, we had $25 million last year. The request was for $36 million. That was a 40 percent increase. We ended up with $5 million less than that. It seems that using percentages does not really reflect the contribution of the Federal Government to what is a very huge, serious contribution; again, 34,000 fire departments, over 1.2 million first responders, 80 percent of whom are volunteers, and to implement the blue ribbon committee we need that money.

Mr. WALSH. Reclaiming my time, the percentages do show a scale of increase in this budget. No matter how we cut it, a 20 percent increase in any budget is very substantial. It would be difficult, quite frankly, to manage.

Mr. MOLLOHAN. Mr. Chairman, I rise in reluctant opposition to the gentleman's amendment. In this amendment, my friend, the gentleman from Michigan, proposes to give the resources needed for the U.S. Fire Administration to implement changes called for in a recent Blue Ribbon Panel report.

The panel focused on the need to improve management activities, to appoint a Chief Operating Officer, and to establish a stronger mission statement.

Mr. Chairman, FEMA director James Lee Witt and the Fire Administrator, Carrye Brown, both support the changes recommended by the panel. Indeed, these changes are already being implemented.

Let me emphasize my very strong support for the activities of the Fire Administration. I know the gentleman from New York (Chairman WALSH) shares my desire to provide the resources needed to implement the panel's report, and I look forward to working with him to do so as this process moves forward.

However, the gentleman from Michigan (Mr. SMITH) has characterized this offset as coming from EPA's administrative account. What has not been made clear is that this account also happens to contain almost all of EPA's programmatic funding.

The cut could mean reductions in air and water protection, compliance assistance activities, pesticide registration, educational activities. As I said, this is EPA's programmatic account, and it will cut deeply, because EPA's funding is marginal in these activities. Those marginal cuts, while they may seem small, loom large when they get down to the programmatic level.

EPA is already underfunded in these areas, and this cut could impact it adversely. Therefore, I must oppose the amendment. At the same time, I want to restate my support for FEMA, for the Fire Administration, and for our country's first responders, and to working with the gentleman as this process moves forward to try to get adequate funding in this very important program.

I commend the gentleman for his efforts here, and reluctantly oppose his amendment.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Michigan.

□ 1430

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman from West Virginia (Mr. MOLLOHAN) for yielding to me just a second just, again, to make clear that, from that account, it is a $1.8 billion account, out of that $1.8 billion, roughly one-tenth of 1 percent we are asking be transferred to an area that can tremendously help environmental needs. So it is a very small portion of that $1.8 billion.

Mr. MOLLOHAN. Mr. Chairman, it is indeed, and I acknowledge that. The point is that the gentleman is operating at the margins of accounts that are underfunded already, so it has dramatic impacts, not only programmatic, but also employment impacts at this point.

All of these accounts are underfunded in this whole bill. That is the principal purpose of opposing most of these amendments. We are operating on the margins. We need additional allocation. We need additional headroom in the caps. We need to do something with the budget resolution. These amendments are cutting accounts that cannot afford to be cut because they are already underfunded.

While it is an attractive argument to point out that the gentleman's amendment only cuts a small percentage across the board in these accounts, and that is true, it has dramatic effects because these accounts are already at the margins and unacceptably underfunded.

So, again, I hope that we get money in this bill as we move forward. I would certainly join the Chairman in working with the gentleman in ensuring that there are additional funds in this very worthy undertaking.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. SMITH).

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

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

The CHAIRMAN. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from Michigan (Mr. SMITH) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS: At the end of the bill (before the short title), insert the following new section:

RURAL VETERANS HEALTH CARE SERVICES

SEC. __. The House supports efforts to implement improvements in health care services for veterans in rural areas.

Mr. SANDERS. Mr. Chairman, this amendment expresses the Congress' support of efforts to improve rural health care delivery for our veterans, and I believe it is absolutely noncontroversial.

It is imperative that the special needs of veterans living in rural areas are recognized and that the particular problems associated with delivery of VA health care in rural areas often in face of shrinking resources are addressed.

I would like to thank the gentleman from New York (Mr. WALSH) and the

gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, for what I understand is their support of this amendment.

Mr. Chairman, I yield to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman from Vermont for his constructive amendment. We believe, just as he does, that rural health care services for veterans are extremely important and consider this a friendly amendment, and we are willing to accept it on our side.

Mr. SANDERS. Mr. Chairman, I yield to the gentleman from West Virginia (Mr. MOLLOHAN) who is also sympathetic to this, as I understand.

Mr. MOLLOHAN. Mr. Chairman, I am very sympathetic, being from a rural area.

Mr. SANDERS. Mr. Chairman, the problems facing veterans all over this country and especially in rural areas are very serious, and I think this amendment is helpful.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HINCHEY

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

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ——. None of the funds made available in this Act may be used by the Department of Veterans Affairs to implement or administer the Veterans Equitable Resource Allocation system.

Mr. HINCHEY. Mr. Chairman, in offering this amendment, I mean to infer no criticism of the gentleman from New York (Mr. WALSH), the chairman of the subcommittee who has put this bill together under some very, very difficult circumstances and I think in many ways has done an excellent job, particularly in providing additional funds for veterans.

However, there is criticism to be offered in the way that the Veterans Administration is implementing a reallocation of existing resources. It is arguable that the resources are totally inadequate and will continue to be so after the large infusion of funds which are contained in this bill should the bill become law.

Nevertheless, VERA, in its allocation of these funds, is doing a grave disservice to certain veterans in certain parts of the country. In the initial phase of the implementation of this reallocation of resources, the veterans who are being injured the most initially are those who reside in the northeastern portion of the country. Those injuries are now spreading to other parts of the country and are being experienced by veterans in the midwest and elsewhere.

So we are calling upon the Veterans Administration in this amendment to cease and desist in the reallocation of these resources until such time as it can be adequately discerned what damages are being done and how best to use the resources that are available for veterans health care.

The VA is currently operating on the basis of a simple computer model, and that computer model does not adequately take into consideration the needs of veterans, the special circumstances that they may have, the environment in which the health care services are being delivered, and a host of other variables.

The consequence of that is that veterans in health care settings in a growing number of areas across the country are not getting the quality of care that they deserve and which the Congress wants them to have and which every American wants them to have.

Now it may be that veterans in some parts of the country have not been injured by this reallocation formula yet, but we have experienced a growing number of veterans being injured as a result of this reallocation formula over the last several years.

The initial negative impacts began to show up in the New York metropolitan area in 1996. Since then, they have spread through New England and down the East Coast and across Pennsylvania and into the Ohio region in the midwest. So if my colleagues have not yet begun to experience with their veterans the negative impacts of VERA, they need not wait too much longer, because those negative impacts will begin to express themselves almost invariably as a result of this formula, which is a blind formula totally without concern or care for the quality of health care that is being delivered in many parts of the country as a result.

So it is no less than prudent for us to intercede, to step in, and to say that this formula should not go further until we have a better and clearer understanding of its full impacts, and that we can develop a formula for allocation which will be in keeping with the needs of veterans and ensure that they get the quality of care that they deserve.

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

Mr. Chairman, I am pleased to rise today along with the gentleman from New York (Mr. HINCHEY), who has just spoken, to offer this amendment to suspend the Department of Veterans Affairs VERA formula.

We are joined by the gentleman from New Jersey (Mr. SMITH), the gentleman from New Jersey (Mr. FRANKS), the gentleman from New York (Mr. GILMAN), the gentleman from New Hampshire (Mr. BASS), the gentleman from New York (Mr. QUINN), the gentlewoman from New York (Mrs. KELLY), and the gentlewoman from New Jersey (Mrs. ROUKEMA) in offering this amendment today.

This amendment is about fairness, about treating all veterans equally regardless of where they live. After all, these veterans, all veterans served our country together, not from any particular region or particular State.

When VERA was implemented in April of 1997, without, I believe, adequate public discussion and education among veterans throughout the country, it began shifting funds away from some areas of the country such as the Northeast to other regions like the South and West. The VA claimed it was moving the money to where the veterans are. In the process, the VA left many of our veterans behind.

Why should a veteran in one part of the country receive better services than a veteran in a different part of the country simply because of where they chose to live?

VERA is destructive public policy. The program redirects money from areas where existing elderly populations, with increasing needs for care, to areas with developing veterans population that have similar needs. In the end, this program has done nothing more than pit veterans in one region of the country against veterans in other parts of the country.

Let me tell my colleagues what VERA has meant for veterans in my congressional district. VERA has meant that security stations in the psychiatric ward in Lyons VA Medical Center are often empty or undermanned. VERA has meant fewer doctors and nurses working more overtime to care for patients at Lyons and East Orange Medical Centers. VERA has led to the closure of the Lyons emergency room and the severe cutback in services in pharmaceutical help.

For the past 2 years, my area, VISN 3 in New York and New Jersey, has taken the biggest cuts under VERA. But New Jersey has the second oldest veterans population in the Nation after Florida. The veterans in my State are often older, sicker, and poorer than veterans that live elsewhere in the country.

I know this from having visited these veterans time and time again at these hospitals. The Lyons VA Hospital treats over 250 aging vets in its nursing home, many of whom are confined to wheelchairs. Further, every bed in the Alzheimer's unit is filled. I have visited these patients and can say that each one of these men deserve a great deal of care and rightly so.

Finally, Lyons has several inpatient units for treating posttraumatic stress disorder and other serious mental illnesses. This care is far more complex and far more expensive than outpatient treatment sought by many veterans in other parts of the country.

But it is not just my area, VISN 3, that is treated unfairly under VERA. Last year, under the formula, seven Integrated Service Networks, or VISNs, lost money. Parts of Massachusetts, New York State, New Jersey, New York, Illinois, Michigan, Wisconsin, Colorado, Montana, Utah, Wyoming, parts of California and Nevada.

Even with a record $1.7 billion increase for veterans medical care in this

appropriations bill under discussion today, some VISNs, and the veterans who live there, will receive no additional funding while other regions will receive large funding increases.

During our subcommittee's hearing in April, I asked Secretary West how much VISN 3 would receive if Congress increased the President's budget request by $1.5 billion. He could not answer me then. But in a written response, the VA admitted that for VISN 3 to break even in fiscal year 2000, we would have to increase the President's level by $2.4 billion.

Further, according to the VA's own numbers, VISN 3 will lose $40 million in fiscal year 2000 even with the $1.7 billion increase. As a result of VERA, VISN 13, which includes Minnesota, North Dakota and South Dakota will lose over $8 million. While veterans in these States will be denied services and face restricted access to care, veterans in other parts of the country will benefit from the increased allocation, up to $129 million.

Our amendment to suspend the implementation of VERA is on target because it will give Congress the time to evaluate the program's consequences on the quality of health care for all veterans. It is our duty and responsibility to fully explore the impact of VERA on veterans medical care and to ascertain the fairness of the formula and what distribution of funds under VERA actually means for patient care.

VERA is not the answer to the VA's funding problems. As I stated earlier, all VERA has done since it was implemented has been to create regional battles for diminishing funds.

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

Mr. Chairman, I rise in strong support of this amendment for the reasons that have been outlined by my other colleagues, especially the gentleman from New York (Mr. HINCHEY).

I come from Albany, New York, home of the Samuel S. Stratton VA Medical Center. I have seen the adverse impacts of this program in my community: Fewer services to veterans, fewer jobs for health care workers at that particular facility.

But let me just address the more global concern that I have. Have we lost all of our priorities around here? Do we not realize that we would not have the privilege of going around bragging about how we live in the freest and most open democracy on the face of the earth had it not been for the men and women who wore the uniform of the United States military through the years. Have we forgotten that?

My brother died in the service. He did not have a chance to come back and take advantage of benefits to veterans. He came back in a casket. But think about all the others who put their lives on the line, came back disabled, and need help, especially in their later years.

□ 1445

Think of all those who just served and took the chance that they might lose their life so that they could defend what we stand for here in the United States; yes, the freest and most open democracy on the face of the earth; the beacon for freedom for people all around the world.

I will never forget as long as I live being in Armenia on their independence day. I traveled throughout the northern part of that country, and I watched people stand in line for hours to get in for that privilege to vote for the first time ever. And then when they finished voting, they would not even go home. They had these little banquets at every polling place celebrating what happened. But what was most uplifting about it all was to be with them the next day in the streets of Yerevan as they celebrated and danced and shouted and sang ''Long live free and independent Armenia.'' And then they said, ''The example of what we want to be like is the United States of America.'' That is what they said. And on that particular day I was never more proud to be an American.

We should be proud to be Americans today and be proud of the people who went before us and put their lives on the line so that we could be enjoying all the blessings that we enjoy today. And we are failing in that regard. I ask my colleagues to think about that as they contemplate this amendment and support our veterans by supporting the Hinchey amendment.

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

Mr. Chairman, I listened to the last Speaker make his points about serving our veterans. I think defeat of the Hinchey amendment serves our veterans as intended by the Congress and by those who are subject to movement in this country. The veterans populations that are moving out of the northeast and going elsewhere, to the south and the west, would be disserved by this amendment. So I rise in opposition to the Hinchey amendment. This would block continued implementation of the VERA system, a change that would cripple the VA.

An identical amendment was offered last year. It failed in this House by a vote of 146 to 285. The House has spoken on this issue previously, and it has been against the position taken by the author of this amendment and those who support it.

On April 1, 1997, Mr. Chairman, the VA began to implement the VERA system, which allocates health care resources according to the numbers of veterans in each of the 22 regional VISNs, the Veterans Integrated Service Networks. The Hinchey amendment would jeopardize health care in the majority of VA networks by blocking continued implementation of this system. Before VERA, funds were allocated according to the historical usage of VA facilities adjusted annually for inflation. When veterans migrated to the west and the south, funding continued to be concentrated in the northeast.

The VERA system directly matches workloads with annual allocations, taking into account numbers of basic and special care veterans, national price and wage differences, and education and equipment differences. More efficient networks have more funds available for local initiatives and less efficient networks have an incentive to improve. Some regions do see a substantial change in their health care allocations under VERA, but all VA network administrators agree this reform is crucial to the sustainability of VA programs.

Last August, the General Accounting Office reviewed the VERA system in response to congressional direction in last year's VA bill. Overall, VISN 3 and VISN 4, and the VA nationally, have increased the numbers of veterans served. Increased the numbers of veterans served. As measured by patient satisfaction, access to care also has improved, according to surveys. The report notes that the two VISNs, 3 and 4, increased veterans access to care despite reductions in the buying power of their allocations by increasing the efficiency of their health care delivery system. That is the issue here. That is how the system is intended to work.

The GAO also concluded that greater oversight of the system is required. And that is good also. But the goals of VERA, to reduce inequities and allow the VA to serve more veterans, are being met.

This amendment proposes to prohibit funding for the VERA allocation model, creating a significant question about what model the VA would use instead. Presumably the authors of the amendment would support a return to the allocations of 1996. Compared to fiscal year 1999, allocations of such an adjustment would mean 17 of the 22 VISNs would lose money. Some areas would be particularly devastated by such a reallocation. The Pacific Northwest, my district, my region, would be cut by 16 percent; the Southeast by 14 to 16 percent; the Southwest would be cut 17 percent.

To restore funding to these 5 VISNs at fiscal year 1996 levels, all other 17 VISNs would take an approximate hit totaling $220 million. If VA was forced to recompute allocations according to the old model, the cuts would be even more severe. The two VA medical centers I represent would see their budgets cut by more than $9 million this year if we restored the old formula. What does that do to my veterans? I respect the comments about other veterans, but this hurts veterans no matter what. Such a bigger hit would cripple the vast majority of VISNs across the country.

I believe we should encourage the VA to continue moving forward with this successful initiative. We should oppose the Hinchey amendment. And if my colleagues are from any of these other

States, Southwest, South or West, they should oppose this. Because it is essentially saying go back to the old system and perpetuate inefficiency in some of these veterans areas.

So where the veterans are going, the veterans are receiving money for their health care, and that is appropriate. If there are fewer veterans in the Northeast and more veterans in the South and the West, the South and the West ought to get more allocation to help the veterans' health care needs of those regions.

I have the greatest respect for the authors of this amendment and those who have spoken in favor of it, but freezing the existing system or changing it dramatically, as I think this amendment would, is a disservice to veterans nationally. It may argue in favor of the veterans in that region, but it hurts the veterans nationally. I urge my colleagues to oppose this amendment as the House has done in the past.

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

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

Mr. FRANKS of New Jersey. I yield to the gentleman from New Hampshire.

Mr. BASS. Mr. Chairman, I rise in strong support of the Hinchey-Frelinghuysen amendment.

Mr. Chairman, before I begin, let me say that I don't doubt the sincerity of any Member's commitment to our veterans. The increase in veterans health care and service funding that this appropriation provides is truly historic. I commend Chairman WALSH and the members of the subcommittee on their work and dedication to the budget resolution's priorities.

Earlier this year, each Member should have received the 1999 VERA allocations book. It states on page 9 that ''A major premise of VERA is that networks receiving relatively fewer funds will adjust by becoming more efficient—not by reducing services or numbers of veterans served.''

If you consider that many of the networks in the Northeast and the Midwest are already among the most efficient providers of veterans care in the country, then you can clearly see the problem with this premise. For these networks, there is no way to adjust without reducing services or numbers of veterans served.

The facts are clear. The quantity and quality of the health care services in the Northeast and Midwest have declined. These veterans deserve better.

VERA was supposed to improve care, not harm it. VERA was supposed to tailor the allocations to each of the 22 networks based on the region's labor costs, veteran population, patient classification, facility condition, and other factors. Instead, it has led to a veteran against veteran, region against region competition. It has to stop.

Since fiscal year 1996, VISN 1, the network for all of New England, has faced an 8 percent reduction in resource allocations. During the same time, Congress has increased the total allocation by over 5 percent.

Congress and the VA should work together to find a better method of providing this critical care and determining resource allocations. I urge support for this amendment.

Mr. FRANKS of New Jersey. Mr. Chairman, reclaiming my time, I rise today as a cosponsor of the Frelinghuysen-Hinchey amendment.

The Veterans Equitable Resource Allocation is anything but what its name implies. VERA is indeed not equitable. In fact, it has had a disastrous impact on veterans health care in New Jersey. VERA was intended to direct the VA health resources to the areas of the highest veterans population. However, the VERA equation fails to calculate the level of care required by the patients.

VISN 3, of which my district is a part, has the second oldest veteran population in the United States. Clearly, these veterans have a greater need for medical care and pay the highest health care costs of all veterans, yet they will suffer from across-the-board cuts to their programs. Even with a $1.7 billion increase over the President's budget, VISN 3 will lose $40 million. Meanwhile, VISN 8, in Florida, which has legitimate needs, will receive an increase of $129 million. Mr. Chairman, that does not sound like equity to me.

Not only is the level of support provided to New Jersey veterans unfair, it is jeopardizing their health condition. Lyons as well as East Orange Hospital Centers have closed their pharmacies. There have been round after round of RIFs in both New York and New Jersey veteran hospitals. VERA has been a failure when measured against the health care needs of our veterans.

I urge my colleagues to support the Frelinghuysen-Hinchey amendment. Send the Veterans Administration back to the drawing board on this proposal. America's veterans deserve no less.

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

Mr. Chairman, I rise today in support of this amendment offered by my good friend, the gentleman from New York (Mr. HINCHEY) and the gentleman from New Jersey (Mr. FRELINGHUYSEN), to support the reconsideration of VERA. This issue of VERA concerns many lives in the State of Maine as it pertains to veterans in particular but their families throughout the State also. I ask today that the House recognize the adverse effects of the VERA and how it appears to be having an adverse effect on many of my constituents and the constituents of many others in this body.

The Togas VA facility in Maine serves almost all Maine veterans and has felt the impact of stringent funding levels, which is referred to as region VISN 1. There have been more veterans seeking health services from VA Togas since VERA has been instituted, not fewer. But because of VERA, the resources are continuing to squeeze the VA's health care services. There has not been any study in regards to the rural impact of VERA and what it has done not just to Maine but other parts of rural America and its impact on veterans and veterans' health care.

Maine veterans expressed a significant level of anxiety about the present and future level of care at the Togas facility. And when we have asked our veterans to sacrifice, and to make the ultimate sacrifice by possibly laying down their lives down in defense of our country with the guarantee of health care for themselves, and then to be put into a situation where we are continuing, over a gradual period of time, of taking away those resources and not giving the veterans the health care protection that we had promised them when they had made their commitment to serve their country, I think gets at one of the underpinnings and foundation that has made America strong. We have to reinforce that and make sure we maintain our commitment to veterans.

My district is overwhelmingly rural, with many veterans finding that they cannot receive certain services in Maine. And asking a veteran to travel across the strait is enough of a burden, but many veterans are forced to travel to Boston, the hub of a network serving New England States for health care services. Mr. Chairman, in my State there is 22 million acres of land, over 3,500 miles of a rock-bound coast. In some parts of Maine there is more wildlife than life. And in that State, where it takes 5 to 7 hours to cover from one end to the other, asking veterans to then travel further downstate, enduring many long hours of travel, being away from their family and friends for support, I think is unconscionable. And I am very concerned that this VERA system may exacerbate this situation and it may not be helping the veterans, as we have seen in our experiences in Maine and throughout the country, as evidenced by the speakers here on both sides of the aisle in support of this amendment.

Mr. Chairman, I would ask the House to support this amendment.

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, I rise today in strong support of the amendment being offered by my colleagues, the gentleman from New York (Mr. HINCHEY) and the gentleman from New Jersey (Mr. FRELINGHUYSEN), to prohibit any funds from being used to implement the Veterans Equity Resource Allocation system known as VERA.

VERA was created to correct a perceived inequity in the manner in which veterans' health care dollars were being distributed across our Nation. While a noble effort, VERA was fundamentally flawed in that it did not look at the type of care being delivered

to veterans in given regions. Furthermore, it also failed to consider the effect of regional costs of providing health care in its calculations.

Under VERA, the watchword was efficiency; deliver the most care at the least cost. That sounds wonderful if the subject under discussion is outpatient care. But by forcing a one-size-fits-all solution to the problem, VERA has unfairly penalized those VISNs that provide vital services, such as substance abuse treatment, services for homeless veterans, mental health services, and spinal cord injury treatments. Under VERA, these services are all deemed too expensive and inefficient.

VERA was also implemented at a time when the VA's budget was essentially flatlined. Thus, VISN directors were not provided additional funds to offset the cost of annual pay raises for their VA staff as well as annual medical inflation costs.

□ 1500

This was not a problem for those directors of VISNs that received money under VERA. However, for those directors in VISNs like our VISN 3 in New York, that were losing money under VERA, this was a double hit that crowded out additional funds needed for other vital services.

Mr. Chairman, it is commendable that the subcommittee was able to find an additional $1.7 billion for our veterans' medical care. Yet, thanks to VERA, none of that money will find its way to the Northeast where it is vitally needed. Instead, it is going to be spent in those VISNs that have already seen increases in funding due to VERA.

Mr. Chairman, this is wrong and it is inequitable. The veterans of the Northeast, who are older, sicker, and less mobile than their counterparts in the Sunbelt, should not be unfairly penalized for where they choose to live.

This amendment starts to correct this problem by terminating VERA, a well-intentioned but poorly executed system that blatantly discriminates against those veterans who reside in the Northeast.

Accordingly, Mr. Chairman, I urge our colleagues to support the Hinchey-Frelinghuysen amendment to bring adequate health care to our veterans.

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

Mr. Chairman, let me say, I rise in opposition to the amendment. Frankly, what would happen here is we are turning back the clock. They would be distributing funds where veterans are not located. The whole idea was to actually have the funds go where the veterans are located.

In Public Law 104–204, it was mandated that the VA medical care funds should be equitably distributed throughout the country to ensure that veterans have similar access to care regardless of the region where they live.

Responding to that directive, the VA developed the Veterans Equitable Resource Allocation system, which we call ''VERA.'' In essence, this simply calls for distributing funds fairly based upon geographics, based upon the number of patients which VA medical centers in that region have treated.

The VERA system recognizes that there is a variability within the VA health care system. It makes simple adjustments for variations in labor costs. So the opponents to this say it has not made these variable adjustments for labor costs, it is already in VERA. It is also for research and education. So all the factors are already in here.

When I hear my colleague from New York say the people in the North are less mobile than the people down South, now, that is not true. The people down South have the same problems as the people up North. The fact is that there are more of them.

This amendment from my good friend would bar VA from distributing fiscal year 2000 funds under a system designed to achieve equity and reward efficiency. The amendment does not answer the key question, and this is a key question: What would he replace with VERA?

Presumably, its proponents want VA to reinstitute a truly inequitable system. So what they are asking for by supporting the Hinchey amendment is an inequitable system, not based upon geographics where all the veterans are going. They are ignoring population changes.

There is not one person that is for the Hinchey amendment that cannot tell me there has not been a population redistribution to the South. Patient utilization and hospital efficiency.

So this simply takes into effect all the factors of labor cost and research and education and basically puts the funds where geographically they should be located.

If this amendment passed, we are talking about chaos in the system. Its proponents aim to bail out the one network which would have less funding in fiscal year 2000 than fiscal year 1999. To cure that problem, their amendment would create problems for veterans in virtually every region of this country.

So, my colleagues, it is important to appreciate that, under VERA, VA has maintained a reserve fund, a reserve fund to alleviate special financial problems which individual networks encounter. No one has talked about this reserve fund.

So I say to the gentleman from New York (Mr. HINCHEY) he can go to get that reserve fund and get some of the funds there to help the individual hospital. So I encourage him and others to pursue a remedy for this network, if needed, through the reserve fund. Go to the reserve fund that was set up under VERA to handle the problems that my colleague and people from New York and New Jersey are talking about.

Do not unravel a system that is working, a system that is working for the veterans of this country, and the funds are now going where the veterans are going and it is geographically distributed.

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

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

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

First of all, I want to answer the question of my colleague. What we would replace it with is an equitable system, something that is fair and reasonable.

The problem is that we have in VERA a system that is inequitable and unfair. It is not that I do not want to recognize the fact that the population of veterans in Florida is growing. Of course we do. And we want all of those veterans to be taken care of.

I elicit the sympathy of my colleague for the veterans in New York and New Jersey and Pennsylvania and Rhode Island and Maine and Ohio. I appreciate the sympathy of my colleague for the veterans in Florida. Share that sympathy with other veterans in other parts of the country.

Mr. STEARNS. Mr. Chairman, reclaiming my time, the point is the geographic location, that the veterans are coming to the South more than the North. The funds have been distributed on that basis, as well as labor cost, research, and education; and we have set up a reserve fund.

My question to my colleague, which he can answer on his own time, is why does he not go to the reserve fund and try to get his money for these individual problems rather than creating chaos by eliminating a system that a blue ribbon commission has looked at. This is a far-reaching analysis to come up with this redistribution of the funds for the veterans in the geographic locations that need them.

The basic problem is, which we both agree, is that we need more funding for the veterans, and on that I can agree with my colleague.

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

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

Mrs. KELLY. Mr. Chairman, I rise today in strong support for the Hinchey amendment.

Under the Veterans Equitable Resource Allocation plan, I have witnessed the effects of a $226-million cut to the lower New York area veterans network.

After careful study of VERA, I have come to the conclusion that it is flawed. These flaws permeate VERA's methodology, its implementation, and the VA's oversight of this new spending plan.

It is unfortunate that the VERA plan imposed upon our VA facilities is not one that provides proper funding to VA facilities but one to steal from Peter to pay Paul or to take from some VA facilities to give to others.

The gentleman was referring to the reserve fund. In fact, in the Northeast,

in VISN 3, that fund has had to be made available to the New York State area for the last 2 years because we keep running out of money in New York.

Before us today we have the VA-HUD Appropriations bill that contains the largest ever increase in medical care funding, $1.7 billion. And for this we have an excellent committee to thank.

Unfortunately, under the VERA program, even with this increase in size, the New York-New Jersey area will not see one dime of additional funding. In fact, according to the director of our VA network, we will in effect take a cut of $124 million.

This $124 million includes the mandated $40.6 million VERA cut, the rising cost of medical inflation that runs at 2 percent a year in our area, and the new mandate for hepatitis C coverage.

Let me speak to that point for a moment. I work here every day to provide new essential services to our veterans, such as the hepatitis C coverage, and to give many men and women who work in our VA hospitals a reasonable cost-of-living increase. But if we are going to do this, we must provide the funding necessary. Without any funds to cover these costs, the only option is to cut other services or reduce the quality of care provided.

It is wrong for us to pass new mandates on our VA hospitals without providing them the funding necessary to properly implement them. Please join me in returning common sense to VA funding methodology and vote for this amendment.

While VERA is supposed to promote more efficient and effective delivery of care, I am seeing the exact opposite occur at our veterans hospitals in my area. The staff is wonderfully caring and committed, but the VA is not supporting them, lowering their morale and making their jobs all the harder.

I beseech my colleagues on both sides of the aisle to support the Hinchey amendment and make the necessary investment into veterans hospitals in order to keep our promise of our care for our veterans. The veterans of this Nation gave their best for us. Now we need to do our best for them.

Mr. BILIRAKIS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Hinchey amendment.

Mr. Chairman, VERA, as it is called, corrects historic geographic imbalances in funding for VA health care services and ensures equitable access to care for all veterans.

Long ago, Mr. Chairman, our Nation made a commitment to care for the brave men and women who fought the battles to keep America free. These are our Nation's veterans. Please take note when I say, ''our Nation's veterans.'' They are not Florida's veterans or Arizona's veterans or New York's veterans. They are our veterans, and we as a Nation have a collective responsibility to honor the commitment we make to them.

When they volunteered to fight for America's freedom, no one asked these veterans what part of the country they came from. It simply did not matter. Unfortunately, when they came home, veterans found out that where they live matters a great deal. Until the passage of VERA, a veteran's ability to access the VA health care system literally depended upon where he or she happened to live.

Since coming to Congress, and I am sure this is true for most of us, I have heard of veterans that were denied care at Florida VA medical facilities. In many instances, these veterans had been receiving care at their local VA medical center. However, once they moved to Florida, the VA was forced to turn them away because the facilities in our State simply did not have the resources to meet the high demand for care.

This lack of adequate resources is further compounded in the winter months when Florida veterans are literally crowded out of the system by individuals who travel south to enjoy our warm weather.

It is hard for my veterans to understand how they could lose their VA health care simply by moving to another part of the country or because a veteran from a different State is using our VA facilities.

Congress enacted VERA for a very simple reason, equity. No matter where they live or what circumstances they face, all veterans deserve to have equal access to quality health care. Since VERA's implementation, the Florida Veterans' Integrated Service Network, VISN, has treated approximately 44,410 more veterans. The Florida network estimates that it will treat a total of 285,000 veterans by the end of fiscal year 1999.

The Florida network has also opened 12 new community based outpatient clinics since VERA's implementation. It plans to open additional clinics in the near future. None of this could have happened without VERA. We have to ask ourselves, what happens if VERA is not implemented?

The failure to move forward with an improved and fair funding allocation system would mean that the VA would miss a unique opportunity to revitalize its way of doing business. The negative impact would be felt most by veterans who would not be treated in areas that are currently underfunded. Failure to implement VERA will waste taxpayers' dollars because a rush to the funding practices of the past will mean that some VA facilities will receive more money per veteran than others to provide essentially the same care.

The author of this amendment argues that veterans of New York are not being treated equitably. The VERA system already takes regional differences into account by making adjustments for labor costs, differences in patient mix, and differing levels of support for research and education.

With the $1.7 billion increase in VA health care included in H.R. 2684, VA facilities in the metropolitan New York area will receive an average of $5,336 per veteran patient. This means that these facilities will receive an average payment for each patient that is 16.11 percent higher than the national average.

On the other hand, the Florida VISN will receive $4,481 per patient, an average payment which is 2.49 percent below the national average. How is this inequitable to New York's veterans?

If the Hinchey amendment passes, continued funding imbalances will result in unequal access to VA health care for veterans in different parts of the country.

I urge my colleagues to vote against the Hinchey amendment.

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

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

Mr. SHAW. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Florida (Mr. BILIRAKIS).

The only inequity that the people from New York will suffer would be, if this amendment passes, when they move down to Florida, then they will see what the inequity is.

The mathematics is very clear. I hope my colleagues will listen to the gentleman from Florida. This is just a question of fairness, of basic fairness, and it is a question I think that all of us should ask for ourselves. Are the veterans who live in the Sunbelt entitled to less than those who stayed in the more populated areas that have not grown?

□ 1515

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

Mr. Chairman, I would just like to offer a modest proposal. We have obviously a very controversial amendment here. We have spent about half an hour discussing it so far. This has taken at least as much time as any amendment, and I understand there are very deep and passionate interests on the part of all Members.

What I would like to suggest, in the interest of time and expediency, we have the opportunity to finish this bill fairly soon. As a matter of fact, when this debate is concluded, there will be a vote on the amendment of the gentleman from Michigan (Mr. SMITH) and on, I presume, the Hinchey amendment. Then we would come back after that and conclude the debate on the remaining amendments.

Mr. Chairman, I ask unanimous consent that the Members who are interested in discussing this limit their time to 3 minutes as opposed to the 5-minute rule.

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

Mr. MCCOLLUM. Objection, Mr. Chairman.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, as my colleagues on the floor can see, this is a very important issue in Florida. I think the entire Florida delegation is down here to speak on this issue. I might say that I think the reason we feel so passionately about it is because many of us were on the other end of this issue not but 5 years ago, 4 years ago, where our veterans were coming into our offices telling us that they could not get into the VA hospital; they could not get the health care that had been promised to them. So by the very nature, this has risen to be such a huge issue.

Now, on top of that, since the VERA has been implemented, I have to say people come in and say for the first time they are actually not having to wait for as long as they have.

Secondly, I would also like to point out that we have done what I think has been a masterful job in Florida in using even the amount of small resources that we have gotten, in the fact that we are not building huge VA hospitals anymore. What we are doing is we are doing outpatient clinics. We are actually going into these communities. We are actually having these veterans be served right in their own back yards, not 100 miles away, not 200 miles away, which in some cases is the way they did it. It was very cumbersome and very difficult.

With these additional dollars and, quite frankly, we could still use some more if we wanted to get into this, that we, in fact, believe that we have done a very good job with the smaller number of resources that we do have.

This whole VERA was really done on the fact because there were scarce resources, and the fact that over the years that every facility was getting just the same amount every day, or every year through the budget, they would get a 2 percent increase, a 3 percent increase, and there was nothing, nothing, to talk about the population changes that were happening in this country.

In fact, what we have noticed and what has been increasingly in Florida is the veterans population. So VERA basically just did a very simple allocation and said, if we can imagine this, that we ought to take health care for our veterans and follow where the patients are. That is all we are doing, is following where the patients have come.

So hopefully we are getting this point across to our constituencies here in Washington, and let my colleagues know that those veterans who have come from their States and have moved into our State are now finally being taken care of.

We appreciate what the Congress has done in the past. Please let us not turn this clock back. Please let us not have the situation where we have to go to those veterans that we all cherish and know what they gave up for us to go back and tell them that the system is not going to work again, that we are going to rearrange these numbers again and not based on the right reasons but all on the wrong reasons.

So with that, I would hope that we defeat this amendment.

Mr. MOLLOHAN. Mr. Chairman, I ask unanimous consent that in the interest of time, to ensure that every speaker has the opportunity for a full 5 minutes of debate on their part and at the same time being concerned about the amount of time this amendment is taking, if we could not agree on a time certain to end debate.

Mr. Chairman, I ask unanimous consent, just looking around, I would think the Members I see on the floor who I think are interested in this debate that we would end all debate by 10 minutes until 4:00, or some such time that we might agree on.

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

Mr. MCCOLLUM. Mr. Chairman, reserving the right to object, maybe that is the best way to do it. If we could make that 4:00, I think there are about six of us here at this point in time, that would work about right. That would be 30 minutes, if that is agreeable.

Mr. MOLLOHAN. Mr. Chairman, I think that would give everybody on the floor an opportunity to speak. If there would be no objection to that, I would agree to 4:00.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia that debate on the Hinchey amendment conclude at 4:00?

There was no objection.

The CHAIRMAN. The Chair will continue to recognize Members under the 5-minute rule.

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

Mr. Chairman, I am pleased to be here today to speak out on this important subject. There has been an ongoing lack of agreement between certain regions of the country on veterans and equitable funding. This particular problem has been cleared up by Congress. We all know what the problems were before the McCain and Graham bill that came up with this equitable formula, and I say it is equitable because the model is composed or computed in such a way that the VA's funding methodology is no longer based on traditional patterns. It is based on an assessment of what is done there. It is based on certain facets, and it is tailored to the price index that reflects the unique characteristics of these particular areas. So these veterans' networks, each of them has a separate and distinct characteristic and that is the background of the VERA funding model.

The implementation of VERA, as we all know, took place in 1997. Halfway through the fiscal year, everything was done to allocate resources in an equitable manner. The networks were funded at approximately one half of the 1996 level, plus a 2.75 percent increase. For fiscal year 1998, 13 VISNs received increases over funding levels for fiscal year 1997. Nine networks received less funding.

As with the previous year, a 5 percent limitation cap was imposed on the amount that any VISN, that any network, could be reduced below 1997 levels. So regardless of what we are hearing today, Mr. Chairman, not any of the VISNs have been hurt that tremendously so that we should not stick to our VERA formula.

I am calling for a defeat of this amendment because the medical care appropriated budget which comes to this subcommittee for 1999 provides a modest increase over fiscal year 1998 to $220 million, or 1.3 percent. For the 1999 fiscal allocations, the maximum amount, maximum that any VISN network was reduced below 1998, was, again, just 5 percent. The VA has emphasized that these networks receiving relatively fewer fundings will adjust, and they will adjust because the money is going where the veterans are. Wherever the veterans go, according to the VERA formula, that is where the money goes.

The older veterans come to Florida; not only Florida. That is one of the States they go, but I am here to say that we have a good formula. We do not need to change it because of traditional patterns. It is not the fault of Florida that the older veterans and the sicker veterans come to Florida.

We are here today to say that the basic care of veterans is being taken care of adequately by the VERA formula. So is the complex care. So is the geographic price adjustment. There is a differential here that makes this adjustment fair to the Northeast as well as the South, and it is based on labor costs that is paid by the VA facilities, as they compare to the VA national average.

These figures are not just pulled out of the sky, Mr. Chairman. There is that differential that is based upon labor costs.

Also, they make allocation adjustments for labor that is based on the most recent data that the VA can put together. So in 1999, it even looks better for VERA in terms of adjusting the formula.

This VERA formula is fair. It is equitable. It is based on substantive data. It is not based on historical funding patterns as to who received the money 15 to 20 years ago. It is not based on politics. Congress initiated this formula, and I would like to say to my colleagues, please defeat the Hinchey amendment for fairness for all the veterans of this country.

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

Mr. Chairman, I rise in very strong support of the Hinchey-Frelinghuysen amendment. I am very proud to be one

of the cosponsors of it, which simply calls for a 1-year moratorium on the VA's implementation of the Veterans Equitable Resource Allocation formula, and as Members know by now, hearing it so often, VERA. The moratorium will give Congress and the administration the time needed to make adjustments in the VERA formula that was instituted in 1997 so that veterans in certain geographical areas and age groups are no longer shortchanged by this funding mechanism. Quite simply, we simply need to put E, the big E, equity, back into VERA. Regrettably VERA paints veterans services with a broad brush leaving very little, if any, room for significant examination waiting costs associated with health care. VERA is a mathematical formula that essentially calculates how much a VA network will receive based on the raw number of veterans and whether their health care needs are basic or complex. The formula fails, utterly fails, to take into account the age and perhaps most importantly the specific type of illnesses faced by the various veterans populations.

For example, in New Jersey, our veterans are the second oldest group of veterans in the Nation, if we quantify it by State. As we all know, with age comes a plethora of health care problems, many of them more costly to treat. In our network alone 52 percent of veterans are over the age of 65 compared to 44 percent on the average, and I heard even earlier that many of these people, and they do, many of our veterans do move south and end up living in Florida. They happen to be the healthier ones, those who have the means as well as the health to go down to Florida, often by driving, and to have either a second home there or to actually up stakes and move there.

The sicker ones and the poorer people, the more indigent, stay in New Jersey and New York and they seek to use the services of the VA. They are the ones who cannot move. So it is not just age. It is also their costs, their situation. We have an explosion of things like cancer in our State. Those folks are not moving to Florida. They are seeking to get their health care right at their Veterans Administration, and now they are finding the VA has to do more with less.

Mr. Chairman, it is a 1-year moratorium we are asking for. This has only been in place since 1997. It is not working.

□ 1530

I happen to be the vice chairman of the Committee on Veterans Affairs. We have looked at this. I have sat with, for hours, with VA officials both in-State as well as down here, and I am totally dissatisfied with their answers, and I think I find it regrettable that some of my friends from Florida are standing up and saying it is okay down here. We are losing, and poor, indigent and very sickly veterans are the ones that are the net losers. We are not going to stand by and allow it, and I hope that the gentleman from New York (Mr. HINCHEY) and the gentleman from New Jersey (Mr. FRELINGHUYSEN) amendment gets passed.

Mr. Chairman, it is a matter of equitable and fairness, and again we are asking for a 1-year moratorium so we can fix it.

Mr. Chairman, I urge support for the amendment.

Mr. Chairman, our amendment today calls for a one year moratorium on the VA's implementation of the Veterans Equitable Resource Allocation Formula—VERA as it is known for short. The moratorium will give Congress and the Administration the time needed to make adjustments in the VERA formula that was instituted in 1997 so that veterans in certain geographical areas and age groups are no longer shortchanged by this funding mechanism. Quite simply, we need to put the ''e''—equity—back into VERA.

Regrettably, VERA paints veterans services with a broad brush leaving very little—if any—room for significant extenuating costs associated with health care. VERA is a mathematical formula that essentially calculates how much a VA network will receive based on the raw number of veterans and whether their health care needs are basic or complex. The formula fails to take into account the age and perhaps most importantly, the specific types of illnesses faced by the various veterans populations. For instance, in New Jersey, our veterans are the second oldest group of veterans in the nation if you quantify by state. As we all know, with age comes new health care problems, many of them more costly. In the New Jersey part of our network alone, 58% of veterans are over the age of 65. Compare this with a nationwide average of 44%. However, the VERA formula makes no allowance for this disproportionate representation of aging veterans. A veteran's decision to stay in New Jersey or the Northeast for that matter, should not mean that their VA health care network is forced to do more with less. Veterans should not be forced to wait for weeks on end to see a primary care doctor or specialist as has been the case with increasing frequency in my state as a result of VERA.

Similarly, VERA fails to specifically weigh the type of medical treatment required in the varying networks.

For instance, the VA has mandated treatment of veterans with Hepatitis C. In New Jersey alone, the VA is treating 12 to 15 veterans per month who have tested positive for Hepatitis C, with a treatment cost of $15,000 per patient. Failing to take into account that we have a high rate of Hepatitis C in our network as well as a high rate of AIDS cases, VERA punishes New Jersey and the larger network that we are in, for treating all veterans, not just those who use the VA for an annual physical or for prescription drugs, but those with serious, ongoing chronic illnesses.

Our veterans served our country in her time of need; we should not forget them now simply because where they chose to spend their ''Golden Years'' does not nicely mesh with the VA's own bureaucratic formula. While VERA is well intentioned, the fact of the matter is that it pits veterans against each other merely on the basis of their geography.

In the 4th Congressional district of New Jersey, which I have the privilege to represent, veterans have felt the effects of VERA first hand. Faced with budget cuts due to the VERA formula, the network administrators who oversee Central and Northern New Jersey first responded with a knee jerk solution: elimination of the specialty services at the VA's clinic in Brick, New Jersey.

Needless to say, this decision immediately mobilized the veterans of Ocean and Monmouth Counties, who joined me in fighting these cuts. These specialty services, whether they be rheumatology or podiatry, free our veterans from being forced to spend valuable hours traveling great distances to see a specialist for the care they desperately need. Through my continued efforts to get the VA to ''think outside the box,'' we have managed to restore specialty services to the Brick Clinic. This is a battle however that we should not have had to wage. Our veterans deserve their health care. It should be reasonably accessible, period. They should not be held hostage to VERA as they are now.

There is simply no question that the VERA formula brought on the Brick Clinic's ongoing financial challenges. Furthermore, we are faced with at least a $36 million cut in our VA network in the upcoming fiscal year, so it is hard to see how threats to specialty services will not resume over the next several months. I ask my colleagues: where is the equity in a cut to Central and Northern New Jersey's network when our veteran population is aging rapidly and will need more, not less, specialty services?

I urge my colleagues to join me in supporting this important amendment.

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

Mr. Chairman, I rise today to voice my strong support for the Hinchey-Frelinghuysen amendment, and I urge my colleagues to do the same. The amendment is simple. It suspends the VERA program. What we need to do is to go back to the drawing board and come up with a program that is fair to all veterans.

If what the gentleman from New Jersey (Mr. SMITH) has just enunciated can be documented, this is an embarrassing situation, Mr. Chairman, for the veterans and those of us who think we are helping to provide for those veterans in the State. VERA has selective memory and selective facts when they determined where the dollars are going to help our veterans. How horrible that the veterans find themselves in what we are calling here and defining as a sectional war. It almost reminds me of the debate on transportation that was in this hall, these halls. I remember that distinctly. Many of our veterans are not even registered. Most veterans do not even know what their benefits are.

Mr. Chairman, that is indeed an embarrassing situation.

So while the age of vets is different in the State of New Jersey and while the type of illness is different in the State of New Jersey, in the tri-State area I might add, what we need to do is take a look at this program very, very carefully. Congress will provide $1.7 billion more for veterans medical care,

yet for many veterans services they will be cut and medical providers will be reduced because many parts of the Northeast and Midwest will loose.

To those veterans who cannot move to Florida, I could not believe what I heard before to be very frank with my colleagues. With all due respect, the veterans equitable resource allocation program which re-directs money from one region of the country to another region of the country to pay for veterans who live in other parts of the country to me needs to be totally examined. God, if our veterans do not deserve better, who do?

The fact is that the VERA system is not equitable to all veterans. The amendment sends the message that VERA is not working, and it is not. The VA should develop a truly equitable plan.

Members of the military put themselves at great risk to protect American interests around the world. In return for this service the Federal Government made a commitment to both active duty and retired military personnel to provide certain benefits regardless of age, regardless of where they lived. Our veterans helped shape the prosperity our Nation currently enjoys. It is our duty to ensure that commitments made to those who serve are kept.

The VERA system is simply not working. I urge my colleagues to support this important amendment because it brings equity to all veterans and not just the select.

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

Let me just first rise in opposition to the well-intended amendment by the gentleman from New York (Mr. HINCHEY) and my colleagues from New Jersey and others who definitely are on the side of the veteran; we realize that. Let me also suggest to my colleagues that Florida is not the bastion of wealth that is being assumed in this amendment, that somehow only the poor remain in their respective home States and only the wealthy move to Florida. We have veterans of every economic level. I urge my colleagues to come to my district and see the veterans firsthand. They are moving though in record numbers to the Sunbelt; there is no question about it. Every census, we get additional Members of Congress; every census, we get a different ratio of distribution of the formulas because people are moving in record numbers. And there is no difference with veterans.

So I want to strongly urge we continue the formula currently established in law, that we look at ways to satisfy the concerns the gentleman from New Jersey (Mr. SMITH) and others have raised, the gentleman from New Jersey (Mr. FRELINGHUYSEN), because they are genuine. They want to care for the people who served this country, and all of us together today should not be about debating States particularly, but how do we make certain that each and every budget and fiscal appropriation first looks at the veterans who served this country, dedicated their lives and now have merely asked to be treated in a dignified manner that they deserve?

So again I want to urge my colleagues to carefully consider this, oppose the gentleman from New York (Mr. HINCHEY), and let us continue to debate the critical needs of veterans.

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

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

Mr. MCCOLLUM. Mr. Chairman, there has been a lot of discussion about the veterans population in Florida. As the gentleman well knows, that about 61 percent of those who are treated are service connected. It is a very, very high number. And, in fact, I think we are second maybe only to Maine in the entire country in regard to that. So there has been some misunderstanding here today.

Our funding under VERA has increased since 1997 by 14 percent in Florida, but the workload has increased by 30 percent. In fiscal year 1995, VISN–8, which is the area that serves Florida, the VA office treated 225,000 veterans in fiscal 1999, will treat about 295,000, and it will go up to 300,000 in fiscal year 2000. I think that it is very clear that we need VERA to work.

Now maybe some technical problems with it, but this amendment should be defeated. It is wrong, and I know how hard the chairman has worked on trying to increase the VA budget in this bill, and it is modestly there, not as far as the gentleman from Florida and I would like, but it is there to some extent. I am disappointed though that the NASA budget has been cut so severely, and it makes this bill extremely difficult for me to support because NASA is extremely important to Florida and the Nation as well. And I find it is not his fault, not the chairman's fault, not even the subcommittee's fault. But I find it very difficult that the way the appropriations language is set out in these committee structures, we cannot trade off with other areas where the gentleman and I would think we ought to have savings rather than taking it out of NASA which absolutely is critical for the future of this Nation.

I also believe that we have a very serious matter in all respects with everything under this legislation, but above all we must keep VERA the way it is. The Hinchey amendment, while well meaning, is absolutely destructive, trying to let the moneys flow where the veterans go, and they are flowing to our State. Mr. Chairman, we are the only State with an increasing veterans population, we are now the second largest in the Nation. And we are going to get even larger in the coming years, and if we do not have the formula that is currently in law, there is no way that the veterans populations that are moving to the State of Florida in increasing numbers can be possibly served, are not even going to be served adequately as it is. We are well behind in every other respect.

So I very much appreciate the gentleman from Florida for having yielded, Mr. Chairman, and I strongly oppose this amendment

Mr. FOLEY. Reclaiming my time, I want to reiterate we have had a substantial caseload increase in the veterans facility in my district, but I also wanted to single out the gentlewoman from New York (Mrs. KELLY) who has also been a strong strident advocate for veterans in her district, and while we disagree on the policy here, I do respect her standing up for veterans.

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

Mr. Chairman, I rise today in strong support of this amendment and want to commend the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from New York (Mr. HINCHEY) for what they have done here today in presenting this opportunity. And I have got to tell my colleagues this is not about discriminating by adopting this amendment. We are not proposing to discriminate against anyone, we are doing quite the opposite. We are proposing that we create a formula, have a period of time here to create a formula that is fair to every veteran in every State of the Union. That is what this amendment is about.

Mr. Chairman, I am shocked and appalled that we are, under VERA, presently discriminating against those veterans who served their country nobly and discriminating against them based on which State they live in. We have got to end this travesty, and we have got to do it today with this amendment.

Now my colleagues have heard some of the numbers here, but speaking again for New York and New Jersey, but also for 22 other States that are dramatically cut. Do my colleagues hear that? It is not normally New York and New Jersey. There are 22 other States dramatically cut under this VERA formula. But in terms of New York and New Jersey, we have the biggest cut. We are reduced $40 million.

Not only did we not gain a penny out of the $1.7 billion, but we were cut $40 million. Okay?

Now how does that get evaluated? How fair is that? How equitable can it possibly be? New Jersey has one of the oldest veterans populations, and if not the highest, one of the highest of the special needs veterans. I do not understand how anybody can support this kind of discrimination for our region of the country.

Now we have a lot of other things that we could say here, but let me in the interests of time draw another conclusion here.

The bottom line is that VERA is unacceptable, we must use this time period to correct it, and this amendment permits that correction. And might I say, and I do not know that anyone has

referenced this, but I will include this in my statement in the RECORD as an insert here, that even the GAO congressionally mandated study of August 1998 indicated in at least three areas, if not more, that there were oversights in funding to Northeast veterans, and they have indicated areas where VERA did not allocate resources necessarily properly, and I want that to be included here.

So let me say as firmly as possible we cannot discriminate against these wonderful men and women who have served their country. We have got to correct that inequity and correct that discrimination, and we can do it here today with the Frelinghuysen-Hinchey amendment.

Mr. Chairman, I rise today in strong support of this bipartisan amendment. This amendment will stop implementation of VERA, the VA's allocation formula, and sent it back to the drawing board so the VA can create a funding formula that is fair to every veteran in every state.

VERA IS UNFAIR

VERA unfairly pits veteran against veteran for the desperately needed health care services depending on which state they live in. I am appalled that we are discriminating against vets who served their country. Under VERA, seven different Veterans Integrated Service Networks (VISNs) encompassing 22 states, including New Jersey and New York, lost money because of VERA in FY 1999.

Let me give you an example of how unfair VERA truly is. In this year's bill, we will increase spending on veterans' health care by $1.7 billion. This is a goal that many of my colleagues and I have worked on for years. Our veterans desperately need the added funding.

But let's examine what happens when the $1.7 billion is distributed according to VERA. Veterans from New Jersey and New York will not see a single penny of the $1.7 billion. In fact they will have their funding reduced by $40 million!

How is this fair? How is this equitable? New Jersey has one of the oldest veterans' populations and the highest number of special needs veterans. The funding reduction caused by VERA is taking a tragic toll on the veterans of New Jersey and the Northeast.

HEALTH SERVICES IN NEW JERSEY ARE BEING REDUCED

To save money, the VA has cut back on numerous services for veterans and instituted various managed care procedures that have the impact of destroying the quality of care the veterans receive. For instance, the VA has reduced the amount of treatment offered to those who suffer from Post Traumatic Stress Disorder (PTSD) and reduced the number of medical personnel at various health centers.

As a result of these cuts, there has been erosion of confidence between veterans and the VA. I can not describe the anger and pain I see in the faces of veterans in my district because of the reduction in health services. This erosion threatens to destroy the solemn commitment that this nation made to its veterans when they were called to duty.

We can not allow the VA to use VERA to save money by destroying the health care of veterans in New Jersey. We can not allow the VA to use VERA to use managed care to reduce quality. And we can not allow the VA to use VERA to close veterans' hospitals just because they are within sixty miles of each other.

CONCLUSION

The bottom line is: VERA is unacceptable and must change to a fairer more equitable system. This amendment permits this correction.

Although the GAO study to study VERA found that overall access to veterans' health care has improved they did find some glaring conclusions that need to be examined. The study cites:

Although VA has made progress in improving the equity of resource allocations nationwide among the networks, it has done little to ensure that the networks fulfill the Veterans Equitable Resource Allocation (VERA) system's promise as they allocate resources to their facilities;

Although GAO prepared an overall assessment of access to care, difficulties in working with the data cast doubt on whether VA can perform timely and effective oversight;

Without such information, it is difficult for them to say conclusively whether VA has improved veterans' equity of access to care and whether veterans have not been adversely affected by the many changes under way to reduce costs and improve productivity;

Because of these oversights funding to northeast veterans is being cut.

Let me state as firmly as possible: There can be no compromise when it comes to veterans' health care. The promise made to veterans must be kept. We must do everything in our power to ensure that veterans receive the best health care possible.

Defending the Constitution of the United States on foreign soil is the greatest duty the nation can ask of its citizens. Our veterans answered the call to duty and performed it to the highest standard. We must keep our pomise to our veterans regardless if they live in Florida, Texas, Maine or New Jersey. I believe a veteran is a veteran, period. The VA must have the same view. I strongly urge you to support this important amendment.

Mr. Chairman, I insert the following:

Without the $1.7 billion increase, the following VISNs would lose money in FY00:

22 States lose significantly:

VISN 1 (New England)—$28 million;

VISN 3 (New Jersey/New York)—$40 million;

VISN 7 (Georgia, Alabama, South Carolina)—$18 million;

VISN 11 (Michigan, Illinois, Indiana)—$17 million;

VISN 12 (Illinois, Michigan, Wisconsin)—$16 million;

VISN 13 (Minnesota, North Dakota, South Dakota)—$21 million;

VISN 14 (Nebraska, Iowa)—$13 million;

VISN 15 (Missouri, Illinois, Kansas)—$21 million;

VISN 22 (California, Nevada)—$33 million.

Source: VA.

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

Mr. Chairman, I rise in support of the amendment today, and I want to thank my colleagues for the work they have done on this. I also wanted to begin by thanking the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, for the tremendous job under difficult circumstances that he has done with the overall bill.

I am a member of the Committee on Veterans' Affairs, Mr. Chairman, and a Member who has a VA Medical Center in his district in Buffalo, New York, and also a Member who has together with other northeastern Members here sat down and talked with the Secretary of the VA some 2 or 3 months ago. The simple fact is that veterans are suffering, and while the VERA proposal was put together to provide more equitable funding for our veterans and their health care around the country, the opposite has occurred. It clearly has not done what it set out to do.

Mr. Chairman, I think all of us in this chamber are more pro veteran than anybody else, and this should not become a question of regionalism, it should not become a question of geographics; it should be a fairness question, and my colleagues, the gentleman from New York (Mr. HINCHEY), the gentleman from New Jersey (Mr. FRELINGHUYSEN), the gentlewoman from New York (Mrs. KELLY) and others who offered the amendment are talking about fairness. It is a fairness question. We are not trying to pit geographic regions against each other.

This strikes at the heart of fairness, and I rise in support of it. I believe we need to cake care of all of our country's veterans, and this is the way to do it, and we will support the amendment, and I ask my colleagues to do the same.

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

As a member of the Veterans, Affairs Committee and as a member who has a VA medical center in his district I have seen first hand the effects that this VERA model has had on veterans in the Northeast.

Mr. Chairman, the simple fact is, our veterans are suffering.

Due to this VERA plan VA hospitals are unable to provide quality healthcare to our veterans because the funds are not there for them to provide the care.

I have witnessed first hand the effects of this VERA plan.

Veterans in my district have expressed to me how they are denied appointments and have to wait in long lines before a doctor at the VA will see them.

These VA medical centers are understaffed and underfunded, again, a direct result of the VERA system.

VERA was established to provide more equitable funding for veterans healthcare around the country.

It clearly has not done that.

Mr. Chairman, our veterans in the Northeast need help—the VERA system as it exists today is unfair.

I am not against veterans in the sunbelt or the Southwest.

I am pro-veteran, I would hope that my colleagues who are from those areas just mentioned would see the need for a fairer VERA system.

We need to take care of all of our country's veterans.

They deserve it.

Mr. BEREUTER. Mr. Chairman, this member rises today in strong support of the Hinchey/Frelinghuysen amendment which would

prohibit funds in the bill from being used by the Department of Veterans Affairs to implement or administer the Veterans Equitable Resource Allocation (VERA) system.

From the time the Administration announced this new system, this Member has voiced his strong opposition to VERA and has supported funding levels of the VA Health Administration above the amount the President recommended. The new VERA system has had a very negative impact on Nebraska and other sparsely populated areas of the country. The VERA plan provides the Department of Veterans Affairs (VA) medical care funding to regions across the country and employs an allocation formula that ties funding for each of the 22 geographic regions to the numbers of veterans they actually serve. While the VERA formula produced a very modest one percent increase in funding for this fiscal year, last year the VERA formula produced a 5 percent decrease, which resulted in $13.5 million less funding distributed to VA programs in my state of Nebraska, resulting in the fact that Nebraska is still receiving significantly less veterans funding than it did only two years ago.

All members of Congress should agree, Mr. Chairman, that the VA must provide adequate facilities for veterans all across the country regardless of whether they live in sparsely populated areas with resultant low usage numbers for VA hospitals. The funding distribution unfairly reallocates the VA's health care budget based on a per capita veterans usage of facilities. Because of this formula, we have already been faced with the closure of a major VA medical facility in my district. While it is true that the number of veterans now eligible to be served at the Lincoln VA Hospital and other VA facilities in the state have decreased over the past years, we still have an obligation to provide care to these people who served our country during our greatest times of need. There must be at least a basic level of acceptable national infrastructure of facilities, medical personnel, and services for meeting the very real medical needs faced by our veterans wherever they live. The decrease in quality and accessibility of medical care for veterans who live in sparsely populated areas is completely unacceptable. There must be a threshold funding level for VA medical services in each state and region before any per-capita funding formula is applied.

In closing Mr. Chairman, this Member urges his colleagues to support the Hinchey/Frelinghuysen amendment.

Mr. BOYD. Mr. Chairman, I rise today to state my opposition to the Hinchey amendment because of the impact it would have on veterans across the country and in my home state of Florida. The Hinchey amendment would prohibit the Veterans Equitable Resource Allocation (VERA) that was implemented in 1997 from taking effect in fiscal year 2000.

The intent of VERA was to guarantee that veterans who have similar economic status and eligibility receive the same medical services regardless of where they live. Prior to VERA, veterans health care was based on historic use patterns even though growing numbers of veterans are leaving the Northeast and moving to warmer parts of the country. This movement has resulted in a dramatic increase in the number of veterans moving to Florida and seeking medical care there. This rising volume of patients was overwhelming veterans medical facilities in the district I represent and without VERA hundreds of veterans who sought care in my district would have been turned away without receiving it.

Many of my colleagues oppose VERA because they believe it does not provide a fair distribution of veterans medical care. However, the General Accounting Office (GAO) has already studied this issue extensively. In a study released in 1998 the GAO determined, ''VERA has improved the equity of resource allocation to networks because, compared with the system it replaced, it provides more comparable levels of resources to each network for each high-priority veteran served.''

Unfortunately, many of my colleagues are attacking a byproduct of the problem facing our veterans instead of focusing on the problem itself. The heart of the problem facing our nation's veterans is not VERA, it is the lack of funding provided by the Republican budget. VERA is a fair and equitable way to distribute funding for veterans medical care but there simply is not enough money to meet the growing need.

Over the next ten years the Republican budget declines sharply from the fiscal year 2000 level while veterans health care costs will increase over 20 percent. These two facts are irreconcilable and if the veteran's budget is not adjusted fights like this will only intensify unless we all realize the Republican budget is simply inadequate. In closing, I urge my colleagues to reject the Hinchey amendment and address the real problem facing our nation's veterans, the inadequate funding allocation provided by the Republican budget.

Mr. PAYNE. Mr. Chairman, I rise in strong support of the amendment offered by Representative HINCHEY and my colleague from New Jersey, Representative FRELINGHUYSEN.

The so-called Veterans Equitable Resource Allocation (VERA) is anything but equitable. In fact, it is having a devastating effect on our New Jersey veterans. The men and women who loyally answered the call to military service in our nation now feel forgotten. The dramatic reduction in funding as a result of the VERA program has resulted in eliminated services, reduced personnel and long waits for medical attention.

Many of our states' veterans are older; in fact, New Jersey's 750,000 veterans are the second oldest in the nation. Medical needs are much greater for the aging veterans population. Many require nursing home care or special attention for age-related conditions.

Mr. Chairman, the veterans of my state of New Jersey supported our nation when we needed them. Let's not turn our backs on them at a time in their lives when they need our support. I urge my colleagues to vote in favor of the Hinchey-Frelinghuysen amendment.

Mr. ALLEN. Mr. Chairman, I rise in support of the Frelinghuysen/Hinchey amendment to prohibit the VA from expending funds to implement the Veterans Equitable Resource Allocation (VERA) formula for distribution of health care funds in fiscal year 2000.

Last year, during debate on the VA–HUD appropriations bill, I spoke on the negative impact of VERA on the VA's ability to meet the needs of veterans in the Northeast. Since then, the situation has gotten worse, not better for the 150,000 veterans in Maine. Veterans in my state depend on the Togus VA hospital in Augusta for their health care. Togus is located in VISN 1. Last year, the VISN 1 budget shrunk by more than three percent. Despite this bill's $1.7 billion increase in the fiscal year 2000 VA health care budget, VISN 1 would only receive a $9 million increase. Such an increase would still be $15 million less than fiscal year 1998 funding. Moreover, Togus had a $5.5 million shortfall in fiscal year 1999.

These cuts have forced Togus to reduce staff, causing severe strains on quality and timeliness of care. A reduced budget means longer wait times and more veterans who must travel further for care out of the region.

Mr. Chairman, we have severely disabled veterans who must drive hours to Togus. They are forced to wait long periods of time for care because doctors' appointments are backlogged. Veterans are suffering and the staff is upset because they cannot provide the quality of care they have in the past.

The VERA formula needs to be reexamined. The cost of rural health care delivery is higher than in more populated and urban areas, and yet that is not considered in the current funding formula.

Mr. Chairman, this Congress' fixation on the huge tax cut for the wealthy is endangering funding for veterans programs, for housing and for other domestic programs. We must get our priorities straight, and keep the promise to the veterans in this country. Support the Frelinghuysen/Hinchey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

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

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

The CHAIRMAN. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from New York (Mr. HINCHEY) will be postponed.

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

Mr. Chairman, the debate that has been going on for the last 2 days on VA HUD appropriations bill has been an interesting and engaging one, and I could not allow this debate to be ended without making some observations about what has taken place here.

Mr. Chairman, at a time when the economy is doing well and many people are benefiting from the well-performing economy, there is still many people who are left behind, and they need and deserve the support of their government. Too many farmers and seniors wait for years to receive HUD rental assistance because they have nowhere else to turn.

In the city of Los Angeles, over 160,000 persons are on the waiting lists for section 8 housing. The elderly, veterans, persons with disabilities, and the working poor make up the group on the section 8 waiting list. Unless we provide additional resources to fund section 8 and elderly housing, this number will continue to grow.

Two disturbing practices are becoming common place among those without affordable housing. One is referred to as must-share units. In a must-share unit several families share one housing

unit. It is not uncommon to walk into one of these units and see three families living in a three bedroom home each with a padlock on the door to their bedroom and sharing kitchen and bathroom facilities.

Second are illegal garage conversions. Here people run a water line and possibly some electricity into a garage and moves in a family. Tens of thousands of these make-shift homes are cropping up all over California. It should be noted that persons living in must-share units, as well as illegal garage conversions are the working poor, people who go to work every day and are doing things that the government asks of American citizens.

This bill negatively affects the most vulnerable American citizens. Of the 12.5 million very low-income rented households living in severely substandard housing are paying more than one half of their income for rent 1.5 million are elderly, and 4.5 million are children. The number of adults with disabilities living in such circumstances is between 1.1 and 1.4 million.

In the face of record need for affordable housing for our seniors, children, veterans and the working poor, Congress is set to worsen an already difficult predicament. This VA–HUD bill cuts $515 million in public housing programs alone, 250 million from the community development block grants, 10 million from the housing opportunities for people with AIDS program, 3.5 million from grants to historically black colleges and universities, and 1.9 million from the economic development initiatives.

□ 1545

As a result of these cuts, my home State of California will receive $151 million less than the amount requested by HUD. Specifically, the 35th District of California that I represent will receive $4.6 million less than the amount requested by HUD.

There is no fat to trim from the Department of Housing and Urban Development's budget. Every penny is needed.

Mr. Chairman, I would ask for a ''no'' vote on this appropriations bill. I ask for a ''no'' vote because it is absolutely shameful and unconscionable that we would be putting at risk the most vulnerable of our society, at a time when this economy is functioning so well.

We have a need for housing out there and help for people who simply will be on the streets without our assistance. It is unconscionable that we would have the waiting list for Section 8 that we have.

I want to tell you, even though it may be California, that space, with people living in garages, some without running water, it is your area next. We have growth in this population. Of course, we are in the Sun Belt and we may have more growth than some other areas, but you will witness it too. If you but go around your districts, even those districts that are high-income districts, you have low-income areas in your districts. Many of you have poor areas that you do not even recognize in your districts. Even if you do not see it in your districts, you are still stepping over the homeless on some of the major thoroughfares in America.

I ask for a ''no'' vote on this bill. It is the wrong thing for us to do.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 275, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from Michigan (Mr. SMITH) and the amendment offered by the gentleman from New York (Mr. HINCHEY).

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

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. SMITH) 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 vote was taken by electronic device, and there were—ayes 69, noes 354, not voting 10, as follows:

[Roll No. 399]

AYES—69

Armey
Barcia
Barr
Bartlett
Bonilla
Brady (TX)
Burton
Coble
Crane
Danner
DeMint
Dingell
Duncan
Emerson
English
Everett
Fowler
Gekas
Gibbons
Goode
Goodlatte
Goodling
Hayes
Hayworth
Hefley
Herger
Hilleary
Holden
Hostettler
Hoyer
Hunter
Jenkins
Johnson, Sam
Kingston
Larson
Latham
Lucas (OK)
Martinez
McCarthy (NY)
McIntosh
Mica
Ney
Nussle
Oberstar
Pascrell
Paul
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Rohrabacher
Ryun (KS)
Sabo
Salmon
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Smith (MI)
Sweeney
Tancredo
Thornberry
Tiahrt
Walden
Weldon (PA)

NOES—354

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Hooley
Horn
Houghton
Hulshof
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento

Visclosky
Vitter
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—10

Berry
Cooksey
Crowley
Hutchinson
Pryce (OH)
Rangel
Rogan
Sununu
Towns
Young (AK)

□ 1609

Mr. MCHUGH, Ms. BERKLEY, and Mr. SCARBOROUGH changed their vote from ''aye'' to ''no.''

Messrs. COBLE, ROHRABACHER, ARMEY, BURTON of Indiana, SHERWOOD, and HOYER 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 275, 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 the amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. HINCHEY

The Chairman. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 158, noes 266, not voting 9, as follows:

[Roll No. 400]

AYES—158

Ackerman
Allen
Andrews
Bachus
Baldacci
Barcia
Barrett (NE)
Barton
Bass
Bereuter
Berman
Biggert
Blagojevich
Boehlert
Bonior
Borski
Boswell
Brady (PA)
Camp
Capuano
Castle
Chabot
Conyers
Costello
Coyne
Crane
Davis (IL)
Delahunt
DeLauro
Doyle
Ehlers
Engel
English
Evans
Ewing
Fattah
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Ganske
Gejdenson
Gekas
Gilman
Goodling
Graham
Green (WI)
Greenwood
Gutierrez
Hinchey
Hoeffel
Hoekstra
Holden
Holt
Houghton
Hulshof
Jackson (IL)
Johnson (CT)
Jones (OH)
Kanjorski
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McGovern
McHugh
McNulty
Meehan
Meeks (NY)
Menendez
Moakley
Mollohan
Murtha
Nadler
Neal
Ney
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Peterson (PA)
Petri
Phelps
Pitts
Pombo
Porter
Quinn
Ramstad
Reynolds
Riley
Rivers
Roemer
Rothman
Roukema
Rush
Ryan (WI)
Sanders
Sawyer
Saxton
Schakowsky
Sensenbrenner
Serrano
Shays
Sherwood
Shimkus
Shuster
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Spence
Stabenow
Stupak
Sweeney
Terry
Tierney
Toomey
Traficant
Upton
Velazquez
Visclosky
Walsh
Waters
Waxman
Weiner
Weldon (PA)
Weller
Weygand

NOES—266

Abercrombie
Aderholt
Archer
Armey
Baird
Baker
Baldwin
Ballenger
Barr
Barrett (WI)
Bartlett
Bateman
Becerra
Bentsen
Berkley
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Cardin
Carson
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cox
Cramer
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Eshoo
Etheridge
Everett
Farr
Filner
Fletcher
Foley
Ford
Fowler
Frost
Gallegly
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hooley
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kingston
Knollenberg
Kolbe
Kuykendall
Lampson
Lantos
Largent
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
McCarthy (MO)
McCollum
McCrery
McDermott
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek (FL)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Nethercutt
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Pickering
Pickett
Pomeroy
Portman
Price (NC)
Radanovich
Rahall
Regula
Reyes
Rodriguez
Rogers
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Scarborough
Schaffer
Scott
Sessions
Shadegg
Shaw
Sherman
Shows
Simpson
Sisisky
Skeen
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Turner
Udall (CO)
Udall (NM)
Vento
Vitter
Walden
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Wexler
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—9

Berry
Cooksey
Crowley
Pryce (OH)
Rangel
Rogan
Sununu
Towns
Young (AK)

□ 1620

Mr. CUMMINGS, Mr. DOOLITTLE, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''aye'' to ''no.''

Mr. VISCLOSKY and Mr. NEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BERRY. Mr. Chairman, due to circumstances beyond my control, I was unable to be present for rollcall votes 390 through 400.

If I had been present, I would have voted ''yes'' on rollcall No. 390, ''yes'' on rollcall no. 391, ''No'' on rollcall No. 392, ''yes'' on rollcall No. 393, ''yes'' on rollcall No. 394, ''yes'' on rollcall No. 395, ''no'' on rollcall No. 396, ''yes'' on rollcall No. 397, ''yes'' on rollcall No. 398, ''yes'' on rollcall No. 399, and ''no'' on rollcall No. 400.

AMENDMENT OFFERED BY MR. GREEN OF WISCONSIN

Mr. GREEN of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Wisconsin:

At the end of the bill (before the short title), insert the following new section:

SEC. . None of the funds appropriated by this Act may be used to terminate inpatient services at the Iron Mountain Department of Veterans Affairs Medical Center, Iron Mountain, Michigan or to close that facility.

Mr. GREEN of Wisconsin. Mr. Chairman, I intend to withdraw this amendment after entering into a brief colloquy with the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, regarding the Iron Mountain VA Medical Center in Iron Mountain, Michigan.

I have drafted this amendment because I am greatly concerned that the VA considered and is considering closing and reducing this facility and service to the point where veterans will not be able to receive the care they need or so richly deserve.

There are currently 72,000 veterans in northern Wisconsin and the upper peninsula of Michigan who are eligible for care at this facility. This facility provides important and unique services to the veterans throughout this region.

Earlier this year, the VA announced efforts to develop a, quote, conceptualized plan to reengineer health services in VISN 12. There has been talk that part of this reengineering strategy would involve the reduction in the number of acute care beds in Iron Mountain from 17 to 8, and taking those 8 remaining beds and using them merely for stabilization, where patients would be stabilized and then transferred via ambulance to Milwaukee.

As one might imagine, the veterans in this region are worried and with good reason. Currently, nearly 14,000 veterans are enrolled in the Iron Mountain facility. This represents a 20 percent increase over last year. In 1998, there were a total of 1,066 admissions, 1,066 admissions for only 17 beds. It is obvious that these beds are badly needed and overutilized.

Unfortunately, if veterans are not treated at Iron Mountain, they will be forced to make an ambulance ride of over 200 miles to receive acute care in Milwaukee. It has been estimated that 770 veterans a year would have to make that ambulance trip at a cost of nearly $2,000 per ride to receive care. We are asking the sickest, those who are in the greatest need, to travel hundreds of miles to receive care, and that their family members make a similar trip.

Mr. Chairman, I ask the gentleman from New York (Chairman WALSH) what can be done to ensure that VISN 12 will continue to maintain their inpatient services at the Iron Mountain VA Medical Center in the future?

Mr. Chairman, I yield to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman from Wisconsin for his continued concern and efforts on behalf of the veterans in his district and the State of Wisconsin and bringing this important issue before the committee's attention.

In H.R. 2684, we provided a $1.7 billion increase for veterans medical care, the largest increase in history. With this increase, the VA will be able to continue to provide services to his veterans and ours.

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the chairman and the committee for their hard work this year to ensure that the VA will continue to provide quality health care to the veterans in my district and all across America.

I also ask the chairman for his help in working against efforts in the future to reduce health services at the Iron Mountain facility.

Mr. WALSH. Mr. Chairman, I thank the gentleman again for his comments, and we look forward to working with him on this important issue.

Mr. GREEN of Wisconsin. Mr. Chairman, I yield to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I thank the gentleman from Wisconsin for yielding to me.

Mr. Chairman, I want to thank the gentleman from New York (Mr. WALSH) and others for their interest in the Iron Mountain VA Medical Center and thanks to the gentleman from Wisconsin (Mr. GREEN) for his efforts on this behalf here.

This facility is in my district. In Michigan, my congressional district has more veterans than anyone else. The Iron Mountain Medical Center is the second largest acute care facility in the patient service area covering an area of 25,000 square miles. So veterans from the upper peninsula, northern Wisconsin, and other geographic areas depend on a full range of services at the Iron Mountain VA Medical Center.

Now, earlier this year, as was pointed out, the gentleman from Wisconsin (Mr. OBEY), Senator FEINGOLD, Senator KOHL, myself, and others will have joined in because they are going to cut the last acute care beds in this area.

We have spoken with VA officials, and they have told us that the beds will not be cut. It is interesting to note that this bill does not call for any cuts in beds or services. Despite the last amendment, we in rural areas are concerned about proposed cuts. It seems like, as soon as the VA faces a crunch, they always look to the rural areas, and we are the ones to get hit first.

So a primary concern for veterans and their families, as has been pointed out, is the geographic remoteness of the area and the vast distances that are required to travel for care. For instance, if Iron Mountain was closed, the next closest VA facility is in Milwaukee, Wisconsin. Some of my veterans would have to travel 500 miles one way just to get services from the VA. So not only is it an unnecessary hardship, but potential serious danger to their health as they are trying to move back and forth.

I am pleased to note, and the way I understand it, the Veterans Millennium Health Care Act, H.R. 2116, contains provisions which may actually be favorable to rural facilities such as Iron Mountain, because H.R. 2116 would require the Veterans Administration to maintain the current level of service while at the same time encouraging long-term reform.

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

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

Mr. STUPAK. Mr. Chairman, if the gentleman from Wisconsin will continue to yield, H.R. 2116 would encourage long-term reform, improve access through facility realignment, eligibility reform, and enhance revenues.

It is vitally important that the Iron Mountain VA Medical Center remain strong, and any reduction in service would be fairly detrimental to those who have served our country for so long.

Again, I appreciate the interest of the gentleman from West Virginia (Mr. MOLLOHAN), the gentleman from Wisconsin (Mr. GREEN), and the gentleman from Wisconsin (Mr. OBEY) and all the rest who worked together.

We look forward to continue to work with him to ensure our Nation's veterans receive the health care they earn and deserve and to ensure there is no reduction in services at the Iron Mountain VA center.

Mr. GREEN of Wisconsin. Mr. Chairman, I would just thank the Chair and thank the chairman of the subcommittee once again for his hard work, not just his pledge of support to work with me with respect to the VA medical facility, but on this bill, the largest increase in history for veterans health care.

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

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

Mr. OBEY. Mr. Chairman, reserving the right to object, I would simply like to reiterate to the gentleman what the gentleman from Michigan (Mr. STUPAK) has indicated; that when we first discovered the possibility of the reduction of the beds for that facility that Senator KOHL and Senator FEINGOLD and Senator LEVIN, the gentleman from Michigan (Mr. STUPAK) and I sent a letter to the VA noting the illogical nature of closing the remote hospital beds while we had such an overlap in some of our largest urban areas.

I talked personally with the leadership of the VA; and after that conversation, they made it quite clear to me that they had no intention of closing any of those beds in that facility. Certainly this budget has no provision for closing those beds.

I appreciate very much the willingness of the VA to reconsider what, to me, was an ill-advised approach. I do think Members of Congress have to be careful because it is very difficult for us to be logically consistent if we are voting for budgets which appear to demand overall reductions and then if we object when specific reductions are then made in either our own areas or in our own favorite programs.

□ 1630

But in this instance I am very happy that we received the response that we have from the VA.

Mr. Chairman, I withdraw my reservation of objection.

Mr. FILNER. Mr. Chairman, reserving the right to object, I want to pick up on the comments of the gentleman from Wisconsin (Mr. OBEY).

I agree with the gentleman from Wisconsin (Mr. GREEN) with regard to the case that the gentleman has made for Iron Mountain, and certainly the gentleman from Michigan (Mr. STUPAK) and the gentleman from Wisconsin (Mr. OBEY) have made strong cases as members of the gentleman's delegation. But as the gentleman from Wisconsin (Mr. OBEY) said, it is more than illogical. It could border on hypocrisy I could say, that the folks on this side of the aisle

get up and argue for their medical centers and their clinics to stay open, for their services to go unimpeded, and then, when the chance is offered, as it was yesterday on at least eight occasions, for Members to vote to allow the funding of the VA, which is vastly underfunded, when my colleague had the chance to vote on that, the gentleman from Wisconsin (Mr. GREEN) voted no.

So to come here and argue for a VA center in a particular district, to come up and argue for that, but to vote no on additional funding for the VA and then go back home and say how much you fought for your VA, borders a little bit, I will say on the illogical to keep the same frame of reference of the gentleman from Wisconsin (Mr. OBEY).

The gentlewoman from New York (Mrs. KELLY), in earlier debate I think, said very eloquently if we move funds to do what different individuals want to do with their particular VA hospitals means that we will cut quality here, that we will cut services there, because we do not have enough money in the VA budget. We are underfunded in VA health care by at least $1.5 billion in spite of the plus-up that the subcommittee gave.

So unless the gentleman is willing on his side of the aisle to join us in raising the budget to the $3 billion that the veterans of this Nation came up with, then I think that the other side has some soul searching to do with these kinds of amendments.

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

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

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding to me, and I would ask him if he was aware that this bill increases veterans' medical care by $1.7 billion?

Mr. FILNER. Reclaiming my time under my reservation, Mr. Chairman, I would respond to the chairman that I am very aware, and I would ask in return, is the gentleman aware that the independent budget of 300 veterans' organizations around this country said that the minimum, the absolute minimum, to keep our VA health system going and not to have closures like the gentleman wants to protest about in his district, like I would not want in my own district, that that budget asks for $3.2 billion for veterans' health care? So the gentleman gave one-half of what was needed. And we are going to have these issues all through the next year based on the budget.

I agree with the chairman when he called the budget the President's budget plus 1.7. I think it might be called the Walsh budget minus 1.5. That is, it is higher than the President's; but it is lower than what it should be. And the gentleman's Members are going to come up every day in the coming session and say please do not close my hospital.

Mr. WALSH. Mr. Chairman, will the gentleman continue to yield?

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

Mr. WALSH. In the event that we do provide this 1.7 increase in this bill, is the gentleman prepared to support that $1.7 billion increase? Because if he does not he is then, in effect, supporting the President's level of level funding.

Mr. FILNER. No, I am supporting the independent budget of 3.2. I am going to vote against the bill on the floor because it is insufficient. And everybody in this House ought to vote against it so we do not have the problems that the gentleman from Wisconsin (Mr. GREEN) raises, and that the gentlewoman from New York (Mrs. KELLY) is about to raise, and that we had raised earlier by the gentleman from Georgia (Mr. BARR). We are going to have colloquies from 435 districts about closing VA facilities unless we pass a reasonable bill.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

AMENDMENT OFFERED BY MRS. KELLY

Mrs. KELLY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. KELLY:

At the end of the bill (before the short title), insert the following new section:

SEC. ——. None of the funds provided by this Act may be used to close any Department of Veterans Affairs medical center.

Mrs. KELLY. Mr. Chairman, I rise today to offer a very simple amendment. This amendment would prohibit the VA from closing any VA hospitals during fiscal year 2000.

We are in the midst of a great deal of change in the way the VA provides medical care to our veterans. The health care being provided by VA medical centers is moving from an inpatient-based hospital system to more of an outpatient-based clinical system. The VA is reacting to the same forces that are changing our private health care. There is a great deal of uncertainty for our veterans. I am constantly hearing from veterans expressing their concerns over the potential closing of hospitals.

To these concerns of our veterans Secretary West has responded. In numerous speeches before veterans service organizations this year, and in meetings with the New York congressional delegation, Secretary West has made a pledge to keep all VA hospitals open throughout the year 2000. With this in mind, it is prudent to assist the Secretary in his efforts and put a temporary hold on the closing of any VA hospitals until October 2000.

In recent weeks, the GAO came out with a report citing their findings of underused, inefficient VA hospitals wasting our VA dollars. It seems to me that the wise course would be to allow the VA to review and examine the facilities in question before any long-term decisions are made. The VA has assets and it has needs. We must take advantage of those assets, namely the existing infrastructure, and use them to help address the growing needs of our aging veteran population's needs.

The GAO has noted that these hospitals are antiquated and do not measure up to current standards. That is no fault of the hospitals; it is the result of a lack in proper funding for infrastructure and improvements. Congress has already passed initiatives that can assist the VA in realizing the potential of these underused facilities through the Enhanced Use Lease Authority. While this authority is in need of improvement, it is the right idea and we must ensure that any closure of hospitals maximizes the use of this authority.

One way this could be used is to lease the space to provide, for example, much-needed long-term geriatric care to our veterans. They represent the fastest growing need for our veteran population. Over the next 21 years, the veteran population over 85 years of age is expected to increase 333 percent. This demonstrates an imperative situation. Let us not close down one of the greatest assets of the VA system, namely, its infrastructure. Let us make it work for our veterans.

I ask my colleagues on both sides of the aisle to carefully consider these issues and support this amendment.

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

Mr. Chairman, the arguments the gentlewoman just made were extremely good. I support the gentlewoman's amendment. And I need to be nice to her, since she represents my daughter up in Bedford, New York. So I thank her for her representation. But, once again, I cannot fail to point out that the logic of the budget that the majority party is pushing and that the gentlewoman voted for and refused to amend is pushing toward exactly the situation that she wants to prevent.

I am with the gentlewoman. I think we should do exactly what the gentlewoman said. And she has laid out a rational, objective policy for the VA to follow. Unfortunately, we are putting them in the position, by underfunding them, that they are going to have to take positions that none of us will like when it comes to health care. And as the gentlewoman said earlier in regard to the debate on another matter, if they do not do this, they are going to cut quality or cut services. Something has got to give if they do not have enough money, and assuming they are using the money efficiently and assuming they are using the money to the best degree. And we all have to question that, and the gentlewoman's amendment asks for that.

But I will tell my colleague that, again, I find it highly illogical, bordering on hypocrisy, that the majority party puts forward these amendments to stop the closure of Iron Mountain, to put a clinic in the district of the gentleman from Georgia (Mr. BARR), to stop the closing of VA hospitals anywhere; and yet when they are given the opportunity to vote additional funds,

not to break the budget, not to be doing something irresponsible, but to put in what the veterans of this Nation have said is absolutely essential to keep the quality of our VA system going, they vote no. And then my colleagues are on TV and they are back home saying that they are fighting for their veterans. Yet on all the procedural motions, not to mention the substantive motions, that will allow the majority to really back up what they are saying with the money to cover it, they vote no.

So I am going to continue to point out this illogic. I am going to continue to point out that the dynamics of my colleague's own budget undercuts what she is trying to do. If the gentlewoman's amendment passes, which I hope it does, then, as she said earlier in her comments, they are going to give way somewhere else. So the gentlewoman's constituents are going to face a lack of quality of services or a lack of some specialist or other service. And until the majority party votes to increase this funding, we are going to have the positions that the gentlewoman is arguing for.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

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

Mrs. KELLY. Mr. Chairman, I hear what my colleague is saying; however, I think it is very important that we focus on a couple of things that I think are of importance.

One is that the President's budget asked for only $200 million, whereas this bill puts in $1.7 billion. It is the largest increase that we have ever had.

Mr. FILNER. Reclaiming my time, Mr. Chairman, we have heard that. We stipulated yesterday and for the last 2 months that the President's budget was irresponsible and not good policy. We are not passing here the President's budget. Throw that out. My colleagues cannot keep answering my criticisms and the country's criticisms that they do better than the President. The President did lousy. This is our budget and this budget is lousy.

This budget underfunds VA health care by $1.5 billion, and until we correct that, the amendments that the gentlewoman is offering is going to be of little help.

Mr. WALSH. Mr. Chairman, I rise in opposition to my colleague's amendment.

Mr. Chairman, I thank my colleague from New York, who has put in so much time and energy into her staunch defense of veterans medical care for her district and for the rest of the State of New York. I think she has done it in a responsible way, unlike some others, who have talked about advocacy for the veterans and then offered funds that were not available; offered budgetary gimmicks to present the image that there are funds available for veterans health care that are not actually there.

There has been a lot of discussion today about the independent budget. If this budget was so good, why did the American Legion, the largest veterans service organization in America, not support it? They did not. But they did support this budget.

The independent budget was presented by veterans advocacy groups at the beginning of the budget process as a marker. Blue sky, best possible scenario, this is what we would like. How many people, how many organizations have not done that in a discussion or in a negotiation? They ask for the sky, and they get what they need. And that is exactly what this budget provides; what the Veterans Administration needs to provide quality health care in America for our veterans.

Who am I talking about when I say that the veterans organizations support this bill? The American Legion supports this bill. The Veterans of Foreign Wars supports this level of funding. Noncommissioned Officers Association, Retired Enlisted Men's and Women's Association, the Military Coalition, the Military Order of the Purple Heart. Who would know better the importance of medical care for veterans than the Military Order of the Purple Heart? They endorse this bill. Jewish War Veterans, Gold Star Wives. Who would know better than a Gold Star wife or a Gold Star mother of the importance of veterans medical care than these women? They support this bill.

It is easy to wave a budget that was a negotiating position that was created months ago before the rubber met the road in terms of this budgetary process.

□ 1645

Fleet Reserve Association, Reserve Officers Association, National Military and Veterans Alliance, Retired Officers Association, Air Force Sergeants Association, Catholic War Veterans, National Association for Uniformed Services, Korean War Veterans Association.

Who are the experts? Who are the veterans? Who speaks for the veterans? I think the veterans.

Let them speak for themselves. And they have. Yes, the independent budget was presented as a negotiating piece. But if my colleagues ask these organizations what is the right number, they are going to tell them and they have told us $1.7 billion is the right number.

The gentlewoman from New York (Mrs. KELLY) has produced a document that shows how each and every VISN around the country is affected positively by this bill. We have to proffer support for this level of funding. Those who would not vote for this bill do not get off scot free. There is a price, and the price is they go home and they say to their veterans, I could not support that bill. And they say, Why? We needed that money. We needed that $1.7 billion.

And they are going to hold our feet to the fire if we do not support that level of funding. They know what is real and what is not real more than most others do, and that $3-billion figure is not real. The $1.7 billion is real money for real people for real programs and real health care.

Getting back to the initial amendment, I reluctantly cannot support the amendment. I respectfully ask the gentlewoman to withdraw it. I know the VA in her district faces some difficult challenges. It does all over in the Northeast and the West, the Midwest. We heard that today. But I think we can address those issues outside of this amendment.

I promise to work with her and other Members representing VISN 3. We are going to make sure our staff is engaged with the leadership in VISN 3 to try to resolve these issues regarding her concerns.

So I would complete my comments by asking the gentlewoman to withdraw the amendment if she could.

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

Mr. Chairman, I rise in support of the Kelly amendment and in opposition to the proposed VA-HUD budget. I do so for a number of reasons.

First of all, I have some serious concerns about the proposed benefits for veterans, especially in the area of health care and housing. Almost every 3 or 4 months there is a discussion, there is a rumor, there is a report that one of the Veterans' Administration hospitals in my district is going to close. This raises the level of uncertainty among veterans in terms of whether or not they are going to be able to get the care that they so rightly deserve.

Neither do I believe that now is the time to decrease funding for space, environmental protection, FEMA, or the National Science Foundation.

However, Mr. Chairman, I take this time also to express strong opposition to the proposed cuts in the budget for HUD. This bill proposes to cut $945 million less for HUD housing than was available in fiscal year 1999. This bill provides for $982 million less than requested.

No funding is provided for new vouchers to provide assistance to additional families. It cuts public housing modernization by 15 percent, drug elimination grants by 6 percent, Hope VI, and generally distressed housing revitalization by 8 percent, housing opportunities for people with AIDS by 4 percent, community development block grant monies by 6 percent, community development block grant loan guarantees by 14 percent, Brownfields cleanup and development 20 percent less, lead-based paint abatement 13 percent less, fair housing activities 2 percent less, and the HOME program 1 percent less.

Under this bill, Chicago, Illinois, the center of the Midwest, will lose $6,982,000; 527 jobs; 442 fewer housing units for low-income families; 77 fewer housing units for people with AIDS; 1,000 vouchers for Section 8; 33,000

fewer home buyers. It takes away support services for 43,000 homeless people. Thirty thousand homeless people will have no emergency beds, and 6,500 people with AIDS will be without services. And 212,500 people overall will not have any aid which they could get without these cuts.

There is indeed a rental housing crisis in America, and this bill falls $1.6 billion short of U.S. needs. And without these greatly needed 100,000 Section 8 vouchers, matters will become significantly worse.

So, Mr. Chairman, you see, this bill, while well-meaning, while thorough efforts have been made to analyze it, while serious attention has been given to it, the real fact of the matter is that it undercuts the very basic needs and services of those constituents that it was designed to help.

So I would urge that we go back ultimately to the drawing board. It does not provide veterans with the care that they need. It does not provide the level of assurance that veterans need to have.

So again, I reiterate my support for the Kelly amendment and urge its passage.

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

Mr. Chairman, I am happy to yield to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I would like to engage in a short dialogue with the chairman of the committee if I may.

Mr. Chairman, my concern is closing of the hospitals because I see the hospitals as being a piece of the assets that the VA actually owns. I look at an aging veterans population that is strongly in need of support in terms of assisted living and skilled nursing and that type of care; and I am concerned that if we step down these assets, which are currently full care, acute care hospitals, that we are closing a possibility, closing a doorway for those elderly veterans.

I would like to ask the chairman of the committee if he would help me and work with me through addressing these assets that we have in trying to use them in a better way. I think it is very important that the enhanced use lease authority be addressed in this manner and used in this manner.

I think that I could perhaps comfortably withdraw this amendment if I can get that kind of a pledge from the committee.

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

Mr. WELDON of Florida. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I would pledge to the gentlewoman that we would make it a priority to work with her to make sure that the facts and figures on services and properties and everything within each individual VISN were provided for review to make sure that these assets are being dealt with and used wisely and in a proper way and, as I said earlier, providing staff to help to resolve some of the issues in VISN 3. I pledge that support to the gentlewoman.

Mrs. KELLY. Mr. Chairman, if the gentleman would yield further, I ask that there be an ability for those of us who are not on the Committee on Veterans' Affairs and for Congress as a whole to have an opportunity to see more clearly, with more transparency, some of the ways that the VA is using money within each individual VISN.

At present, I am not able to get those figures, and that also inhibits my ability to ascertain how carefully the money that is being allocated is being used by the regional visions.

Mr. WALSH. Mr. Chairman, if the gentleman would yield further, let me be brief because I know the gentleman is waiting to reclaim his time and it is precious.

We have requested that report as soon as it may be available to us. We will share it with the gentlewoman and work through those issues with her.

Mrs. KELLY. Mr. Chairman, if the gentleman would yield further, if all options could be explored, that would include the enhanced use authority, then I would be willing to ask unanimous consent to withdraw my amendment.

Mr. WELDON of Florida. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Florida (Mr. WELDON) has 1 minute remaining.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman from Florida (Mr. WELDON) be given an additional 2 minutes.

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

There was no objection.

Mr. WELDON of Florida. Mr. Chairman, I simply rise at this point to speak directly to the issue of what we are doing in this veterans budget under the leadership of the subcommittee chairman. We are increasing veterans health care spending by $1.7 billion. That represents an increase of almost 10 percent.

One of the concerns that I actually have with this very generous increase is I do not know if the VA will be able to spend all this money efficiently. I would not be surprised if they have some of the money left over. That is a huge increase for the agency to absorb.

By giving them these additional funds, there will not be any hospitals closed. If anything, what will happen is the badly underserved areas like the district that I represent, the whole State of Florida, and what the gentleman from California is saying is that, no, a 20-percent increase is necessary and anything short of a 20-percent increase is underfunding.

Frankly, I believe that position is ridiculous and the chairman of the subcommittee has clearly spelled out that the veterans organizations are behind this. I think this is a very clear statement that the Republican Party, the Republicans in Congress, support our veterans and we are giving a very, very generous increase in this budget to veterans affairs. And to hold out a pie-in-the-sky number of, no, $3 billion and anything short of that is underfunding I believe is ludicrous.

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

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

Mr. FILNER. Mr. Chairman, reserving the right to object, let me first say to the gentleman from Florida and the distinguished chairman of the subcommittee, the $3 billion figure is not my figure. It comes from a process that was initiated and sustained by the major veterans organizations in this Nation. They came up with a professional budget that was designed to accommodate the basic needs of the health care system, needs that had been left unmet for the last 5 years.

When the gentleman from Florida says that he doubts that they would be able to use the funds, I would refer him to the Alzheimer's patients who are being released from hospitals because there are not the funds to keep them. I will refer the gentleman to hepatitis C victims, almost 2 million of them, who are suffering from a potentially fatal disease with no money to meet their health care needs. I would refer the gentleman to the Persian Gulf War illness victims who cannot get either their treatment or the explanation for their illness in any respectful fashion because there are no funds to do that.

Every veteran in this Nation will tell us that there are needs that can be met, and I suspect that the veterans organizations think that the $1.7 billion that the chairman should be commended for achieving, and I do not understate that achievement, I say to the chairman, given the numbers they have to work with. And please take my criticism as of the process and not of my colleague, because I think he and the gentleman from West Virginia (Mr. MOLLOHAN) did an incredibly good job in plussing that up.

But I would argue that it is still insufficient given the needs and given the aging population and given the new areas that we have discovered that need to be dealt with.

I would remind the gentleman from Florida (Mr. WELDON) and the gentlewoman from New York (Mrs. KELLY) and the gentleman from New York (Mr. WALSH), who is the chairman of the subcommittee, this $1.7 billion plus-up which comes out of the Republican budget resolution rests on a downminus, if I can use that word, over the next 10 years. That is, the VA budget will start decreasing based on their numbers and for the biggest decrease in our history.

□ 1700

So we have not sufficiently funded this budget, and I would say to the gentleman from New York (Mr. WALSH), I suspect that if he gave those organizations a vote between this budget and my budget, mine would win. We would have letters supporting that.

So once again, I say to the veterans of this Nation, this Congress is poised to pass a bill that does not meet the health care needs, does not meet the commitment and benefits that we have promised; and we should vote it down and say to the veterans, we can do better.

Mr. Chairman, I withdraw my reservation of objection to the unanimous consent request.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. KLECZKA

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

The Clerk read as follows:

Amendment offered by Mr. KLECZKA:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used by the Administrator of the Environmental Protection Agency to promulgate final national primary drinking water standards for Radium 226 and 228 under the Safe Drinking Water Act.

Mr. KLECZKA. Mr. Chairman, as the reading of the amendment indicates, this amendment would prevent the EPA from using fiscal year 2000 funds to promulgate a final rule regarding radium in drinking water.

The EPA, I am told, intends to issue a rule later in the year 2000 using a five pico curies per liter standard, the smallest amount measurable.

This issue has been addressed by Congress before. In 1996, Congress required EPA to delay a proposed standard for radon and radium until the National Research Council prepared a risk assessment on both substances.

At that point, I should add, the level talked about by or discussed by the EPA was a 20 pico curies level in drinking water.

The EPA finally did complete the study on radon but failed to study radium. The EPA cites the study on airborne radon as evidence that exceeding the level of radium in water beyond five pico curies per liter may result in adverse health effects.

The EPA is moving ahead on radium even though the study's authors are careful to note in the findings that, and I quote, ''Whether these considerations also hold for other carcinogens such as X-rays was not an issue that was addressed by this committee.''

This rule will affect over 600 communities nationwide. A water utility in my district and the district of the gentleman from Wisconsin (Mr. SENSENBRENNER) estimates that it would cost rate payers about $40 million to build a treatment facility that will enable them to comply with EPA's mandates.

What we ask through adoption of this amendment is for the EPA to gather the scientific data on the health effects of radium in our water and to determine at what level the standard should be set.

This can be done by conducting two studies: a bone cancer risk study, which is a population-based study that will assess the association of radium in drinking water with the occurrence of bone cancer; and a second study, a cellular biomarker study which will answer the question of whether drinking water exceeding the five pico curies per liter level will cause harmful effects in the blood cells of water drinkers.

I urge support for this amendment, which will prohibit the EPA from formulating a rule about the effects of drinking water containing low levels of radium before our water utilities spend millions on what could be a nonexistent problem.

Congress asked for a risk assessment before. Evidently we must insist on this study again.

Mr. Chairman, I urge support of this amendment.

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

Mr. Chairman, this amendment, obviously, is a fairly important development in this bill and it takes the form of what most people would refer to as a rider, legislative rider. The consequences of the amendment are not clear, intended or unintended consequences. There just does not seem to be enough information available right now, at least for this Member, to make a determination as to whether or not this is a good idea or a bad idea, whether it helps or hurts the bill.

I know some other Members have expressed some concerns about this; not any clear opposition to it but just concerns about what this will eventuate for EPA and for our communities.

The gentleman from Wisconsin (Mr. KLECZKA) has shown some real sincere concern for his communities. I have been addressed by some of my communities about the fact that some of these regulations the EPA lays on the communities are expensive; it puts a huge burden on them and I understand those concerns.

What I would ask, and I would be happy to yield time to the gentleman for debate purposes, to ask if he would consider withdrawing this amendment with the thought that as we go into conference there might be a way to address this issue in a less restrictive way, possibly some report language, something to that effect.

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

Mr. WALSH. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me say I very much understand what motivates my colleague, the gentleman from Wisconsin (Mr. KLECZKA), to offer this amendment.

I have not the foggiest idea whether the standard being proposed or even contemplated by the agency is the correct one. My problem is that I have stood many times on this floor and resisted congressional efforts to, on the basis of a very short debate, reach what, in essence, is a scientific conclusion to prohibit an agency charged with protecting public health from taking whatever action they think is necessary to protect the public health.

It seems to me the best way to approach things is to try to work together and go to the agency and to insist informally that they produce hard evidence that what they are doing makes sense.

My concern with the gentleman's amendment goes to simply one word: prohibit. I do not know enough to either prohibit or to encourage what they are doing, and I would urge that the gentleman follow the advice of the gentleman from New York (Mr. WALSH). I think that is the most constructive way to try to work together to get the right answer. None of us want to see municipalities or anybody else have to incur expenses that are not necessary. Even though in this instance it is my own State, I don't feel comfortable in, in essence, making a legislative judgment about a scientific matter until we ourselves know what we are talking about.

At this point, the gentleman from Milwaukee, Wisconsin (Mr. KLECZKA) may be comfortable in assessing what the agency is doing, but I know this Member is not.

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

Mr. WALSH. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Chairman, I thank the chairman, the gentleman from New York (Mr. WALSH), for yielding.

Mr. Chairman, I agree with both the chairman of the subcommittee and my colleague, the gentleman from Wisconsin (Mr. OBEY). I do not know what the correct level of radium in the water should be.

However, I should point out to the Members that at one point the EPA was saying that level should be 20 pico Curies, which is a measurement of radio activity in water. Now they are coming by to the various communities saying that level should be five.

Well, Congress some years ago in 1996 asked them for a study and to give us some hard evidence. The gentleman from Wisconsin (Mr. OBEY) says we should have some hard evidence so we can make that decision. I agree totally with that statement. We already asked for that and the EPA has not been forthcoming. Yes, they did the study on radon and they linked the radium standard to a radon study, which is totally inappropriate.

So I agree with the chairman that hopefully we can work on some report language. I was told just a few hours ago that now the EPA was not going to

issue this regulation, this rule, in fiscal year 2000 anyway.

My information coming to the debate on this was it was going to be later in the year 2000; and later in 2000, in my book, could be August, could be September, could be before the fiscal year. So if, in fact, it is true that this rule is not going to come down before the year 2001, I think the amendment can be withdrawn.

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

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

Mr. KLECZKA. Mr. Chairman, if in fact the rule is not going to be promulgated until the year 2001, clearly that would give the EPA an opportunity to provide for a study, one of the two studies that I think I cited or any other study so they can come before Congress and say now the level should be five, 7½, 10, or whatever it ends up being and we will abide by that, but we do not have that before us.

So hopefully between now and the conference committee on this bill we can at least ask, gently ask, the EPA would they please do the study that the Congress asked for in 1996, so the other communities involved can finally make a judgment.

Mr. Chairman, with the understanding that we are going to work together on some type of language, I would withdraw the amendment.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. KLECZKA) for his wisdom and for his willingness to work with us on this issue. I think it is the proper approach; and we will work together on it, and I appreciate it.

Mr. SENSENBRENNER. Mr. Chairman, I rise in support of the Kleczka-Sensenbrenner amendment. This amendment would prohibit the EPA from using funds to promulgate a final rule on drinking water standards for radium that is not based on sound science. In 1991, the EPA proposed a standard for radium in drinking water of 20 pico curries per liter (pCi/L). However, the EPA now intends to mandate a far more stringent level of 5 pCi/L. This apparently arbitrary restriction was recommended before proper scientific evidence to support it was gathered.

To defend this restriction, the EPA cites a study on airborne radon by the National Research Council as supporting evidence that radium in drinking water beyond 5 pCi/L may have negative health effects despite the fact that the authors of this study state that their work did not consider the effects of carcinogens other than radon, including radium. Promoting regulations that are not based on sound science is becoming a pattern at the EPA. The Agency has mandated that parts of the country use reformulated gasoline, including gasoline with the additive MTBE. MTBE pollutes ground and surface water supplies rendering it unusable for drinking water. Recently, a National Research Council report found that oxygenates, including MTBE do little to clean up our air. An EPA Blue Ribbon Panel found that MTBE is seriously damaging our nation's water. Judging by these reports, the EPA has done serious damage to our water, while doing very little for our air. That's bad science.

The EPA has often supported the need to regulate before the science is complete, arguing that the risk of doing nothing is too great even when the cost of their proposals is incredibly high. In the global climate change debate, the EPA supports proposals based on shaky science would cause gasoline prices to rise by 50 cents a gallon and household energy costs to rise $900 to $1,000 a year according to the Wharton Econometric Forecasting Association.

Similarly, if promulgated, the EPA's revised radium rule would be incredibly costly. A water utility in both my District and Congressman KLECZKA's District estimates that it would cost $70 million to build and operate a facility to comply with the 5 pCi/L restriction. The cost for the new facility would be passed on to utility consumers. This water utility estimates that its rates may need to be raised to four times their current level. The cost-hike will hurt businesses and families alike. Average homeowners may see their water utility costs rise $200 to $800 per year.

This is not a problem isolated to Wisconsin. In fact, 25 states have water utilities that are above the 5 pCi/L level. The costs that this rule would impose on my district would be duplicated many-fold across the country.

The EPA should closely study the direct human health implications of radium in drinking water before imposing such a costly regulation. This amendment will provide time for the EPA to conduct these necessary tests. I urge my colleagues to support it.

Mr. KLECZKA. Mr. Chairman, I ask unanimous consent to withdraw the amendment, knowing full well I will be back next year.

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

There was no objection.

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

Mr. Chairman, I rise to engage the chairman in a colloquy if he would do so.

I appreciate the opportunity to work with the chairman as part of the negotiations on this bill in order to obtain a one-time emergency funding designation for an important project in my district. The Los Angeles County sanitation districts urgently need funds to replace a sewer line beneath the Santa Clara River in my district.

Following the El Nino storms in the winter of 1998, the Federal Emergency Management Agency declared Los Angeles County a disaster area. While the sewer lines have not yet leaked, storm-related erosion in the river bed did cause significant damage to the lines. Further erosions may very well cause the rupture of the lines releasing up to 8 million gallons of raw sewage per day into the Santa Clara River and eventually the Pacific Ocean.

To permanently solve this problem, the sanitation districts have proposed a sound, one-time engineering solution that involves moving the pipelines deeper underground. This proposal is the best solution, both from an engineering standpoint and from an environmental standpoint as well.

Unfortunately, both FEMA and the U.S. Fish and Wildlife Service disagree on the manner to solve this problem, leaving it up to Congress to fill the void and protect both the residents and the environment of Los Angeles and Ventura Counties.

I appreciate the work of the chairman to date on this legislation and look forward to working with him to obtain a solution to this issue as the legislation moves along in the legislative process.

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

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

Mr. WALSH. Mr. Chairman, I thank the gentleman from California (Mr. MCKEON) for his comments and his cooperation in this project. I know of his deep concern for the safety and well being of his constituents. We recognize the importance of this project and the need to obtain funding to resolve it before winter storms further damage the sewer line. I look forward to working with the gentleman to see if indeed we can find a solution as this legislation proceeds. I pledge my cooperation with him.

AMENDMENT OFFERED BY MR. WEYGAND

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

The Clerk read as follows:

Amendment offered by Mr. WEYGAND:

At the end of the bill (before the short title), insert the following new section:

SEC. . It is the sense of congress that, along with health care, housing, education, and other benefits, the presence of an honor guard at a veteran's funeral is a benefit that a veteran has earned, and, therefore, the executive branch should provide funeral honor details for the funerals of veterans when requested, in accordance with law.

Mr. WEYGAND. Mr. Chairman, I will be very brief. I have discussed this with the subcommittee chairman and with the ranking member as well. As we all know, we have been discussing very important benefits to veterans last night and today, benefits with regard to education, particularly with regard to health care; but perhaps one of the most critical and important benefits to veterans is that that is given to their family and the honor that they give to those veterans at the time of their burial.

We all in this chamber have heard many different stories about the lack of an honor guard at a veteran's funeral when requested. We have heard stories about sometimes they do not show up. Other times we have heard stories where they are actually leaving before the funeral party actually comes to the burial site.

I think it is a disaster and a catastrophe that veterans, after having served and provided us with great service for many, many years, that unfortunately we do not sometimes provide the necessary honor guard at their burial. So I ask that we include this sense

of Congress at the end of the bill. The ranking member and the subcommittee chairman have talked to me about it, and we have crafted language.

I want to, first of all, thank the ranking member's staff for helping us with the language, and also I want to thank the chairman who has agreed to this amendment, I believe, with regard to this language. I also want to thank my colleague, the gentleman from New York (Mr. CROWLEY), who could not be here tonight who is also a cosponsor of this amendment.

□ 1715

This amendment is something that many of the families and veterans are looking for because indeed at their final hour we should not forget them, we should not ever forget the service that they have provided to all of us, and I hope that this will be passed.

Mr. WALSH. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island (Mr. WEYGAND).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. EHLERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. EHLERS:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. The amounts otherwise provided in this Act are revised by increasing the amount provided for ''National Science Foundation—Research and Related Activities'', increasing the amount provided for ''National Science Foundation—Major Research Equipment'', increasing the amount provided for ''National Science Foundation—Education and Human Resources'', and reducing each amount provided in this Act (other than for the National Science Foundation) that is not required to be provided by a provision of law, by $156,524,000, $33,500,000, $40,000,000, and 0.354 percent, respectively.

Mr. EHLERS. Mr. Chairman, the purpose of this amendment is to increase the appropriations for the National Science Foundation. I must begin by commending the subcommittee chairman in dealing with a very difficult budget and commend him for the good work he has done on it. I was opposed to the allocation given to this subcommittee. I felt at the time it was granted that it was far too small, and we would end up with the type of difficulties we have encountered here. It is my hope that during the rest of the appropriations process this allocation will be increased.

What I wish to point out here, and it is extremely important, is the importance of scientific research to the future economic growth of this Nation as well as furthering basic knowledge of our universe and all that it contains. Furthermore, I want to discuss the importance of science and math education in this Nation.

Let me point out some of the problems. I have here a graph which shows that United States funding has been decreasing compared to some other countries. The national nondefense R&D as a percentage of gross domestic product is now lower in this Nation than it is in Japan and Germany, and the rate at which Japan is increasing is greater than our rate. The main difficulty of this is that, as is currently estimated, over half of the economic development of this Nation comes from developments resulting from research in science and technology, and if we do not do this research in science and technology, we are ruining the seed corn for our future economic growth; we are also doing a great disservice to our children and grandchildren by doing that.

Let me give a few examples. The Internet is, of course, one obvious result which rose out of basic research in math, computer science, electronics and physics over the past several decades. Everyone today knows how valuable the Internet is and how it is contributing to economic growth.

Another example is magnetic resonance imaging, which has its roots back in the 1950s when I was a graduate student in physics at the University of California. Today we cannot imagine dealing with many difficult health problems without an MRI machine.

Also consider lasers, again a development based on research done 40 years ago, resulting in a multi, multi-billion dollar industry developed from a small amount of research funding. In summary, we must continue our research efforts if we are going to maintain our economic growth and continue to be a world leader.

Furthermore, the funding for major research equipment has been cut in this budget, and that is very unfortunate because this funding provides the tools with which scientists make discoveries.

Now on to math and science education; that is a sad tale. A few years ago, we completed the third international mathematics science study and found that the United States is near the bottom of all the developed countries in the ability of its high-school graduates to understand and use math and science. Near the bottom! And yet we maintain that we are the leader of the world in science and technology. Our potential for the future is hurt very badly by not having an adequate math and science education system. Once again, the National Science Foundation plays a major role in improving our education, and we have to provide them funds for that.

My amendment does not seek extravagant funding, it simply brings the NSF budget up to the level which has been recommended by the Committee on Science in the authorization bill that it has passed. That is certainly reasonable. However, the appropriation bill before us actually reduces the amount of money going to the National Science Foundation, the first time in decades that the National Science Foundation budget will be reduced. My amendment will bring it up to an appropriate level, and I would very much like to see this amendment adopted.

At the same time, as I have indicated, I recognize the difficulty the chairman of the subcommittee has had in reaching appropriate funding levels for the National Science Foundation. Therefore I do not plan to pursue this amendment at this point, but I would like to engage the chairman in a very brief interchange. My intent is to withdraw this amendment, but I would certainly appreciate it if the chairman would first recognize the worthy direction this amendment outlines.

I know that he would like to increase the funding of the National Science Foundation, and I hope that he can give us assurances that, as we go through the appropriations process, not only in the House but also in the Senate, the conference committee and negotiating with the White House, he will consider this request. I would very much appreciate an expression of support on the part of the subcommittee chairman that he will seek to meet the goals I have outlined in my amendment.

Mr. Chairman, I yield to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, there is no question that this subcommittee considers National Science Foundation a high priority. Everyone has recognized the difficulties within this bill. One of the difficult decisions we made was to reduce NSF by just 1 percent below the 1999 level. Now that is a cut; there is no question. But no other account in this bill except for VA medical care was treated as well as NSF. In fact, research at NSF was actually increased by $8.5 million relative to 1999.

Now I know that does not comfort the gentleman because he is one of the leaders in the Congress in terms of scientific research. He has been a spokesman and a stalwart for research. This subcommittee understands the plight that we placed NSF in, and I assure the gentleman that this is a priority, that if there is any way as we go through the process that we can provide some additional funds for NSF we will, and we will call upon him to help us to make that happen and to provide us some direction as to where those fund should go.

I cannot make any ironclad assurances other than that he will have our cooperation in the event that that occurs.

Mr. EHLERS. Reclaiming my time, Mr. Chairman, I do appreciate the assurances of the subcommittee chairman. I do want to comment on one factor he alluded to.

The CHAIRMAN. The time of the gentleman from Michigan (Mr. EHLERS) has expired.

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

Mr. EHLERS. Mr. Chairman, I just wanted to comment to the gentleman from New York (Mr. WALSH) that the $8.5 million increase he indicated is in the research and related activities line item, and that increase was wiped out by the Nadler amendment which was adopted yesterday. So we are now down to zero increase there; and, in fact, the overall NSF budget, because of the decreases in major research equipment and education and human resources funding, is reduced a net 1 percent in this appropriation bill at this point. I do thank him for his assurances that he will seek to correct this as we go through the process, and I pledge to help him.

Mr. Chairman, on that note, I ask unanimous consent to withdraw this amendment.

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

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from Michigan (Mr. EHLERS) is withdrawn.

AMENDMENT OFFERED BY MR. TANCREDO

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

The Clerk read as follows:

Amendment offered by Mr. TANCREDO:

Page 94, after line 3, insert the following new section:

SEC. 424. The amounts otherwise provided by this Act are revised by increasing the amount made available for ''DEPARTMENT OF VETERANS AFFAIRS—Departmental Administration—Grants for Construction of State Extended Care Facilities'', by reducing the amount made available for ''INDEPENDENT AGENCIES—Chemical Safety and Hazard Investigation Board—Salaries and Expenses'', and by reducing the amount made available for ''INDEPENDENT AGENCIES—Environmental Protection Agency—Office of Inspector General'', by $7,000,000, $2,000,000, and $5,000,000, respectively.

Mr. TANCREDO (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 Colorado?

There was no objection.

Mr. TANCREDO. Mr. Chairman, first of all let me say that it is a tribute to the work of this committee and to the subcommittee and its chairman that it has been very difficult to find the necessary offsets to do what we hope to do in this amendment, and that is to increase the amount for State extended-care facilities program by $7 million. We are, however, proposing to do that, and we do recognize the commitment of the committee, and I want to once again say that it was a very difficult task.

I am not here asking for more money. I recognize fully well that the total bill is a very rich bill considering what he had available to him and considering what we had available to us and what the committee had available to work with. It is our hope to convince both the committee and the other Members of the Congress, of the House of Representatives, that we need to shift the priorities to a certain extent, to a very small extent, totaling again as I said only $7 million into the State extended-care facilities program. These are the nursing homes that we build across the country, and these are facilities that, by the way, are built with State matching funds, so it is a bigger bang for the buck that we get for this.

The President's budget suggested only a $40 million appropriations level. The committee quite appropriately increased that dramatically. In fact, increased it a hundred percent, increased it to $80 million. That is still $10 million below last year's level, and therefore we are concerned. We are concerned because 36 percent of all veterans who are over the age of 65, and that number is expected to increase exponentially over the next 8 years. We are concerned that there are 25.2 million veterans as of July 1, 1998 of whom 19.3 million have served during at least one period defined as, quote, war time, concerned that in 2010 over half of the veterans population will be over the age of 62.

An increasing in age of most veterans means additional demands for medical services for eligible veterans as aging brings on chronic conditions needing more frequent care and lengthier convalescence. A third of all the veterans will undoubtedly put a strain on our Nation's veterans health services. At the current pace of construction, we will not have the necessary facilities to meet veterans extended care needs.

This is a cost share program, as I mentioned, with the State, so money that goes into this account is multiplied by the State's commitment to build and run the facility. Last year, as I mentioned, the House and Senate approved $90 million for the State extended facilities construction program, so this is the present bill. It anticipates a $10 million reduction below that.

In truth, even if our amendment is successful in restoring at least $7 million of the funding approaching last year's level, it still may be not enough to meet the actual need for construction. Unfortunately, we still remain $15 million short of the funding that the State associations of veterans nursing homes say they need to meet construction deadlines.

This amendment will be offset by minor reductions in the funding for various accounts, the EPA facilities management, chemical safety investigations, work salaries, and expenses.

I recognize that in every single, and believe, I want to reiterate the fact that we looked very carefully for places where we could go to offset this. It was very difficult because this is a tight budget, and I fully understand that and commend the committee and the staff for their work. It is nonetheless our hope that we can encourage our colleagues to join in this small way in this very minor adjustment change a priority here that we think is extremely important.

Mr. WALSH. Mr. Chairman, I rise in reluctant opposition to the gentleman's amendment, and I know he has given this a great deal of his attention, it is a high priority for him and his constituency, and, in fact, as I understand it, it is a high priority for the Nation. This is a well thought of project, and this account that he has referred to, grants for construction State extended-care facilities, is a very important account. These are funds that are dear, that everyone across the country is covetous of, and what we have provided is $80 million. That is twice the President's request. President requested 40 million; we put in 80 million. The gentleman is absolutely correct; it is 10 million below last year, but it is a substantial increase over what the President requested.

As I understand it, it is conceivable, given the allocation, that the project that he has supported could conceivably be funded in this allocation. There is no guarantees obviously, but what I would say, cannot support taking these funds out because we would be reducing the EPA Inspector General's office by 17 percent. It is important that we keep an eye on that bureaucracy, and that is the Inspector General's job.

But what I would be happy to do as we go through the process and into the conferences is try to find a way to help the gentleman meet his goal without increasing his funding and thereby cutting funding in the other area of the bill. So, I again reluctantly oppose the gentleman's amendment.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word and rise in opposition to the amendment.

Mr. Chairman, we have had a lot of worthy causes advanced here by Members today, Members wanting to increase funding in different accounts, recognizing that in most of those instances the committee wanted to raise the money in those accounts, but not being able to do so because of our skinny allocation.

The gentleman from Colorado's amendment is another worthy amendment. State veterans homes are extremely important, and as he points out, the veterans population is aging, and so they will become increasingly important.

So I want to first acknowledge the worthiness of the gentleman's amendment and its purpose.

Let me first say that the committee recognized the importance of this program and increased the funding above the request; I believe doubled it. I think the gentleman indicated that, from $40 to $80 million.

□ 1730

That is not enough. It is not last year's funding. Perhaps as the process goes forward, this will be one of those accounts as we get more money that we can plus up.

But I must say, however worthy the cause is, the offsets are the worst I have seen today, proposing to offset, and the gentleman has reduced his offsets to two now. Offsetting the Chemical Safety and Hazard Investigation Board by $2 million is a huge cut. It is a 22 percent cut to the Chemical Safety and Hazard Investigation Board's budget.

I had a letter last March from the chairman of this board, this investigation board, which investigates chemical accidents around the country, suggesting that under its current spending levels, that it probably would not be able to continue investigations through the end of the fiscal year. This board, as we need more money for State veterans homes, the Chemical Safety and Hazard Investigation Board needs even more money to do its job.

Cutting it 22 percent would be the absolutely wrong thing to do. This is an extremely important mission that the board fulfills. It is having difficulty fulfilling it under its current spending rate, and cutting it would be just disastrous and prevent it from being able to carry out its mission. We do not want to do that, and I am sure the gentleman from Colorado does not want to do that.

The second offset the gentleman proposes is equally difficult. It is an offset to EPA's Inspector General account, a $5 million cut, which is a 12 percent cut to the Inspector General's account.

Now, the Inspector General's office is the office that is responsible for investigating waste, fraud and abuse, which I am sure the gentleman is very much against in agencies. I am sure the gentleman wants inspector generals out there investigating the agencies to ensure that we do not have waste, fraud and abuse, and to ensure, which is the other mission of the Inspector General, that the laws and regulations that EPA is supposed to carry forward are carried forward properly. This is a 12 percent cut to the Inspector General's office. The Inspector General cannot stand a 12 percent cut in their budget.

In summary, Mr. Chairman, while I support the objective of the gentleman's amendment, the offsets are really difficult and, in and of themselves, make the amendment unacceptable. I would encourage my colleagues to vote against it.

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

Mr. Chairman, I rise in support of this amendment, and I also rise in support of this appropriations legislation.

I want to particularly salute the gentleman from New York (Mr. WALSH) for his leadership in putting together a good bill. It is always tough when you want more money for important programs, and veterans clearly are a priority for this Congress.

I also want to salute the gentleman from New York (Mr. WALSH) for his efforts to provide what will be historically the largest increase in veterans health care funding ever in the history of this country, $1.7 billion in additional funding for veterans health care. I want to salute the chairman for those efforts.

I also want to note why this amendment is so important. I ask my colleagues as you look at this amendment to think about your own States. If your States have veterans homes, if they want to expand, if they need improvements, if they need to comply with the Americans with Disabilities Act, this program is pretty important.

Earlier this year the administration, the Clinton-Gore administration, slashed the funding for State nursing home grants. In fact, they slashed the program by more than half, from $90 million in current funding to $40 million for the coming year. That was wrong. That was bad policy. That is why I appreciate the efforts of the subcommittee to work to restore those funds. But we need to do more.

Last year the funding was $80 million. This year it is $90 million. This amendment would increase the funding by $7 million, would bring it close to the current level of funding.

We note that the current grant program gives States millions in funds to help them expand and build new nursing homes for our veterans. It also helps our States meet compliance with the Americans with Disabilities Act, with renovations to existing homes, as well as expansion in homes. My own State of Illinois is owed over $5 million in back payments because of the inability to provide the full amount that is necessary.

This is important also to note that there were over 88 applications currently pending, totaling $348 million. With this funding, we will provide $87 million. There is also $240 million in requests for new construction.

Clearly there is tremendous need out there, particularly as the World War II and Korea era veterans reach the age where they require greater health care, many needing nursing home care, this is so important.

I would also like to point out that State veterans homes are pretty good bang for the buck. They provide quality service for our veterans, but also a savings to taxpayers. VA nursing home care or nursing care is about $255 a day for a veteran, but the State homes on average provide services for about $40 per day. Clearly it is a bargain, quality health care at veterans homes for our veterans.

I would also note that the Committee on Veterans' Affairs, the authorizing committee, along with the State home directors, recommended that we should provide $100 million this year. This helps work towards that goal.

What it means to my home State of Illinois, of course, Illinois is a major State with a lot of veterans. Illinois is in need of expansion of veterans homes. The LaSalle veterans home has a year and a half waiting list. If you think about it, if you have a family member who needs to go into a veterans home, 18 months is a long time to wait to be able to obtain a bed in that nursing home. So clearly funds are needed.

I would also point out not only is Illinois owed $5 million in back payments, but the Manteno veterans home, which happens to be in my district, is still owed back payments for ADA compliance.

There is a need out there. This amendment is a good amendment. It helps restore the funding to the current levels. It is badly needed.

Again, I want to commend the gentleman from New York (Mr. WALSH) for his efforts and particularly for the historic increase of $1.7 billion in additional new funding for veterans health care. I salute you, Mr. Chairman, for those efforts.

Let us support our veterans. I ask all the Members of this House to take a close look at this amendment. Let us make sure the funds are there to ensure our veterans who need nursing home care have it at the State level. This is an important grant program.

I urge an aye vote. Let us support our veterans. Let us reject the Clinton administration's horrible cuts. Let us restore these funds and help veterans who need nursing home care. Please vote aye. This legislation deserves a bipartisan show of support and an aye vote.

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

Mr. Chairman, first off I would like to commend the chairman for his hard work and the staff. Obviously you all crafted a great bill here. I must rise today in support of this amendment to increase the funding for the veterans state-extended care facilities. These facilities in my opinion are imperative to the mission of providing quality health care to those who dutifully served our country.

These veterans homes are the largest provider of long-term nursing care to our veterans. They enable the Veterans Administration to ensure quality nursing care to veterans that cannot receive proper treatment through any other means. Many of the men and women who served our country are bedridden due to service-related injuries. It is these veterans that the state-extended care facilities will serve.

Not only are these homes, nursing care units and hospitals necessary for proper care, they are also cost effective. If a veteran is forced to go to a private nursing home, the VA will reimburse that home on average $124 per diem. Contrast that with the approximately $44 per diem reimbursement to the State veterans homes for the same care. I think you will agree that for this reason alone we should vigorously support these facilities.

Even with the Tancredo-Weller amendment enacted, we will fall far short of the funding commitment we have made to the States. The Federal Government has agreed to fund 65 percent of the construction costs for the

state-extended care facilities. At this time, many States have already appropriated their share of the construction costs.

Aside from the current $104 million backlog of work due to previous years of underfunding, the Federal Government could be responsible for up to $204 million in additional construction money, if all pending applications are approved. In other words, even with this amendment, we still owe various States across the Nation up to $218 million.

By the rapidly approaching year 2000, there are expected to be approximately 9.3 million veterans over the age of 65. World War II veterans continue to require extensive health care that we are proud and obligated to provide. This country and the VA must be adequately prepared through proper funding to handle the challenge of ensuring the best possible care for the men and women who bravely served this Nation.

This is a similar amendment to the one that I offered last year on this appropriations bill, and it was difficult, I know, for the gentleman from Colorado (Mr. TANCREDO) to find the offset, but I commend his efforts for the veterans in his district and across the country. I ask that we strongly support his amendment on the floor.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

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

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

The CHAIRMAN. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

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

Mr. Chairman, I rise today to request that the distinguished subcommittee chairman, the gentleman from New York (Mr. WALSH), allow me a few moments that I may engage him in a friendly colloquy regarding this legislation.

Mr. Chairman, I would say to the gentleman from New York (Mr. Walsh), for the record, I have been in contact with your staff regarding funding for a wastewater treatment plant in Placer County, which is within my district. Due to an oversight, this project was unfortunately not included in the VA–HUD bill that is now before us.

I would ask that the chairman, as we move forward in consideration of this bill, work to ensure that $1 million in funding be provided for the Placer County wastewater treatment project.

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

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

Mr. WALSH. Mr. Chairman, I thank the gentleman for his comments. I appreciate the continued interest in this important project in his district in Placer County. I assure the gentleman that we will work very closely with the gentleman to address this funding matter in our conference negotiations.

Mr. DOOLITTLE. Mr. Chairman, reclaiming my time, I thank the chairman.

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

Mr. Chairman, I would ask my distinguished colleague, the ranking member from West Virginia (Mr. MOLLOHAN), to join me in a colloquy.

Mr. Chairman, it has come to my attention that HUD recently issued a notice of funding availability, NOFA, for the Resident Opportunities and Self-sufficiency program. This program contains a component for service coordinator grants.

For those of you not familiar with service coordinators, they help elderly and disabled residents in public housing get the unique services they require. The program is cost effective and the residents of public housing love the program, as do the housing authorities.

Because of its success, Congress has agreed in the last funding cycle to provide sufficient funds to renew all existing service coordinator programs. Unfortunately, the recent NOFA contains several troubling provisions that seem to defy congressional intent and jeopardize the ability of many public housing authorities to obtain renewal of their service coordinator funding.

Specifically, one provision provides public housing authorities to have to spend 75 percent of their award by August, even though the PHAs only received notice of the grant in April. As a practical matter, it is impossible for any PHA to expend 75 percent of their funds by the first of August, but under the NOFA they must have done so in order to qualify for renewal spending for next year.

Another provision of the NOFA states that the funds will be provided on a first-come-first-served-basis. This provision implies that there are insufficient funds to pay for renewals. Congress has been assured repeatedly by HUD that funds are sufficient to pay for renewal. Therefore, the provision is unnecessary.

After being apprised of congressional concerns, HUD has agreed to make changes to the NOFA. In fact, HUD has assured me that an amended NOFA will be published in the Federal Register in the near future.

I appreciate the alacrity with which HUD has acted on this matter and want to assure public housing residents that this program will be fully funded this year and next.

I know the gentleman from West Virginia (Mr. MOLLOHAN) shares my opinion that service coordinators are vitally important and would turn to him for a comment on this issue.

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

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

Mr. MOLLOHAN. Mr. Chairman, I would first like to commend the chairman for his efforts on the service coordinator issue. I second the gentleman's comments.

Our subcommittee has heard over and over about just how valuable the service coordinator committee program can be for elderly and disabled residents of public housing.

The subcommittee intended that funds appropriated in the fiscal 1999 year for the resident opportunity and self-sufficiency program be used, among other purposes, to renew all expiring service coordinator grants. I share the chairman's concern about provisions of the recent notice of funds availability that could jeopardize those renewals.

□ 1745

I am pleased that HUD has agreed to revise the notice in order to make sure that congressional intent is carried out.

I look forward to working with the chairman and other members of the subcommittee to ensure that adequate funding continues to be provided to allow renewal of these service coordinator grants in future years.

Mr. WALSH. Mr. Chairman, I thank the gentleman for his comments and his cooperation and help on this matter and so many others as we proceeded through this bill.

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

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

Mr. STUMP. Mr. Chairman, veterans across the country will appreciate the efforts of this subcommittee, under the able leadership of the gentleman from New York, for including an historic $1.7 billion increase for VA health care, over and above the Administration's flat line budget request.

This is the largest increase for VA health care, and should be supported by all Members.

The increase the bill addresses that needs that were identified in the President's budget but not funded including $1.2 billion for personnel costs, so that no VA employees will have to be laid off for lack of system-wide funding; $200 million for services to veterans with hepatitis C; $100 million for the first-year cost of providing emergency care for uninsured veterans, and $150 million for long-term health care services for aging veterans.

The chairman read the list of those veterans service organizations that are supporting this bill. I will not repeat that. I would like to take this time, though, to thank the chairman for the very difficult and tremendous job he has done in crafting this legislation, as well as the gentleman from West Virginia.

We should support this unprecedented level of funding in this bill for veterans' health care and commit to working together for next year to

make sure that our veterans are given the quality of health care that they earn and deserve.

I urge my colleagues to support the bill.

Mr. Chairman, the Administration's budget request was criticized on a bipartisan basis.

We should be addressing the shortcomings of that budget on the same bipartisan basis.

The $1.7 billion increase in the bill for VA health care will fulfill our Nation's commitment to veterans.

This level of funding is supported by the:

Veterans of Foreign Wars.

Non Commissioned Officers Association.

Retired Enlisted Association.

The Military Coalition (a consortium of uniformed services organizations representing more than 5 million members) including:

Millitary Order of the Purple Heart.

Jewish War Veterans.

Gold Star Wives.

Marine Corps League.

National Guard Association.

Fleet Reserve Association.

Reserve Officers Association.

National Military and Veterans Alliance (with 20 military and veterans member organizations) including:

Retired Officers Association.

Air Force Sergeants Association.

Catholic War Veterans.

National Association for Uniformed Services.

Korean War Veterans Association.

Unfortunately, some Members are trying to increase funding beyond what is needed this year, and in the process they are dragging some of the veterans' organizations into a very partisan political game of one-upsmanship.

We should not be playing politics with the benefits that are provided by a grateful nation to veterans.

We should support the unprecedented level of funding in this bill for veterans' health care and commit to working together to make sure that next year's budget also provides the funding necessary to give veterans the quality of health care services they have earned and deserve.

I urge my colleagues to vote for the bill.

$1.7 BILLION VA MEDICAL SPENDING HIKE—OCCASION FOR CELEBRATION

Nearly a year ago, a bipartisan group of Congressmen and Senators urged the President to hike VA medical care spending for fiscal year 2000 by 10 percent, up an additional $1.7 billion.

The President proposed instead that Congress freeze VA medical spending. The Congressional Budget Resolution subsequently adopted the recommendations of the House and Senate Veterans' Affairs Committees that VA medical care spending should be increased by a record $1.7 billion.

With Congress now set to vote on a Republican proposal to increase VA medical spending by $1.7 billion to an unprecedented $19 billion, some are calling for a still higher figure.

How much funding does the VA need?

What is the foundation for claims that VA administrators ''need'' more than $19 billion to care for veterans?

How much could VA responsibly spend?

These are among the questions underlying a budget debate this year. Those calling for higher funding cite the recommendation of an ''independent'' budget developed by four veterans' organizations, the Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and Paralyzed Veterans of America.

Although several veterans organizations fully support and applaud the proposed $1.7 billion increase, the ''Independent Budget'' called for adding $3 billion.

In past years, the ''Independent Budget'' has called for multi-billion dollar increases in VA medical care spending.

While Congress has often appropriated more than Presidents have proposed for veterans' medical care, it has never adopted increases of the magnitude proposed by the ''Independent Budget''.

This year, however, with widespread agreement that the cuts required under the President's budget would have devastating results for veterans, it became clear that a spending increase above $1 billion would be needed.

Ironically, advocates who have been totally ineffectual in seeking major funding increases in the past are now unwilling to recognize that a 10 percent, $1.7 billion, funding increase is reason to celebrate, not complain.

In calling late last year for a nearly $3 billion increase in veterans' medical spending, however, the Independent Budget has escaped the close scrutiny given the Administration's budget.

But, just as the President's budget for VA medical spending is totally inadequate, the ''independent'' budget's is bloated.

Among its flaws, the Independent Budget: overstates by $430 million (based on Congressional Budget Office estimates) the cost in FY 2000 of providing emergency care for veterans; overstates by up to $450 million (based on estimates developed by the House Veterans' Affairs Committee and recently supported by VA experts) the cost of testing and treating veterans for Hepatitis C, a disease affecting VA patients at higher rates than the general population; and ''double-counts'', or spends twice (as a matter of ''principle'' rather than demonstrated need), projected medical care spending of $555 million in collections from veterans' health insurers.

Adjusting the $3 billion Independent Budget recommendations to eliminate what amounts to cost-padding yields essentially the same funding increase adopted in both the Congressional Budget Resolution and the pending House VA–HUD appropriations bill, an additional $1.7 billion.

Ironically, as some are calling for still higher spending, editorial writers are questioning the need for any increased VA medical spending, given a GAO report suggesting that VA is wasting an estimated $1 million daily operating unneeded hospital buildings.

The House Veterans' Affairs Committee just last month approved legislation to encourage VA to mount an ''asset realignment process'', as GAO recommends, to achieve needed mission changes.

GAO itself acknowledges that instituting such changes will take time.

Veterans' health care funding should not be shortchanged in the meantime.

The proposed $1.7 billion increase (to a total medical care budget of $19 billion) is both justified and unprecedented in scope.

It would: allow VA to open new outpatient clinics and treat record numbers of veterans, an estimated 3.6 million (200,000 more than in 1998); remove the threat of layoffs facing at least 8,500 VA health care workers and enable VA to lift hiring freezes on critical job vacancies at many facilities; permit expansion of long-term care services for aging veterans; provide funding for emergency care for veterans who lack any health care coverage; and fund the increased cost of testing and treatment of veterans at risk for Hepatitis C.

Given the projected impact of this record funding level, how does one account for the rhetoric still voiced in support of higher spending?

Some veterans' groups have apparently taken the position that if $1.7 billion in additional funding is good, then still more would be better.

In addition, some Members—ignoring the tradition of bipartisanship which has produced generous benefit programs for America's veterans—have seen the opportunity for partisan advantage in this budget debate.

Rather than helping ensure a record level of funding for veterans' needs, they are politicizing the issue through ''bid-raising'' and unfairly dragging veterans' organizations into a partisan dilemma.

House appropriators have worked hard to give veterans a record funding increase that meets in full the recommendations of the House Veterans' Affairs Committee.

It's time, though, that we match our earlier bipartisan criticism of the Administration's budget with bipartisan support for this unprecedented increase in veterans' health care spending.

Congress should adopt the $1.7 billion increase needed to reinvigorate the VA health care system.

Members should also commit to working together to make sure that the Administration's next budget provides the funding necessary to give veterans the quality health care they expect and deserve.

The CHAIRMAN. Are there further amendments to the bill?

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

Mr. Chairman, I would just like to conclude by suggesting that there are no further amendments. There is no further business before the body on this bill, other than the final amendment and the final passage vote.

I would like to take this opportunity to thank the chairman for the way the Chair has conducted the debate today, and to all the staff who have worked so hard and put in all the hours to help us to get to this point, and to all the Members who participated in the debate.

This is the tip of the iceberg, what we see here today. With all the work that has gone into this on the part of our constituents and our staffs and the Members, I think it is a good product. I am proud of the fact that we have gotten this far.

I thank especially my colleague, the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member. I have learned a great deal from him through this process, not the least of which is about friendship, honor, and respect. I treasure that relationship and I thank him for his support along the way.

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

Mr. Chairman, I very much appreciate the kind comments of the chairman. I want to compliment him on the way he has handled this bill from the very beginning of the year. He has done an excellent job, as I said at the beginning of my remarks. He is particularly capable and very responsive to the legitimate concerns of the minority. That certainly has been appreciated.

I also want to join the chairman in expressing appreciation both to the

majority and minority staffs, and certainly my permanent staff for the hard work they have done on this bill, without which it would be extremely difficult or actually impossible to move this legislation forward. Again, I appreciate the chairman's considerations.

AMENDMENT OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) 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 vote was taken by electronic device, and there were—ayes 366, noes 54, not voting 13, as follows:

[Roll No. 401]

AYES—366

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Coyne
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Kolbe
LaHood
Lampson
Lantos
Largent
Larson
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn

NOES—54

Ballenger
Berman
Bilbray
Boehlert
Borski
Campbell
Clay
Clayton
Conyers
Cox
Davis (IL)
Delahunt
Dixon
Dooley
Ehlers
Frank (MA)
Frelinghuysen
Hastings (FL)
Hilliard
Hobson
Jackson (IL)
Johnson, E. B.
Kilpatrick
Knollenberg
Kucinich
Kuykendall
LaFalce
Lee
Lewis (CA)
Markey
McKinney
Meek (FL)
Millender-McDonald
Miller, George
Mollohan
Morella
Olver
Ose
Owens
Packard
Rush
Sabo
Schakowsky
Scott
Sherman
Stark
Stump
Velazquez
Vento
Walsh
Waters
Watt (NC)
Waxman
Young (FL)

NOT VOTING—13

Bonior
Cooksey
Crowley
Houghton
Jones (OH)
Latham
Pryce (OH)
Rangel
Rogan
Sununu
Towns
Weldon (PA)
Young (AK)

□ 1811

Messrs. COX, DELAHUNT and SHERMAN and Ms. MCKINNEY changed their vote from ''aye'' to ''no''.

Messrs. HILL of Indiana, PETERSON of Pennsylvania, GARY MILLER of California, and NADLER and Ms. BROWN of Florida changed their vote from ''no'' to ''aye''.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. JONES of Ohio. Mr. Chairman, on roll-call No. 401, had I been present, I would have vote "yes."

The CHAIRMAN. The Clerk will read the last 3 lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000''.

Ms. BALDWIN. Mr. Chairman, I rise today in opposition to H.R. 2684, the fiscal year 2000 VA-HUD-Independent agencies appropriations bill.

American's students and America's Members of Congress just returned from summer vacation refreshed and renewed and ready to hit the books. Unfortunately in the first week back in class, the House is ready to earn its first grade of F.

If we look at the details of the VA–HUD report card, we can see how bad this bill is.

This bill gets an F for housing programs. It cuts community development block grants (CDBG) by $250 million. These funds are critical in addressing local housing priorities. I'm usually skeptical of block grants, but here is one that has worked wonders to empower local communities to address critical housing needs. We need more CDBG funds, not less.

The bill also fails to provide sufficient funds for section 8 vouchers. Although funding increases slightly, there is a desperate need for new vouchers to provide more Americans with the help they need to house their families.

Not only will new families fail to get additional help in paying for housing, homeless families will see $970 million less in homeless assistance grants.

The bill gets an F for science funding. It cuts National Aeronautic and Space Administration (NASA) funding by over $1 billion. Since the space shuttle and International Space Station take up the majority of funding, these cuts fall disproportionally on science, aeronautics and technology. The bill also cuts $24 million in National Science Foundation (NSF) funding, and fails to include the administration's proposed increase of $245 million. These cuts to basic science research are shortsighted and ill-advised. Our nation's investment in basic research and technology has driven our economic development. This will be even more true in the future, unless we continue to cut these funds, as this bill does. The NSF and NASA have been incredibly valuable and successful and need more support, not less.

This bill gets an F for environmental protection. It cuts the Environmental Protection Agency (EPA) by $278 million from fiscal year 1999. It cuts environmental research by $15 million. It cuts clean water and air funding, so critical for protecting our nation's resources for future generations, by $208 million. We know that once a natural resource is destroyed, it is expensive, or impossible, to recover. We must invest today, for a clean environment tomorrow. It is just that simple.

The bill gets an F for community service. It eliminates funding for the AmeriCorps program which encourages young people to become involved in their communities. AmeriCorps has

been incredibly successful in providing financial assistance to allow young people to engage in community service all over our nation. More than 100,000 AmeriCorps volunteers have helped to address crime, poverty, and illiteracy. AmeriCorps members have taught, tutored or mentored 2.6 million children, rehabilitated 25,000 homes, immunized 419,000 people, and helped 2.4 million homeless people. This is a program that works.

The bill gets a C− for veterans benefits. This is the only passing grade since keeping our commitment to our veterans was prioritized in this bill. The $1.5 billion increase over last year's appropriations is a good step forward in fulfilling our promises to our veterans. But it is not enough. Our veterans are worried and frustrated, and they have every right to be. The VA health care system desperately needs more funding to provide adequate medical care to our nation's veterans, who have earned it. For too long this Congress has failed to adequately fund veteran's program and benefits, and now the situation is a crisis. Congress must do better for our veterans.

Final grade: F. This bill is a failure. If University of Wisconsin students earned this type of report card, they'd have to retake the test. And that's exactly what the Congress is going to have to do, if this bill passes.

We can do better, and we must do better. This bill falls far short of the needs of our great nation. To shortchange our citizens while we increase defense spending is not the way a great nation ought to behave. I look forward to a day later this year when I can vote for a VA–HUD appropriations bill that can earn a passing grade, or maybe even an A. Today, I must give it the grade it deserves and vote ''no.''

Mr. McCOLLUM. Mr. Chairman, I rise today to voice my opposition to the fiscal year 2000 VA/HUD appropriations act. While I congratulate the committee and subcommittee chairmen on their efforts to add some funding for veterans medical care, and in particular, language to continue a demonstration project in east central Florida which allows the VA to contract with local hospitals to provide inpatient care to veterans, I simply cannot support a bill that does not provide adequate increased funding for our nation's veterans, decimates the NASA program, and terminates the Selective Service Agency.

I was pleased to see the Hinchey amendment, which would have prohibited the VA from using funds to implement or administer the Veterans Equitable Resource Allocation (VERA) system, was defeated. VERA is intended to provide for and equitable distribution of funds for medical care. As a representative from a state that has seen a tremendous increase in the number of veterans seeking care, I can attest to the need for a system that has the dollars follow the veterans. Although the bill would increase funding for veterans, there will be a continued significant shortfall in funding for VA health care and many services are still in danger. According to the Independent Budget presented by AMVETS, the Disabled American Veterans, the Paralyzed Veterans of America, and the Veterans of Foreign Wars of the United States, this increase is $1.3 billion less than what is needed to adequately address the health-care needs of our nation's veterans. We cannot penalize our veterans for the sacrifices they have made by denying them adequate health care. I am committed to working for increased veterans funding, and ensuring that they have the health care they deserve.

NASA has worked very hard to increase efficiency and downsize their programs, while receiving reductions in their budget. Over the past 6 years, they have saved approximately $35 billion relative to earlier outyear estimates, while at the same time increasing productivity. However, the Committee's actions this year cuts $1 billion from fiscal year 1999 levels. This will result in a loss of critical capabilities that are essential to the United States' leadership in space. To quote NASA Administrator Dan Goldin, ''the reductions would severely damage the technology base built over the last five years; NASA's ability to further reduce costs and increase scientific productivity would end. It could also result in the closure of NASA Centers, and the elimination, through forced separations, of unique and critical technical skills uniquely possessed by NASA.''

Mr. Chairman, we're not talking about a program that can continue to safely operate after sustaining this type of cut. I've heard from my constituents of the long hours and extra efforts that NASA employees have contributed to keep our space program operating safely. We cannot expect this dedication if we do not give them the funds that they need. For example, the reduction to Mission Support will wipe out NASA plans to correct critical facility safety deficiencies. This is simply unacceptable.

The space program has a tremendous impact on the State of Florida. In the my district alone, NASA has granted awards estimated at over $6 million over the past year. These contracts have gone to local businesses, the University of Central Florida and Valencia Community College. These partnerships have not only provided students with valuable experience, they have provided growth opportunities for small businesses. If we enact this bill, the cuts to NASA will reverberate throughout the community.

Additionally, the termination of the Selective Service Agency is shortsighted and could risk our national security. I voted for the Cunningham amendment to restore funding for this program, which unfortunately failed. This year, every military service except for the Marine Corps, is faced with recruiting and retention problems. And it does not appear as though this problem will end. Should we be faced with a crisis that would require a return to the draft, it would take more than a year to reconstitute the Selective Service System. This is entirely too much time in the event of a crisis. I cannot support the termination of this important system.

Mr. Chairman, again, I appreciate the efforts by the committee to provide an increase for VA medical care and would like to support this bill. But given the tremendous reductions and inadequate funding levels, I simply cannot vote for this bill. I will work hard to see these deficiencies are corrected in conference.

Mr. SHOWS. Mr. Chairman, the House of Representatives is scheduled to vote on the fiscal year 2000 VA–HUD spending bill. Included in this bill is funding for veterans, housing, NASA, and the EPA. While there is an increase in funding for veterans healthcare, I am disappointed that the funding amount is short of the $3 billion requested in the Independent Budget, which was developed by AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars of the United States.

As a member on the House Committee on Veterans' Affairs, I have sat through testimony about the President's budget, I have sat through testimony about the state of the VA healthcare system, and I have heard about VA's plans to lay off employees. Needles to say, this has not been an encouraging year with regard to veterans healthcare. In my district alone, there are over 55,000 veterans. If funding is not available, my veterans will suffer the consequences. And now, at the end of the fiscal year, I am faced with a choice of voting for a $1.7 billion increase in funding or voting against funding in the hopes that $3 billion will be added. The smaller figure is insufficient, but a step in the right direction. I intend to vote for this bill, but I am disappointed that we are not able to amend this bill so that I could vote for adequate funding for veterans.

Our veterans have served our country well. They don't deserve to go through the annual budget process with the uncertainty that exists. The veterans groups that comprise the Independent Budget are not far off the mark when they state in the introduction of the Independent Budget for fiscal year 2000:

> Veterans' programs, once secure expressions of a Nation's gratitude, are now only line items on the debit side of the government's ledger—items routinely targeted for cutting in the name of fiscal restraint.

We have to stop cheating our veterans.

I will encourage the President to submit a better budget next year. And as I did this year, I will work with my colleagues on the committee to increase funding for veterans healthcare to the amount requested in the Independent Budget.

Mr. MOORE. Mr. Chairman, providing for veterans and their families is one of my highest priorities in Congress. The men and women who served in the armed services deserve the gratitude of the entire Nation. But rather than fulfilling our obligations to veterans and ensuring the continuation of benefits and the improvement of veterans' health care, we are letting veterans down. H.R. 2684 fails our veterans. This bill provides $1.5 billion more than fiscal year 1999 funding, and $1.6 billion more than requested by the president—but this is not enough.

The Independent Budget, published by Paralyzed Veterans of Americans, Veterans of Foreign Wars, Disabled American Veterans and AMVETS, demands a budget increase of $3 billion for fiscal year 2000. This is the necessary amount to provide the health care and other services that veterans deserve.

I have met with many Kansas veterans and heard accounts of substandard health care and loss of benefits. Not only are we eliminating treatment, we are rationing the health care we do provide. Veterans have shared their frustration with the state of veterans' health care, describing accounts of VA hospitals delaying and denying services.

These men and women sacrificed for our country. They were willing to give their lives to protect the principles of our Nation. But instead of honoring and providing for our veterans, we are denying them the services they

desperately need. I cannot support this appropriations legislation as it does not fulfill our obligation to our veterans. We cannot let veterans down in their time of need. We must address the alarming state of the VA health care system. We must improve the quality of veterans' health care. We must guarantee the continuation of services. We must not fail our veterans.

In addition, this bill critically underfunds vital HUD programs, including the HOME program and Community Development Block Grant (CDBG) program, which has helped state and local governments revitalize neighborhoods, expand affordable housing and economic opportunities, and improve community facilities and services for twenty-five years.

I am proud to represent Kansas City, Kansas, a community that is a leader in developing useful and visionary ideas in the use of CDBG grants to rehabilitate existing housing stock and build new housing. I recently spoke to the mayor of Kansas City, Carol Marinovich, who told me that CDBG and HOME grants are the backbone of improvement efforts in Kansas City, from Peregrine Falcon Development that is building 68 single family homes in former vacant lots to Argentine Recreation Center that was built with a $1 million CDBG grant, providing a center of community to this mixed-income, minority neighborhood. These vital programs, like Section 8 housing assistance, public housing capital assistance, drug elimination grants, homeless programs, fair housing activities, Brownfields cleanup, and housing for persons with AIDS represent a commitment to our communities that this bill does not recognize.

This appropriation cuts the National Science Foundation (NSF) by $274 million, which would undermine the Nation's investment in discovery and education, specifically in the institutions of higher learning in eastern Kansas, which has fueled unprecedented economic growth for the past decade. The funding cut from the NASA science programs jeopardizes U.S. leadership in space and has the potential to decrease research in our colleges as well as close NASA Centers.

My final concern with this bill is its failure to meet Environmental Protection Agency (EPA) funding levels of 1999, which could lead to excess emissions of as much as 12,000 tons of ozone depleting substances. This would result in a depleted ozone layer and increased cases of skin cancers and cataracts.

For these reasons, I am voting against final passage of H.R. 2684.

Ms. KILPATRICK. Mr. Chairman, I rise today in opposition to H.R. 2684, the fiscal year 2000 VA/HUD and independent agencies appropriations bill. In July of this year, the House Appropriations Committee completed a ''mark-up'' of the VA/HUD bill rendering deep cuts in funding for veterans, housing and NASA. The overall cuts in these programs will hurt our nation's ability to provide safe, affordable housing, economic opportunities, and health care for veterans. These cuts will also devastate NASA and the Nation's preeminence in space science and exploration. Because of these unacceptable cuts, I voted against this bill in the Appropriations Committee and I will continue to vote against this bill.

If this bill passes, the $1.6 billion in HUD cuts alone will have a devastating impact on families and communities nationwide. Overall, the HUD cuts represent: an estimated 156,000 fewer housing units for low-income families in America at a time when worst case housing needs are at an all-time high; 16,000 homeless families and persons with AIDS who will not receive vital housing and related services; and 97,000 jobs that will not be generated in communities that need them.

The potential impact of the HUD budget cuts on the 15th Congressional District of Michigan, which I represent, are dismal and economic development activity under the Community Development Block Grant (CDBG) program will be cut by $250 million from the level enacted in 1999, and $5 million will be cut from the job-generating Brownfields Economic Development Initiative. This means that approximately 97,000 jobs that could be created by these programs will not be. These cuts will impact the creation of approximately 191 jobs in my district. Mr. Speaker there are several communities that still struggle in the slow lane of the Nation's strong economy. The 15th Congressional District of Michigan cannot afford to lose one potential job, nor can it afford to lose the $1,385,000 total it will lose if this bill passes.

Despite a booming economy, the number of families with worst case housing needs (defined as paying over 50 percent of their income on rent) remains at an all-time high of 12.5 million people, including 4.5 million children, 1.5 million elderly, and 3.5 million persons in families on welfare. The cuts in this bill will result in a total of over 128,000 families being denied housing vouchers. 88 of the families being denied housing vouchers as a result of this bill are from my district. We should be expanding rather than cutting the supply of affordable housing for all Americans. If we do not take care of our nation's most vulnerable citizens during economic plenty, when will we open doors for all Americans?

Although the bill increases funding for veterans health care by $1.7 billion, the funding is short of the approximately $3 billion, advocated by most of the major veterans organizations, that is needed to keep pace with the health care needs of veterans. Representative LANE EVANS, ranking Democratic member of the House Veterans' Affairs Committee, has indicated that he is also in opposition to this bill because of this funding shortfall.

The bill slashes funding for key NASA science programs. It cuts the request for the National Science Foundation (NSF) by $274 million which will eliminate funding for almost 14,000 researchers and science and mathematics educators. The reduction alone will undermine the Nation's investment in discovery and education which has fueled unprecedented economic growth for the past decade.

The bill cuts the Environmental Protection Agency's (EPA's) Operating Program and will result in personnel reductions that will hamper efforts to protect public health and the environment, and prevent the EPA from undertaking initiatives designed to improve the quality of the Nation's air, water, and food supply. The bill also cuts $50 million each from the request for the Superfund program and for the Drinking Water State Revolving Fund Program.

Mr. Chairman, I believe these budget cuts will move America in exactly the wrong direction. In this era of unprecedented economic prosperity we should be expanding, not cutting programs that meet our vital needs of housing, economic opportunity, health care for veterans, and our preeminence in space science and exploration.

For these reasons, I vote ''no'' on the VA–HUD appropriations bill.

Mr. LAFALCE. MR. CHAIRMAN, I RISE IN OPPOSITION TO THE VA–HUD APPROPRIATIONS BILL.

First, I would like to acknowledge the hard work and dedication of Subcommittee Chairman WALSH and Ranking Member MOLLOHAN. They have done the best job they could with an inadequate funding allocation.

Yet, as a result of these funding limits, the bill is bad for housing. It reflects a combination of opportunities missed and promises unkept.

There are 5.3 million families—over 12 million Americans—with worst case housing needs. This includes some 1.5 million elderly and 4.5 million children. Last year, as part of this same VA–HUD bill, Congress authorized 100,000 new affordable housing vouchers for fiscal year 2000, to address this need. Yet, today's bill does not fund a single new voucher.

On any given night, there are almost three quarters of a million homeless Americans. Yet, this bill actually cuts funding for homeless prevention programs—leaving us some $150 million below the funding level of five years ago.

Last year, we enacted historic legislation to reform public housing. Yet, today's bill undercuts that reform effort, by cutting public housing capital repair funds by $500 million, and leaving housing agencies hundreds of millions of dollars short of even covering operating costs.

Overall, virtually every housing program has been cut in this bill—including housing counseling, fair housing enforcement, the HOME program, rural housing, lead paint reduction, and others.

Finally, this bill is inadequate when it comes to economic development. At a time of general economic prosperity, we should be acting to ensure that all communities and all Americans have the opportunity to participate in that prosperity.

Yet, instead of approving the Administration's APIC initiative to leverage billions of dollars in investments in distressed communities, this bill cuts CDBG by $250 million, and also cuts funding for brownfields redevelopment, empowerment zones, and enterprise communities.

We should reject this bill unless funding is restored for these critical programs.

Mr. BLILEY. Mr. Chairman: I rise to thank my colleague from New York, Mr. WALSH, for including language in his committee report on this legislation recommending that EPA investigate and promote opportunities for the reuse of industrial packages. I hope that during the conference on the VA, HUD bill, Chairman WALSH will see fit to earmark some modest amount of money for this program, for which there is ample authority under existing law. I am placing in the RECORD my letter to the chairman of the subcommittee in further support of this request.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, September 8, 1999.

Hon. JAMES T. WALSH,
Chairman, Subcommittee on VA, HUD, and Independent Agencies, Washington, DC.

DEAR JIM: Thank you for including report language in the committee report accompanying H.R. 2684, the FY 2000 appropriations bill for VA, HUD and Independent Agencies, that directs the Environmental Protection Agency (EPA) to investigate and promote

opportunities for the reuse of industrial packages in order to increase waste reduction and energy efficiency.

Although I appreciate the fiscal constraints that your subcommittee is under, I hope that in conference on this bill you could add report language providing for a lien item set-aside directing EPA to provide ''$1,000,000 to increase waste reduction and energy efficiency through the expanded reuse of industrial packages.'' As Chairman of the Commerce Committee, I recognize the environmental benefits to be derived from reusing industrial packages.

Thank you for your support on this issue and your consideration of this specific request. Please contact me with any questions or have your staff call Jim Barnette at 225–2927.

Sincerely,

TOM BLILEY,
Chairman.

Mr. MARKEY. Mr. Chairman, I rise today in opposition to H.R. 2684, the VA–HUD, and independent agencies fiscal year 2000 appropriations bill. I do so because the bill would drastically cut our efforts to provide the best care to our nation's veterans and the best protection for our environment. But I would like to focus today on the devastation this bill would cause in public housing and urban development programs in our country, and in my congressional district.

We are in the midst of an unprecedented economic boom in our country which is largely the result of the fiscal discipline exerted in Congress when the 1990 and 1993 budget deals were passed. That discipline has produced an era where we now have surplus projections for the next decade and beyond. In this time of unparalleled growth and opportunity, we have a special duty to protect those vulnerable citizens who depend on the federal government for housing assistance.

Worst case housing needs are at an all time high of 5.3 million households today. In my district, a number of owners are considering opting out of the Section 8 program to cash in on the hot real estate market in eastern Massachusetts. Hundreds of seniors living in the communities that I represent are frightened because they have received notices that their landlords are contemplating the termination of their contracts with the Department of Housing and Urban Development (HUD). Without the money to make fair and reasonable offers to these owners, and to increase the number of elderly assistance housing vouchers, HUD is unable—though not unwilling—to protect these seniors in my district and throughout the country.

In the face of these challenges, what does the Republican majority propose to do for these seniors: nothing. Instead, the majority has proposed a HUD budget that falls $1.6 billion short of last year's level. The bill will not fund a single Administration request for new housing and economic development assistance, which includes the funding of 100,000 new Section 8 vouchers. And the cuts will have a very deep and negative impact in my district—this bill will cut nearly $4 million, 250 fewer jobs, and 440 fewer housing units for low-income families.

At the same time, the cuts will cripple the ability of HUD to assist worthy community development projects in cities and towns in every district. In my district, HUD is an active participant in the redevelopment efforts of the cities of Everett, Malden, and Medford—three older, industrial cities that have joined forces to transform themselves from industrial-age communities to information-age communities with the creation of a telecommunications research and development technology park called TelCom City. HUD recently announced a grant and loan guarantee package for the TeleCom City project to assist these 3 cities to reclaim some of the land at the site that is considered ''brownfields.'' This type of assistance is playing a critical role in the revitalization of these communities.

Mr. Chairman, these cuts are too deep. The Republican leadership should be ashamed to be proposing to dole out huge tax breaks to the wealthy financed on the backs of the most vulnerable citizens in our country—those who depend on housing assistance to keep a roof over their heads, and those living in cities and towns that need a helping hand to achieve their redevelopment goals. I urge a no vote on this bill.

Mr. HAYES. Mr. Chairman, I want to pose the same question to my colleagues in the House that I asked a group of veterans in Hoke County, North Carolina.

Name this Country: 1,500,000 active service personnel, 10 standing Army divisions, 20 Air Force and Navy air wings, 2000 combat aircraft, 232 strategic bombers, 13 strategic missile submarines, 232 missiles, 500 ICBMs with 1950 warheads, 4 aircraft carriers, and 121 associated combat ships and submarines.

The audience of VFW veterans, many of them retired military service men and women, had difficulty guessing what country I was talking about. I heard a number of responses—North Korea, Russia, Iraq, and finally someone guessed correctly—the United States.

That is where this nation stands in terms of military strength. That is where we are since 1992 when a liberal president took over our military. The systematic degradation of our armed forces is a disgrace to the men and women who have fought for our country, to our fallen comrades, and to our veterans who stand witness to the dismantling of the military and the VA services they were promised when they entered the military.

I have received letters, phone calls and personal visits, recounting horror stories of the services that veterans get from VA hospitals and medical clinics. Veterans' Administration officials report that an average wait for patients who need to see a specialist is almost 4 months—120 days! They hope to see this waiting period reduced to what they claim an acceptable level—30 days.

I don't know about you, but when I am in pain—I want to do something about it now—not in 30 days and certainly not in 120 days.

Our system is in need of drastic improvements. That is a fact. But cutting funding to the VA and its health care services while the veterans population grows is hurting the men and women who have served our country. You cannot continue to add users of VA services without increasing providers of the health care service. It's simple mathematics.

I commend my colleagues on the Appropriations Committee for producing legislation under the tightest of budgetary constraints that demonstrates this Congress' commitment to our nation's veterans. Specifically, I applaud the efforts of committee members to ensure that this bill provides $1.6 billion in additional funding over the insufficient amount requested in the President's budget.

I urge my colleagues to support our veterans by supporting this bill. I am committed to working with other members of Congress to continue to improve upon the services the Veterans' Administration provide in North Carolina and around the country.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise to express my strongest opposition to H.R. 2684, the VA–HUD and Independent Agencies Appropriations bill. As we approach the final stretch of the appropriations process, I would like to be able to support this legislation, which is one of our largest domestic funding bills. Regretfully, I cannot.

In spite of the hard work of my colleagues, Chairman JAMES WALSH and Ranking Member ALAN MOLLOHAN, who did their best under difficult budgetary constraints, this bill makes unacceptable cuts to essential housing, science, space, environmental, and veteran programs.

For example, this bill funds the Department of Housing and Urban Development at $26.1 billion—nearly $2 billion below the administration's request. This translates into cuts in all of HUD's major programs including the Community Development Block Grant program, HOME program, public housing capital assistance, drug elimination grants, homeless programs, fair housing activities, Brownfields cleanup and development, lead-based paint abatement and housing for persons with AIDS.

The residents of L.A. County, where housing demand is more than three times higher than the rest of the nation and rents are at record levels, will be devastated. I have received dozens of letters from service and housing providers in Los Angeles decrying these proposed cuts. They state over and over again that these cuts will severely undermine their ability to serve our homeless veterans and working families.

For example, Los Angeles County's average apartment rent is a startling $982 a month, 19% higher than the national average. This June, Southern California's median home price hit an all-time high of $204,000. These trends are troubling for a number of reasons:

Rising rents means our working families will be forced to double or triple-up, leading to severe overcrowding. In fact, the LA Housing Department estimates that 25% of poor renters already live in overcrowded conditions, many of them having 7 or more people sharing a two-bedroom apartment.

Rising rents also means that many families will be forced to seek cheaper housing inland, leading to longer commutes, more freeway congestion, and more smog.

Rising rents is also bad for business, as it makes it more difficult for growing companies to attract workers, making them less competitive and forcing them to leave the area.

Furthermore, this bill makes unacceptable cuts to the National Aeronautics and Space Administration, better known as NASA. The bill butchers NASA's budget by a whopping $1 billion—a 7% cut from last year's level. Programs facing the Republican scalpel include basic research in astronomy, earth science and space science. NASA Administrator Dan Goldin has stated that these cuts will decimate key elements of the nation's space program, requiring the largest restructuring since the end of the Apollo program.

This bill's cuts to NASA will effectively decimate the nation's future space science program, making substantial reductions in the Explorer programs, the Discovery program and

Supporting Research and Technology, all mainstays of university research. Upcoming missions managed by scientists at the University of California campuses will also be impacted, including the Mars Polar Lander mission at UCLA, Extreme Ultraviolet Explorer Observatory at UC Berkeley, and the Triana Satellite at UC San Diego.

The bill also reduces the National Science Foundation's budget by $24 million from last year's level and $275 million less than requested by the Administration. NSF supports basic research that's fundamentally important to all aspects of our lives, from basic biological research to information technology. At a time when we are grappling with the need to improve our schoolchildren's math and science skills, this cut will deprive thousands of teachers the training they need in these very fields.

Basic research is also vital to maintaining this nation's preeminence in science and space exploration into the next century. Our California universities in particular are extremely concerned about the impact of these reductions on university-based research. California receives over 10% of all National Science Foundation's research grants and these cuts will limit the number of grants to promising new researchers to dangerously low levels.

To add insult to injury, Republicans at the last minute restored $400 million to NASA's budget, but at the expense of the AmeriCorps national service program. This cut to AmeriCorps' budget essentially terminates the highly successful domestic Peace Corps. AmeriCorps members—tackling critical problems like illiteracy, crime and poverty—have served nearly 33 million people in more than 4,000 communities. Promoting the American ideals of community involvement, national service and civic participation, AmeriCorps members have taught, tutored or mentored more than 2.6 million children, served 564,000 at-risk youth in after-school programs, operated 40,500 safety patrols, rehabilitated 25,000 homes, aided more than 2.4 million homeless individuals and immunized 419,000 people. Cutting this highly successful program is unacceptable.

Lastly, this bill underfunds medical care for our deserving veterans. Veterans are telling us that this bill is still $1.3 billion below what the Veterans' Administration needs just to maintain current services. While the Appropriations Committee added $700 million to the VA account, they rejected an attempt to restore even more funding. My colleague from Texas, Representative CHET EDWARDS, offered an amendment to increase veterans health care spending by an additional $730 million. Mindful of the need to be fiscally responsible, Mr. EDWARDS proposed to pay for this increase by delaying the proposed cut in the capital gains tax, which is one the prized goodies included in Republican leadership's tax bill. This amendment failed on a party line vote, reaffirming that Republicans prefer to hand out benefits to the rich than provide health care benefits for veterans.

I have no choice but to oppose this draconian bill and I urge my colleagues to do the same.

Mr. RODRIGUEZ. Mr. Chairman, I rise today to express my appreciation of the Department of Veterans Affairs' (VA) leadership in fighting the rising hepatitis C (HCV) epidemic among veterans. It is my view that the VA, Congress, community health leaders, and veterans' service organizations must do even more to ensure that veterans have access to the testing and treatment they deserve.

Today, nearly four million Americans have HCV. But the infection rate among veterans is as much as six times higher than in the general population according to the American Liver Foundation. Recent testing efforts within the VA indicate that nationally 8–10 percent of veterans are HCV positive and in some urban areas it is double that rate.

Alarming as these numbers are, the situation in the Hispanic community is especially serious. In our community, the infection rate approaches six percent among those in their late forties and early fifties and I am concerned that among Hispanic veterans the rate could be even higher. I am particularly concerned that we are seeing the beginning of what will be a steadily increasing number of Vietnam era veterans who test positive for this disease. Nearly one million Hispanic Americans are veterans of military service, several hundred thousand of whom served during the Vietnam era.

Unfortunately, HCV is a silent killer. The disease progresses slowly without symptoms in a majority of patients for two decades or more. Patients with chronic NCV have significantly lower health-related quality of life than healthy individuals. But let there be no mistake about the serious nature of this disease. Untreated, HCV leads to liver failure, cancer, and death. It is now the leading cause of liver transplantation—a procedure that costs upwards of $250,000 if an organ is even available for the patient.

I would like to have seen more funds directed toward veterans' healthcare and I strongly urge the VA to take all necessary steps to ensure that at the local level, every veteran who needs testing and treatment for HCV is able to get it. I applaud the efforts of veterans service organizations and local community health leaders to inform the at-risk members of our communities about the dangers of HCV. I look forward to working with each of these groups in the effort to halt the spread of this epidemic.

Mr. UDALL of Colorado. Mr. Chairman, I rise to register my deep concern about funding levels in this bill.

Our colleagues have already spoken about how deficiencies in funding for Housing and Urban Development programs would have a devastating impact on families and communities nationwide. Overall, the cuts represent an estimated 156,000 fewer housing units for low-income families in America at a time when worst-case housing needs are at an all-time high. Colorado's HUD funds would be cut by $16.56 million, and my district in Colorado would see cuts in HUD programs of $2.58 million from this year's levels. There are still so many Americans who aren't benefiting from our country's unprecedented national prosperity. As Secretary Cuomo has said, ''Now is the time to invest in a brighter future for people and places left behind.''

Some of my colleagues are seeking to boost the budgets of housing and veterans programs by taking funds from NASA, NSF, and other worthwhile science programs. I don't think this is the answer.

In fact, there is no point in trying to shift funds around when the real problem is a severely underfunded bill. The right way to fix this bill is to start over. There is simply no fat to cut from this bill, especially where NASA is concerned.

The cuts made to NASA's budget in the fiscal year 2000 VA–HUD Appropriations bill represent the largest cut to the agency since the end of the Apollo program. Not everything was cut—academic programs, for instance, were increased 6 percent over fiscal year 1999 levels. In particular, the budget for the Space Grant program, which works through the Colorado Space Grant Consortium in my district, was increased to FY99 levels, enabling 15 colleges and universities and thousands of K–12 students throughout Colorado to continue to work together on the Citizen Explorer Satellite.

Overall, however, the bill cuts NASA's funding by $1 billion from this year's levels. Space science programs—which fund the planetary missions, space-based observatories and other spacecraft, as well as research grants to universities and other institutions—have been cut $163 million from this year's levels. These cuts endanger current and future NASA projects like Chandra, which recently sent images of exploding stars and black holes back to earth. Chandra's science instruments and the camera that took these photos are housed in a science instrument module built by Ball Aerospace, based in Boulder, CO.

This bill would also cut NASA funding to space and earth science programs at the University of Colorado. Important NASA-funded programs at CU's Laboratory for Atmospheric and Space Physics, the Center for Astrodynamics Research, and the Center for the Study of Earth from Space, among others, would all see deep cuts under this bill.

This bill also cuts funding for the National Science Foundation by $24 million below fiscal year 1999 levels. As the only agency with the responsibility of supporting research and education in all science and engineering disciplines, NSF funds many important programs. NSF funding represents 67 percent of the overall budget of the world-renowned National Center for Atmospheric Research, based in Boulder. At flat funding for fiscal year 2000, NCAR will receive, in real dollars, an approximate 4-percent cut.

Over the last few weeks, I have received hundreds of letters and calls from Coloradans in my district expressing concern, shock, even outrage over the cuts to science programs in the VA–HUD bill.

Many of these calls and letters are from students, researchers, and employees who would see their work directly affected by cuts in NASA's budget. But many of the letters I have received are from citizens who have no direct interest in NASA's programs. To me, their voices are significant because they point to the fact that science and space are concerns to us all. They understand the importance of continuing our investment in science, technology, research, and learning.

NASA tells us that ''it is entirely foreseeable that this budget will cut off opportunities for the engineers, technologists, and earth and space scientists of the future, losing a generation of researchers who would have taken space exploration and development of cutting-edge technologies into the next millennium.'' I think that about sums it up. We're living in a time of prosperity that has been brought on by technological advances, yet we're not willing to fund the very programs that represent the backbone of this growth and that will continue to fuel it.

Mr. Chairman, the answer isn't to rearrange funding within this bill to suit our various priorities. The answer is to go back to the drawing board and come up with a bill that makes sense. As it stands, this bill isn't up to the task, and I cannot support it.

Mr. COSTELLO. Mr. Chairman, I rise today in strong opposition to H.R. 2684, the VA–HUD–independent agencies appropriations for fiscal year 2000.

The Republican leadership's fiscal year VA–HUD appropriation fails miserably to protect our nation's veterans. The Republican leadership should be ashamed to offer a bill which slashes funding for the men and women who fought for our freedom. This Republican-led Congress has flat-lined veterans funding for the last four years. As our veterans continue to age, they face more medical emergencies. Unless funding for veterans' health care is significantly increased, services will be cut and essential health care will be denied. If we pass this bill, the message we send to our veterans is that the sacrifices they made for our country are meaningless. Give our nation's veterans what they deserve.

Mr. Chairman, in these times of economic prosperity, our nation has a responsibility to provide adequate assistance to our most vulnerable citizens. This legislation should also be opposed for the devastating cuts that it makes to programs that protect the interests of senior, persons with disabilities, children and the poor. In my district alone over $4,612,000 dollars will be lost as a result of cuts to HUD. This will result in the elimination of a least 215 jobs as well as 401 housing units for low-income families.

If we are to remain committed to the principles of welfare reform and economic development, we must recognize that massive cuts to transitional housing and the elimination of jobs works directly against these higher goals. If we are to consider ourselves advocates for our nation's children, we must know that a $10 million cut to the Lead Hazard Control Grant program puts children's health directly at risk. If we are to confront the needs of persons with AIDS, we must realize that their successful medical treatment requires stable housing. It has often been said that you can tell a lot about a country by how they treat their most vulnerable citizens. I ask, what does this legislation say about the Unite States:?

In addition, it is a travesty that this bill eliminates funding for the AmeriCorps program. This initiative has been a tremendous success in my district. Lower-income children have been given opportunities to work with mentors that they would not have had without this program. These children have been given a chance to learn from an early age how important a quality education is, and to learn lifelong learning skills that will help them become productive members of our society and afford to go to college.

Lastly, NASA and the National Science Foundation have made great strides over the years, and I am disappointed that important science initiatives have been drastically cut. I am concerned that a cut this large will destroy any chance of us becoming the world leader in space and technology endeavors.

I strongly urge my colleagues to oppose the VA–HUD appropriation bill for fiscal year 2000.

Mr. BLUMENAUER. Mr. Chairman, my colleagues Mr. WALSH and Mr. MOLLOHAN and those on the Appropriations Subcommittee have been given an impossible job given the BBA of 1997.

Had the entire budget process been more honest, we would not have the situation that we are in, today. Had the budget process been more honest, Congress probably could have passed this bill before the August district work period.

Instead we are here pitting the NASA scientists against the veterans, against the children who participate in AmeriCorp against the segment in our society who needs help with affordable housing so they are not on the streets homeless. All of these programs are worthy of our support and all contribute to help make our communities more livable.

Some would say that this process helps us set our priorities, others would say that this just shows who is more politically organized.

In reality it is probably a slight demonstration of both, but since this is a political arena it favors the politically organized. Is it any wonder that the federal government spends 14 times more on space exploration than in oceanic research? NASA's proposed budget is $13.85 billion while the two agencies that do oceanic research NOS and NIPHS' budget combined is only $930 million.

I believe Congress should tone down the political nature of budgeting and be in the business of making communities more livable. A livable community is one that is safe, economically secure and one that plans and helps to meet the needs of those less fortunate.

An undeniable part of a livable community is affordable housing. The federal government is key to helping people who cannot otherwise be housed and to assist families in transition from dependent to self-reliant.

At a time when the American economy is booming and the government for the first time in decades is not operating in the red, it makes no sense to cut money from public housing, when for this segment of our community, affordable housing becomes harder to find. But under the present political budget process, the money has to be cut.

In my district, the Housing Authority of Portland operates 2,800 units of public housing in 32 apartments and over 200 single-family sites.

Who are the people that live in our public housing? They are the poor, the elderly and younger people with various disabilities. They are the people who have families who are working hard to learn skills to work at jobs that pay more than minimum wage.

They are precisely the people we want to help even if they are the people who are not politically organized.

They are not the people who will be helped next year by the over three-quarter trillion dollar tax breaks even though many have a very heavy tax burden because so much of their income goes to payroll taxes and sales taxes.

They are the people who will be hurt this year by this bill, because the bill falls short, because the Congress in 1997 got pulled away from the real priorities of the American people.

The non-capital costs of operating those public housing units in Portland last year was paid for with $5.5 million in tenant rents. Yes, tenant rents. This did not cover the costs of the units, an additional $5.1 million was paid by the federal government to help with the operating costs.

There are U.S. citizens across this country who need this type of support. This type of hand up. Without it, there will be 156,000 fewer housing units for low-income families.

It means our homeless population will probably increase by 16,000 people and people with AIDS won't get the help they need to get off the street. It means 97,000 jobs won't be generated for people coming off welfare.

If this bill passes with the present cuts in HUD of $1.6 billion below last year's level, people in Portland will be faced with a 15 percent reduction in operating subsidy this year.

That means Portland could face a loss of $4,670,000. We could lose 529 low income housing units for families.

Livable communities promote safe neighborhoods, economic security, and where there is a good partnership with private institutions and government at all levels to leave the community and the environment better than they found it.

Let's be honest with the American people. Lets not chop away at it each year leaving our elderly, disabled and young struggling families to fend for themselves. Let's not pit our veterans against our seniors or scientists.

An honest budget process will make our jobs easier. Housing shouldn't be a political issue. I think most folks agree that there will always be some people in our society that we will always have to help, and we know we should. For many others help now means the American Dream is achievable tomorrow. All segments of our community deserve our attention and help. This process needs to be changed to promote not just an honest discussion but a more fair and equitable budget.

Mr. KUYKENDALL. Mr. Chairman, I rise today in strong support of our country's space program. NASA's contributions to the science community are immeasurable, yet its funding is being cut nearly $1 billion for FY 2000.

I am troubled by this cut in NASA's funding. For decades, the United States has been the preeminent leader in space exploration. We were the first to put a man on the moon; we have had a successful space shuttle program; we possess superb satellite technology; and we are about to lead the world in building an international space station. How can the United States continue to be the world leader in space without the proper funding?

The United States has made great strides in scientific research and development as a direct result from NASA programs. We have learned a great deal from our space endeavors, but there is still so much to be discovered.

Our space program has enabled us to view spectacular cosmic events at the far reaches of the universe. We have been able to witness the birth of stars, observe black holes, and map distant galaxies. The United States has also been able to make great strides in medical research through experiments conducted in space. Future experiments that NASA conducts in space might yield information leading to a cure for cancer or heart disease. The possibilities are endless, as long as NASA is fully funded.

NASA has also made important contributions to the United States armed forces with state-of-the-art technology allowing the U.S. to maintain military superiority over the world.

It is regrettable to see NASA's funding scaled back so drastically. The research that NASA conducts is invaluable to both earth and space sciences and its benefits are far reaching. It is imperative that NASA receives the

necessary funding to continue making progress in scientific research and development, space exploration, and universal observation.

Mr. CLEMENT. Mr. Chairman, I rise today in strong opposition to this VA–HUD appropriations bill.

Mr. Chairman, veterans hospital facilities around the country are faced with mounting budget shortfalls. Hospitals are being consolidated around the country, including Tennessee, due to a lack of sufficient funds. An insufficient budget means the same inadequate funding for health care, more reductions in full-time employees, and new initiatives without new funding to pay for them. Veterans are growing older and sicker each year. We are approaching a medical emergency. Unless the veteran health care system receives the kinds of increases in funding it needs, critical services will be cut, health care denied, facilities closed and dedicated employees out of work.

Mr. Chairman, quite simply, this pattern has to end. This situation is outrageous. Our veterans have served their country in the noblest of manners. It is now our obligation and duty to take care of them. And in order to do this, we simply need sufficient funding.

I spoke on this floor five months ago about the dire situation our veterans are facing. Despite my best efforts in both the Budget Committee and on this floor, our veterans were left without the increases in funding they so desperately need. In the meantime, this House has found the time to pass a fiscally irresponsible $792 billion tax cut that disproportionately benefits the wealthiest members of our society. This ridiculous tax cut depletes the resources available to our veterans who have already given so much to their country. This is quite simply about priorities: does this House want to improve health care for our nation's veterans or do we want to provide disproportionate tax cuts to the wealthy?

Although H.R. 2684 increases veterans funding, it only goes part way. A broad coalition of veterans groups have called for larger increases, particularly for veterans' health care. An amendment offered by Mr. EDWARDS and ruled out of order by the Rules Committee would have restored some of this critically needed funding. I strongly believe that serving our veterans, who have already made sacrifices to serve our country, should be a top priority in this House. It deeply saddens me that it appears others in this body put a higher priority on giving the wealthiest of our country a break on their capital gains taxes.

It is my hope that my colleagues on both sides of the aisle will join me in opposing this bill. Regardless of which side of the aisle you are on, it is simply wrong to deny our veterans the funding they so desperately need. I hope that we can all agree on the need to provide increased funding for our veterans. I urge my colleagues to vote against this bill and support efforts to increase veterans funding.

Mr. DINGELL. Mr. Chairman, what are our priorities if we cannot repay those to whom we owe so greatly?

Earlier this summer, against the wishes of the American people, the majority party in this House passed a trillion-dollar tax bill. It helped the rich, big business, and an array of special interests. It promised economic prosperity and a balanced budget. It promised to return budget surpluses that exist only on paper.

I voted against the tax plan for a number of reasons. It was and is my belief that before Congress passes massive tax cuts that benefit the vast majority of Americans in a very minor way, that we first save Social Security, Medicare, and other invaluable programs. We also pay down our national debt. Those should be our priorities and primary duties.

There is one additional duty we should have performed before we passed a massive tax cut. It is a duty to which we are honor bound. That duty, Mr. Chairman, is to provide quality health care to the 26 million living Americans who, at times of great peril to the Nation, risked their lives selflessly for out country. We must provide our veterans with the benefits they were promised and deserve.

Mr. Chairman, we must decide what kind of medical care delivery system best suits our nation's veterans. We must either provided the necessary funds—all of them—to provide quality health care services under our current system, or we must make a radical change to a new system that guarantees that our veterans have access to quality health care. I am willing to support either option so long as our veterans find it acceptable and receive deserved high-quality health care.

What I cannot support maintaining the unsatisfactory status quo or something worse. As a veteran and a Member proud to serve our veterans, I will not support perpetuating a mediocre veterans' health care system. That, Mr. Chairman, is precisely what this bill does. Once again, the President requested a funding level incapable of providing quality service. Once again, the Republican Congress has produced a budget and an appropriations bill that fails to meet the VA's and our veterans' needs.

Mr. Chairman, I listen again and again to veterans in Michigan's 16th District complain about the poor service at VA clinics, excessive waiting lines at hospitals, crumbling facilities, insufficient numbers of qualified medical personnel, and an inability to provide prosthetics, wheelchairs, oxygen tanks, hearing aids, eyeglasses, and other needs. The VA' ability to provide long-term care is still not solved. Funding requests filed a decade or more ago, like in Allen Park, Michigan, go unfulfilled. The VA will again be asked to further streamline bureaucracy, improve efficiency, and get a bigger bang for the buck. But inadequate funds will be made available.

Mr. Chairman, you know who loses if we pass this bill today and maintain the status quo. It is the veterans and the country they served.

Veterans, veterans' service organizations, and Members of Congress from both parties have continually insisted that if the VA is to maintain its current level of medical services, an additional $3.2 billion would be needed in FY 2000. The bill before us provides less than half that needed amount. It puts a shin plaster on a cancer. At a time when our veterans' long-term care needs are greatest, it slashes funding to state extended care facilities, the one type of long-term care venture that has been of moderate success. It also fails to provide any funding for tobacco-related illnesses.

I also would like to note my displeasure at the party-line decision made by the Rules Committee. The action of the Rules Committee and the rule itself are a great disservice to our veterans. They prevent the House from having an honest debate on the Edwards-Evans-Stabenow amendment, which would have provided an additional $730 million veterans' medical care. To offset the cost of this meaningful piece of legislation, the Edwards amendment would have delayed the implementation of the proposed Republican cut in the capital tax by one year.

Mr. Chairman, I cannot support this bill, and I am ashamed that again this year Congress will fail in its task of providing quality medical care to our veterans. We all owe our veterans a debt of gratitude. It is time to pay our debt.

Mr. HOBSON. Mr. Chairman, I rise today in support of the fiscal year 2000 VA, HUD, and independent agencies appropriations bill. This bill before us is a good bill which takes care of our nation's veterans, addresses critical housing needs, protects the environment, and invests in science and technology research. At the same time, this bill demonstrates to the American people that Congress has kept its commitment to balance the federal budget. Many tough decisions were made to ensure that the government lives within its means and Congress keeps its promise to the American people.

However, Mr. Chairman, despite these tough decisions, we have provided our veterans with a $1.7 billion increase. This means veterans will receive the medical care they deserve through medical centers and facilities like community based outpatient clinics. Countless veterans in my district have spoken to me about how much they appreciate having a clinic in their community rather than having to drive two or more hours for outpatient care. I'm proud to say that Congress, not the President, is making sure more community clinics are opened for veterans across the country.

Mr. Chairman, this bill also meets the crucial housing needs of low income, senior, and disabled populations. Section 8 and section 202 programs have been fully funded. Additionally, this bill protects the environment by increasing money for state and local environmental programs. This money will not stay in Washington but will be distributed to important state revolving funds for the protection of our natural resources.

Also, I want to express my support for critical funding of research and technology programs. NASA is paving the way for aeronautics and space technology into the next century. Congress must continue to support this research in a fiscally responsible manner.

Finally, I would like to commend Chairman WALSH and Ranking Member MOLLOHAN for their leadership. They have done a fine job producing a responsible and fair bill and I urge my colleagues to support it.

Mr. BEREUTER. Mr. Chairman, this Member rises today to express his support for H.R. 2684, the Veterans (VA), Housing and Urban Development (HUD) and Independent Agencies appropriations bill for fiscal year 2000. First, this Member would like to thank the distinguished Chairman of the VA, HUD, and Independent Agencies Appropriations Subcommittee (Mr. WALSH), the distinguished Ranking Minority Member (Mr. MOLLOHAN) and all members of the subcommittee for the important but difficult work they did under the tight budget caps imposed in 1997.

Once again, this subcommittee undoubtedly has struggled to complete the tough task of allocating limited resources among many deserving programs. As a member of the House Banking Committee, the committee with jurisdiction over Federal housing programs, this

Member is very interested in how funds are appropriated in this area. Although there are numerous deserving programs included in this funding bill, this Member would like to emphasize five points.

First, this Member, in particular, would like to comment favorably upon the treatment of some housing programs. Section 8, section 184, section 202, and section 811 programs probably were funded as adequately as we can under the budgetary restraints. In particular, this Member commends the $6 million appropriation for the section 184 program, the American Indian Housing Loan Guarantee Program, which he authored. This seems to be a program with excellent potential which, this Member notes without appropriate modesty in recognizing the support received from many colleagues, is for the first time providing private mortgage fund resources for Indians on reservations through a Federal Government guarantee program for those Indian families who have in the past been otherwise unable to secure conventional financing due to the trust status of Indian reservation land.

Second, this Member applauds the subcommittee for reducing the duplicative efforts of the Federal Government in rural housing and economic development. After a funding level of $32 million in fiscal year 1999 for rural housing and economic development efforts in HUD, the subcommittee appropriated no money in fiscal year 2000 for HUD's rural housing efforts. However, unfortunately, a set-aside of $10 million is still allocated from CDBG for rural housing and economic development.

As a long-term advocate of rural housing during my tenure in the House, this Member nevertheless believes that we need to be careful of duplication and waste of financial resources in the efforts of the Federal Government's programs for rural housing and economic development. The United States Department of Agriculture, through their Rural Development offices, has housing and development staff located throughout each state. We do not need to hire new HUD ''community builders'' to duplicate their work as suggested by the administration.

Third, however, this Member would like to emphasize his concerns about the Community Development Block Grant (CDBG) provisions in this Act. The CDBG Program is proposed to be cut from a funding level of $4.750 billion in fiscal year 1999 to $4.5 billion for fiscal year 2000, a reduction of $250 million. This Member would like to certainly support the restoration of funds for CDBG to the fiscal year 1999 level in the conference committee. The CDBG program not only is valuable to the larger entitlement cities, it gives assistance to those communities under 50,000 through state administering agencies. It is a government program with minimal overhead and bureaucracy.

Moreover, the CDBG program has provided invaluable dollars to cities and rural communities for such things as affordable housing, public infrastructure, and economic development. Specifically in Nebraska, CDBG dollars have recently been used in rural counties to meet their recent hurry-up demand for the development of important comprehensive plans and zoning ordinances as a result of concerns over the placement of mega-sized hog production factories.

With regard to CDBG, this Member is pleased to commend the subcommittee on reducing the overall set-asides by $266.5 million as compared to last year. This Member has testified at the subcommittee level that the expenditure of the maximum amount of CDBG funds should be left to the allocation of the state and eligible entitlement governments as compared to selected set-aside programs.

Fourth, this Member would also express his opposition to the elimination of the funding for the AmeriCorps Program, as contemplated by this appropriations bill. The funding for the AmeriCorps Program should be restored in the conference committee.

Lastly, this Member is aware of HUD's concerns with the reduced level of this subcommittee's appropriation. However, it is important to note that overall Congress is providing more than $26 billion for housing and community development across the country, an increase of $2 billion from the fiscal year 1999 mark. Moreover, 18 new HUD program initiatives deserve a thorough review by the authorizing committees before they are launched. According to the General Accounting Office, HUD has requested more than $700 million for these ambiguously defined, and in some cases-questionable, new initiatives. This Member definitely believes we place an emphasis on funding proven current programs instead of understanding a wide variety of new initiatives, many of which lend themselves to the use of discretion for political rewards.

Because of the necessity to fund important housing and community development programs and despite the reservations expressed, this Member would encourage his colleagues to support H.R. 2684, the VA, HUD, and independent agencies appropriations bill.

Mr. CRAMER. Mr. Chairman, I want to thank the chairman, the ranking member, and their staffs for all the hard work that they put into crafting this bill under what were very difficult circumstances. As a new member of the subcommittee, I appreciated the collegial and bipartisan manner in which the chairman managed the committee.

However, I think we all recognize that the initial allocations given to our subcommittee were wholly unrealistic. Because of this unreasonable allocation, the subcommittee has had to make deep cuts in several programs that if signed into law, would prove devastating. In particular, the bill we are debating today cuts NASA funding by $1 billion, thereby endangering our nation's research and technological edge. It cuts vital HUD programs by $1.6 billion below last year's levels. In addition, the bill does not include any of the administration's request for new housing and economic development assistance such as APIC (America's Private Investment Companies) that could substantially improve the quality of life in many of our communities.

For these and other reasons, Mr. Chairman, I must reluctantly oppose final passage of this bill.

Mr. Chairman, I appreciate the efforts by the subcommittee to address some of these funding shortfalls by raising our initial allocation during the full committee markup of the bill. I am especially pleased that the full committee increased funding to NASA by $400 million. However, much more needs to be done. While the increase of $400 million to NASA is an improvement to the previous $1.4 billion cut, the total funding for NASA remains intolerably low. In addition, given the fact that this increase comes at the expense of the AmeriCorps program, it is a certainty that the President will veto the bill.

Mr. Chairman, it's sad that little more than one month after the 30th Anniversary of the Apollo 11 Moon landing, we are debating such massive cuts to NASA.

Neil Armstrong's first step may have been one giant leap for mankind, but the step that we are about to take would be one giant leap backwards for America. NASA technology has been an engine for economic growth in America—creating jobs, building entirely new industries, and improving our standard of living.

This Nation's previous investment in NASA yielded a research and technology capability without peer.

NASA's research helps solve society's most difficult problems. Through the ground-breaking research of our NASA scientists, we have improved the health of an aging public, helped our military ensure our national security, and protected our environment without damaging our industries.

Mr. Chairman, let's talk about the harmful effects of the bill as it relates to NASAO Dan Goldin, the NASA Administrator, says these reductions will decimate key elements of the Nation's space program.

Mr. Goldin said that these cuts would force the closure of one of three NASA Centers, resulting in significant layoffs. These cuts will be felt by the families of the men and women who will lose their jobs as a result of this bill.

This kind of budget might even reduce the flight safety of future shuttle missions, and the loss of morale will cause NASA to lose some of its most talented people.

Mr. Chairman, NASA has come too far and worked too hard for us to allow this to happen. Since 1994, NASA has made more budgetary sacrifices than almost any other Federal agency. At the same time, NASA has increased its productivity and efficiency; delivering on Dan Goldin's promise of ''faster, stronger, cheaper.'' These proposed cuts are not the way that Congress should reward the success of the American patriots at NASA who work everyday in the Nation's interest. America looks to us to build on the progress that has been made, not to destroy the very foundation upon which it rests. NASA is an American treasure—unique in the history of the world—and we must fight to sustain it for our future.

In a period of unprecedented prosperity, we should be looking for ways to deepen our investments in scientific research, bringing new and substantial economic development to many of our nation's struggling communities, as well as providing adequate resources for our nation's veterans who have so patriotically served our country. Instead, this bill moves our nation in exactly the wrong direction by making deep cuts in many vital programs.

Therefore, Mr. Chairman, I regrettably must oppose the bill that is before us today and urge my colleagues to do the same. I look forward to working with the chairman and the ranking member to improve this bill as this process moves forward.

The CHAIRMAN. Are there further amendments to the bill? If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State

of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, and for other purposes, pursuant to House Resolution 275, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. In its present form, Mr. Speaker, I certainly am.

□ 1815

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill, H.R. 2684 to the Committee on Appropriations with instructions to report the bill back to the House promptly in a form that ensures compliance with the section 302(b) allocation using Congressional Budget Office scorekeeping conventions to avoid sequestration of billions of dollars in discretionary spending in vital federal programs including the national defense, the National Institutes of Health, veterans medical care, and education and environmental programs, among many others.

Mr. OBEY. Mr. Speaker, this bill pretends to spend $19 billion on veterans health care, $3.6 billion on National Science Foundation, $17.4 billion on housing, and $7.3 billion on environmental protection. But to make this bill eligible for consideration on the House floor it contains a phony $3 billion cut in the Tennessee Valley Authority that the congressional Budget Office and OMB both agree saves not one dime.

That means that, in the end, unless $3 billion in real savings are found, the law requires every item in this and every other appropriation bill to be sequestered; or, in plain language, to be cut by $3 billion. That would mean defense would be cut by $1.5 billion, veterans would be cut below the amount in the bill, and science would be cut further below the amount in the bill.

This motion simply tells the committee to find a real $3 billion offset rather than the phony TVA offset which is now contained in the bill. Unless the committee produces a real offset, we will cause real reductions in veterans health care, in health and education programs in the budget, in environment, in defense, in science and virtually every other function of the government.

Mr. Speaker, so far this year we have seen several bills which use CBO scoring, then we see one other bill which simply uses what is called directed scoring. In other words they order the scorekeeper to tell us how much money the bill will be estimated to spend, which hides almost $10 billion. And we see other bills that pretend they meet the budget requirements by labeling items as emergency expenditures. This one is the most dangerous of them all because it actually will produce sequestration, or cuts in other programs, including the programs in this bill, of almost $3 billion.

The way to avoid those unnecessary actions is to support this recommittal motion.

The SPEAKER pro tempore. Is the gentleman from New York (Mr. WALSH) opposed to the motion?

Mr. WALSH. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. WALSH. Mr. Speaker, I will be brief. The Committee on the Budget has supported our 302(b) allocation and the provisions in the bill which kept us within that allocation. We do not believe, nor is there anything that would lead us to think, that there will be any sequestration of funds.

Mr. Speaker, this is a good bill. There is no good reason to recommit it to the committee. The committee has worked its will. The House is prepared to vote. This bill contains the largest-ever increase in veterans medical care. It has the support of the American Legion, the Veterans of Foreign Wars and the Military Order of the Purple Heart.

Mr. Speaker, this bill strikes a delicate balance that keeps us within our allocation and it keeps us on track to produce a surplus that will benefit our country, helping us to save Social Security and Medicare, to reduce our debt, and to provide all American taxpayers with a well-deserved tax cut.

The SPEAKER pro tempore. Without objection the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 215, not voting 12, as follows:

[Roll No. 402]

AYES—207

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—215

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons

Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOT VOTING—12

Cooksey
Crowley
Houghton
Latham
Linder
Pryce (OH)
Rangel
Rogan
Sununu
Towns
Weldon (PA)
Young (AK)

□ 1838

Mr. KINGSTON and Mr. COX changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 187, not voting 12, as follows:

[Roll No. 403]

YEAS—235

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hooley
Horn
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (MO)
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (FL)

NAYS—187

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bartlett
Barton
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Conyers
Costello
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hostettler
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Luther
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Minge
Mink
Moakley
Moore
Morella
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Shadegg
Sherman
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Stabenow
Stark
Stenholm
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Waters
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—12

Cooksey
Crowley
Houghton
Latham
Miller, George
Pryce (OH)
Rangel
Rogan
Sununu
Towns
Weldon (PA)
Young (AK)

□ 1855

Mr. MCINNIS and Mr. SHADEGG changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PORTUGUESE ASSEMBLY PASSES RESOLUTION DEALING WITH RECENT EVENTS IN EAST TIMOR

(Mr. POMBO asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include therein extraneous material.)

Mr. POMBO. Mr. Speaker, I rise today to introduce into the RECORD a resolution that was recently introduced and passed unanimously by the Portuguese assembly dealing with the recent events in East Timor, and I would like to briefly state one part of that resolution.

It is impossible for the international community and particularly for the U.N. to allow the steadily worsening situation to continue for one more day without jeopardizing their own credibility.

Mr. Speaker, I think we have all heard about what is going on in East Timor right now, and it is time for the U.S. Congress for the United States to act.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from California (Mr. POMBO) for yielding.

He and I were privileged to meet today with an all-party parliamentary delegation from Portugal. The people of Portugal ought to be commended for taking such a strong moral lead in trying to prevent the continued mass slaughter of innocent people in East Timor, and I wish our Government and

other governments would follow that strong moral lead. So I am delighted to join with the gentleman in introducing this unanimous strong resolution, and I hope that this is something that is going to lead the way for our own Government and other governments.

One point ought to be clear. People say we cannot intervene in another country's affairs, but the world has never recognized Indonesia's grab of East Timor. We have more legal right internationally to intervene in East Timor than ever existed in Kosovo, because the nations of the world, the United Nations and others, never recognized Indonesia's grab of East Timor. So it is time for the world resolutely to act, and I appreciate the initiative of the gentleman from California (Mr. POMBO), and I am glad to join with him in introducing this very well-done resolution.

RESOLUTION OF THE ASSEMBLEIA DA REPÚBLICA ON THE SITUATION IN EAST TIMOR

Whereas the people of East Timor accepted in good faith the tripartite (UN, Portugal, and Indonesia) project of consultation of the people of the territory via a referendum ensuring self-determination of the territory's future;

The voting process was carried out with remarkable civility and represented a rate of participation of approximately 100 percent of the registered voters;

Approximately 80 percent of the voters expressed their clear and unequivocal desire for independence; the voters' freedom and the honesty of the voting process were recognized by the Secretary-General of the UN and by the President of Indonesia;

The Indonesian authorities demanded that maintenance of order during the following the referendum would be solely their responsibility;

The Indonesian authorities, having at their disposal significant military and police forces both inside and outside the territory, were capable of ensuring maintenance of order if they had the political will to do so;

Indonesia, to the surprise and indignation of the international community, provided arms to civilian militias which, following the referendum, launched an operation of terror and death in East Timor; and sent to the territory additional military and police elements which not only did nothing to stop the atrocities but also abetted and took part in them;

With the passing of time the situation has deteriorated dramatically, as evidenced by the attacks on and destruction of both the home of the Bishop of Dili who had departed the territory in fear for his life and the compounds of the International Red Cross and the UN itself;

The Indonesian military and police forces are deliberately creating an information gap by expelling journalists and television news personnel with the clear objective of returning to domination of the territory and enabling themselves to launch a second genocide which is indeed already underway;

It is solely the opposition of the Indonesian authorities to entry into East Timor of a multinational peacekeeping force for maintaining order and respect for human rights—a force ready to go in immediately—that has allowed the chaos raging in the territory to continue;

It is impossible for the international community, and particularly for the UN, to allow this steadily worsening situation to continue for one more day without jeopardizing their own credibility and their capacity to prevent the massacre of a heroic and defenseless people being cruelly punished for the simple fact of having exercised their right to self-determination and their desire for independence; and

It is clearly evident that the Indonesian authorities are unable or unwilling to guarantee peace and order in East Timor by the means available to them, and that, on the contrary, their military and civilian forces are sowing the seeds of terror and conflict;

The Comissão Permanente of the Assembleia da República, at their meeting of September 7, 1999, after having heard the Primeiro Ministro and the Ministro dos Negócios Estrangeiros, has unanimously approved the following

RESOLUTION

In concert with the Presidente da República and the Government, the Assembleia da República is resolved.

1. To intensify political and diplomatic efforts toward making the international community, and in particular the UN and its Security Council, aware of the necessity for the immediate organization, under the aegis of the Secretary-General of the UN, of a multinational peacekeeping force whose purpose will be to put an end to the atrocities occurring in East Timor, to guarantee the peace, and to uphold the rights of the Timorese with respect to their freely-expressed wishes; and toward effecting the immediate dispatch of such a force to East Timor, with the consent of the Indonesian Government to the extent possible;

2. To approve any future decision of the Portuguese Government to authorize inclusion of a Portuguese military contingent in the aforementioned peacekeeping force;

3. To send immediately to the United States a delegation from the Assembleia da República, to include a representative of each party holding seats in the Assembleia, for the purpose of making the President of the UN Security Council, the US Congress, and world public opinion, aware of the clearly inevitable and urgent requirement for organization and deployment of the aforementioned peacekeeping force;

4. To appeal to the conscience of the world that a second genocide of the heroic and martyred people of East Timor be resisted by every means possible, since with their death all confidence in the liberating force of human rights and in the international bodies entrusted with safeguarding security and peace in the world would die also;

5. To condemn in the strongest terms possible the behavior of Indonesian Government, which has refused to fully comply with the New York Accord to which it has subscribed, and which in recent days, in a totally unacceptable manner, has neglected its responsibility to guarantee the security of the Timorese and respect for their will as legitimately expressed in the referendum of August 30;

6. To appeal forcefully to the Secretary-General and the Security Council of the UN, to the Indonesian authorities, and to those elements of Indonesian society who sincerely support aspirations for democracy and peace, reminding them that this critical moment for East Timor represents for them the essence of their historic responsibilities;

7. To applaud the release of Xanana Gusmão, historic leader of the people of East Timor, whose voice, finally free, will undoubtedly strengthen both the efforts underway to ensure peace in the territory and the independence of its people, and his own commitment to reconciliation.

MAKING IN ORDER CONSIDERATION OF CONFERENCE REPORT ON H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that it be in order to consider the conference report on bill, H.R. 2587, that all points of order against the conference report and against its consideration be waived, and that H. Res. 282 be laid upon the table.

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

There was no objection.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 2587, and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. ISTOOK. Mr. Speaker, I call up the conference report on the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

The Clerk read the title of the bill.

□ 1900

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of August 5, 1999 at page H7384.)

The gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, I yield myself such time as I may consume, and all time I may yield, of course, will be for the purpose of debate only.

Mr. Speaker, I am pleased to present this conference agreement on H.R. 2587, the conference report on the appropriations for the District of Columbia.

In summary, Mr. Speaker, the conference agreement endorses the budget and tax cuts which were approved previously by the mayor and council of the District of Columbia. This helps the District's efforts to reorganize, to cut their costs, to reduce their overhead, to reduce the size of the peril of the District of Columbia government.

In conference we retained the initiatives that were in the House bill such as major Federal funding for the largest ever crackdown on the link between crimes and drugs in the District of Columbia, going after, with drug testing and treatment, the 30,000 people in D.C. that are on probation or parole and that are a major source of further offenses. This is to make D.C. streets and neighborhoods far safer.

The conference agreement includes incentives to move children from foster care to adoption in safe, loving, and permanent homes.

It includes Federal funding for pediatric health initiatives for high-risk children in medically underserved parts of the District.

This retains the new program of $17 million to assist students in the District of Columbia to go to college because they do not have a system of State institutions of higher education. This is to provide tuition assistance to kids in D.C. to be able to go to college.

It has language in the House bill strengthening the popular charter school movement in the conference report also.

The conference agreement has the Federal funding to clean up pollution in the Anacostia River and to complete design work and requirements to alleviate the traffic, stress and congestion with the 14th Street Bridge across the Potomac River between D.C. and northern Virginia.

In total, Mr. Speaker, the conference agreement totals $429 million in Federal funds. That is 24 million below the House bill, 18 million above the Senate bill, $255 million less than last year's appropriation because of nonrecurring items that are not in this year's bill.

In District funds, the conference agreement provides 6.8 billion of which 5.4 billion is operating funds; 1.4 is capital outlay.

We also have language requested regarding payment of back attorney fees for indigent attorneys or attorneys representing indigents, we ratify the bold effort made by the City Council and the mayor in reducing taxes, and, Mr. Speaker, we have been careful, of course, regarding what some people refer to as social riders.

There is nothing new, there is nothing new beyond what the House, the Senate and the President of the United States agreed upon last year.

Now, Mr. Speaker, I have appreciated the opportunity to work in a bipartisan basis. This bill passed the House before with 333 votes, a very bipartisan showing with a large number of Democrats as well as Republicans. However, Mr. Speaker, I am told that many of my colleagues on the other side of the aisle even though this is for all intents and purposes the same bill, the same piece of legislation, I am told that many of my Democratic colleagues sadly intend to oppose the bill, not because of something new, not because of something different, not because of something beyond what the President and the House and the Senate have previously agreed to regarding the District. Unfortunately it appears to be over a drug-related issue, that there is an effort by many activists and extremists to push an agenda to permit the legalization of marijuana in the District of Columbia.

Mr. Speaker, a vote was held many months ago on an initiative referendum to establish such a law in D.C. Congress, the President, and the Senate and the House have acted before to make sure that D.C. does not enact drug laws that contravene the laws of the United States of America. However under the guise of saying that D.C. should have local control or home rule, unfortunately many of my colleagues are saying that this bill should be opposed because it does not permit the District of Columbia to legalize a drug that is illegal under federal law such as marijuana.

It is sad, it is extremely sad to see an extremist position being taken by people to oppose this bill that does so much to help bring the District of Columbia back from the sad shape in which we saw it in recent years.

Mr. Speaker, I find it unfortunate, and I hope that I am mistaken and that people will not oppose this bill because it requires the District of Columbia to stay in tune with the laws of the United States of America regarding drugs. Also, Mr. Speaker, I think it is necessary to remind people article 1, section 8 of the Constitution of the United States of America says that legislative authority regarding the District of Columbia resides in the Congress of the United States. Some things are delegated to city government, but this Congress retains responsibility for the legislation within the District of Columbia.

So, Mr. Speaker, when it comes to so-called social riders, there is in the bill a continued prohibition on having taxpayers' money used to finance a lawsuit whereby the District is asking to have a vote in the Congress of the United States in the House and in the Senate. It is the identical language that was signed into law by the President last year, and, in fact, frankly there is no need for public financing of such a lawsuit because it is already being fully financed privately and handled on behalf of the District by one of the leading law firms in the country.

There is also people that say, oh, they are upset because the bill continues what the House and the Senate and the President agreed upon a year ago, to say that drug addicts will not be given free needles with taxpayers' money. There is already a private program that does that, Mr. Speaker. There is no need for taxpayers' money. I would hate to think that anyone would take an extremist position of opposing a bill that has anti-drug efforts, pro-education efforts, pro-law and order efforts, tax cuts and the budget that the District adopted, that they want to oppose all these things just because they want to use taxpayers' money for drug addicts to get free needles.

Mr. Speaker, this is a responsible piece of legislation. We have worked closely with Members across the aisle, with the mayor, with the City Council. I very much appreciate the efforts of the members of the committee and subcommittee and staff on this, and I present this conference report to the House as something totally consistent with what had broad support, bipartisan support in the House just a few short weeks ago, and I would certainly hope that nobody will use some excuse to try to promote an extremist agenda in opposing this bill.

I hope I am mistaken, but I fear that it will occur. I ask people to support this conference report.

Mr. Speaker, I am pleased to present to the House today the conference agreement on H.R. 2587, the District of Columbia Appropriations Act for fiscal year 2000. The conferees met in early August and resolved the matters in disagreement between the House and Senate bills and filed the conference report on August 5th, a little more than a month ago.

In summary, Mr. Speaker, the conference agreement endorses the budget and tax cuts approved by the District's mayor and council and helps the District's efforts to reorganize, cut costs and reduce overhead. We were able to retain in conference the initiatives that were in the House bill, such as Federal funding for the largest-ever effort to crack down on the link between drugs and crime, so that DC's streets and neighborhoods will be far safer. The conference agreement includes incentives to move children from foster care to adoption in a safe, loving, and permanent home, and $2.5 million in Federal funds to complete a community pediatric health initiative for high risk children in medically underserved areas of the District. We also retained the $17 million in Federal funds for tuition assistance to compensate for the difference between in-state and out-of-state tuition so that DC high school graduates will have the same opportunities that exist for students in the 50 States who attend State-supported institutions of higher education. In addition, language in the House bill strengthening the popular charter school movement in the District has been retained. The conference agreement also includes Federal funding to clean up pollution in the Anacostia River and to complete all design and other requirements for the construction of expanded lane capacity for the 14th Street Bridge across the Potomac River.

The conference agreement totals $429 million in Federal funds, which is $24 million below the House bill, $18 million above the Senate bill, and $255 million below last year's bill. The reduction of $255 million below last year's bill is due to several non-recurring items funded last year. The total conference amount of $429 million is $24 million below our 302(b) allocations in budget authority and outlays. In District funds, the conference agreement provides $6.8 billion of which $5.4 billion is in operating funds and $1.4 billion is for capital outlays. The $5.4 billion for operating expenses is $7 million below the House level, $29 million above the Senate bill, and $284 million above last year; however, included in this $284 million increase is a "rainy day" reserve fund of $150 million.

The conferees have included language under Defender Services that will allow the use of $1.2 million to pay attorneys for their services to indigents in FY 1999. The DC Courts underestimated the amount required and as a result the attorneys will no longer be paid for their FY 1999 services after tomorrow and there is some question as to the appointment of counsel for the remainder of fiscal 1999. This language will allow the appointments and payments to continue without disruption.

Title II of the conference agreement commends the District for reducing taxes and ratifies the city's action in that regard. One of the initiatives taken by local officials in agreeing to a consensus budget for fiscal year 2000 is to reduce income and property taxes by $300 million over the next 5 years, including $59 million in fiscal 2000.

I will include a table showing the amounts recommended in the conference agreement compared with last year's enacted amount, the budget request, and the House and Senate recommendations. I will also include the fiscal year 2000 Financial Plan which is the starting point for the Independent auditor's comparison with actual year-end results as required by section 143 of this bill.

Mr. Speaker, regarding social riders, the conference agreement includes language from the House bill that prohibits the use of both local and Federal funds for abortions except to save the life of the mothers or in cases of rape or incest. Another provision prohibits the use of both local and Federal funds to implement the District's ''domestic partners act''. The conference agreement also includes language prohibiting the use of Federal funds for any needle exchange program or to legalize or reduce penalties associated with the possession, use, or distribution of marijuana and other controlled substances. The provision adopted by the House requiring the registration of sex offenders in the District of Columbia is also included in the conference agreement. This language was requested by the City Council after the budget was submitted.

Mr. Speaker, I want to emphasize that the bipartisan bill that passed the House six weeks ago with 333 votes—the largest support in 10 years for a DC appropriations bill—included the exact same riders that are in this conference agreement. We need to make it very clear that each of these riders was included in last year's bill—a bill the President signed. There is nothing new in any of the provisions with the exception of the marijuana language which will allow the counting of the initiative ballots. Language in last year's bill did not allow that.

There are not any new social riders to this bill—only those that had previously been approved by the Congress and signed into law by the President. And that's exactly what I have done.

Now during the House debate on this bill, I told the Delegate from the District of Columbia that I would work in the conference to soften the restriction on the use of funds for the voting rights suit. I did that. But I am only one member and I was unable to convince my colleague on the subcommittee, let alone the Senate, to change the language. My point is I did what I said I would do.

Mr. Speaker, I believe we should move ahead and adopt this conference report so that the District government can get about its business of governing and improving the delivery of services to its residents and visitors.

In closing, I want to thank all of our Members for their hard work and their contributions to this bill. The gentleman from Virginia, Mr. MORAN, is the ranking Member and we work very well together. I especially want to thank our full Committee chairman, the gentleman from Florida, Mr. YOUNG, for his support and for his sage advice and counsel. The staff has also done an outstanding job: John Albaugh, Steve Monteiro and Micah Swafford of my staff; and from the Committee staff, Migo Miconi, Mike Fischetti and Mary Porter. They really do a great job. Mary Porter has been doing this for 37 years—hard to imagine. I also want to thank the minority staff—Tom Forhan and Tim Aiken.

This is a good, responsible conference report and I urge its adoption.

H.R. 2587 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
FEDERAL FUNDS						
District of Columbia Resident Tuition Support			17,000	17,000	17,000	+17,000
Incentives for Adoption of Foster Children			8,500		5,000	+5,000
Citizens Complaint Review Board			1,200		500	+500
Federal Payment for Human Services			250		250	+250
Metrorail improvements and expansion	25,000					-25,000
Federal payment for management reform	25,000					-25,000
Federal payment for Boys Town U.S.A	7,100					-7,100
Nation's Capital Infrastructure Fund	18,778					-18,778
Environmental Study and Related Activities at Lorton Correctional Complex	7,000					-7,000
Federal payment to the District of Columbia corrections trustee operations	184,800	176,000	183,000	176,000	176,000	-8,800
Federal payment to the District of Columbia Courts	128,000	137,440	100,714	136,440	99,714	-28,286
Defender Services in D.C. Courts			33,336		33,336	+33,336
Federal payment to the Court Services and Offender Supervision Agency of the District of Columbia	59,400	80,300	105,500	80,300	93,800	+34,400
Federal payment for Metropolitan Police Department	1,200			1,000	1,000	-200
Federal payment for Fire Department	3,240					-3,240
Federal payment for Georgetown Waterfront	1,000					-1,000
Federal payment to Historical Society for City Museum	2,000					-2,000
Federal payment for a National Museum of American Music and Downtown Revitalization	700					-700
United States Park Police	8,500					-8,500
Federal payment for waterfront improvements	3,000					-3,000
Federal payment for mentoring services	200					-200
Federal payment for hotline services	50					-50
Federal payment for public charter schools	15,622					-15,622
Medicare Coordinated Care Demonstration Project	3,000					-3,000
Federal payment for Children's National Medical Center	1,000		3,500		2,500	+1,500
National Revitalization Financing:						
Economic Development	25,000					-25,000
Special Education	30,000					-30,000
Year 2000 Information Technology	20,000					-20,000
Infrastructure and Economic Development	50,000					-50,000
Y2K conversion emergency funding (courts)	2,249					-2,249
Y2K conversion (emergency funding)	61,800					-61,800
Total, Federal funds to the District of Columbia	683,639	393,740	453,000	410,740	429,100	-254,539
DISTRICT OF COLUMBIA FUNDS						
Operating Expenses						
Governmental direction and support	(164,144)	(174,667)	(162,356)	(162,356)	(167,356)	(+3,212)
Economic development and regulation	(159,039)	(190,335)	(190,335)	(190,335)	(190,335)	(+31,296)
Public safety and justice	(755,786)	(778,670)	(785,670)	(778,470)	(778,770)	(+22,984)
Public education system	(788,956)	(850,411)	(867,411)	(867,411)	(867,411)	(+78,455)
Human support services	(1,514,751)	(1,525,996)	(1,526,361)	(1,526,111)	(1,526,361)	(+11,610)
Public works	(266,912)	(271,395)	(271,395)	(271,395)	(271,395)	(+4,483)
Receivership Programs	(318,979)	(337,077)	(345,577)	(337,077)	(342,077)	(+23,098)
Workforce Investments		(8,500)	(8,500)	(8,500)	(8,500)	(+8,500)
Buyouts and Management Reforms			(20,000)		(18,000)	(+18,000)
Reserve		(150,000)	(150,000)	(150,000)	(150,000)	(+150,000)
District of Columbia Financial Responsibility and Management Assistance Authority	(7,840)	(3,140)	(3,140)	(3,140)	(3,140)	(-4,700)
Financing and other		(384,948)				
Washington Convention Center Transfer Payment	(5,400)					(-5,400)
Repayment of Loans and Interest	(382,170)		(328,417)	(328,417)	(328,417)	(-53,753)
Repayment of General Fund Recovery Debt	(38,453)		(38,286)	(38,286)	(38,286)	(-167)
Payment of Interest on Short-Term Borrowing	(11,000)		(9,000)	(9,000)	(9,000)	(-2,000)
Certificates of Participation	(7,926)		(7,950)	(7,950)	(7,950)	(+24)
Human development	(6,674)					(-6,674)
Optical and Dental Insurance payments			(1,295)	(1,295)	(1,295)	(+1,295)
Productivity Bank			(20,000)	(20,000)	(18,000)	(+18,000)
Productivity Savings			(-20,000)	(-20,000)	(-18,000)	(-18,000)
Procurement and Management Savings	(-10,000)	(-21,457)	(-21,457)	(-21,457)	(-21,457)	(-11,457)
Total, operating expenses, general fund	(4,418,030)	(4,653,682)	(4,694,236)	(4,658,286)	(4,686,836)	(+268,806)
Enterprise Funds						
Water and Sewer Authority and the Washington Aqueduct	(273,314)	(279,608)	(279,608)	(279,608)	(279,608)	(+6,294)
Lottery and Charitable Games Control Board	(225,200)	(234,400)	(234,400)	(234,400)	(234,400)	(+9,200)
Office of Cable Television	(2,108)					(-2,108)
Public Service Commission	(5,026)					(-5,026)
Office of People's Counsel	(2,501)					(-2,501)
Office of Insurance and Securities Regulation	(7,001)					(-7,001)
Office of Banking and Financial Institutions	(640)					(-640)
Sports and Entertainment Commission	(8,751)	(10,846)	(10,846)	(10,846)	(10,846)	(+2,095)
Public Benefit Corporation	(66,764)	(89,008)	(89,008)	(89,008)	(89,008)	(+22,244)
D.C. Retirement Board	(18,202)	(9,892)	(9,892)	(9,892)	(9,892)	(-8,310)

H.R. 2587 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
Correctional Industries Fund	(3,332)	(1,810)	(1,810)	(1,810)	(1,810)	(-1,522)
Washington Convention Center	(48,139)	(50,226)	(50,226)	(50,226)	(50,226)	(+2,087)
Total, Enterprise Funds	(660,978)	(675,790)	(675,790)	(675,790)	(675,790)	(+14,812)
Total, operating expenses	(5,079,008)	(5,329,472)	(5,370,026)	(5,334,076)	(5,362,626)	(+283,618)
Capital Outlay						
General fund	(1,711,161)	(1,218,638)	(1,218,638)	(1,218,638)	(1,218,638)	(-492,523)
Water and Sewer Fund	.....	(197,169)	(197,169)	(197,169)	(197,169)	(+197,169)
Total, Capital Outlay	1,711,161	1,415,807	1,415,807	1,415,807	1,415,807	-295,354
Total, District of Columbia funds	(6,790,169)	(6,745,279)	(6,785,833)	(6,749,883)	(6,778,433)	(-11,736)
Total:						
Federal Funds to the District of Columbia	683,639	393,740	453,000	410,740	429,100	-254,539
District of Columbia funds	(6,790,169)	(6,745,279)	(6,785,833)	(6,749,883)	(6,778,433)	(-11,736)

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Fiscal Year 2000 Financial Plans
(In thousands of dollars)

	Local funds	Grants and other revenue	Gross funds
Revenue:			
Local sources, current authority:			
Property taxes	693,700	0	693,700
Sales taxes	620,000	0	620,000
Income taxes	1,185,100		1,185,100
Other taxes	348,500	0	348,500
Licenses, permits	48,498	0	48,498
Fines, forfeitures	56,771	0	56,771
Service charges	34,173	0	34,173
Miscellaneous	93,558	318,574	412,132
Tax Parity Act	(58,950)	0	(58,950)
Subtotal, local revenues	3,021,350	318,574	3,339,924
Federal sources:			
Federal payment	23,750	0	23,750
Grants	0	1,231,408	1,231,408
Subtotal, Federal sources	23,750	1,231,408	1,255,158
Other financing sources:			
Transfer Interest Income from Control Board	0	23,000	23,000
Lottery transfer	69,000	0	69,000
Subtotal, other financing sources	69,000	23,000	92,000
Total, general fund revenues	3,114,100	1,572,982	4,687,082
Expenditures:			
Current operating:			
Governmental Direction and Support	137,134	30,222	167,356
Economic Development and Regulation	52,911	137,424	190,335
Public Safety and Justice	565,511	213,259	778,770
Public Education System	681,356	113,708	795,064
Human Support Services	590,938	890,988	1,481,926
Public Works	258,341	13,054	271,395
Receiverships	217,606	124,471	342,077
Financial Authority	3,140	0	3,140
Nonunion pay increase	8,500	0	8,500
Buyouts and Other Management Reforms	0	18,000	18,000
Optical and Dental Benefits	1,295	0	1,295
Reserve	150,000	0	150,000
Productivity Bank	20,000	0	20,000
Productivity Savings	(20,000)	0	(20,000)
Management Reform and Productivity Savings	(7,000)	0	(7,000)
General Supply Schedule Savings	(14,457)	0	(14,457)
Subtotal, current operating	2,645,275	1,541,126	4,186,401

	Local funds	Grants and other revenue	Gross funds
Other financing uses:			
Debt service			0
Principal and interest	383,653	0	383,653
Other financing uses:			0
D.C. General	44,435	0	44,435
University of the District of Columbia	40,491	31,856	72,347
Subtotal, other financing uses	468,579	31,856	500,435
Total, general fund expenditures	3,113,854	1,572,982	4,686,836
Surplus/(Deficit)	246	0	246
Enterprise fund data:			
Enterprise fund revenues:			
Water and Sewer Authority	0	236,075	236,075
Washington Aqueduct	0	43,533	43,533
D.C. Lottery and Charitable Games Board	0	234,400	234,400
Sports and Entertainment Commission	0	10,846	10,846
Public Benefit Corporation	0	89,008	89,008
D.C. Retirement Board	0	9,892	9,892
Correctional Industries	0	1,810	1,810
Washington Convention Center Authority	0	50,226	50,226
Total, enterprise fund revenue	0	675,790	675,790
Enterprise fund expenditures:			0
Water and Sewer Authority	0	236,075	236,075
Washington Aqueduct	0	43,533	43,533
D.C. Lottery and Charitable Games Board	0	234,400	234,400
Sports and Entertainment Commission	0	10,846	10,846
Public Benefit Corporation	0	89,008	89,008
D.C. Retirement Board	0	9,892	9,892
Correctional Industries	0	1,810	
Washington Convention Center Authority	0	50,226	50,226
Total, enterprise expenditures	0	675,790	675,790
Total, revenues versus expenditures	0	0	0
Total, operating revenues	3,114,100	2,248,772	5,362,872
Total, operating expenditures	3,113,854	2,248,772	5,362,626
Revenue versus expenditures	246	0	246

D.C. APPROPRIATIONS ACTS

General Provisions

Following is a list of when a general provision first appeared in an appropriations act (using the general provisions in the FY 2000 Appropriations Act conference report as the base year and going back to FY 1973)

Section	Page	Conference Report—H.R. 2587 (Report 106–299)	First year	No. of years
101	13	All contracts are a matter of public record	1981	19
102	13	All vouchers covering expenditures shall be audited before payment	1973	27
103	13	Appropriations are the maximum amounts	1973	27
104	13	Allowances for privately owned vehicles for official duties set by the Mayor	1973	27
105	13	Travel expenses concerned with official business to be approved by the Mayor	1973	27
106	13	Refunds and judgment payments to be made by District government promptly	1973	27
107	13	Public assistance payments to be made without reference to the D.C. Public Assistance Act	1973	27
108	13	No appropriation available for obligation beyond current fiscal year	1973	27
109	14	No funds for partisan political activities	1973	27
110	14	No funds available to pay any employee whose name, grade and salary history is not available for inspection	1979	21
111	14	Funds are available for making payments authorized by the Revenue Recovery Act	1979	21
112	14	No funds shall be used to support or defeat legislation pending before Congress	1979	21
113	14	Mayor to develop an annual capital borrowing plan	1982	18
114	14	Council approval needed for capital project borrowings	1982	18
115	14	No capital project money is to be used for operating expenses	1982	18
116	14	Reprogramming restrictions	1983	17
117	15	No funds for personal cook, chauffeur or other servants	1973	27
118	15	No funds to purchase vehicles with less than 22 miles per gallon rating	1982	18
119	15	Compensation of City Administrator and Board of Directors of Redevelopment Land Agency set at level 15 of District Schedule	1983	17
120	15	Provisions of Merit Personnel Act of 1978 shall apply to D.C. employees	1983	17
121	15	Mayor to submit to Congress revised revenue estimates at end of first quarter	1986	14
122	15	No sole source contracts may be renewed or extended without competitive bids	1988	12
123	16	Balanced Budget Act definitions clarified	1988	12
124	16	Sequestration order from U.S. Treasury to be paid within 15 days after receipt of request	1989	11
125	16	Acceptance and use of gifts subject to certain restrictions	1992	8
126	16	No Federal funds to be used for expenses of Congressional offices under DC Statehood Constitutional Convention Initiatives	1991	9
127	16	University of DC (UDC) to prepare quarterly financial reports	1996	4
128	17	Funds for new hardware and software are also available for purchase of new financial management system (FMS)	1998	2
129	17	Cap on attorney fees for actions brought against the D.C. government under the Individuals with Disabilities Education Act (IDEA)	1999	1
130	18	No funds available for abortions except where the life of the mother would be endangered or in cases of rape or incest	1980	20
131	18	No funds available to implement Health Care Benefits Expansion Act of 1992 for cohabiting couples	1993	7
132	18	DC Public Schools (DCPS) to prepare quarterly financial reports	1995	5
133	18	DCPS and UDC to prepare annual Full Time Equivalent positions reports	1996	4
134	19	DCPS and UDC to prepare revised budgets within 30 days of enactment of appropriations bill to align budget with anticipated expenditures	1996	4
135	19	Boards of DC schools and library to approved budgets prior to submission in Mayor's annual budget	1996	4
136	19	Ceiling placed on total operating expenses	1996	4
137	21	Receivership budgets to be included in Mayor's annual budget submission without revision by Council or Mayor	1998	2
138	21	DCPS employees classified in a certain manner	1996	4
139	22	Restrictions on use of official vehicles	1998	2
140	22	Sources of payment for detailees is from requesting entity's budget	1998	2
141	22	Special need students of the DCPS are to be evaluated or assessed within 120 days of referral	1999	1
142	23	No funds available to DC entities unless they comply with Buy America Act	1995	5
143	23	No funds available for the annual audit of DC financial statements unless conducted or contracted by the IG	1999	1
144	23	No funds available for reorganization plans unless plans approved by the DC Financial Authority	1993	7
145	24	Evaluation of DCPS employees a non-negotiable item for collective bargaining purposes	1996	4
146	24	No funds available for a petition to require Congress to provide voting representation for DC	1999	1
147	24	No funds available to transfer inmates classified above the medium security level as defined by the Federal Bureau of Prisons transferred to Youngstown, Ohio.	1999	1
148	24	Beginning with FY 2000, the District government is to include in its annual budget submission a $150 million reserve to be expended according to criteria established by the Chief Financial Officer (CFO) and approved by the Mayor, Council and DC Financial Authority.	1999	1
149	25	Within 30 days of enactment of the appropriations act the CFO shall submit to Congress a revised budget of the approved appropriations	1999	1
150	25	No funds are available for the distribution of sterile needles or syringes for hypodermic injection of any illegal drug	1999	1
151	25	No funds available for rental payments under a lease unless certain conditions are met		
152	25	No funds available for new leases and real property purchases unless certain conditions are met		
153	26	Amend Student Loan Marketing Association Reorganization Act of 1966 to set aside $5 million for a credit enhancement fund for public charter schools		
154	26	Within 90 days of enactment of the appropriations act, the city government shall implement a process to dispose of excess school real property		
155	26	Extend date for charter schools authorization		
156	26	Sibling preference to be given to charter school applicants		
157	27	Authority to transfer $18 million from the DC Financial Authority for severance payments to individuals separated from DC employment during FY 2000		
158	27	Authority to transfer $5,000,000 from the DC dedicated highway trust fund for design work to expand the land capacity on the 14th street bridge		
159	27	Mayor to carry out through the Army Corps of Engineers an Anacostia River environmental cleanup program		
160	27	Prohibits payment of administrative costs from the Crime Victims Compensation Fund		
161	28	No funds available to pay salary of any chief financial officer who has not filed a certification that the officer understands the duties and responsibilities of the officer as a result of the approved appropriations act.		
162	28	Specify potential adjustments in next years' budgets to meet mgmt reforms savings		
163	28	Describe ''misc.'' budget categories in the annual budget submission		
164	29	Authorizes the Army Corps of Engineers to contract with the City to improve the SW Waterfront		
165	29	Sense of Congress that DC should not impose certain restrictions on an industrial revenue bond for a project of the American Red Cross		
166	29	Permits Court Services and Offender Supervision Agency to carry out sex offender registration program		
167	30	No funds available to enact or carry out any program to legalize or reduce penalties associated with possession, use, or distribution of any schedule I substance—modified—no ballot count allowed last year.	1999	1
168	30	Authority to transfer $5,000,000 from DC Financial Authority for commercial revitalization empowerment zones		
169	31	Directs Secretary of the Interior to implement a notice of decision concerning the issuance of right-of-way permits to locate a wireless communications antenna on Federal property in DC.		
170	31	Sense of Congress that in considering the FY 2001 DC budget, Congress will take into consideration progress or lack thereof concerning certain items		
171	32	Prior to using Federal Medicaid payments to Disproportionate Share Hospitals (DSH), the Mayor should consider recommendations of the Health Care Development Commission.		
172	32	GAO to conduct a study of DC Justice System to identify components most in need of additional resources		

WASHINGTON, DC, *September 9, 1999.*

Re District of Columbia appropriations bill.

Hon. JAMES MORAN,
Rayburn HOB., Washington, DC.

DEAR MR. MORAN: I have enjoyed the opportunity to work cooperatively on the Appropriations Subcommittee for the District of Columbia, to help our nation's capital rebound from its years of troubles. That is why I was so surprised and disappointed this morning to read the letters that you sent last night to all Members of Congress.

In your letters, you take a highly extremist position that all our efforts to improve our nation's capital should be thrown away, so that you can promote a pro-drug agenda.

I fear your position would bring D.C. back to the worst of the Marion Barry days, when the loose attitude toward illegal drugs made the city the butt of late-night talk-show jokes.

Yet your letters state that all the good work we have done on this bill is unimportant, that instead only four issues matter:

1. You want to spend taxpayers' money to finance the lawsuit challenging the U.S. Constitution's denial of statehood status (votes in Congress) for D.C., even though this questionable suit is already filed and being handled free by a leading law firm.

2. You want to spend taxpayers' money to give free needles to drug addicts, to inject themselves with illegal drugs.

3. You want the District to provide ''domestic partner'' benefits to unmarried live-in lovers of public employees.

4. You want to permit the District to legalize marijuana, despite federal laws to the contrary.

Your position is even stranger to understand, because the first three of these four simply repeat provisions already signed into law by the President. (The ''domestic partner'' restriction has been signed into law multiple times). Evidently, it must be the fourth item that is most important to you.

You attempt to couch this issue in terms of ''home rule,'' as though every city in the country were able to adopt laws contrary to those of the nation and of the states. Where do you draw the line? If you say it's OK for D.C. to legalize marijuana, then what's next? Legalizing cocaine? Or heroin? Or perhaps rape and murder? Under your rationale, it would be fine with you if the District of Columbia did any of these. You would argue for their right to do so, and ignore the victims. You would say it's a ''home rule'' issue, even in the nation's capital.

The issue is not whether you choose to be pro-marijuana, or pro-needle exchange. The issue is whether you take an extremist stance—disregarding all the good contained in this legislation because these other issues are so much more important to you.

I'm amazed that you also make these pro-drug stances more important than the 14th Street Bridge project in the bill, which tries to improve the traffic snarls between Washington, D.C., and your congressional district in northern Virginia.

Let me remind you about some of the good and solid things we have worked together and that this bill does, but which you now seek to block:

—Making it far easier for the District to keep making its government smaller, more efficient and more responsive,

—Strengthening and funding charter schools,

—Creating college opportunities for D.C.'s kids, with millions in new scholarship funds for them, including extra help for those who attend school in Virginia,

—Launching America's strongest effort to break the link between crime and drugs, (including drug-testing and treatment for all offenders on probation or parole),

—Funding aggressive adoption efforts to find new homes for abandoned kids,

—Cleaning-up the Anacostia River, and

—Lowering taxes in the District, as approved by the mayor and council.

The bill also honors and approves the budget approved by D.C.'s mayor and council. We respected this key aspect of ''home rule''.

I'd like to remind you that the bill's language, requiring that D.C. not legalize drugs which are illegal under federal law, was approved by the entire House of Representatives without objection on a voice vote, and while you were on the House floor. If you wanted to kill the bill because you want to let D.C. legalize marijuana, then was the time to do so—in public and on C–SPAN, not with private letters to House Members such as you have now sent quietly.

And you never even attempted a vote on the ''domestic partners'' issue, you know the House has rejected your position many, many times.

This bill has hundreds of millions of dollars of federal money for Washington, D.C. It is not too much to expect some common-sense provisions to accompany the money.

Further, the other three items mentioned in your letters—no public money for the lawsuit or for a needle exchange program or for ''domestic partners'' benefits—were both contained in the bill last year. The identical language was then approved by the House and by the Senate and signed into law by the President.

Finally, none of the items you now question were changed during the House-Senate conference. These provisions are identical with the bill passed by the House, and for which you voted. I am perplexed by why you now choose an extremist position rather than the solid position you took when you voted for the bill just a few weeks ago.

I regret that your actions, by sending your letters to all House Members, might complicate our future efforts to work within the subcommittee. However, I do not intend to let this happen. I pledge nevertheless to continue working with you in good faith on all issues. We may disagree on various things, but that's no reason to abandon the good we can do together.

Very Truly Yours,

ERNEST J. ISTOOK, Jr.,
Member of Congress.

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

The SPEAKER pro tempore. The gentleman from Virginia (Mr. MORAN) will control the 30 minutes, and the gentleman from Virginia is recognized.

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

I was out talking with the Mayor of the District of Columbia on the phone when this bill came up. I appreciate the Chair's clarifying that I will be managing this bill.

As my colleagues know, it is sad and unfortunate that we find ourselves in this position because the D.C. appropriations bill really ought to be one that we could reach consensus on, send to the White House, get signed, and get out of the way and deal with the other bills. It should almost be done in a perfunctory fashion because, as the gentleman from Oklahoma (Mr. ISTOOK) remembers, and I know he voted for the legislation, in 1997 we voted for the D.C. Revitalization Act, and what that said was that we are no longer going to do things in the way that had traditionally been done with regard to the District of Columbia. We are going to give them as much home rule as our Constitution allows. What we are going to do is to take the functions that other States perform, and the Federal Government is going to perform them, and the local functions, the functions that our cities perform, we are going to fund those with the same kind of grants and contracts that the cities in our legislative districts receive.

So D.C. is going to be treated the same way that any of our own local jurisdictions would be treated.

Mr. Speaker, the problem is that D.C. has not been treated the way that we would have treated our own constituents. That is why we oppose this bill.

The gentleman from Oklahoma (Mr. ISTOOK) has done a terrific job. I hope he listens to this although he is talking with the very distinguished ranking member of the full committee. But I want him to know that I appreciate what he has done as an appropriations chairman. As an appropriations bill, this is a good bill. It deserves support. The problem is not with the appropriations. The problem is with the authorizing legislation that has been attached to an appropriation bill. That is the extremist legislation.

Mr. Speaker, who is the extremist here? We are appropriators. We do not have any business getting into needle exchanges, and into abortion, and into same-sex marriages, and into medical medicinal use of marijuana. All that kind of stuff, that is not our job. We appropriate money, and if we had stuck to appropriations, everything would have sailed through. But we did not. We came out of the House with a bill that had a number of riders although there had been some compromise, and there was an agreement we would do what we could to compromise with the Senate.

Well, we go into the conference committee. We find out there have been pre-conference meetings that the Democrats did not even know about, never mind participate in. So we walk in, and it is a done deal. Virtually no room for maneuver, virtually no room for any kind of negotiation or compromise, and boy did we take the most reasonable position imaginable.

Let me suggest to my colleagues some of the most reasonable things that one could imagine that we suggested that were rejected. The gentleman from Ohio (Mr. BROWN) had a proposal that I think was wrong for last year. He prohibited D.C. from even counting the ballots on whether the referendum as to whether there should be medicinal use of marijuana. This year he prohibited the use of drugs that included marijuana, made it a criminal penalty. So in conference we suggested, well, let us at least clarify some very important points.

I offered an amendment that said first of all that the prosecutors will still be able to plea bargain agreements. If somebody is caught with marijuana, and they know that there is a major distributor out there, and they could get some information on the major distributor instead of somebody that is using marijuana for some kind of recreational use but had no prior record or whatever, let us not stick them with a mandatory criminal penalty.

□ 1915

Let us let the prosecutors perform their job as they would with any other criminal penalty. Make sure they are allowed to plea bargain.

Secondly, let us make sure that we are not unintentionally prohibiting the legal use of other drugs, such as Marinol, which apparently is a derivative of marijuana but is regularly prescribed as a painkiller. We do not want to make legal drugs illegal. So what could be more reasonable? We offered that. I just assumed that it would be accepted. Rejected. Not even any discussion.

We suggested, in terms of the use of needles, this free needle exchange. We have an enormous problem in the District of Columbia. There is an article in the Washington Post today that shows that the number of children infected by their mothers because of dirty needles, that the number of children infected with the HIV–AIDS virus has gone up 70 percent between 1988 and 1997. D.C. has a worse problem than any other jurisdiction in the country.

So we suggested, let us have the language say you cannot use federal or local funds for the needle exchange program, but let us at least let a private nonprofit organization function. Let us just put that language in, to make sure that Whitman-Walker can carry out its own program. We should not have any business in restricting a private nonprofit from doing what private funds enable it to do. Rejected. Not accepted.

So it went on like that. The Senate thought it was a deal to accept the social riders that they did not have; and

in return, they cut the money that the House had. What kind of a compromise is that? It was a lose-lose, when it should have been a win-win situation.

So the major reason why we oppose this goes back to the golden rule: do unto others as you would have them do unto you. In this case it applies to our own local jurisdictions.

Mr. Speaker, we would not impose the kinds of restrictions on any of our local jurisdictions that are imposed on the District of Columbia.

Let me give you an example. Sixty-seven State and local government health care plans allow health care coverage for domestic partners. Ninety college and university health care plans, 70 Fortune 500 company health care plans and at least 450 other private company not-for-profit and union health care plans have that kind of coverage.

I have never seen a Member of this Congress stand up and ask that those organizations in their district not be able to have that coverage. We are not talking about federal funds.

Likewise, I have never seen any Member of Congress that has a congressional district in California, Oregon, Nevada, Alaska, Arizona or Washington State offer an amendment to block the implementation of a ballot initiative on the medical use of marijuana.

It was approved in California. Where are the Members coming up and saying, despite what the voters of my jurisdiction did, I want to prevent them from carrying out the results of that referendum? We have not done it to ourselves. On none of these things have we done it to the people in our own constituency, yet we would do it to the District of Columbia. That is why we oppose the bill.

Mr. Speaker, I will reserve the balance of my time, because we want to hear from the one democratically elected delegate from the District of Columbia who truly is elected to represent her constituency, and get her point of view.

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

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

Mr. Speaker, I think the gentleman from Virginia and others try to couch this issue as though it were home rule or local control, as though every city in the country were able to divorce itself from the rest of the country and adopt laws contrary to the laws of the Nation and the laws of the States.

Where do you draw the line? If you say it is okay for D.C. to legalize marijuana, as the gentleman from Virginia argues, then what is next? Do you say it is okay for them to legalize heroin, to legalize cocaine, to legalize murder, rape, arson? Where do you draw the line?

Under the rationale of the gentleman from Virginia, it would be fine if the District of Columbia legalized anything whatsoever, disregarding the laws of the country, disregarding the Constitution that makes this Congress responsible for the laws of the District of Columbia. If you legalize marijuana, what is next? Cocaine? Heroin? Where do you draw the line?

Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the subcommittee.

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

Mr. Speaker, I rise in support of the District of Columbia appropriations conference report. We all hope some day the District of Columbia will be a crown jewel in our republic form of government, a place we are all proud of, a place that we will bring our families with pride in our hearts and a place that is safe and clean, where the citizens greet each other with a smile. I believe this conference report takes us a long step in that direction.

First of all, this conference report does have a lot of pro-home rule provisions. The District of Columbia Council approved a budget. The Mayor approved the very same budget. This conference report continues along that same line and supports the District of Columbia's budget. I think that is self-rule where it counts, in the budget area, in the finances.

Now, there have been problems. There have been problems with the District of Columbia following the guidelines that this body has laid forth. District of Columbia employees have taken automobiles outside the District of Columbia, against the guidelines. The District of Columbia has paid for abortions with tax dollars, against the guidelines. But, to the credit of this Mayor and the City Council, they have made long strides in overcoming the areas where they have fallen short, and I think that is why there is such strong support for their budget.

But the opposition seems to be in very radical areas. Number one, the opposition says that we want to finance challenging the U.S. Constitution, something that has been around since almost when George Washington was a corporal. It is already going forward. It is going forward pro bono, or free, and we ought to let that proceed, without taxpayer dollars.

If there was a provision to allow the people of the District of Columbia to become part of Maryland so that they could vote in congressional districts in Maryland, I would be glad to help support that. We have seen part of the District of Columbia being yielded back to Virginia, and the gentleman from Virginia (Mr. MORAN) represents part of that area as I recall. So perhaps we could move the balance of the District of Columbia into Maryland's congressional districts.

But that is not the issue here. They want to go for statehood, and that is something that has been around for the endurance of our Constitution.

They also want to take taxpayer dollars and buy needles to give illegal drug users the opportunity to shoot up illegal drugs in their veins.

Now, there have been a lot of areas that have had similar programs. Baltimore has had a program for 7 years. They found out this summer that 9 out of 10 injection drug users are infected with a blood-borne virus, 9 out of 10 who are in the program. Now, if 9 out of 10 are getting a virus, a blood-borne virus, and they are in the needle exchange program, I would consider that failure. How do you define failure, if that is not failure? Yet that is the very thing that you want to fund, and that is the very reason you want to oppose this piece of legislation, so we can take tax dollars and use them for a needles program.

I want to encourage all of my colleagues to support this conference report.

Mr. MORAN of Virginia. Mr. Speaker, I just want to clarify some things that I know my friend, the gentleman from Kansas (Mr. TIAHRT), inadvertently must have left out, because I think it is relevant to inform the Members that every single scientific and medical study has affirmed that needle exchange programs in fact do work with the highest-risk population in our urban areas. Baltimore's works particularly well, and that is why they continue it as one of the few programs that has worked effectively, because it brings people into the system where they can get into substance abuse prevention programs, reduction programs, and it enables them to be monitored so that you can limit the spread of AIDS.

The National Institutes of Health, the American Medical Association, the Centers for Disease Control, we can go right down the line. Every prestigious organization that you would think would have an opinion has done a study, and they have all come to the conclusion that needle exchange programs do not increase the use of the illegal drugs, and they do reduce the transmission of the HIV–AIDS virus.

But the other thing that inadvertently might have been omitted, or I guess actually it was misstated, but I think I know the gentleman from Oklahoma (Mr. ISTOOK) or the gentleman from Kansas (Mr. TIAHRT) would want me to clarify, because we are not talking about the use of taxpayer funds. That is what was referred to. The amendment in conference would have precluded the use of federal or local public funds. It only allowed private money, not taxpayer money, for the needle exchange program.

Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the Congress has forced me and D.C. elected officials to the outrageous position of opposing our own appropriation. No local budget has any business here, but the least D.C. residents are entitled to is respect. Once their elected officials have submitted a frugal balanced budget, D.C. went even further. The local budget

has tax cuts that the majority likes and a surplus, signalling that the city has pulled itself out of fiscal crisis.

I ask for a no vote, not because of attachments. The District has long lived with attachments, and I would not ask for a no vote because of attachments alone. The opposition of the District is based on new and unprecedented inroads into self-government for the first time in 25 years of home rule.

First, the bill takes funds slated for urgent District priorities and redirects those funds. In addition, not only have attachments grown more numerous, now they are prepackaged in the bill before it even goes to subcommittee. Further, whatever the District wins, fair and square, along the way, does not matter. The Committee on Rules simply reverses the vote and reinstates defeated amendments. We lose even when we win.

Yet the District now has a new management-oriented Mayor with a proven track record of fiscal prudence and a revitalized City Council. If anyone has been reasonable during this process, I believe I am that Member.

The bill has gotten this far not because it is fair to the District. It would never have gotten to conference except that I stretched to be fair to the Committee on Appropriations that had worked hard on a bill that had some features I supported.

□ 1930

Even yesterday I asked the Committee on Rules to send the bill back as I considered new approaches that might satisfy all concerns. I believe, and Members who know me know I believe, in negotiation over confrontation.

Many Members did not want to vote for an appropriation that had attachments they opposed. Many more simply did not want to be dragged into controversial local issues. Nevertheless, I counseled a yes vote because of promises made and of prospects for improvement. The bill passed only because many Members voted for it as a courtesy to me.

Out of the same courtesy and out of respect for the people I represent, I now ask Members to oppose the conference report before us. The bill has grown worse in conference as the Senate simply piled on with unrelated additions, and the House made no improvements and kept no promises.

The District should not be asked to grovel to get its own money. I stand here to put Members on notice that I will never grovel before this House to get the money to which we are entitled, our own money. Nor should the District be asked to live with automatic attachments and redirected local spending. If we do not send this bill back to conference, it will be vetoed.

Mr. Speaker, the new city, the new District of Columbia that on its own might, with its own sacrifices, has risen from the ashes, deserves better. District of Columbia residents deserve much better.

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

Mr. Speaker, I would have to note, in response to the gentlewoman from the District of Columbia (Ms. NORTON), and it has been a good opportunity to work together, but if we saw, as was presented, if the Members of her party, the Democrat members, the 160 or so who voted for the bill before, switch their votes today because the gentlewoman from the District of Columbia asks them to, then I would have to wonder who is in charge of the votes of those Members. Is it the people who elected them, or have they locked up their votes and handed them to another person, in the person of the gentlewoman from the District of Columbia?

I would certainly hope that constituents would not find that their Members of Congress changed their votes just because the gentlewoman from the District of Columbia (Ms. NORTON) was unhappy.

I would have to say that the things of which they complain, and we have put in the RECORD a chart, these are nothing new. These are what has been part of this bill for years. We have not added anything new. The only thing new is in their extremism to get the District of Columbia to be legalizing drugs, to go back to the days when it was the butt of late night talk show jokes about the then mayor of the District and drug use.

If they want the scenario of the Nation's Capital legalizing drugs, as they have said in their letters sent to other Members of this Congress, then the American people need to know that that is the agenda and that is why the Democrats in this body are opposing this bill, because it is their desire to legalize marijuana, which this bill does not permit our Nation's Capital to do.

Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, let me start by saying I cannot think of another Member whose opinion on this I respect more than the delegate, the gentlewoman from the District of Columbia (Ms. NORTON). She has worked very hard and been a great partner in helping to bring the Capitol city back, and ably represents that city.

My friend, the gentleman from Virginia (Mr. MORAN), we have worked very hard on these issues together. As part of the Washington metropolitan region, I think he deeply cares and is concerned about the District.

We come to a different conclusion about this bill. There are good things in this bill, as has been outlined by my friend, the gentleman from Oklahoma, and there are things in this bill that are in it that I do not like, as have been outlined by my friends on the other side.

But at the end of the day, if I vote to reject this bill, I am basically voting for a no for $17 million additional dollars for the D.C. College Access Act. This is a first-time opportunity for children in the District of Columbia graduating from high school to pay State university costs, to attend State universities in other places in the country, similar to the right that the people in my State get to go to the University of Virginia or George Mason or the University of Maryland and pay in-State tuition, something affordable to them when otherwise they would have to pay out-of-State tuition. That is unreachable for many able students in the District of Columbia. So Members vote to reject that if they vote this down.

They vote to reject more dollars for charter schools, which have gone a long way. Over 2,000 students have signed up for charter schools in the District of Columbia, and a long waiting list to get back in, people who want the opportunities for education this alternative offers within the public school system.

We would be rejecting a $5 million study of the 14th Street bridge that can add an additional lane there at the interchanges where the Parkway feeds into that. If Members vote no, they are voting to reject that and sending it back and taking our chances.

We are rejecting a $5 million Federal appropriation for the cleanup of the Anacostia River. This is critical for the city and for its economic redevelopment and comeback.

Most of all we are rejecting, Congress, acceptance of the D.C. consensus budget, something put together by the Control Board, the mayor and the council, working in harmony. That is what the crux of the whole control board legislation was, to get everybody working and singing from the same page.

There are some provisions in this bill that I find obnoxious, that I did not support. One is not allowing the city to sue over its statehood right, a suit I think they will probably lose, but I think they ought to have that right, since we do not give them the right to vote on the House floor, something I think the city deserves.

That was in the bill last year. I do not think by itself that that means we should reject all of these other items in the appropriation bill. This is not new, unprecedented inroads. This in fact was in the bill last year.

The needle exchange program is something I think reasonable people can disagree about. We waiver back and forth when we hear the arguments. But this was in the legislation last year and we supported it, and the President signed it. This is not a new, unprecedented inroad.

Cellular telephone towers at Rock Creek Park, this obnoxious movement into home rule was put on by the Democratic leader in the other body. Members may find that an obnoxious provision, but that was something put on by the Democratic leader in the other body. That is a first-time unprecedented inroad, but I do think by itself

is not grounds for rejecting this legislation.

The domestic partners legislation and the prohibitions on the funding for abortion have been in this legislation for years and years and years. This body has on a consistent basis, although many of us do not like some of these provisions, has voted for that because we did not think it overcame the positive things that have come out of these appropriation bills.

Mr. Speaker, I, like my colleagues on this, am not happy with every provision of this bill. I stood in the well of the House and spoke against some of these provisions when they came up for amendment on the House floor. But there is much good in this bill.

The fact that the consensus budget has been agreed to without the kind of tampering we have seen in this body in the past, the fact that the college access program is funded for the first year and we can get that off the ground, a $5 million study for the 14th Street bridge, cleanup for the Anacostia River, money for charter schools, money for drug abuse, these items I think make this legislation worthwhile to support.

On those grounds I am going to support this legislation, and urge my colleagues to support the conference report.

Mr. MORAN of Virginia. Mr. Speaker, I yield 4½ minutes to the distinguished gentleman from Maryland (Mr. HOYER).

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

Mr. Speaker, I want to talk about extremism. I ask my friend, the gentleman from Oklahoma, to perhaps listen as we talk about extremism.

Mr. Speaker, I want to talk to my friend, the distinguished gentleman from Virginia (Mr. DAVIS), with whom I agree so much of the time. I say to him, the good news is that if we reject this conference report, I do not think we will ultimately lose any of the good things of which the gentleman spoke. If we do, it will be a mean-spirited action, indeed, because I presume they are included, because the gentleman's side of the aisle as well as my side of the aisle think those things are positive. We agree on them.

I do not rise because I want to legalize drugs. No matter how many times the chairman tries to articulate my reason for taking my action, it will not make it so, Mr. Speaker.

Nor will I oppose this bill because the gentlewoman from the District of Columbia (Ms. NORTON) tells me to, although I will tell my friend, the gentleman from Oklahoma (Mr. ISTOOK), I believe that the gentlewoman from the District of Columbia (Ms. NORTON) is due great deference on this issue, because in this democracy she has been elected by Americans, American citizens, almost 600,000 of them, as we have seen, to represent their views. Those views represented by the gentlewoman from the District of Columbia (Ms. NORTON) are due deference, in my opinion.

But I will oppose this bill for what I believe to be one of the most extreme, tyrannical, dictatorial provisions that I have ever seen in a bill on this floor. It is a shameful provision in this bill. For the American Congress to take the position that an American citizen cannot seek redress in the courts of this land through its corporate structure I say is un-American. It is contrary to the principles that the people's houses ought to represent.

I am shocked that it was not dropped in conference. The fact of the matter, the chairman has said, oh, it was in last year's bill, so those who hear that statement will say, oh, well, it must have been, and it was. But last year's bill was included in a bill that appropriated $400-plus billion. It was incorporated in a bill that we had to pass at the last minute because of the failure of the Committee on Appropriations to pass its appropriations bills seriatum, so we did them all in one package, so the President was left with really no alternative.

So in this bill we incorporate a provision, and Mr. Speaker, it is not made better because it was included last year. It is made worse that we would repeat this error, this egregious denial of democracy, where we say to the citizens of the District of Columbia, you cannot go to court and say that the way you are being treated is unconstitutional.

That is the basis of our government. Why? Because it says to every individual, no matter how small, whether they are 99 and 9 tenths percent not agreed to by the rest of us, that they have the inherent right as a citizen of this country to go to the courts and seek redress of their grievances.

Mr. Speaker, this provision of the bill is offensive to democracy, offensive to our Constitution, offensive to the basic rights of individuals to redress their grievances in the only way the Constitution sets forth ultimately for the minority. The majority can redress its grievances by voting in this body. The majority can always redress its grievances. But the genius of our system is that we provide a procedure where even the minority can redress its grievances. That is addressing the court.

This bill ought to be rejected for the inclusion of that provision alone.

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

Mr. Speaker, I think some people could have been thoroughly confused by what we just heard from the gentleman from Maryland.

This bill does not stop anybody from going to court. The gentleman knows better than what he has said. They have already filed that lawsuit. It is already in court. It is already pending before the judge for a decision. This bill did not stop anybody from going to court, it just said they cannot use taxpayers' money to finance the lawsuit.

They have one of the best legal firms in the country, Covington & Burling, handling that lawsuit that the gentleman claims people are stopped from bringing. They are already in court. It is already happening. The bill just says we do not use taxpayers' money to pay for that lawsuit.

To pretend that somehow this has denied people access to the courts would be just plain hogwash.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM).

□ 1945

Mr. CUNNINGHAM. Mr. Speaker, for the first time in history and in the last Congress, we had over 20,000 children in the D.C. school system request to go to summer school, not because they had to, but because they wanted to.

We are trying to turn the entire education system around in D.C. to where most of the children that graduate are functionally illiterate and those who do not graduate drop out. The system has totally gone bankrupt.

Education, public works, the city, a mayor sniffing cocaine and putting the rest of it up his nose, the system to where we had school board members that were hired because of their political affiliations to Marion Barry. The mayor today is a bright light and has tried to work with this Congress and I think has done very well.

Charter schools. The education system. We did not cut public education. We actually increase education dollars and the charter schools. Thanks to the gentleman from Virginia (Mr. DAVIS), for the first time in this bill, children in D.C. can go to other universities of other States and not have to pay that tuition.

I mean, that is fantastic, those kinds of changes that have been made in this.

The Anacostia River. How many have ever been up to Bladensburg? Look at the mud flats, the toxic wastes that are up there. For years, it has piled up. The Anacostia River has more parts per fecal than any river in the United States of America. Why? Because every time it rains, the sewage from D.C. system flows into that valley, and all of that fecal material goes into that river.

It is so bad, there is so much bacteria that it soaked up all the oxygen in the Anacostia, and that is why the fish died, bacteria taking up oxygen.

The Navy has agreed to dig out those areas with toxics and the PCB. We have established a $25,000 fine for dumping. I took a little boat up there. One cannot even get one's boat up there for the beer cans and the dump and the trash.

These are good things. It is a health hazard. It is an economic hazard. And we are changing those kinds of things.

Mary Williams has worked with us to revitalize that waterfront. Go down there. There are empty lots down there full of beer bottles and trash because the D.C. system wanted a year-by-year lease. They get money under the table. Well, we will give one a lease but one has got to give a little bit of money back to me. That liberal system failed.

We are putting in 30-year leases so that there will be businesses established down there. We want to take that whole waterfront and turn it into a San Francisco waterfront where we have got businesses that are creating dollars instead of the neglect that D.C. has given it.

The gentlewoman from the District of Columbia (Ms. NORTON) says, ''We did it on our own.'' I do not believe that. The system was so far out of line that the control board had to be established. For 40 years, the Democrats did nothing. The neglect for D.C. Look at the education system. Look at the crime. Look at the streets. Look at everything.

We took the majority. We established a control board. We are coming in. We are changing the school systems. We are cleaning up the Anacostia River. We are cleaning up the waterfront. They want to oppose it because they want to give drug addicts needles, or they want to legalize marijuana.

I disagree with my friend from Virginia (Mr. MORAN) that every study has not been conclusive. Take a look at Sweden and other areas. I ask for a ''yes'' vote on this bill.

Mr. MORAN. Mr. Speaker, I yield 30 seconds to the gentlewoman from the District of Columbia (Ms. NORTON) to respond to the statement of the gentleman from Oklahoma (Chairman ISTOOK).

Ms. NORTON. Mr. Speaker, to clarify on the court suit, the measure in the bill keeps our corporation counsel, the one lawyer with expertise in District affairs, from even looking at the papers that had, in fact, been drawn by the private law firm, on his own time. When our corporation counsel did so on his own time, after getting permission of a court, a Member of this body wrote him and asked him to submit all of his leave records. If that is not extreme, the word needs a new definition.

Mr. MORAN. Mr. Speaker, I would yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the full Committee on Appropriations.

Mr. OBEY. Mr. Speaker, the gentleman from Oklahoma says that the District of Columbia should not be able to use taxpayers' dollars to petition for the right to be represented in this body. What he forgot to tell us is that it is their money. Each of us represents half a million people, and we cast a vote on their behalf in this chamber. This bill says that the city cannot even use its own money to pursue the right in court to have their own voting representative.

Now, one may disagree with their right to have that idea, but to say that the City cannot use its own resources and has to depend on private fund raising in order to achieve a public right is, to me, the ultimate act of antidemocratic arrogance.

These are Americans we are talking about. These are taxpayers we are talking about. Yet, we say that they have to go hand in hand to raise private money in order to achieve their own public rights. That is outrageous to be heard in any democratic institution. If big brother is going to tell the City what their own ordinances can contain, then at least that City ought to have a voting right in this body, and they ought to be able to use their own resources in order to try to achieve that end.

If he disagrees with the idea that they ought to have a voting right in this body, so be it. But they have a right to use their own money the way their own local taxpayers want it to be used, not the way the gentleman from Oklahoma thinks is correct. That is the ultimate big brother arrogance.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlemen from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) each have 7 minutes remaining.

Mr. ISTOOK. Mr. Speaker, I yield myself such time as I may consume. I would suggest that my friend across the aisle who has such harsh words for this provision ought to be addressing those harsh words to the President of the United States who signed into law the identical provision word for word, comma for comma of which they now complain.

That is the only reason why it remains in this bill because it was approved last year by the House and Senate even before it was an omnibus bill and then signed into law by the President of the United States. Thus, that being the position that these bodies and the White House have taken before, it remains the position.

We had a vote in the body. The Senate was not willing to change on this provision, and it remains as it has been. But it does not cost anybody their rights to pursue their desire to have a vote in this Congress. The lawsuit is in court. It is pending. They have one of the top-notch law firms in the country representing them at no cost to the taxpayers.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time.

I wanted to touch base real quickly on this lawsuit a little bit, Mr. Speaker, because what the lawsuit is about is Washington, D.C.'s right to become a State, and that is something that this Congress has voted on, and the votes fell short. So now Washington, D.C. is trying to take a court route for their right, and I do support their right to go to court.

But I want to remind everybody today we voted to reduce funding for something that is also very important to our counties and municipalities around the country, and that is the CDBG, the Community Development Block Grant program. Let us say, if some counties out there did not like the amount that we voted on, should they be suing us, and should we give them money to sue us for that?

This matter that is pending in court has been debated on this floor in the House. It has been voted on by this floor of the House, and it was voted down. I am sorry that folks in Washington, D.C. want to take this to court. They do not like this legislative process. But that is why we have a legislative process. There are winners, and there are losers in it.

On the issue of home rule, Washington, D.C. as a city grew up around the Capitol of the Nation. This was a swamp. There was the City of Georgetown, but there was not Washington, D.C. until the United States Capitol came here. Because of that, there has always been a relationship between the government and Washington in terms of who is going to run what.

I believe there was not home rule for a while, and then there was home rule up until something like 1871, and then it was lost because one of the mayors 100 years ago was spending too much money on roads, and Congress took the right of home rule away. Then I think in, what, in the 1970s, it came again.

Then in 1994, there were debates about taking home rule away. Because of the leadership of the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Virginia (Mr. MORAN) and many others who said, wait, that is too harsh on this city. Let us keep home rule in place, and let us work through this control board. A lot of things, because of their position taken by these folks and their leadership, prevailed.

The university, the law school, and the hospital, all of which 2 to 3 years ago were on the chopping block to be cut, but because of the autonomy of Washington, D.C., they were able to retain that.

There is a relationship between the Congress and Washington, D.C. It is not always a happy marriage, but it is there. They will probably not have complete home rule for many years to come. But in the meantime, I, as a Member of Congress, cannot vote to legalize marijuana in Washington, D.C. I cannot give them that option, because what about the other cities who want to do that or some of the other proposals like needles to drug addicts? If Washington, D.C. wants that, is it not fair to give that option to all other cities across the Nation? We as a Congress have voted not to do that.

Now, there are a lot of good, positive things in this bill, despite the fact that we disagree on much.

Mr. MORAN of Virginia. Mr. Speaker, I yield myself such time as I may consume to respond.

The gentleman, for one thing said with regard to the needle exchange programs that we should provide such authority to all the jurisdictions. Every jurisdiction in the country has the authority to determine whether or not they want a needle exchange program. A great many of them, I think it is 113 cities, have chosen to do so.

All we are saying is the District of Columbia, under a democratic, small ''d,'' form of government ought to be able to make that decision on their own. Our language which said no Federal funds and no local public funds should at least have been accepted so one can use private funds.

But with regard to the voting rights act, let me suggest to the gentleman from Wisconsin (Mr. OBEY), who is my friend, the gentleman who consistently underscores the fact that the White House signed a bill that included this language, we have a written correspondence from the Executive Office of the President making clear that the administration opposes language included in both bills which would prohibit the use of Federal or District funds to provide assistance for petition drives or civil actions that seek to require voting representation in Congress for the District of Columbia.

That was an omnibus bill. There were hundreds of provisions, thousands of them, actually, if one has gone into all the different tax provisions and so on. Politics is the art of compromise. We had to keep the government going, and there was some compromise sought. But that legislation expired at the end of this fiscal year.

So the administration feels I know very strongly that that legislation should not be renewed and would be one criteria for vetoing this bill.

Again, as the gentlewoman from the District of Columbia (Ms. NORTON) says, there are some things that do require some resources from the District of Columbia, such as the D.C. Corporation Counsel being able to review the legal briefs to make sure there is no problem with the litigation that the private law firm is bringing forward. I am not talking about much money. Pennies. One has to know it is nothing that would even show up in an appropriations bill.

But to be so extreme as to prohibit D.C. Corporation Counsel from reviewing that legal brief just does not seem fair or appropriate and does seem to the extreme.

Now, I was looking for the gentleman from Maryland (Mr. CUMMINGS). The gentleman from Maryland (Mr. CUMMINGS) represents the City of Baltimore, and, Mr. Speaker, he feels very strongly, having seen the very positive impact of the needle exchange program in Baltimore with regard to the serious drug problem that they are experiencing, that this is a proven program that should be renewed.

Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Baltimore, Maryland (Mr. CUMMINGS).

□ 2000

Mr. CUMMINGS. Mr. Speaker, first of all, I want to address this whole issue of the courts. As a lawyer of 21 years, I am very concerned about this. It is interesting to listen to this argument as basically a new Member and listen to the other side talk about how the law firm is doing its thing and working hard for the District. And I certainly applaud that, but the thing that they fail to say is that this is something that has been basically rammed down their throats.

It is nice for that law firm to be doing this, but when we hear the words of the gentlewoman from the District of Columbia (Ms. NORTON), which really shocks the conscience when she talks about the fact that the corporation counsel on his own time has to then go back and report to a Member of Congress, I do not think any Member of this body would stand for that kind of thing in their district.

There is a portion of the Bible that says a very simple, simple thing; and I think that we ought to think about it more in this body, and as a new Member I say it to my colleagues: ''Do unto others as you would have them do unto you.'' As I said before a little earlier, I do not think any Member of this body would stand for the people in their districts not being represented and not having the funds and not being able to use their funds to do the things that they want to do.

On the issue of needle exchange, I want to make it clear. I started not to speak, because I did not want this bill and this effort to be viewed as a needle exchange effort. It is not about that. But the needle exchange portion is very important because it is about saving lives.

I hope that none of my colleagues on the other side, and those people who may be against needle exchange, ever have the opportunity to attend the funeral of someone whose body is all shriveled up. I hope they never have a loved one who is lying in bed in pain, and in so much pain they do not even know they are in pain. I hope they never experience that, but I have seen it in Baltimore.

I do not have to go to Sweden; I can go 45 miles away from here and see a program that works and works very effectively. The people of the District of Columbia are simply saying we want to do this; we want to use our funds to do this, and they are asking us to yield and give them that opportunity.

So when we err, and we always worry about erring on the side of what is right or erring on the side of what is wrong; but if we err, let us err on the side of life and not death. Let us err on the side of those programs that do work. As I said, we do not have to go to Sweden; we can go 45 miles away and see something that works. I see it every day. I see it working. I see crime reduced. I see the number of AIDS cases reduced. I see the number of people on drugs reduced. And I see that in my district.

Mr. ISTOOK. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Oklahoma (Mr. ISTOOK) has 3 minutes remaining, and the gentleman from Virginia (Mr. MORAN) has 1 minute remaining.

Mr. ISTOOK. Mr. Speaker, I yield 1½ minutes to the gentleman from Alabama (Mr. ADERHOLT), a member of the subcommittee.

Mr. ADERHOLT. Mr. Speaker, I simply wanted to rise this evening in support of the conference report. The subcommittee has worked very diligently under its chairman's leadership to put this bill together.

Opponents of this bill claim that this is a question about home rule. The Constitution, in Article 1, Section 8, gives Congress the ultimate responsibility for decisions affecting the District. The subcommittee has upheld the Constitution and found ways to work positively with the D.C. government.

The subcommittee approved intact the same budget that the D.C. Council and the Mayor approved. Also, this bill ratifies $59 million in tax relief that the D.C. Council and Mayor approved as well.

Almost all of the so-called riders are incidental to what Congress passed and the President signed last year. These measures provide common sense policies that all Members should support. For example, why should we allow the District of Columbia to spend funds to legalize marijuana when such efforts contradict current law?

But aside from these measures, this bill has many other positive aspects. There are funds to provide better education for children by strengthening public charter schools. There are funds to provide high school graduates with millions of dollars for new scholarship opportunities and more choices when deciding which college to choose.

This is a bill that will continue, in my opinion, to improve our Nation's Capital. I urge support of the conference report.

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

I think we have made our point. Number one, this is a good appropriations bill. If the Members wanted to change the national law with regard to the medicinal use of marijuana, with regard to needle exchanges, with regard to a host of other issues, there are dozens of social riders in this thing, we should go to the Committee on the Judiciary, the chairman of the Committee on the Judiciary is here, and let him take them up. Let it go through the authorization process, not the appropriations process.

We have agreed that there will not be federal funds used for any of these controversial measures. No federal funds. We are not arguing that. We are just saying treat D.C. like we treat the jurisdictions in our own congressional districts. That is all we are asking. And if we were to do that, we would all vote for this appropriations bill because it is a good appropriations bill. It has tax cuts, it has a surplus, and it does the right thing.

We should do the right thing for the District. Vote against this. Let us get a real appropriations bill.

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

It is pretty simple for most people to weigh the good against the bad. We have a bill that has a balanced budget, reducing the size of D.C. government, streamlining it, helping it be more efficient and effective. There is scholarship money for kids to go to college. Charter schools are strengthened so they are not trapped in dead-end schools. It has the Nation's best new program to fight the link between crime and drugs. We have in this bill opportunity; we have cleanup of the Anacostia River. We have all of these good, strong, solid things.

What is on the other side of the scales? Well, it does not let the District of Columbia legalize marijuana, and it does not let them use public money for a lawsuit that is already filed and being paid by private individuals. Therefore, they say, that outweighs everything else in this bill. How extreme. How extreme.

And for people to say they will reverse their support, 160 Democrats going to reverse their support because they have surrendered their vote to an extreme position, following the gentlewoman from the District of Columbia; that they have surrendered their vote. What will their constituents think? That outweighs all the good in this bill. To legalize drugs? No. Vote for the conference report.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the District of Columbia, but in opposition to this Appropriations conference report. Our Capital City and its residents deserve to enjoy the benefits of the democratic process without interference from the Congress. This conference report is full of provisions that adversely affect the government of the city.

The right of self-governance is something that all of us take for granted. We take for granted that our respective districts, whether they are large metropolitan cities like Houston, or small rural towns, depend on the democratic process. In every place, except for the District of Columbia, the decisions made by the locally elected government are respected.

Even when these local officials make decisions that we might not agree with, there is no congressional action taken to overturn them. This is because local government is subject to a democratic process that provides an internal system of checks and balances. If the people do not like the decision of their officials, then the people vote those officials out of office.

This same process occurs here in Congress. We are also subject to the will of the people. However, we live and work here in the District of Columbia, and we insist that the principle of democracy we hold so dear does not apply. How hypocritical!

This Congress should be ashamed of this conference report. Once again, we intend to force the will of our special interests against this city. Proposals that we would not dare entertain in our own districts, we impose on the District.

We require the District government to jump through various hoops so that the elected mayor can receive his powers to govern. We humiliate the elected City Council by overseeing every piece of legislation they consider. We continue to treat the city and its residents as if they do not exist.

However, this year D.C. has proven that its government works and that its elected officials can handle the day-to-day management of the city. With a new mayor and city council, this city is on its way to financial recovery. The city has even submitted a sound budget with a surplus.

Congress should reward that progress by staying out of the internal affairs of the District government. Their citizens pay their taxes, vote and work just as hard as our constituents at home and we should not infringe upon their rights as American citizens.

The conference report includes provisions that restrict certain uses of District government funds. It includes the provision that prohibits federal and District funds from being spent on needle exchange programs.

The needle exchange program could help the District combat the spread of AIDS through contaminated needles, but this Congress has decided that D.C. residents cannot benefit from this sort of program. This Congress determined this program was too controversial for the D.C. government to spend its own funds.

Although this report does allow the city to count the ballots from the referendum on the legalization of marijuana, the city cannot spend any of its funds to reduce penalties or for legalization. If another state had a similar ballot referendum, this Congress would not prevent the results from being known, nor would we interfere with the implementation of such.

It continues to prohibit the use of District funds for abortion, although no such prohibition exists for other states. It also prohibits the use of funds for extending rights to domestic partners. Again, this would not be heard of for any State.

Since the federal payment to D.C. was eliminated in 1997, the Congress has no interest in how funds are spent in the city. Unfortunately, the appropriation process in the District is being held hostage to the interests of a few who would seek to continue the ''big brother'' watch over the city.

Although we are approaching the 21st century, the beginning of a new millennium, in Washington, DC, it is more like 1984—like the book written by George Orwell. Watch out D.C., ''Big Brother'' is watching your every move!

Please support the notion of local governance that we fight so ardently for in our own jurisdictions. Let's give a strong vote of confidence to the new mayor and city council in the District by voting against this conference report.

The citizens of the District of Columbia are not second-class citizens. They are just as important as my constituents in Houston are and as any of your constituents. Do not continue to send the message to the District residents that we do not care about democracy in this city. Vote against this bill.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 208, nays 206, not voting 20, as follows:

[Roll No. 404]

YEAS—208

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Packard
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NAYS—206

Abercrombie
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah

Filner
Forbes
Ford
Fossella
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Goodlatte
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Minge
Mink
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—20

Ackerman
Cooksey
Crowley
Diaz-Balart
Houghton
Latham
Lipinski
Miller, George
Moakley
Murtha
Oxley
Pryce (OH)
Rangel
Rogan
Roukema
Stark
Sununu
Towns
Weldon (PA)
Young (AK)

□ 2032

Mr. SHOWS changed his vote from ''yea'' to ''nay.''

Mr. HERGER and Mrs. CHENOWETH changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WE MUST ACT ON EAST TIMOR NOW

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

Mr. MCGOVERN. Mr. Speaker, this morning I woke up to read in the paper a high-level administration official comparing our choices in East Timor to whether he asked his daughter to clean up her room.

I find this comment offensive, offensive to the people of East Timor who are paying with their lives for trusting the international community; paying with their lives by having 78 percent of the people vote for independence; offensive to the four priests I met on August 20 in Suai, East Timor, who are now rumored to be murdered; offensive from a representative of the United States which for the past quarter century has trained, armed and equipped the Indonesian police and military, who in turn organized and armed the militias now rampaging throughout East Timor.

Rather than talking about their kid's room, the Clinton administration should be announcing a cutoff of U.S. aid to Indonesia until the violence in East Timor stops and the people can return to their homes safely.

I am proud to join with my colleague, the gentleman from Rhode Island (Mr. KENNEDY), in introducing legislation to oppose an immediate suspension of all U.S. assistance to the government of Indonesia. I urge all my colleagues to join us and send a message to the administration, as well as to Indonesia, that we will not stand by while East Timor burns.

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, DC, September 8, 1999.

WILLIAM S. COHEN,
Secretary of Defense, Department of Defense, The Pentagon, Washington, DC.

DEAR SECRETARY COHEN: I read today a summary of your position on the East Timor crisis in USA Today, which emphasized your absolute rejection of U.S. troops participating in any peacekeeping force. While I can understand your legitimate concerns regarding U.S. commitments already in place around the world, as well as for the safety of our troops, I was disappointed and dismayed that nothing was put forward about what the Pentagon might be willing to support to stop the slaughter in East Timor. Hopefully, this was the fault of the reporter and does not accurately reflect your complete views on East Timor.

Laying aside for the moment the participation of U.S. troops at some time as part of a multinational peacekeeping force in East Timor, I would hope that you would agree the U.S. could and should provide financial support to such an operation, as well as warships (similar to what Britain has already put in motion), helicopters, medical personnel, and other transport, logistical and communications support. A forceful public pledge of such support might provide the signal other nations in the region are looking for to move forward with their own commitments to such a peacekeeping mission.

The United States has been a strong and vocal supporter of the U.N-brokered plebiscite that took place on August 30, where over 78% of the East Timorese voted for independence. What credibility will the United States and the international community have if the reward for embracing democracy is death and destruction? Is it not indeed in the U.S. interest to help in stopping the current slaughter in East Timor?

Over the past quarter century, the Department of Defense spent considerable time and funds in training, equipping, and arming the Indonesian military and police, who in turn, organized and armed the militias currently rampaging in East Timor. Just as U.S. policy now supports the democratization of Indonesia and the referendum process in East Timor, so now should the Pentagon help to protect the vulnerable East Timorese people who embraced that process.

Time is of the essence. As you are well aware from your briefings, every hour, let alone every day, increases the death toll and forcible displacement of the people of East Timor. I look forward to seeing more concrete, constructive and affirmative statements from you and the Pentagon on how to stop the killing and resolve the crisis in East Timor.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

[From the Los Angeles Times, Sept. 9, 1999]

ONLY INTERVENTION CAN STOP THE VIOLENCE

EAST TIMOR: THE JAKARTA GOVERNMENT, UNABLE TO CONTROL ITS RENEGADE ARMY, HAS LOST LEGITIMACY

Jose Ramos-Horta shared the Nobel Peace Prize in 1996 with Roman Catholic Bishop Carlos Ximenes Belo, whose home was burned to the ground Tuesday by militias roaming Dili, the capital of East Timor. Ramos-Horta spoke with Global Viewpoint editor Nathan Gardels on Wednesday.

Question: Why is the violence taking place now, after the independence vote? Who is committing it?

Answer: The killing is a well-designed strategy prepared for a long time by the Indonesian Army intelligence and special forces. They have their own agenda, and it is very simple: They are not prepared to relinquish East Timor, regardless of the vote in favor of independence and regardless of the commitment by Indonesian President B.J. Habibie.

The so-called ''militias'' are a fiction. Most of these militia members are not East Timorese opposing autonomy but are Indonesians recruited from West Timor. Among the militias are special forces and Indonesian police in plain clothes. And it is not even these militias that are carrying out the main violence. They don't have the firepower to destroy buildings. And where on Earth would these local militias get the means to ship tens of thousands of people out of East Timor? The Indonesian army, like the Serbian army in Kosovo, arranged for this mass deportation of our people. They have provided the ships to take the people away.

Q: What is the objective of their campaign?

A: To overturn the vote. As far as the army is concerned, the vote is history. They know if they don't accept it, there is no one who will enforce it. Again, let me stress: The war is not being waged by the 20% of the East Timorese who voted for autonomy over independence. We had meetings with all their leaders and they were prepared to accept the vote and join us in a power-sharing arrangement. It is the Indonesian Army that is waging this war.

Q: The martial law that has been declared, then, will consolidate the military control of East Timor, not stem violence?

A: Absolutely. Martial law only strengthens the power of the military. Neither President Habibie nor the defense minister have the power to stop the army. In the context of a democratic country, the Indonesian Army is a renegade army. Along with the special forces, they are a law unto themselves in East Timor.

Q: What, then, is the solution?

A: The only solution is international intervention. If the United Nations Security Council does not fulfill its obligations and call for armed intervention, then countries that have a conscience and resources—Australia, New Zealand, Canada and the Europeans—should do it.

Q: Even if the government in Jakarta does not invite them in?

A: A government that cannot honor its international obligations because it cannot control its renegade army does not exist from the standpoint of international law.

The army has hijacked the legitimacy of Indonesian sovereignty. It is a false issue to argue that intervention by the outside world requires the approval of Jakarta.

Q: Are you hopeful about a U.N. Security Council resolution?

A: No, I am not. Some Security Council members insist on an invitation from Jakarta.

Now that U.N. personnel have left East Timor, the violence will escalate. East Timor will be betrayed once more and left alone at the mercy of the Indonesian Army. Thousands and thousands will die in the next few days.

I also cannot say I am hopeful that the Australians and others might take action on their own. I can only pray for a divine inspiration that will summon those with decency to go in and fight for justice, to save the people of East Timor.

[From Human Rights Watch, Sept. 6, 1999]

EAST TIMOR: THE WORLD MUST ACT OR BE COMPLICIT IN THE KILLING

(New York—September 5, 1999)—Human Rights Watch today charged that Western governments were not doing all they could to stop the violence spreading across East Timor in the wake of the vote in favor of independence there last week.

''Indonesia seems bent on leaving East Timor the same bloody way it went in,'' said Sidney Jones, Asia director of Human Rights Watch. ''Western governments will be complicit in the killing if they fail to use any and every means possible to force the Indonesian government to either stop the militia violence or allow international peacekeepers in.'' Jones dismissed as ''nonsense'' the suggestion that the militias—created, supported, and armed by the Indonesian army—were beyond Jakarta's control or that they were acting at the behest of ''rogue'' elements of the armed forces. ''The only evidence one needs of Jakarta's involvement is that some 15,000 army and police are in East Timor doing absolutely nothing to stop the terror, arrest the perpetrators, or protect the victims.''

''This shows every sign of being planned and coordinated beforehand,'' she said. ''The Indonesian army may be trying to teach a lesson not only to the East Timorese but to the people of Aceh and Irian Jaya. The lesson is: if you seek separation from Indonesia, even if support for separation is overwhelming, we will destroy you, and no outside power will come to your aid.'' She said it was absurd to explain the violence simply in terms of the pro-Indonesia militias being poor losers.

The increasing invective over the last week in the Indonesian press and on the part of Jakarta-based politicians against the United Nations, Australia, and the U.S. was serving to discredit those most visibly involved in the referendum process.

Human Rights Watch said Indonesia's major donors and trading partners, including the U.S., Australia, Japan, and the European Union should agree on coordinated and targeted sanctions, including suspension of direct budgetary support and other forms of non-humanitarian aid. That aid would be resumed if and when the violence was brought under control. Since it appeared that the Indonesian army had no intention of bringing the militias to heel, Human Rights Watch said, the leverage should be used to persuade President Habibie to accept an emergency international peacekeeping force.

Military training and transfers of equipment—such as U.S. $5 million in aircraft parts pending from the U.S.—should also be halted. At the Asia Pacific Economic Cooperation (APEC) summit convening in New Zealand later this week the crisis in East Timor, and coordinating sanctions should be a top priority.

The main arguments against a peacekeeping force thus far have been that Indonesia would never agree (and without Indonesia's agreement, the Security Council would never approve), and that it would take too long to deploy. Australia, New Zealand, Portugal, and the United Kingdom have been reported at various times to be considering such a force that some have termed a ''Coalition of the Willing,'' the bulk of whose forces would almost certainly have to come from Australia. If Indonesia gave a green light, a rapid deployment would probably be possible. But as of Sunday afternoon New York time, there was no evidence that the Indonesian government had changed its stance of rejecting international peacekeepers.

In the meantime, East Timorese are being attacked in the schools and church compounds where they have sought refuge, most international journalists have left, and by Sunday evening Dili time, the militias were in control of most of the territory.

''The international community paid for this referendum to happen,'' said Jones. ''It sent more than 1,000 expatriate staff to Dili as part of the United Nations Mission in East Timor and hired more than 4,000 local staff, all of whom are in serious danger of militia attack because of their UNAMET association. Its failure to even try to use maximum leverage has turned these people into sitting ducks for militia gunfire.''

[From Human Rights Watch, Sept. 7, 1999]

EAST TIMOR: MARTIAL LAW WILL MAKE THINGS WORSE

NEW YORK, September 7, 1999.—Human Rights Watch said today that President Habibie's declaration of martial law in East Timor, apparently at the urging of Indonesian armed forces commander General Wiranto, could make a terrible situation worse. It urged Indonesia's donors to continue to press Habibie to invite an international peacekeeping force to East Timor. The text of the September 6 decree had not been made public as of Tuesday morning, Jakarta time, but was expected to include authorization for the army to shoot on sight and make arrests without warrants. As many as 6,000 new army troops were expected to be sent to East Timor as a result. Indonesian officials gave no indication of how long martial law would last.

''The army says the violence is out of control, but in fact, the army's behind it,'' said Sidney Jones, Asia director of Human Rights Watch. ''It says pro-autonomy groups are clashing with pro-independence groups, but this is not a two-sided conflict. It's a one-sided, well-organized, premeditated rampage, led by fully armed militias and backed by local troops.''

Jones said the militias were systematically attacking refugees, journalists, and people associated with the United Nations Mission in East Timor (UNAMET). ''The army organized and armed these militias in the first place,'' she said. ''Since senior officers at any time could have arrested soldiers and militia leaders involved in murderous attacks but did not, why on earth should anyone believe that martial law and more troops will solve the problem?'' Jones said the existing troops in East Timor did not need the extraordinary powers that martial law confers. ''They just need the political will to act,'' she said.

Human Rights Watch said it was concerned that with almost all international journalists out of East Timor and most foreigners evacuated save for some 100 UNAMET staff holed up in the UN compound in Dili, the army could now use martial law as a cover for furthering the work of the militias. ''One test will be whether members of the Aitarak militia, responsible for some of the worst violence over the last three days, will be arrested and charged,'' Jones said. The international community has been urging Indonesia to either stop the violence or invite international forces in to do so.

A five-person delegation from the U.N. Security Council left for Jakarta Monday evening New York time with a mandate to insist that Indonesia take steps in the next forty-eight hours to curb the violence. The martial law decree appears to be Indonesia's response to growing international pressure to act. In interviews with Jakarta newspapers, General Wiranto continues to insist that Indonesia is fully capable of resolving the problem without international assistance and maintains that no international forces will be permitted in East Timor until November, when Indonesia's highest legislative body, the People's Consultative Assembly, ratifies the results of the referendum held last August 30. In that ballot, almost 80 percent of East Timorese voted to reject an offer of autonomy and separate from Indonesia.

URGENT

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

Mr. WOLF. Madam Speaker, our colleague, the gentleman from Ohio (Mr. HALL), nominated Bishop Belo for the Nobel peace prize; and shortly thereafter, I visited East Timor about 2 years ago. I want to read a fax that I just received in my office about East Timor. The man said this is a deliberate, carefully planned operation. The militia are not out of control. They are, in fact, firmly under the control of the Indonesian military. East Timor is an Asian Kosovo. Asian Kosovo; and then he goes on to say that a gentle 80-year-old nun who helped work for Bishop Belo has been shot. Bishop Belo's home has been burned down. Bishop Belo has fled the country. And he ends by saying the neck of a 3-year-old child was wrung while his family watched.

This administration has to speak out and deal with this issue, and they have to speak out and deal with this issue before the end of the day.

URGENT

September 9, 1999.

Congressman FRANK WOLF,
241 Cannon HOB, Washington, DC.

DEAR CONGRESSMAN WOLF: I'm aware of your interest in the people of East Timor and am contacting you because I believe you may not have heard of the massacre at Suai. Details of this event follow later in this message.

The East Timorese desperately need outside help and the support of democratic nations, in particular the USA. No less than 78.5% of East Timorese voted for independence from Indonesia. Since then, Indonesia has subjected them to a terrible revenge. Militia and Indonesian military have been burning, shooting and looting their way through East Timor for days.

The latest estimate (given tonight by the Australian Defense Minister) is that 200,000

East Timorese have been forcibly evacuated to West Timor and elsewhere in the Indonesian archipelago. There is a systematic programme of destruction and genocide taking place—designed to wipe out the East Timorese elite and raze the infrastructure of East Timor to the ground.

This is a deliberate and carefully planned operation—the militia are not 'out of control', they are in fact firmly under control of the Indonesian military. East Timor is an Asian Kosovo: Indonesian-backed militia and Indonesian police and military are causing terror in East Timor even as you read this message. A gentle 80-year-old nun who helped care for Bishop Belo has been shot, Bishop Belo has fled the country, and there are numerous accounts of children and young men being hacked to death. The neck of a three-year-old child was wrung while his family watched.

I'm writing to you as an Australian citizen who is outraged at these events and who cannot believe that the world, and the US in particular, will do nothing to stop this holocaust. There is a desperate, urgent need for immediate outside help for the Timorese, a gentle Christian people, who believed that the world would stand by them.

Australia has committed 4,500 troops for a peacekeeping force but has so far failed to get any support from the US. There is a great sense of sadness, anger and frustration here about this. And I must tell you that there is great disappointment at the lack of US interest.

Australia has always stood by the side of the United States whenever the US has asked for support—in Korea, Vietnam and the Gulf War. This is the first time in more than 50 years that we have asked for US help and we are getting nowhere. Our troops are on standby in Darwin and by coincidence there is a substantial number of US troops and several US warships also in Northern Australia. My guess is that a significant show of force and commitment by the US would turn the tide.

Please, Congressman, so what you can to help. Ask your colleagues and President Clinton to take a stand for democracy and against the evil, malevolent forces at work in East Timor today.

Yours sincerely,

IAN EVANS.

The following information is from the web site of the Australian Broadcasting Corporation and was telecast on ABC–TV tonight (7:00 pm AEST, 9/9/99)

UN CONFIRMS MASSACRE AT SUAI

The United Nations has confirmed a massacre in which approximately 100 supporters of independence were shot or hacked to death by rampaging pro-Jakarta militia members earlier this week.

The victims were among more than 2,000 terrified people who had taken refuge from the militia for some weeks in a church in the western town of Suai. Three priests are believed to have been among those killed during the militia attack on Tuesday. The East Timorese head of the Catholic aid agency Caritas, Father Francisco Barreto, is also believed to have been killed.

In other reports, six nuns from the Canossian order were reportedly killed in the city of Baucau, 115 kilometers east of Dili.

A spokeswoman for Caritas in Australia said priests have been identified as supporting independence because pro-independence supporters had begun seeking shelter in church buildings in the past months.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2788.

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York (Mrs. MCCARTHY) be removed as a co-sponsor of H.R. 2788. She was inadvertently added as a cosponsor of this legislation.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I yield to the distinguished majority leader for the purposes of inquiring about the schedule for the rest of the week and next week.

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding.

Mr. Speaker, I am pleased to announce that we have completed legislative business for the week. The House will therefore not be in session tomorrow.

The House will next meet on Monday, September 13, at 12:30 p.m. for morning hour and at 2:00 p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices tomorrow.

On Monday, we do not expect recorded votes until 6:00 p.m.

On Tuesday, September 14, and the balance of next week, the House will take up the following measures, all of which will be subject to rules: H.R. 417, the Bipartisan Campaign Reform Act; H.R. 1551, the Civil Aviation Research and Development Authorization Act; H.R. 1655, the Department of Energy Research, Development, and Demonstration Authorization Act; H.R. 2490, the Treasury and Postal Service Appropriations Conference Report; S. 1059, the National Defense Authorization Conference Report; and H.R. 1402, a bill regarding Federal Milk Marketing Orders.

Mr. Speaker, on Friday, September 17, no votes are expected after 2:00 p.m. I wish all of my colleagues safe travel back to their districts, and I thank the gentleman for yielding.

Mr. BONIOR. Mr. Speaker, I have just a couple of questions for the gentleman from Texas (Mr. ARMEY).

Can the gentleman tell us the day in which campaign finance will be brought to the floor?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding.

Mr. Speaker, the campaign finance reform will be considered on Tuesday, and I might add we expect that to be a fairly lengthy debate and we would expect Members or advise Members to expect a late evening on Tuesday.

Mr. BONIOR. Does the gentleman expect a late evening other than Tuesday next week?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. We can tell the gentleman we will conclude business by 6:00 or so on Wednesday evening. The Hispanic Caucus has a very important dinner, and the schedule will accommodate to that dinner.

We expect that Thursday evening might possibly run a little late, but we certainly would hold to our 2:00 departure time on Friday.

Mr. BONIOR. I thank my colleague.

Finally, let me just ask my colleague that in August, before the recess, about 18 colleagues on the gentleman's side of the aisle signed a letter to the leadership asking that the minimum wage bill be brought up this fall before we adjourn for the year, and I am just wondering if the gentleman, who I know has a real fondness for the minimum wage bill, would enlighten us on when and if that will happen.

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. I appreciate the gentleman yielding.

Yes, we are aware of this interest on the part of the Members on both sides of the aisle. We have key Members of the House working on that. I can only say to the gentleman he might expect something later in the year, but I have nothing more definite to say on that.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding, and have a good weekend.

ADJOURNMENT TO MONDAY, SEPTEMBER 13, 1999

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that the business in order under the calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order

of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. SCOTT) is recognized for 5 minutes.

(Mr. SCOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 5 minutes.

Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHINA SHOULD NO LONGER RELY ON TECHNICAL BARRIERS TO BLOCK AMERICAN PRODUCTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

Mr. NETHERCUTT. Mr. Speaker, 5 months ago, the American agriculture sector celebrated the signing of groundbreaking market access agreements with China. In April 1999, Chinese Premier Zhou Rongji signed three bilateral agreements with the United States designed to open agricultural markets. These agreements concluded decades of discussions on sanitary and phytosyntax trade barriers which had locked American farmers out of Chinese markets.

Upon signature, China agreed to immediately begin implementing these agreements, permitting access to China's vast markets.

The larger issue of Chinese WTO accession was not resolved in April, but the side agreements were considered a significant victory for American farmers.

China has long relied on technical barriers to block American products. For more than 20 years, wheat from the Pacific Northwest has been banned because of unfounded concerns about TCK smut, a wheat fungus. The rest of the world recognizes that TCK poses no threat to human health and does not affect the quality of the product, yet China has maintained its ban for all of these years.

Meat producers have largely been shut out of the market because China has only allowed imports from five approved U.S. plants and all citrus growers have been locked out because of concerns about Mediterranean fruit flies in certain regions.

In signing the three agreements, China agreed to accept USDA certification for meat safety for U.S. exports of pork, beef and poultry; eliminate the current comprehensive ban on citrus fruits and eliminate restrictions on the import of Pacific Northwest wheat. All future SPS disputes will be settled scientifically.

The potential consequences of the agreement were tremendous and touched most agriculture districts in the United States. But unfortunately, the disagreements remain only a distant unrealized potential. Three weeks ago, a member of my staff traveled to China to discuss implementation of these agreements. The Director General of American Affairs within the Ministry of Foreign Trade and Economic Corporation indicated that China did not intend, did not intend, to implement the agreements until discussions were concluded on WTO accession.

Such a decision would be in direct contravention of the April agreement, which held that implementation would begin immediately. Agricultural producers should not be held hostage to WTO negotiations, and I expect China to uphold its bilateral commitments.

We as a Congress, we as a country, we as people who care about our agricultural sector, should expect China to uphold its bilateral commitments. This should serve as a test case if Congress discusses permanent normal trade relations with China later this year as a part of a WTO agreement. If China delays action on agricultural agreements that have previously been signed, it raises serious questions about the sincerity of other commitments to implement market access agreements.

The April draft WTO agreement would have resolved a wide range of other outstanding market access issues: trading rights, distribution, quotas, reliance on state trading companies and export subsidies. The U.S. Trade Representative did a great job in moving China toward a tariff based system, with extremely low tariff rates, but if China is unwilling to act on the Sanitary Phytosanitary Agreement, it seems likely that we may see continued reluctance on other aspects of any WTO agreement.

So I am sending a letter to President Zemin and President Clinton urging immediate implementation of the bilateral agricultural agreements, and I urge any Member of this body who represents producers of wheat, pork, poultry, beef or citrus, to join in the signing of this letter. With low prices already hurting our farm leaders across the country, we should not stand by and let them continue to be locked out of one of the largest markets in the world.

China should implement the side agreements; and it should do so immediately, and I would just say to my colleagues, this is an indication, I think, of disrespect for the agricultural sector in our country, which needs exports. We are fighting desperately to get our products into other countries; and now that we have reached this agreement, it seems to me that China should follow through on what they previously agreed to in April of this year.

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

Mr. NETHERCUTT. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I want to thank the distinguished gentleman from Washington (Mr. NETHERCUTT) for his message, for watching this issue so closely. It is important to the agricultural sector; and I think, as the gentleman points out, it is a real test of whether we can depend upon the People's Republic of China to implement their promises on trade. So I thank the gentleman for his diligence on this issue.

Mr. NETHERCUTT. I thank the gentleman from Nebraska (Mr. BEREUTER) for his comments and his commitment to agriculture and his interest and his expertise in trade issues.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHINESE ESPIONAGE AT OUR NATION'S WEAPONS LABORATORIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, prior to the district work period, I came to the floor to discuss an issue on the minds of many Americans as well as myself, the issue of Chinese espionage at our Nation's weapons laboratories. Over the last month, I spent time with the constituents of the third district of North Carolina, which I am proud to represent, and they gave me further confirmation that the American people are outraged over the loss of our sensitive national security information. But what my constituents expressed even greater concern with, as I am sure many across this country have, is the potential for continued loss of our sensitive nuclear technology.

□ 2045

In response to their concerns, I gave my word that I would do everything as a Member of Congress to ensure the accountability of those who have jeopardized the security of our Nation and protect our security information for the future, and, Mr. Speaker, I mean it too.

In July, I had the opportunity to meet with the former director of Safeguard and Security for the Department of Energy, Colonel Ed McCallum. The Office of Safeguards and Security governs protection of the Department of Energy's national security assets including nuclear weapons, nuclear material, highly classified information

and personal clearance. It also investigates security incidents involving the loss of nuclear materials and the unauthorized disclosure of classified information.

Colonel McCallum served as director of the office for 9 years under former Energy Secretary Hazel O'Leary and then under current Secretary Bill Richardson. I first heard Colonel McCallum reveal his side of the nuclear spy scandal on the O'Reilly Factor on the Fox News Channel. Colonel McCallum was telling of how he and members of his staff made continued efforts, Mr. Speaker, to approach both O'Leary and Richardson to alert them to the lax security at our weapons labs and the need to take measures to prevent possible theft.

Mr. Speaker, Colonel McCallum reported that time after time he hit roadblocks in trying to bring this issue to the attention of both Secretaries. Neither O'Leary or Richardson took interest in his findings, and neither worked to tighten security. It is little surprise then to find out that security secrets were easily targeted by the Communist Chinese.

To prevent similar situations in the future my colleague, the gentleman from Pennsylvania (Mr. WELDON), and myself had called for a hearing to have Colonel McCallum and members of his staff brief the House Committee on Armed Services on the instances in which U.S. security was compromised. I am confident the information the colonel and his staff can provide will be critical in assisting Congress in its efforts to eliminate leakage of sensitive military secrets in the future.

Mr. Speaker, despite what the administration is willing to bet, the American people care about the loss of nuclear technology. In fact, after I had the opportunity to appear on the O'Reilly Factor to state my commitment to pursue this issue I have received a number of supportive letters from men and women across the country. One soldier in the Army wrote, and I quote:

> I cannot figure out why there is so much apathy among the American people regarding this very serious threat to the security of our country.

I further quote:

> There are a lot of people like myself who recognize the gravity of this situation and wish to see those responsible held fully accountable for their actions. I do not care how well the economy is doing. It won't mean a thing if China or one of its allies decides to launch a missile strike against this country.

That is from a member that served in the United States Army.

Mr. Speaker, a couple wrote another letter I want to share with you. It reads, and I quote:

> This is a tragic road America is heading down. We are both grateful to you and others who are working with you to bring light, order, and some justice to what we see as a complete incompetence, lack of integrity, and dishonesty shown by this administration.

Mr. Speaker, I have a stack of letters just like these I have read to you tonight. The message is clear. The American people want you and I to stand up to this administration.

We are a Congress. As a Congress, we must demand that those responsible are held accountable for compromising our national security, and we must work to prevent future leaks.

Mr. Speaker, I have offered my commitment and urge my colleagues and this Congress to join me in working to protect the security of every American citizen because America is special, and we must do everything we can to protect our national security of this Nation.

THE TRUTH ABOUT THE REPUBLICAN TAX PLAN

The SPEAKER pro tempore (Mr. SIMPSON). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join my colleagues to urge this House to engage in a serious and honest debate on modest tax relief for the American people. Unfortunately, the Republican Tax Plan is nothing more than a thinly-veiled fundraising gimmick.

The Republican Tax Plan reminds me of the Shakespearean play, Hamlet. Hamlet's stepfather Claudius secretly kills Hamlet's father. Claudius later marries Hamlet's mother. Claudius attempts to get away with murder and don the ill-fitting cloak of kindness to young Hamlet. The Republican Tax Plan attempts to kill the spirit of the American people who cry out for sensible tax relief. But just as the Ghost the slain King sought to be heard, so does the spirit of the American people. We Democrats seek to honor this spirit.

The Republicans know that their risky tax plan has virtually no chance of passing. The President will certainly veto the Republican's $800 billion risky tax scheme. If the Republican leadership has enough votes to override a veto why have they stalled for 35 days and counting to send their risky tax scheme to the President's desk?

The Republican leadership put on a road show this summer to sell their 1980's-style voodoo economics to the American people. But the American people realized that as we say in Texas, "That dog don't hunt." The GOP's risky tax plan would spend virtually all of the projected non-Social Security surpluses, would cause $31.8 billion in cuts to Medicare within 5 years, and would cut $56 billion out of crop insurance, education programs, child support enforcement programs, veterans education and readjustment.

Even Majority Leader DICK ARMEY admitted that the Republican tax plan is not an issue that resonates with voters. After a dismal showing with the American voters, Mr. ARMEY had this to say about the Republican's tax plan on CNN Inside Politics, August 18, 1999, "It is not an issue of the heart with the American people today. They want a tax cut, but they don't feel a need for one."

This is exactly right. The American people want some form of tax relief, but not an extreme risky scheme as proposed by the Republican leadership. Instead of saving the American people money, the Republican plan squanders the surplus on a fiscally irresponsible $3 trillion tax cut that would risk America's economic growth and explode the deficit.

The Democrats are prepared to work with the Republicans on a sensible alternative, but the Republican leadership refuses to put the best interest of the American people first. Why, you may ask? Chief GOP fundraiser, Representative TOM DAVIS responded thusly to the prospect of moderating the Republican's risky tax scheme in order to come closer to the Democrats plan for targeted tax relief as opposed to massive cuts:

"We (Republicans) think cutting a deal is not worth it. The issue has been a big moneyraiser for us." (Washington Times, 9/6/99)

Instead, of partisan politics, the Republicans should work with the Democrats in a bipartisan way. We need to pursue a sound fiscal policy by using the surplus to pay down the national debt. We also need to continue on the path of debt reduction that will keep our interest rates low, sustain the current economic expansion, and allow the private sector to create good, high paying jobs.

Where the Republican leadership seems content to pander to their wealthy, special interest contributors, the Democrats seek to target our tax cuts to middle-class families. We need to help America's families to save some of their earnings for retirement and for their children's future and to make it easier for them to address the long-term care needs of their elderly parents. We urge our Republican colleagues to reject their leadership's risky tax scheme and opt for more pragmatic legislative tax relief.

Next week, the House will finally be permitted to debate the Shays-Meehan Bipartisan Campaign Finance Bill. The GOP will attempt to kill this bill through poison-pill amendments, but the Democrats will continue the fight for meaningful reform.

Rather than enacting irresponsible tax cuts that have no chance of being enacted into law, the Republicans should join the Democrats in enacting legislation that matters—legislation that will strengthen Medicare and provide prescription drug coverage, establish a comprehensive Patients Bill of Rights, help to keep our schools safe by enacting sensible gun-safety measures, and improve our education system through school construction and the reduction of class size.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

(Mr. KINGSTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE POLITICAL FUTURES OF INDONESIA AND EAST TIMOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. BEREUTER) is recognized for 5 minutes.

Mr. BEREUTER. Mr. Speaker, this Member rises tonight to comment on the crisis in East Timor and its broader implications for the political future of Indonesia. This issue was a topic of a hearing of the Committee on International Relations' Subcommittee on Asia and the Pacific which this Member chairs today. It was held jointly

with the subcommittee's Senate counterpart committee, and Indonesia and East Timor will undoubtedly be a major topic at the APEC summit President Clinton will be attending this weekend.

In the wake of the historic vote in East Timor, both Indonesia and East Timor face a future filled with portent. For Indonesia, the referendum comes at a time of very sensitive political maneuvering and a fragile economic recovery.

When the subcommittee last held hearings on Indonesia on May 12, we were anxiously awaiting the June 7 national election results. Despite some violence, a very slow vote count and a limited amount of election irregularities that election was nonetheless judged by the international community to be a success. It buoyed optimism about Indonesia's ability to overcome its profound political and economic crises. However, that June election also created new complexities. No one party achieved a majority, and, in fact, the opposition, PDIP led by Megawati Sukarnoputri won a plurality of the vote. Therefore, for the first time in modern Indonesian history political coalitions will be needed to form in order to elect a new president, form a new government, carry out further economic and political reforms, address the subject of rescinding the 1976 law which integrated East Timor into Indonesia as its 27th province and address separatist sentiments in other parts of Indonesia like the province of Aceh in northern Sumatra. Indeed this is a new experience for these relatively immature political forces in a democratic Indonesia. How they carry out these responsibilities will determine the legitimacy of the new Indonesian government as viewed by the eyes of the Indonesian public and by the international community.

Of course, the most obvious and immediate task is the crisis in East Timor. After years of Indonesian intransigence, President Habibie took bold steps towards resolving this longstanding problem. In January, he seemingly brushed aside the reservations of the military and others in the Indonesian society and surprised the world by offering the people of East Timor an opportunity to determine their own future through the ballot box. Many of us were encouraged by this bold and positive development. There was perhaps a general sense of guarded optimism prompted by the assurances of President Habibie and Armed Forces Chief General Wiranto that Jakarta would maintain order and create an environment conducive for a fair and safe election, but that proved not to be a realistic assessment. Despite increasing violence and intimidation by Indonesian militarily supported militia in the recent Timorese elections, a record 98.6 percent of registered voters turned out to vote with 78 percent of them choosing independence.

The will of the East Timorese people is clear and overwhelming. It is evident by the truly horrific events in East Timor over the past week that the Indonesian government and particularly the Indonesian military has been deliberately unwilling or perhaps in some cases unable to uphold their responsibilities to provide peace and security.

It must be emphasized that this is Indonesia's responsibility. Indonesia demanded this responsibility from the United Nations, and the international community entrusted it to Indonesia. It is reported the United Nations Secretary General Kofi Annan has made very strong representations to the Indonesian government about their obligations and the negative consequences Jakarta could face from the international community for jeopardizing the integrity and the subsequent implementation of the expressed citizens' desires of this U.N.-sponsored election. The United Nations General Assembly should do the same.

Mr. Speaker, I will report more on these events after the weekend and after we complete work on a resolution that we intend to offer on a bipartisan basis early next week.

AMERICAN PEOPLE ARE RENTING THEIR CURRENCY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, I would like to talk briefly about money. Everybody is interested in money. My wife asked me: If you know so much about money, how come we do not have very much? But I would like to talk about money this evening.

Did you know that we pay rent on our money; the cash we use, we pay rent on it? It costs the American people $100 per person per year to rent our cash; that is, the paper money, from the Federal Reserve.

Now, the Federal Reserve gets the money, it just does not spend that money or keep it. They return it to the Federal Treasury. That means that the American people are paying a tax on our money in circulation for the privilege of using Federal Reserve notes. In reality, this money is paid to the Fed by the Treasury to pay the interest on the U.S. bonds that back our money.

This is a foolish system when the U.S. Treasury could issue our currency directly without debt and without interest as they issue our coins. Most people do not know that our coins are minted by the Treasury, essentially spent into circulation, and the U.S. Treasury makes a neat profit on them. But when we issue cash, we go further into debt. When the U.S. Government issues paper cash, they go further into debt because bonds are created to back the cash, and thus the debt increases.

With a currency we go into debt, but it makes a profit when coins are placed in circulation. This is truly a system that defies logic, and we should issue our coins or issue our cash as we issue our coins.

Here is a simple way to accomplish that; this is not complex, this is not rocket science. Congress only needs to pass legislation requiring the Treasury to print and issue U.S. Treasury currency in the same amount, in the same denominations, of the present Federal Reserve notes. No change in the money supply. The Treasury would issue these U.S. notes through the banks and at the same time withdrawing a like amount of Federal Reserve notes.

As these Federal Reserve notes are collected by the U.S. Treasury, they must be returned to the Federal Reserve and essentially to redeem the over $400 billion of U.S. interest bearing U.S. Treasury bonds now held by the Fed. So the Fed holds the bonds. We can take the U.S. currency and exchange it for those bonds. Over a couple of years we will have U.S. currency circulating instead of Federal Reserve notes, and the U.S. debt would be reduced by over $400 billion.

That sounds too simple. Well, it is simple. This is not rocket science. There is no appreciable down side, and I expect to discuss this issue a lot in the future just because somebody needs to take a look at how our money was issued and allow us to avoid paying that $27 billion a year interest just to rent our currency from the Federal Reserve.

HMO REFORM UPPERMOST ON MINDS OF AMERICANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, the issue of HMO reform has become one of the most important issues on the minds of Americans today, and I can certainly tell you that from the forums and the people that I met and talked to during the August break that we recently held with the House of Representatives. I had a number of forums in my district that were specifically about HMO reform where we talked about the Patients' Bill of Rights and what some of us are trying to do in the House of Representatives to reform HMOs and to end some of the abuses. And I found overwhelmingly that at my general forums or my forums that were specific to HMO reform that people felt that the need to address the abuses of HMOs and managed care was the number one issue on the minds of my constituents. And we know that polling around the country amongst Democrats, Republicans, and Independents shows that that is certainly the case as well.

There have been also I should mention a number of front page articles in the leading newspapers, the New York Times, the Washington Post on the fevered pitch, if you will, that the debate over managed care reform has assumed on Capitol Hill, and it is also assumed

I would say a clear and identifiable framework.

The debate is now one between supporters of managed care reform on the one hand, mostly Democrats, and some Republicans and the Republican leadership on the other hand. The Republican leadership which with the insurance industry are fighting tooth and nail to undermine the various managed care reform proposals that have been introduced either by Democrats, by Republicans or on a bipartisan basis.

The issue of HMO reform has reached the dimensions it has because patients are being abused within managed care organizations. It is just common sense. Many people come up to me because they have had problems with HMOs where they felt that common sense would dictate that they should be able to go to an emergency room or they should be able to have particular treatment or stay in the hospital a few extra days, and they are told that they cannot.

Patients today lack basic elementary protections from abuse, and these abuses are occurring because insurance companies and not doctors are dictating which patients can get what services under what circumstances. Within managed care organizations, HMOs, the judgment of doctors is increasingly taking a back seat to the judgment of the insurance companies. Medical necessity is being shunned aside by the desire of bureaucrats to make an extra buck, and people are literally dying because they are not getting the medical attention they need; and ironically enough, they are in theory paying for it in their premiums.

□ 2100

I cannot emphasize enough, Mr. Speaker, how many times during the break, during the August recess, that people came into my district office complaining about abuses related to HMOs and managed care.

Now, because of the importance of this issue, there are a number of legislative proposals that have been introduced to give patients the protections they deserve. I have been on the floor many times talking about the Democrat Caucus' Health Care Task Force, which I cochair; and together with the gentleman from Michigan [Mr. DINGELL] and most Democratic Members here in the House, we have introduced legislation which would provide patients with a comprehensive set of protections from managed care abuses. This is the Patients' Bill of Rights, as it is called. It is not an attempt to destroy managed care, it is an attempt to basically improve it and to make it better.

I cannot emphasize that enough. During the forums I had during the break, I had actually people from an insurance company who sold insurance policies for managed care, and I suggested to them over and over again and explained to them that those of us who want reform are not against managed care. Managed care is here to stay. We know that it saves money; we know there are positive values to it. But on the other hand, the abuses have to be corrected.

Now, I wanted to say that what happened just before the August break in that first week of August when we were last in session was very significant. At that time and a few weeks prior to that the Republican leadership was saying they were willing to bring some kind of managed care reform to the floor and let us vote on it, up or down. However, they ultimately decided not to allow that, not to do that.

Because of that, there were Republican Members, and I will mention the two leaders, the gentleman from Georgia [Mr. NORWOOD] and the gentleman from Iowa [Mr. GANSKE], both Republicans, both health care professionals, who decided they were going to join together. Because they could not get a vote on the floor on managed care reform from the Republican leadership, they would join together and bring some of the Republican colleagues over to help most of the Democrats who had sponsored and put forward the Patients' Bill of Rights.

So just before the break, it was announced there would be a new bipartisan bill sponsored by these Members, the gentleman from Michigan [Mr. DINGELL] and the gentleman from Georgia [Mr. NORWOOD], the gentleman from Michigan [Mr. DINGELL] being our Democrat and ranking member on the Committee on Commerce, and the gentleman from Georgia [Mr. NORWOOD] and the gentleman from Iowa [Mr. GANSKE], also Republican members of the Committee on Commerce; and we would put together a new bipartisan Patients' Bill of Rights, which is very similar really to the Democratic bill that came out of our Democratic Health Care Task Force and that we as Democrats have been talking about for the last year or more, and we now have 20 Republicans who have agreed to cosponsor this new bipartisan Patients' Bill of Rights.

That was a major achievement. There are now a majority of Members of this House on both sides of the aisle that are willing to say that they want the Patients' Bill of Rights brought to the floor and are willing to cosponsor the bill.

Unfortunately, nothing has really changed in terms of the Republican leadership. The Patients' Bill of Rights, this new bipartisan one, does not enjoy the support of the Republican leadership. In fact, if we are to believe, if you will, what we read in the newspaper, it is not just the Patients' Bill of Rights that the Republican leadership opposes. They appear to be opposed to the larger notion of managed care reform. They are simply not willing to cross the insurance industry in order to give patients better protections and doctors greater power over medical choices.

I would like to point out that the GOP leadership's opposition to the new bipartisan Patients' Bill of Rights is not exclusive to the House. In the Senate, Senator NICKLES recently lambasted the American Medical Association for supporting the Patients' Bill of Rights. During the break the American Medical Association, I should mention, came out in support, unconditional support, of this new bipartisan Patients' Bill of Rights. Yet Senator NICKLES said he was shocked that they would do it, and he suggested that the AMA's support of the Patients' Bill of Rights would jeopardize their relationship with the Republican Party.

I have to point out that it is not just the AMA, it is not just the AMA representing doctors, it is almost every health care professional organization that has now come out in support of the Patients' Bill of Rights. We have over 100 patients, medical health care and consumer groups that have announced their support for the bill, and I think the problem with the GOP leadership, the Republican leadership, is that rather than hear the voices of the vast majority of their constituents and the overwhelming voices of the medical and the health care professionals and the consumer groups that say they support the Patients' Bill of Rights, instead the Republican leadership just looks to the special interests, the HMOs and insurance companies, and only hears their voices to decide what they as Republican leadership should do.

Basically what we have, now that we have come back into session, and we will be in session for most of the fall, is essentially a scene or a showdown, if you will, between the supporters of the Patients' Bill of Rights, bipartisan, and the Republican leadership. With very few legislative days left in the 106th Congress, those who support patient protection believe it is increasingly important that everyone come together and send a strong message to the GOP leadership about getting the Patients' Bill of Rights to the floor for a vote.

I would bet any money that if the Republican leadership brought the new bipartisan Patients' Bill of Rights to the floor of this House, it would pass overwhelmingly, so that is why they are not doing it, because they are afraid that would in fact happen.

But there is widespread agreement in Congress for ensuring with this bill that medical decisions are being made by doctors based on medical need and not by company bureaucrats whose primary concern is profit margin. I believe that if we continue to agitate on a bipartisan basis now to bring this bill to the floor, we will eventually have success.

Now I wanted to point out, if I could this evening, what the Republican leadership did during the break in concert with the HMOs or the insurance companies, with these special interests, to try to kill the Patients' Bill of Rights and those who might be interested in

supporting it, again, both Democrats and Republicans.

I am just reading, if I could, or making mention of an article that was in Congress Daily, which is a publication that circulates on Capitol Hill. This was an article that was in the Congress Daily during the break, Thursday, August 19.

It says: ''Insurers business target Norwood Dingell supporters.'' They are again making reference to the bipartisan bill. ''Health insurers, health plan and business groups today unveiled the advertising campaign they will target at States and House districts where members have cosponsored or are leaning towards supporting managed care reform. Health Insurance Association of America President Charles Chip Kahn said cosponsors of the bipartisan managed care bill authored by Representative Charles Norwood, Republican of Georgia, and Commerce ranking member John Dingell, Democrat of Michigan, will rue the day,'' this is a quote, ''will rue the day they decide to endorse it. During the next two weeks, the HIAA will spend $250,000 airing 60-second radio ads that will run in Buffalo, Elmira and New York City, New York, Miami and West Palm Beach, Florida, Chattanooga and Knoxville, Tennessee, Philadelphia and Casper, Wyoming, where GOP Representative Barbara Cubin is a cosponsor of the Norwood-Dingell plan. Including HIAA's advertising campaign over the next two weeks, Kahn said, health plans and business groups opposing managed care bills will spend more than $1 million working towards a cacophony of criticism of the bills. The health benefits coalition, a group of employer-based organizations opposing the managed care bills, is ramping up its spending for the last two weeks of the break, said an official with one of the groups. The coalition will launch television and heavy radio ads and heavy grassroots pressure against about 35 Republicans who either have signed or might sign on to the Norwood-Dingell plan. The ads are pretty tough and they are intended to provoke a backlash, the official said. We are going after members who are soft but gettable.''

Basically what they are doing is spending their time during the break, spending money, trying to persuade, particularly Republicans in this case, not to cosponsor the now bipartisan Patients' Bill of Rights.

It is not just this group, the HMOs. ''The American Association of Health Plans will launch a TV ad campaign aimed at 60 House Members, said spokesman John Murray. The ads will target Norwood-Dingell cosponsors as well as House Members still on the fence. Murray said, we are going to spend whatever it takes.''

How do you like that? This is the problem that we face, the money that the special interests want to spend, and they are working with the Republican leadership, even against Republican Members who feel that they want to cosponsor the Patients' Bill of Rights and are supporters of what is good for the average American. ''The business roundtable also will launch radio ads during the remainder of the August recess,'' their spokesman said.

Well, just to give you an example, it is not just during the recess. It continues this week in Congress Daily, which, again, is a publication that every Member of the House gets on a regular basis. Every day this week there has been a full page ad which was just sort of a white sheet, and in the middle of it there is this warning, like the kind of warning you would get on a cigarette package, that says, ''Warning: The Dingell-Norwood Patients' Bill of Rights could be hazardous to your health care.''

It does not really explain why. There is some fine print at the end that tries to explain why, which does not really make any sense. But this advertising campaign continues, and I have no doubt that it will continue throughout the fall and way beyond to try to target and dissuade not only Democrats, but, even more importantly, now Republicans, who want to sign on to the bipartisan Patients' Bill of Rights.

I mentioned before though and I will mention again that supporters, both Democrats and Republicans, of the Patients' Bill of Rights can take solace in the fact that the average citizen, as well as all the health care professional organizations, pretty much now are solidly behind our HMO reform.

Another thing that came out within the last month that I thought was particularly interesting was a survey that showed just how much managed care frustrates physicians and how physicians and health care professionals in general feel that they cannot really properly take care of their patients because of the abuses of managed care.

This was also in Congress Daily, and it says, talking about this new survey, that nearly 90 percent of physicians say health plans have denied their patients recommended care during the last two years, and in some cases those denials occur as often as every week.

The survey was released by the Kaiser Family Foundation and the Harvard School of Public Health. Kaiser Foundation President Drew Altman expressed surprise about the pervasiveness of problems reported between providers and insurers. ''Some tension is to be expected,'' Altman said, ''but the degree of conflict reflected in this survey suggests we are in a new world, and it is hard to argue it is good for the health care system.''

According to the survey, the most common denials were for prescription drugs. Sixty-one percent of physicians said they had a patient experience a denial weekly or monthly with regard to prescription drugs. Denial of diagnostic tests, 42 percent of patients have been denied a test weekly or monthly. Forty-two percent of the patients said that they had had some kind of denial, weekly or monthly; hospitals stays, 31 percent weekly or monthly; referrals to specialists, 29 percent weekly or monthly. This is the physicians relating what happened to their patients.

Depending on the problem, between one-third and two-thirds of physicians said a denial resulted in a somewhat or very serious decline in patients' health. So, again, we are talking about what is happening in the real world. We are talking about the abuses and the problems that people have on a regular basis.

The physicians, according to that survey, see these problems, see what is happening to their patients, and feel it is having a really negative impact on the quality and delivery of health care that people receive in this country.

□ 2115

Now, before I conclude tonight, I wanted to spend some time talking briefly about our new bipartisan approach, our new Patients' Bill of Rights, which, as I said, is supported by almost every Democrat and at least about 20 Republicans at this point, but continues to be opposed by the Republican leadership. That is why we have not been able to get it to the floor.

If I could just explain some of the commonsense proposals that are part of this new bipartisan Patients' Bill of Rights, I have a summary that basically divides it into access to care, information about care, protecting the relationship between the physician and ourselves as patients, and the basic accountability.

I will start with the issue of access to care, because I think for most people that is the biggest problem, the denial of different kinds of treatments or hospital stays or equipment that they experience.

Most important, we try to address the problem with emergency services. Individuals should be assured that if they have an emergency, those services will be covered by the plan, that they do not have to call before they can go to an emergency room if they feel that they do not have the time to do that because their health is at risk; that they do not have to go to a particular emergency room rather than the one that is closest to them because they feel that they do not have time to go to the one that is further away.

The bipartisan bill says that individuals must have access to emergency care without prior authorization in any situation that a prudent layperson would regard as an emergency. So if you as the average person think that when you have chest pains that you should be able to go to the local emergency room, the HMO cannot say you have to go further away or you need prior authorization.

Let me talk about specialty care. Patients with special conditions must have access to providers who have the requisite expertise to treat their problem. Today in this day and age people increasingly have to go to specialists

for particular problems. Increasingly what we find is that patients in HMOs have a problem getting referral to a specialist, or there is not a specialist within the HMO network who can take care of their problem.

This bipartisan bill, our bipartisan bill, allows for referrals for patients to go out of the plan's network, doctors who are not in the network, for specialty care at no extra cost if there is no appropriate provider available in the network for covered services.

Chronic care referrals. For individuals who are seriously ill or require continued care by specialists, plans under our bipartisan Patients' Bill of Rights, plans must have a process for selecting a specialist as a gatekeeper for their condition to access necessary specialty care without impediments.

In other words, if you have a chronic condition, this specialist you can go to on a regular basis, he becomes almost your primary care provider so you do not have to constantly go back to the primary care provider to continue to be able to see the specialist.

Our bipartisan bill provides direct access to OB-GYN care and services. With regard to children, the bill ensures that the special needs of children are met, including access to pediatric specialists and the ability for children to have a pediatrician as their primary care provider.

Again, continuity of care. I have found a lot of people during the break and who continue to complain to me about how if their doctor is dropped by the network, that all of a sudden they are not with the physician that they have used for a long time. Under our bipartisan bill, patients are protected against disruptions in care because we set up guidelines for the continuation of treatment in circumstances where the doctor is no longer part of the network, for example.

There are special protections for pregnancy, terminal illness, and individuals on a waiting list for surgery.

Let me also talk about the drug formularies. One of the biggest issues with regard to HMOs is that HMOs oftentimes provide for prescription drugs, which is an important part of why people sign up for an HMO, in many cases. What we are saying with our bill, with our bipartisan bill, is that prescription medication should not be one-size-fits-all. If a plan uses a drug formulary, beneficiaries must be able to access medications that are not on the formulary when the prescribing physician says that that is necessary.

Again, what we are doing is leaving this decision up to the physician because he or she is in the best position to know what is best for the patient.

Choice of plans. People want to, in certain circumstances, to be able to go outside the network and choose a physician who is not part of the HMO network. Choice is a major component of the bipartisan bill. It says that individuals can elect a point of service option when their health insurance plan does not offer access to non-network providers.

What that means is that in the beginning if you are working and your employer provides health care, the employer has to allow you to elect a point of service option, where you can go outside the doctors in the network. But you have to make that decision initially when you sign up for your health care plan, for your HMO, and you also have to pay the extra cost of going outside the network.

So again, we are not destroying the basic idea of managed care, which is that it is a closed panel network of physicians and health care providers, but we are saying this for people who want to in the beginning, they can choose the point of service option.

Those are the access issues that are primarily addressed by our bipartisan Patients' Bill of Rights, but I would like to now talk about the information issue, briefly, because many people are concerned that they do not really know what they are getting into when they sign up for an HMO.

What we say is that we require managed care plans to provide important information, and that is information that allows them to understand their health plan's policies, procedures, benefits, and other requirements.

I would like now to go into the issue of grievances and appeals, because one or really the hallmark, if you will, of the Patients' Bill of Rights and the whole effort towards Medicare reform is to make sure that the decision about what type of care you are going to get, the decision about what is medically necessary for you as a patient, is based not on what the health insurance company wants and what the health insurance plans want to cover, but rather is based on what your physician, the health care professional, thinks that you should be provided with.

So what we are basically saying, and the thread that sort of runs through the whole Patients' Bill of Rights, is that the issue of medical necessity should be decided by the physician and the patient, not by the insurance company, and that if there has been a denial of care, then that decision to appeal that denial of care and overturn it, if necessary, should be made by an independent group not appointed and not under the control of the HMO, and that ultimately you should be able to go to court if you are not satisfied, as well.

What we have in our new bipartisan bill is it basically lays out criteria for a good utilization review program, physician participation in the development of raw criteria, administration by appropriately qualified professionals, and timely decisions within 14 days for ordinary care up to 28 days if the plan requests additional information, and the ability to appeal these decisions.

So we want the health care professionals to be involved in making the decision of what kind of care you get and that there is a timely appeal if you have been denied that care by the insurance company.

There are really two processes in terms of the grievances and appeals. One is internal and one is external. Patients should be able to appeal plan decisions to deny, delay, or otherwise overrule doctor-prescribed care and have those concerns addressed in a timely manner. So we require an appeals system that is expedient, particularly in situations that threaten the life or health of the patient.

Other than the internal appeal, though, there also should be the opportunity for external review if the health care plan ultimately says no, we are not going to allow you this care. What we say is that the health care plan has to pay the cost of the external review, and that the decision by the external reviewer is binding on the health care plan.

If a plan refuses to comply with the external reviewer's determination, the patient may go to Federal court to enforce the decision. I will get a little more into that a little later, about if you are denied through the regular administrative process, that you can go to court.

Let me just talk a little bit, though, before I get to that ultimate issue of accountability, talk a little bit about how we try to protect the physician-patient relationship.

One of the things that is most shocking to my constituents is when they come in and tell me that their physician is not allowed to tell them about a particular type of medical care or treatment that the physician thinks that they should be receiving.

We call it basically the gag rule; in other words, the HMO tells the physician that he or she cannot tell the patient about a procedure that they will not cover. So if the plan will not cover a particular procedure, equipment, operation, then the physician is basically forbidden from talking about it to the patient.

That is ridiculous. Consumers should have the right to know about their treatment options. What we say in our bill is that we prohibit plans from gagging doctors and from retaliating against physicians who advocate on behalf of their patients. It basically protects the physicians in these situations from retribution. It also prevents plans from providing inappropriate incentives to physicians to limit medically necessary services so that physicians do not have a financial incentive, which they often do now with HMOs, to not recommend certain services.

With regard to physician selection, which physicians are in a plan, the insurers cannot discriminate on the basis of a license in selection of a physician. In other words, they cannot discriminate based on license, location, or patient base.

The HMOs can basically decide which doctors are going to be in the network, but if the doctor meets objective standards with regard to licensure, then

they cannot say that his particular license is not acceptable. They also cannot discriminate because of the location of the physician or the patient base of the physician.

With regard to payment of claims under our bill, health plans should operate efficiently and pay providers in a timely manner. The bill would require that claims be paid in accordance with Medicare guidelines for prompt payment, because what we have found is a lot of the HMOs do not pay the physicians. They delay payment in order to save money, or to save the interest rate.

We also have a provision for paperwork simplification in order to minimize the confusion and complicated paperwork that providers physicians face. This bill would require that the HMO industry develop a standard form for physicians to use in submitting a claim.

The last thing I wanted to mention this evening is this whole issue of accountability. The main thing that the bipartisan Patients' Bill of Rights does is to provide accountability if you have been denied care. I talked about the internal and external review, that it has to be done by a group that is not beholden to the HMO.

But I think that beyond that, there has to be the ability to go to court and sue for damages if all else has failed. I think many people realize, although a lot of my constituents still do not realize it, that under existing Federal law called ERISA, the Employee Retirement Income Security Act, State laws are basically preempted. So, therefore, if you are in an ERISA plan, which is basically a plan where your employer is self-insured, any kind of self-insured plan, which millions and millions of Americans particularly in large companies fall under these types of self-insured plans, because that is what larger employers tend to do, they fall under ERISA and Federal preemption, which means that the HMO cannot be sued.

That makes no sense. The HMOs, as we discussed this evening, are basically making medical decisions. If they make a decision about what kind of care you can receive or how long you can stay in a hospital, for example, and they make the wrong decision, then they should be held accountable. You should be able to sue them.

Our bipartisan bill would remove the ERISA preemption and allow patients to hold health plans accountable according to State laws, so if the State law allows it you would be able to sue and you are not preempted by the Federal law.

The one thing that we did do, and this was I think important and makes sense, is that the new bipartisan bill says that if a plan, if a health insurance, if an HMO complies with an external reviewer's decision, they cannot be held liable for punitive damages. So if when you go to an administrative review the decision is to deny you care and then you appeal and you go to court, the court decides that the independent review was wrong, you cannot receive punitive damages, because in that case the HMO did in fact act in good faith and go to the external review process.

□ 2130

The other thing I wanted to mention because I know that part of the criticism, if you will, that the insurance companies are making in their advertisement about the Patients' Bill of Rights, they say that employers can be sued, and that because employers can be sued, then a lot of employers will simply not cover their employees; and the number of people who have health insurance will decline because of the Patients' Bill of Rights.

Well, I want to explain and emphatically state that the Patients' Bill of Rights, the bipartisan Patients' Bill of Rights, which I have been discussing tonight, does not in any way create liability for the employer.

In the bill, we have a provision that protects employers from liability when they were not involved in the treatment decision. It explicitly states that discretionary authority does not include a decision about what benefits to include in the plan, a decision not to address a case while an external appeal is pending, or a decision to provide an extra contractual benefit.

What that essentially translates to mean is that there is nothing in our bill that would in any way extend the liability of the employer and allow them to be sued because of the denial of care other than whatever the existing law is right now.

I wanted to mention one more thing before I close, and that is what we constantly get from the Republican leadership in opposing the Patients' Bill of Rights, the bipartisan Patients' Bill of Rights, and what we constantly get from the insurance companies and the HMOs in their attacks and their ads and their multimillion dollar campaign against the Patients' Bill of Rights, I think could be basically summed up in what the Health Insurance Association of America put in sort of the fine print in this ad that was in Congress Daily that I mentioned before.

It says that ''the Patients' Bill of Rights currently being considered will cause us a lot of unpleasant side effects, more red tape and more regulations that the patients can expect, and patients will end up paying the bill. Health care costs would increase.''

They basically stress the fact that what we will see with this Patients' Bill of Rights is a huge increase of costs and that that will make it more difficult for both individual as well as employers to provide health insurance. Nothing can be further from the truth.

The reality is probably best summed up by making reference to the State of Texas. About 2 years ago, the State of Texas passed a law that has been in effect, I should say, for about 2 years, which is very similar to the bipartisan Patients' Bill of Rights that I have been advocating tonight.

As a result of that Texas law which allowed people to bring suit, the number of lawsuits that have actually been brought within the last month, over that 2-year period, only two lawsuits have been brought because of the change in the Texas law that provides patient protections.

In addition to that, it was estimated that the premiums have gone up about 30 cents a month during the 2-year period that the Texas patient protections have been in effect. That 30-cent increase could have occurred because of inflation or whatever, but the bottom line is it is insignificant. Any consumer, any constituent of mine would gladly pay an extra 30 cents a month to have the kind of protections that are in place here.

I think that in their advertising campaign the HMOs said that health care costs could increase as much as $200 per family, forcing small employers to drop their health insurance all together. The Texas experience shows very emphatically that that is simply not true. There really is not any significant added cost, because what the Patients' Bill of Rights does is to provide for prevention.

Now that the HMOs cannot allow the kind of abuses now that they are threatened with the right to sue and the external review, they take the proper precautions; and lawsuits don't occur, and costs really do not go up significantly.

So I am going to end this evening, Mr. Speaker, but I wanted to point out that the new session has begun. The fall session has begun. Those of us who advocate the Patients' Bill of Rights are going to be out there on a daily basis saying that we want the Republican leadership to bring this bill to the floor.

We have a majority of Members of the House that now support us. Most of the Democrats. At least 20 Republicans. I think the number of Republicans are going to continue to rise, because they realize, Members of this House realize in a bipartisan basis that this kind of reform is needed.

I am just calling again on the Republican leadership and will continue to call on them to allow this bill to come to the floor. If it does, we will pass it overwhelmingly, and we will finally see protections within the context of HMOs that Americans are crying out for.

TRIBUTE TO THE HEROES OF THE GRAND JUNCTION SHOOTING

The SPEAKER pro tempore (Mr. TERRY). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, as many of you know, my district is in the

State of Colorado. I represent the Third Congressional District of the State of Colorado, which is essentially the mountains of Colorado. My home is Grand Junction, Colorado.

Over the weekend, my home in Grand Junction Colorado got a very, very special gift, a gift of heroes. Over the weekend, we had two of our citizens who lost their lives in an unfortunate failed attempt to save another person's life.

These two individuals, Hobert Franklin, Jr. and David Gilcrease, both were individuals of normal working people. Nothing really set them out from the crowd until that moment of the call for courage. At that moment, both of these individuals stepped forward at the expense of their lives to try and save this other life.

The incident was a very violent incident. It was a domestic dispute. It took place in a grocery store in Grand Junction, in fact, the grocery store that my wife shops in, a grocery store that a lot of my neighbors shop in.

A man went in and grabbed a woman by her hair, dragged her out of the store, he had a gun in his hand, took her into the parking lot. When Hobert Franklin saw that happening, he ran out of the store to go to her aid.

Now, what we need to keep in mind with both of these individuals is that they had a very clear choice to make. There were lots of directions they could run. There were lots of directions that they could go away from the assailant. But Hobert decided not to do that. Hobert ran at the assailant to help the victim, and the assailant shot him dead.

David in the meantime saw what happened to Hobert. So he then knew that this guy was going to kill somebody. He just did kill somebody, in fact. He had an opportunity as well to go a different direction. Nobody could criticize the people that went different directions. This was a very terrifying incident.

But at that special moment, David decided that he had to intercede and stop this event from occurring. He ran towards the fellow, the assailant. The assailant raised the weapon at him. David puts his hands up. The assailant put his hand down. David backed off. He went back around the van.

I have got tell my colleagues about David. Do my colleagues know how much David weighed? David weighed 90 pounds. Ninety pounds. Think about it. Ninety pounds.

He came back around the van, and he tackled the assailant. Now, he is a tough guy, David, but he was not that tough. He was not that strong to take the assailant and knock him out of commission, so to speak. So the assailant knocked David off his back, and he turned around, and he killed David in cold blood.

Now, what is special about these two people is that David who was a father, by the way, of two young boys, terrific young children, and his wife Kim, his last words from David, as witnessed by the people who were trying to save his life was, ''Yes, Jesus is my savior.''

He was a small man, but as they said at his service yesterday, he was a giant when it comes to heart and to will. This small-framed man, and I am quoting from Bob Carter who read a poem in David's memory, ''This small-framed man was the biggest man my heart has been blessed with knowing.''

David was a wonderful guy. He blessed Grand Junction with his gift of heroism this last weekend.

Hobert, they talk about he is 50 years old. They said his half a century of life really boiled down to one defining moment; that is what his nephew told people at the service on Wednesday. ''No matter what he did, he will be remembered most for what he did in the last few moments of his life,'' Travis Coley told the gathering at the service.

Coley is in the seminary or just graduated from the seminary. Hobert was his uncle, and this is the first funeral service that Pastor Coley was to give.

Franklin had two sons, John and T.J. I got to meet both John and T.J. My colleagues would be very proud of these young men. They are very proud of their father because they knew, at that last defining moment, their father made a decision, a decision to try and save somebody else's life even though it probably meant imminent death for him.

Franklin is also survived by his wife Judy, his father and his brother and his sister. Franklin, too, blessed Grand Junction with that gift of heroism.

So as we go about in our every day lives, I just ask, because throughout our country we have a lot of good people out there, we have a lot of people of strong character, we have a lot of people that are the core of what makes this country great, and these are two of those individuals, and tonight in front of all of my colleagues and in front of all of the people of the United States of America, this country pays its due respect.

ISSUES FACING AMERICA

Mr. MCINNIS. Mr. Speaker, I have a number of different topics that I would like to cover this evening. I think probably one of them that is at the heart of a lot of debate that has been taking place here regards taxes. The gentleman from South Dakota (Mr. THUNE) is here to comment on that.

I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I thank the gentleman from Colorado for yielding to me.

Mr. Speaker, I would say that I think probably that the character of a lot of the people in his Congressional District is much like that of those that I represent in the State of South Dakota. Understanding that his district is very much like mine, very rural, and the gentlemen that he described this evening I think probably my colleagues would find them walking down the main streets in many places across South Dakota as well. It is a great privilege and honor to represent people with that kind of character.

I presume that, during the course of the August break, the gentleman from Colorado, like I did, had the opportunity to travel across his district. I had the opportunity to visit, on one particular trip, 36 counties across my State culminating with almost a week at the South Dakota State fair.

During the course of those travels, I heard about a lot of topics, one of which, of course, in my State is agriculture which is in desperate straits. I hope that this institution will, the Congress, come together on a solution for that problem to address many of the concerns, many of the very serious problems structurally that are occurring in agriculture today.

I hope that before the session is out that we will pass disaster relief assistance, and market loss assistance, that we will pass mandatory price reporting, Federal legislation to that effect, that we will pass crop insurance reform, which is desperately needed to make sure that producers have the risk management tools that will allow them to succeed in the current market place, and other issues that I think will come up, one of which is market concentration.

One of the things that I heard repeatedly in my travels across South Dakota is this increasing concentration in the agricultural industry. We are seeing it, whether it is grain buyers, whether it is livestock packers, whether it is soybean crushers, flour mills, you name it, there are fewer and fewer buyers of raw agricultural products in this country. It is having a profound and very serious effect on producers across South Dakota and I think across this entire country, and it is an issue which needs the attention of the United States Congress.

The other thing that I heard, like a lot of people, I think, traveling across this country and traveling across my State and others who traveled in their districts, was this surplus and talking about how do we deal with what is this $3 trillion plus projected surplus. I am sure the gentleman from Colorado (Mr. MCINNIS) has heard a lot of about that as well. As I was traveling across South Dakota, it was an issue that came up frequently. We had an opportunity to talk about how do we do it.

First of all, I think a lot of people are very skeptical that there is a surplus in the first place. Frankly, they ought to be.

□ 2145

I think that myself. I have a hard time dealing with trillions of dollars, billions of dollars, even millions of dollars. So we have to break it down into terms I think that all of us can understand.

But the reality is that for a lot of reasons we are projecting over the course of the next 10 years about $3.1 trillion in surpluses. And everybody

says, well, what caused that. I think it was a lot of things. I think it was the fact that, before I arrived on the scene, think the Republican Congress passed welfare reform; that there are 3.3 million more Americans working today and paying taxes; the fact that we were able to enact tax relief legislation in 1997, which I think has increased government revenues and lowering the capital gains rate. People took realizations, paid taxes on those realizations and increased government revenues.

I also think that control over federal spending has something to do with it. Since we assumed power here in the Congress, we have gotten tighter control over federal spending. And I think that fiscal responsibility has helped generate some of the surpluses. And, obviously, monetary management at the Federal Reserve. But in the end it is the hard work of the American people that has generated these surpluses. And so when we have this debate about how to best use these surpluses, we have to remember that it is their money we are talking about.

Again, trying to break this down into denominations that people can understand, $3 trillion is a lot. But if we broke it down into, say $4, and there has been a lot of discussion about how to do this, but what our plan does, and frankly this has been misrepresented and confused, and the other side has tried I think in many respects to mislead people about what this is all about, but, frankly, if the surplus was $4, we are taking $3 out of the $4 and setting it aside for Social Security and Medicare and to pay down the federal debt.

One of the things I heard in South Dakota over and over again is why do we not just pay down the federal debt. I think that is an admirable quality and one, I think, that speaks well of the people of South Dakota that they are interested in fiscal responsibility and making good on their debts. The reality is that $3 out of the $4, if we think of the surplus as being $4, 3 of the 4 goes to Social Security, Medicare and to pay down the federal debt. What we are talking about in terms of the tax bill is this last dollar. And the reality is, whether we like it or not, I do not believe that this last dollar is going to get used to pay down the federal debt.

Now, in a perfect world, that would be great. But we all know we do not live in a perfect world. We live in Washington, D.C., which is anything but a perfect world. Now, if this was done in South Dakota, we might be able to do this. But the reality is, whether it is Republicans or Democrats, this is a Washington problem. Politicians spend money. The only question on this final dollar, and if we think of this as being the payroll tax, that FICA tax, Social Security and Medicare, that is $3, and the last dollar is the income tax surplus. When those income tax surpluses start rolling in here to Washington, there are going to be a lot of designs on how to spend it.

What we have said as a matter of policy is that we believe the American people can spend this last dollar better than can Washington, D.C. So we went ahead and designed a tax package which I think strikes at the very heart and the very soul of what makes America tick. Everybody says, well, this is tax cuts for the rich. Well, in South Dakota we have a lot of farmers and ranchers and small business people. And when I ask them if they like the death tax, they say no. The death tax punishes people for saving for their kids and grandkids. We ought to get rid of it. Not only that, it is an inefficient tax. Sixty-five cents out of every dollar that is collected on the death tax goes to the cost of collecting the tax. It is an inefficient tax.

When I ask constituents whether they like the marriage penalty; do they like the fact that we penalize people and that they pay higher taxes for the privilege of being married, they say, no, we do not like that. That is a policy change that this bills makes. It is long overdue. We ought not penalize people in this country for being married. We ought to encourage that.

When I ask if they think we should tax capital gains on inflation, well, no, they do not think that sounds like a very good idea. Well, we make a change and index inflation in this bill so that it is not subject to a capital gains tax.

I have also asked if farmers, ranchers, and small business people ought to be able to deduct health insurance premiums. And that too, again, I think strikes at the very heart of those who are contributing to this society, helping generate this surplus and, frankly, in many cases, at least in my State, are very hard pressed. Farmers, ranchers, and small business people are trying to make ends meet in what is a very, very difficult agricultural economy.

These are policy changes which I think are very positive and they are long overdue. They are things that the American people could benefit from. And the alternative, as I said, is that this dollar gets spent in Washington. That is just reality. And I think we have to say honestly to the American people that all this talk and propaganda coming out of the White House and this administration about, boy, if they cut taxes it is going to cut farmers, it is going to cut veterans, it is going to cut water projects, it is going to cut education, I do not know where that comes from, because we are talking about surplus dollars.

We all agreed in 1997 to a balanced budget agreement which spends at a certain rate through the year 2002, and we assume beyond that, for the balance of this agreement, certain inflationary increases in spending. How they can argue that somehow this is going to rob or cut all these programs is beyond me. We are talking about surplus dollars. And I think the American people need to understand clearly what this argument is about. It is about the fact that we are using $3 out of $4, if we can put this in small terms again, $3 out of $4 to preserve and protect Social Security and Medicare and to pay down the federal debt.

And the debate we are having in America today is about whether Washington spends this last buck or whether the American family spends it on things that they need; whether it is education, college education for their children, whether it is on mortgage payments, whether it is on school supplies or Christmas presents, whatever. We believe as a matter of principle and as a matter of policy that the American people are in a better position to make that decision about their futures and how best to use this last dollar.

I think it is important in the course of this debate and discussion that we debunk a lot of the myths that are being propagated by the other side. There is a lot of propaganda, a lot of rhetoric and demagoguery, as there always is in scare tactics that are used, because, again, the reality is in Washington, if we take this away from the politicians, it is money they cannot spend. And that is why they are trying so desperately to hang on to it. We believe, again as a matter of principle, as a matter of policy and practice, that this dollar is better spent by the American people, by the American family.

So I thank the gentleman from Colorado for yielding this evening to me. I think we probably concur because I believe his district is very much like mine; that those he represents are very much like those I represent. They are hard working people. They understand that this, the dollars they pay the Federal Government, is their money. We understand it is their money. We want them to keep more of it. That is what this debate is about. And I hope as it continues that we are able to convince the American people. And as they understand more clearly what we are talking about, I believe there will be a huge groundswell of support for what we are trying to accomplish here, which is to give them more power.

I believe when the American people have more in their pocket, they have the power. When Washington has the money, Washington has the power. We want the American people to have more power and more control over their future.

So I appreciate very much the gentleman from Colorado yielding some of his time this evening. I know he would like to talk some more about this issue and I would certainly yield back to him.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman, and I want to add to the gentleman's comments.

That dollar that the administration says ought to stay in Washington, D.C. does one simple thing, it grows the size of the Government. There has never been a time in the history of politics, because of the human demands upon the politicians, that a pool of money can be left sitting in the Capital of a

State or in Washington, D.C. and think that the politicians are going to keep their hands off that and use that for some future reduction of the federal debt. It is not going to happen.

I think what else is important to my colleague, as he mentioned, is that there are some myths out there that need to be debunked. The Republicans said, look, we can take care of Social Security, we can take care of Medicare, and we need to do something with education, we need to do something with the military, we have to increase our spending with regard to the military, and we need to reduce the federal debt. We think that we can do all five of those things and still take that dollar, which is a small part of the $4 that the gentleman had there, take that dollar and give it back to the taxpayers.

Now, our proposal to do that alarmed the administration. The President decided he could not let the Republicans get credit for giving back the people their money that came from them. He had to come up with a proposal. And he did come up with a proposal. And when it was scored by the Congressional Budget Office, it actually resulted in a tax increase. If we want to look at a bill that really reduces the debt, look at the history of the two parties and which party is carrying the bill that is really going to reduce that debt. We had 40 years of Democratic control in the United States Congress. Forty years the Democrats were in control. In that period of time I think they had one 2-year period where they had a balance.

What is the history of this? The Republicans' bill, and I am not trying to be partisan here, but we need to draw the lines where the lines have been drawn in these chambers, the Republican bill does more to reduce the federal debt than any other bill out there, period. Now, take a look historically. We have had the Democrats in control and ran deficits for 38 out of the 40 years. The Republicans took control just 5 years ago, and since then they brought up the balanced budget amendment. It was a Republican bill. Welfare reform; it was a Republican bill.

Now, how many of the Democrats, even the most liberal Democrats in this country, are complaining about the tax cut we gave 2 years ago? As the gentleman from the Dakotas knows, 2 years ago we went out to homeowners, homeowners regardless of their income, all they had to do was own a home, in the gentleman's district or in my district or in Mississippi or Massachusetts or in Florida or in Texas. We went out to the homeowners in this country, and we used the same argument and we got the same kind of disagreement from the Democrat leadership. Not all Democrats, because there are a lot of conservative Democrats who understand where this money comes from. But the Democrat leadership and the administration fought us on this homeowner deal.

What did we do with the homeowners? We went to every homeowner in this country and told them that from this point on when they sell their home, and if they sell their home for a profit, not net equity but actually net profit, they get to take that, up to $250,000 per person, $500,000 per couple, they get to take that money, tax free, regardless of their age, and put it in their pockets.

So those Americans out there who have heard some of this bunk about Republicans and their tax plans, they should not forget that when they sell that home that they live in right now, thanks to the Republican leadership, they are going to get, with some rare exceptions, for instance, if an individual is very, very wealthy and they sell it for more than $500,000 profit, otherwise anybody that sells it for a dollar profit up to $500,000 profit per couple puts that money in their pocket. And it is money they will spend in their community. They will donate some to the church, they will go out and buy a new car, maybe buy another house. That money recirculates in the communities, not back here in the Washington, DC community.

So I appreciate and invite the gentleman to continue participating if he wishes, but I think the gentleman's example is right on point. I am glad he showed that dollar bill, because that dollar bill is right now in Washington, DC. What the gentleman has proposed and our colleagues have proposed is taking that dollar bill and putting it back in the local community. Because we think a dollar bill in Glenwood Springs, Colorado, or in the Dakotas, up there somewhere in the Dakotas, or in Miami, Florida, or in Los Angeles or in Seattle, Washington, or Salt Lake City, we think putting that dollar back into the local community is going to have a much more efficient use, be much more productive, be much more helpful for capital, much more helpful for the communities and the nonprofits and the schools than taking that dollar and keeping it right here in these House Chambers and sending it out to the Federal agencies. That is what the gentleman is saying and the gentleman is right, and I yield back to the gentleman.

Mr. THUNE. Well, I thank the gentleman for continuing to yield. As I have tried to present this, I have asked the people of South Dakota one basic question, and that is this question: Do you think that the Federal Government in Washington is too small? Do you think that the Federal Government in Washington is too small?

Now, if the answer is yes to that question, obviously that person is going to like the President's plan to grow the size of government by spending the surplus. But I would suspect that most people, in fact when I ask this question across my State, I do not see any hands get raised. I am guessing if the gentleman asks that question in his district in Colorado he would get the same response. Most people in this country understand the Federal Government is big enough.

In fact, we believe, and I think most people believe, that we ought to continue this process that we have begun of shifting power out of Washington and back to those communities that the gentleman talked about, back to school districts, back to families, back to individuals so they can do more for their communities. We need for Washington to do less and the American people to do more.

Again, it does come back, and I want to say this so the American people do not miss this as we have this debate, what we are talking about, if we were to take that surplus and put it into small terms that people understand, $3 goes to Social Security, to Medicare, and to pay down the Federal debt, and $1, we think, basically 25 percent of the surplus, goes back to the American people. It is their money. And it is a ludicrous notion to think that if this money comes to Washington it is not going to get spent.

Mr. MCINNIS. And reclaiming my time once again, that $1 that the gentleman held up, we hear from the Democratic leadership, through the propaganda going across this country, that that dollar is going to be used to reduce the Federal debt. What the gentleman said, and he is absolutely correct, if we leave that $1 here in Washington, DC, it will not go for reducing the national debt; it will go for new programs and for new spending.

When we leave money around here, the new spending is a temptation. I am sure the gentleman knows this, at least as it applies to me, when I have people come into my office asking for new spending, these usually are not bad programs. They usually sound great.

□ 2200

But the question is, can we afford them? So the temptation to spend those dollars will fall on Republicans and Democrats back here. It is a strong temptation. We have a lot of our constituents out there who, if that dollar stays here, they say the dollar is going to stay in Washington, let us spend it for this program or let us spend it for that program. We all know that if we leave that dollar here it will grow the size of the Government.

What the Republicans are pushing for, and we are having a tough time getting our message across because it is very easy to spend it in 15 seconds, what the gentleman from the Dakotas and myself are trying to explain in 30 minutes, but the fact is if we leave that dollar in your pocket, in your community, it would work much better.

The only way that theory would not work is if when keeping that dollar in your community, in your pocket, you went out and buried it in the ground, literally put it in the ground other than it is either going to a bank, which will loan it back out to the community, it is going to be spent for goods and services, which circulate in the community.

Do my colleagues know what they should do? Sometimes some of these

companies have to pay taxes. They should pay their employees in $2 bills, we still have a $2 bill out there, pay in $2 bills and see how often and how many places those $2 bills show up in your community and how many weeks those $2 bills are showing up in stores and all kinds of different places in your community versus coming back here to Washington.

I hope the gentleman stays. I want to point out a couple of other things on taxes we have just gotten from the Tax Foundation, and the Tax Foundation has a lot of credibility back here. It is a nonpartisan organization. We have just received in 1999 what Americans per capita will spend on things such as food, clothing, and shelter.

I want to show my colleagues some very stunning numbers. I will write them here very quickly for you.

On food in 1999, $2,693. That is what the average per capita expenditure in the United States will be for food. For clothes, that will be $1,404. So for food per capita, we are going to spend $2,693. For clothes, we are going to spend $1,404. And for shelter, we will spend $5,833.

Now, if we add that up, assuming my math is right, that is $9,930 per capita. So food is $2,693. Clothes are $1,404. And shelter is $5,833. That is what you spend for those priority items in your family.

Guess what you will pay for taxes? $10,298. In other words, the per capita expenditure per family in this country you will pay more for taxes than you do for your food, your clothes, and your shelter combined. Again, let me repeat that. We will all pay more in taxes than we will pay for our food, our clothes, and our shelter.

Now, we will also, another interesting thing, when you look at these numbers put out by the tax group, on Federal taxes alone, we will spend more than any other major budget item.

I want to put some examples out here. For housing, we will spend the $5,833; for health care, $3,829; for food, $2,693; for transportation, $2,568; for recreation, $1,922; for clothing, $1,404. For Federal taxes alone, just for Federal taxes, here is what we spend for Federal taxes: $7,000.

So think about your budget, think about what you are spending in your family budget. These are roughly the figures that you will come up with: Housing $5,833. You spend more in taxes than you do in housing for your family. Health care for your family, you will spend about $3,829. This is per capita. You will spend a little over twice that for taxes, not quite twice, $7,026. For food to feed the family, per capita, $2,693 compared to what you are going to have to pay in taxes, $7,026. For recreation, $1,922 compared to the $7,000 you are going to pay in taxes. For clothing, $1,404 to clothe your family per capita, and you are going to spend over $7,000 in taxes.

My point is this: There has been a lot of rhetoric lately about if we do not provide some kind of tax relief for the American people then we hear from the Democratic party leadership that the Federal debt will only increase and they all of a sudden, the Democrat leadership, after 40 years of running deficits in this country, now, some of my colleagues do not like to hear partisanship and I am not trying to be partisan, but the fact is the Republicans did not run this House for 40 years, they have run it for 5 years; and we have had surpluses on almost all of those years.

We have had welfare reform. We had the tax cut I spoke about earlier. But the reality, what people do not want you to hear is that, guess what, when we reduce your taxes, when we allow you to keep those dollars in your pockets, guess what happens? The economy improves.

Take a look at any major tax relief or tax reduction in this century or in the century before it but since income tax came in this century, take a look at any one of them. Immediately after a tax reduction, the economy improved. When those dollars, again, unless you bury your dollars in the ground and you never see them again or you hide them and do not circulate them in your community, then in any other circumstance that will, one, keep down the size of government and, two, bring up the health of the economy.

Now, we have got a pretty good economy. Not everybody. My good friend from the Dakotas talks about the agriculture and the suffering, and they are suffering out in the farm belt. But there are a lot of people who are enjoying the healthiest, many of them, they will ever experience in their entire life. So they do not worry so much about taxes. Well, you pay a little tax here, you pay a little tax here.

Let me tell you what is happening while some of you are asleep. The governments, whether it is a local government, whether it is a local district, whether it is a State government, or whether it is the Federal Government, is sneaking into your house while you are asleep and those taxes are going up.

Most of the increase that you have seen in your taxes, the total tax package, has occurred since 1981. Most of that increase, 45 percent, 45 percent of the taxes that you pay are as a result of tax increases since 1981. All we are saying here is let us not fall asleep while the tax man sneaks in behind us.

Now, are taxes necessary? Of course they are necessary. We have certain responsibilities that belong to the Federal Government, a strong military. I think we have a fundamental obligation for good education in this country. We do have some health care obligations. We have transportation obligations for the interstate highways, interstate commerce. We have a justice system that has to be maintained.

So there are some fundamental obligations that the Federal Government must maintain. There are certainly obligations that the State government must maintain. We agree with those. Our local districts, our school districts have a very heavy burden in providing what we want and that is quality education. Those dollars have to go in.

But it does not mean we should overpay and it does not mean when we pay our tax we should not ask our elected officials, am I paying too much? Am I getting a fair shake for my dollar? Am I getting efficient use out of that dollar? Is that dollar more productive in Washington, D.C., or is it more productive in my home State of Santa Clara, California, or Salt Lake City, Utah, or Kansas City, Kansas, or Carbondale, Colorado? Is this where those dollars are most efficient?

So, my colleagues, I am just trying to say to my colleagues here as this rhetoric goes on about the tax cut and how it is going to add to the Federal debt, take a look at the details. Read the fine print.

When you read the fine print, you are going to find out, frankly, really there are two choices. One, continue to grow the Government or, two, give back a portion of the surplus, not all of the surplus, but give back a portion of the surplus to the people who earned it.

Tax dollars are taxed to spend. That is the only reason we get taxed. It is the only reason our constituents out there get taxed. The only reason you are being taxed is so that some governmental body can spend that money. And as we said earlier, some of those expenses are justified. Some of them are necessary. But if you tend to allow accountability to become lax or the old saying that ''when the cat is away, the mice will play,'' if you do not keep the cat in the barn, the mice pretty soon get out of control.

What we are saying here is let us exercise prudent financial management and let us tell our clients, the constituents, the taxpayers, you overpaid for this product. You deserve a little of it back. We still want to give you a fine product. You deserve it from the Government. But at this point you have overpaid a little, not a lot. The tax decrease we are talking about does not do a lot but it still keeps a few of those dollars in your pocket.

I have had a recent opportunity about 3 years ago, and this is exciting regardless of what party you are in regardless of your bent toward partisan politics, I have got something that I hope all of my colleagues take a very careful look at. It has been a tremendously successful program in my district, and I would like to explain it to my colleagues. It is called the S.E.E.D.S. program.

I actually started that program in the Third Congressional District of Colorado with the help of a lot of people Susan Smith, the City of Pueblo, County of Pueblo, several school districts, Pueblo Community College, Roger Gomez, a number of different people.

We all got together; and we found out that under the Federal regulations,

you can ask Federal agencies for their excess computer equipment. In other words, we have, for example, the Department of Energy who has been very cooperative with us. They have excess computer equipment. Some of this equipment is almost brand new.

Now, this is not state-of-the-art computer equipment. But most schools in our country do not have state-of-the-art computer equipment. In fact, in my district there were a number of schools that did not have really any computer equipment.

So what we did on our drive to cut down Government waste is we went to these different agencies and we said we would like you to ship those computers to a warehouse, which, by the way, was donated to our cause in Pueblo, Colorado, send them to our warehouse. We got students from Pueblo Community College to come in and help us put part A of the computer with part B, so on and so forth.

We got citizens to help us haul away the trash. We got citizens to help come down and do the mechanical work. We got citizens to volunteer and come down and help us match up the computers with schools that needed these computers. And before you know it, our program was off and running.

What were the results of our program? In our program in Colorado now, we are up to 200 sets of computers a week that we give to local schools, not just public schools, private schools, home schoolers, senior citizens. It is an exciting project. It provides a need for education which we think is very important.

Nobody disagrees that education is not important. And it takes away budget waste, Government waste, wasteful spending, which I think most of us would agree is not necessary. We take that waste, and we convert it to a good, positive use. It is called the S.E.E.D.S. program.

I am here this evening to tell my constituents, to tell my colleagues here on the House floor this is a program you should adopt, you should take a look at.

□ 2215

I would like to cover another area tonight. There has been some recent press, publicity, about a stand I have taken in regards to our military academies.

Let me precede my comments on the academies with the statement about the military. We need in this country the strongest military second to none in the world. Do not let people kid you. It would be a very terrible mistake for us to allow our military to fall into shambles and to become the second toughest kid on the block. You cannot be the second toughest kid on the block. You cannot be the third toughest kid on the block. You have got to be the toughest kid on the block.

It does not mean you go pick fights, but it does mean you will be in less fights because people will not want to fight you. It also means that you can go out and help those people that are less fortunate because of your strength.

I believe in a strong military, and all of us should believe in a strong military. For too many years, the military has not received the kind of priority that is necessary, although the military for too many years has been called to different missions all over the world. I think right now we are stationed in 164 different locations.

So I have great respect for the military, but I also believe that the military has accountability.

I want to talk for a couple of minutes about our service academies. It is a great honor to be selected to go to the United States service academies, West Point, the Air Force Academy, the Naval Academy, the U.S. Coast Guard. The students that go there are not the cream of the crop. I repeat that. They are not the cream of the crop. They are the cream of the cream of the crop.

We take our very best students, and when we focus in on the students that we want to send to those military academies, I think there are a lot of things we need to look at and list in order of priority. Leadership skills, obviously intelligence capabilities, and maybe somewhere on the list, further down on the list, there are sports abilities or their celebrity status on sports.

Here is what is happening. This is my point that I disagreed very strongly with on some of the academies. When someone enters, say, the Air Force Academy, you make a commitment to the United States of America. You sign a deal with them. It is fully disclosed. There is nothing hidden about it. You tell the United States, in this case Air Force Academy, I will serve so many years in exchange for those 4 years of college education that the American people are giving me as a privilege, and it is a privilege. We pick great young men and women to be in the service, but you sign this commitment and just to be sure you fully understand that commitment, after 2 years of being in, say the U.S. Air Force Academy, we say to the students, look, you can walk away, no strings attached or we want you to make sure that you make an informed decision that if you continue at the Air Force Academy and complete your 4 years' education, you will have a commitment of service, you will have an obligation, you will have a duty. These students, by the way, live under an ethical code or a military code or an academy code that says, service to the Nation over self.

Well, what I have discovered is happening is, if you are in a very special class of people at the Air Force Academy, for example, you get treated differently than the other cadets. What am I talking about? If everyone was listening to me earlier this evening, I talked about heroes. We had two heroes in Grand Junction, Colorado. They lost their lives. I like sports. I enjoy the Broncos. I am a fan of the Broncos, but even my favorite sports person, to me, is a celebrity, not a hero. But what happens at the academies, if you are a celebrity sports person, for example, an outstanding football player who has an opportunity to be drafted by the pros, you are going to get special treatment or some of them have received special treatment by the Air Force Academy, for example, that lets them walk away from their service commitment.

Now, they have to serve some time in the reserves, but they are not treated like every other cadet out there. Now, some people say, well, it is good publicity for us. It is necessary that we allow these academy graduates to walk away or be waivered, that is the keyword, that is the buzz word, be waivered from their duty and their service so that we get publicity in the pro football circuit.

My comment to that was, well, if we need publicity, why do we not just go ahead and let United Airlines, for example, or any airline, I fly United a lot, let any airline go to the Air Force Academy and say we would like your top pilots, go ahead and waive their service, we will pay them money, even though these athletes are not having to pay their $120,000 which is the payback financially to the Government, we will go ahead, we like your top pilots. Do you think the Air Force Academy would release those pilots? Not on your life.

If Dow Chemical Corporation or some other chemical company, and I like Dow Chemical, if they went to the Air Force Academy and said we would like your top chemists, give us your top chemist students, do you think they would waiver those students out of there? Not on your life.

Let me read from an editorial, Rocky Mountain News. A Perk for Military Athletes. ''Roger Staubach graduated from the Naval Academy, served his obligatory 4 years on active duty, and still enjoyed an 11-year career with the Dallas Cowboys that put him in the pro football Hall of Fame.

''Times have changed. Beau Morgan, the Air Force Academy's star quarterback from the class of 1997, was let out of what is now a 5-year commitment after only 2 years so he could try out with the Dallas Cowboys this summer.

''It is part of a trend that apparently began in 1989 when the Naval Academy graduate David Robinson was released after just 2 years' active duty, enabling him to play with the NBA's San Antonio Spurs. Now an angry U.S. Representative Scott McInnis, Republican of Colorado, is threatening to introduce legislation that would put an end to this practice. 'When these kids go to the academy, we try and teach them that you put your Nation above yourself, but that is not what is occurring here.'

''There are a number of other examples. Steve Russ, a line backer with the Denver Broncos, was released from his military commitment in 1997, 2 years after his Air Force Academy graduation. Air Force Academy grad Dan

Palmer also got an early out to try out with the Chicago Bears as an offensive lineman.

''For 2 years, McInnis has been trying to use the Freedom of Information Act to get a complete list of those who received waivers from service academies for athletic purposes, but he is having a hard time of it.''

''It is easy to understand why the military schools might be tempted to fudge the rules in order to entice more athletes. For decades they played at the top levels of intercollegiate athletics, but that is no longer true. A military career is just not as attractive to top athletes as it once was. Frustrated academy graduates who are now generals and admirals want to do what they can to slow or reverse the trend. The military tries to justify the current policy by saying that their star athletes serve effectively as academy recruiters upon their early release, but we suspect the kids they mainly recruit are other outstanding athletes who will also expect early releases.

''Those who get releases, after signing pro contracts, do not have to repay the $120,000 cost of their education and they do not have to go back to active duty even if they are later cut by their teams. Their only obligation is to spend 6 years in the Reserves.

''If pro athletes serve as effective recruiters, says McInnis, why not let United Airlines recruit the top pilots from the Air Force Academy, so long as they say on the airplane, 'You are being flown by an Air Force Academy graduate.'

''McInnis dismisses the suggestion that early releases might be all right if the graduate or his employer simply repays the Government the cost of his or her education. The economics of professional athletes are such that $120,000 is merely, quote, what professional teams spend on refreshments at weekend resorts, unquote.

''The point, says McInnis, is that academy athletes deserve no privileges that other graduates cannot get. 'It is just wrong,' he says, of the early-release policy. 'It makes me mad.'

''Considering the athletes the major state universities recruit, how little some of them study and how few of them ultimately graduate, the service academies should not be ashamed that their cadets can no longer compete at that level. If they have to play smaller schools, it is no disgrace.

''But the early-out policy for their athletes is a disgrace, and should be stopped.''

Folks, my point is very clear. We are proud of these academies. The Air Force Academy and West Point and the Coast Guard and the Naval Academy have served this country very well. Our great military leaders, some of our presidents, many of our great leaders in this country have come from those academies. Why? Because when you go to an academy, it is a pretty special place. It has the highest of standards, and it has the highest of ethical codes.

I think we are diluting that. I think we are diluting the reputation of all the preceding graduates of these academies for the entire history of those academies by taking a special class of athletes and treating them differently, by letting them out of their obligations early. Again, remember, we do not do it for any other class of Air Force or Naval or West Point or Coast Guard Academy graduate. It is wrong. We should stand up and say to the American people, you can expect more from our academies.

I want to mention a couple of other things in conclusion this evening. First of all, as I said earlier, I come from the third district of Colorado. This is a very special season coming up in Colorado so I am going to do a little promotion. I hope all of my colleagues have an opportunity to go out and see our colors in the Aspen trees. The district I represent is the highest district in the United States. They have a lot of beautiful communities, a lot of great ski resorts, Aspen, Sonoma, Steamboat, Telluride. I will get in trouble because I do not name them all, but virtually every ski resort in Colorado is in that district.

So if my colleagues get an opportunity, we invite them to come out to Colorado. Come and visit us. Come and see what beauty we have out there. But I also want to point out something else. When my colleagues head out of this city, take a look at how important it is that we allow the average working Joe and the average working Jane in this country to be promised and to expect fair treatment by their Government when it comes to taxes.

Every Government leader out there should understand that they have a fiduciary duty, an obligation, to try and deliver the most efficient services the Government can at the least amount of cost, and every Government official out there has an obligation to you, the working Joe and the working Jane, the people that provide these dollars, there is an obligation on behalf of every elected or every Government employee or every Government official to make sure that you are not being overcharged.

There is an obligation by every one of us in these chambers to look at that taxpayer and we ought to say thank you to them. We ought to say thank you to the working people of this country, because if it were not for the 8 or 12 or 14 hours they work every day 5 or 6 or 7 days a week, that money to provide for the programs that we run out of these chambers would not be here. We owe them a big thank you, and we also owe them the duty to make sure that when we spend those dollars we spend them effectively, that we are fair to the taxpayer.

Our system needs taxes. It has to operate with taxes, but our system has a fundamental requirement of fairness and openness to the people that send that money to Washington. And when we have an opportunity to send that money and put it back in the pocketbooks of those hard working Americans that provide those dollars, we should take it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TOWNS (at the request of Mr. GEPHARDT) for today before 6 p.m. on account of personal business.

Mr. CROWLEY (at the request of Mr. GEPHARDT) for today after 2 p.m. on account of official business.

Mr. ROGAN (at the request of Mr. ARMEY) for today and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. SCOTT, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. BEREUTER) to revise and extend their remarks and include extraneous material:)

Mr. RYAN of Wisconsin, for 5 minutes, September 16.

Mr. BEREUTER, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1076. An act to amend title 38, United States Code, to enhance programs providing health care and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes; to the Committee on Veterans' Affairs.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 30 minutes

p.m.), under its previous order, the House adjourned until Monday, September 13, 1999, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3974. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Pork Promotion, Research and Consumer Information Order-Decrease in Importer Assessments [No. LS–99–03] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3975. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mediterranean Fruit Fly; Removal of Quarantined Area [Docket No. 98–083–6] received September 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3976. A communication from the President of the United States, transmitting a request for transfers from the Information Technology Systems and Related Expenses Account for Year 2000 compliance to the Department of Commerce's Bureau of Export Administration, the Department of the Treasury, and the Consumer Product Safety Commission; (H. Doc. No. 106–116); to the Committee on Appropriations and ordered to be printed.

3977. A communication from the President of the United States, transmitting a request for transfers from the Information Technology Systems and Related Expenses Account for Year 2000 compliance to the Department of the Interior, Labor, the Treasury, and to the District of Columbia; (H. Doc. No. 106–117); to the Committee on Appropriations and ordered to be printed.

3978. A letter from the Director, Congressional Budget Office, transmitting CBO's Sequestration Update Report for Fiscal Year 2000, pursuant to 2 U.S.C. section 904(b); to the Committee on Appropriations.

3979. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the transfer of property to the Republic of Panama under the Panama Canal Treaty of 1977 and related agreements, pursuant to 22 U.S.C. 3784(b); to the Committee on Armed Services.

3980. A letter from the Secretary of Defense, transmitting approval of the retirement of Lieutenant General Charles H. Roadman II, United States Airforce, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3981. A letter from the President and Chairman, Export-Import Bank, transmitting transactions involving U.S. exports to the People's Republic of China (China); to the Committee on Banking and Financial Services.

3982. A letter from the President and Director, Export-Import Bank, transmitting transactions involving exports to Mexico; to the Committee on Banking and Financial Services.

3983. A letter from the President and Director, Export-Import Bank, transmitting transactions involving U.S. exports to the Kingdom of Saudi Arabia; to the Committee on Banking and Financial Services.

3984. A letter from the Secretary, Department of Education, transmitting Final Regulations—Direct Grant Programs, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

3985. A letter from the Administrator, Energy Information Administration, transmitting the Energy Information Administration's ''Annual Energy Review 1998,'' pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Commerce.

3986. A letter from the Secretary of Health and Human Services, transmitting the annual report summarizing the findings of the Public Health Service Act; to the Committee on Commerce.

3987. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 106–115); to the Committee on International Relations and ordered to be printed.

3988. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France [Transmittal No. DTC 57–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3989. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Germany [Transmittal No. DTC 97–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3990. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia [Transmittal No. DTC 98–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3991. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Turkey [Transmittal No. DTC 125–98], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3992. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France [Transmittal No. DTC 21–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3993. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Greece [Transmittal No. DTC 18–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3994. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3995. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3996. A letter from the Comptroller General, General Accounting Office, transmitting List of all reports issued or released by the GAO in June 1999, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

3997. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severly Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3998. A letter from the Comptroller General, transmitting the Research Notification System through July 6, 1999; to the Committee on Government Reform.

3999. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled ''The Role of Delegated Examining Units: Hiring New Employees in a Decentralized Civil Service,'' pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform.

4000. A letter from the Acting Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting the Department's final rule—International Fisheries Regulations; Pacific Tuna Fisheries [Docket No. 990212047–9208–02; I.D. 111998C] (RIN: 0648–AL28) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4001. A letter from the Acting Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting the Department's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Restricted Reopening of Limited Access Permit Application Process [Docket No. 990820230–9230–01; I.D. 080599B] (RIN: 0648–AM92) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4002. A letter from the Reserve Officers Association, transmitting a copy of the Report of Audit for the year ending 31 March 1999 of the Association's accounts, pursuant to 36 U.S.C. 1101(41) and 1103; to the Committee on the Judiciary.

4003. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under Title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed $5 million for the response to the emergency declared on June 23, 1998, as a result of the extreme fire hazards which severely impacted the State of Texas from June 4, 1998 through and including November 3, 1998, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

4004. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; York, NE [Airspace Docket No. 99–ACE–25] received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4005. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace; Tupelo, MS [Airspace Docket No. 99–ASO–10] received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4006. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Procedures for Protests and Contract Disputes; Amendment of Equal Access to Justice Act Regulations; Correction [Docket No. FAA–1998–4379; Amendment No. 14–03, Part 17 (New)] (RIN: 2120–AG19) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4007. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; de Havilland Inc. Models DHC–6–1, DHC–6–100, DHC–6–200, and DHC–6–300 Airplanes [Docket No. 97–CE–10–AD; Amendment 39–11279; AD 99–18–13] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4008. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes [Docket No. 99–NM–224–AD; Amendment 39–11278; AD 99–18–12] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4009. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd. (IAI), Model 1124 and 1124A Series Airplanes [Docket No. 98–NM–332–AD; Amendment 39–11274; AD 99–18–08] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4010. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models C90A, B200, B300, and 1900D Airplanes [Docket No. 99–CE–56–AD; Amendment 39–11281; AD 99–18–15] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4011. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3–SHERPA, SD3–60 SHERPA, SD3–30, and SD3–60 Series Airplanes (Docket No. 98–NM–369–AD; Amendment 39–11276; AD 99–18–10] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4012. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3–30 Series Airplanes [Docket No. 98–NM–349–AD; Amendment 39–11275; AD 99–18–09] (RIN: 2120–AA64) received September 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4013. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 98–NM–222–AD; Amendment 39–11273; AD 99–18–07] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4014. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 99–NM–77–AD; Amendment 39–11269; AD 99–18–03] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4015. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 96–NM–113–AD; Amendment 39–11270; AD 99–18–04] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4016. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dowty Aerospace Propellers Model R381/6–123–F/5 Propellers [Docket No. 99–NE–43–AD; Amendment 39–11284; AD 99–18–18] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4017. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3–SHERPA, SD3–60 SHERPA, SD3–30, and SD3–60 Series Airplanes [Docket No. 99–NM–12–AD; Amendment 39–11277; AD 99–18–11] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4018. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205A–1 and 205B Helicopters [Docket No. 98–SW–72–AD; Amendment 39–11268; AD 99–18–02] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4019. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–300 and ATR42–320 Series Airplanes [Docket No. 98–NM–201–AD; Amendment 39–11272; AD 99–18–06] (RIN: 2120–AA64) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COBLE: Committee on the Judiciary. H.R. 1752. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; with an amendment (Rept. 106–312). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HAYWORTH (for himself and Mr. PASTOR):

H.R. 2820. A bill to provide for the ownership and operation of the irrigation works on the Salt River Pima-Maricopa Indian Community's reservation in Maricopa County, Arizona, by the Salt River Pima-Maricopa Indian Community; to the Committee on Resources.

By Mr. DINGELL (for himself and Mr. WELDON of Pennsylvania):

H.R. 2821. A bill to amend the North American Wetlands Conservation Act to provide for appointment of 2 additional members of the North American Wetlands Conservation Council; to the Committee on Resources.

By Mr. BENTSEN (for himself, Mr. PORTER, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. HOYER, Mr. WEYGAND, Ms. HOOLEY of Oregon, Mr. VENTO, and Mrs. LOWEY):

H.R. 2822. A bill to require the opposition of the United States to International Monetary Fund and World Bank loans to Indonesia until the violence resulting from the referendum on the independence of East Timor has been ended; to the Committee on Banking and Financial Services.

By Mr. CANNON:

H.R. 2823. A bill to amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy; to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COBURN (for himself, Mr. SHADEGG, Mr. COOKSEY, Mr. HILLEARY, Mr. VITTER, Mrs. EMERSON, Mr. GILLMOR, Mr. REGULA, Mrs. CUBIN, Mr. GRAHAM, Mr. CUNNINGHAM, and Mr. WELDON of Florida):

H.R. 2824. A bill to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN:

H.R. 2825. A bill to direct the Secretary of the Interior to dispose of all public lands administered by the Bureau of Land Management that have been identified for disposal under the Federal land use planning process; to the Committee on Resources.

By Mrs. EMERSON (for herself and Mr. HULSHOF):

H.R. 2826. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free distributions from qualified retirement plans on account of the death or disability of the participant's spouse; to the Committee on Ways and Means.

By Mr. EWING (for himself and Mr. SHIMKUS):

H.R. 2827. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to authorize research to promote the conversion of biomass into biobased industrial products, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY of Oregon:

H.R. 2828. A bill to amend title XIX of the Social Security Act to require criminal background checks on drivers providing Medicaid medical assistance transportation services; to the Committee on Commerce.

By Ms. KAPTUR (for herself, Mrs. EMERSON, Mr. GILCHREST, Mrs. CLAYTON, and Mr. BISHOP):

H.R. 2829. A bill to amend the Packers and Stockyards Act, 1921, to provide the Secretary of Agriculture with administrative authority to investigate live poultry dealers, and for other purposes; to the Committee on Agriculture.

By Ms. KAPTUR (for herself and Mr. BISHOP):

H.R. 2830. A bill to amend the Agricultural Fair Practices Act of 1967 to provide for the accreditation of associations of agricultural producers, to promote good faith bargaining between such accredited assoications and the handlers of agricultural products, and to strengthen the enforcement authorities to respond to violations of the Act; to the Committee on Agriculture.

By Mr. LUTHER:

H.R. 2831. A bill to amend title XVIII of the Social Security Act to ensure Medicare reimbursement for certain ambulance services, and to improve the efficiency of the emergency medical system, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 2832. A bill to authorize the Secretary of the Interior to establish a program to inventory, evaluate, document, and assist efforts to restore and preserve surviving United States Life-Saving Service stations; to the Committee on Resources.

By Mr. PASTOR:

H.R. 2833. A bill to establish the Yuma Crossing National Heritage Area; to the Committee on Resources.

By Mr. SANDERS:

H.R. 2834. A bill to amend the Communications Act of 1934 to clarify State and local authority to regulate the placement, construction, and modification of broadcast transmission and telecommunications facilities, and for other purposes; to the Committee on Commerce.

By Mr. SANDERS:

H.R. 2835. A bill to require an assessment of research on effects of radio frequency emissions on human health; to the Committee on Commerce.

By Mr. VITTER:

H.R. 2836. A bill to amend the Fair Housing Act; to the Committee on the Judiciary.

By Mr. WEINER (for himself, Mrs. MORELLA, Mr. FROST, Mr. MEEHAN, Mr. WAXMAN, Ms. KILPATRICK, Mrs. CHRISTENSEN, Mr. SANDERS, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-MCDONALD, Mr. MCGOVERN, Mr. ROTHMAN, Mrs. MINK of Hawaii, Mr. KENNEDY of Rhode Island, Mr. HILLIARD, Mr. BARRETT of Wisconsin, Ms. MCKINNEY, Mr. NADLER, Mrs. KELLY, Mrs. MALONEY of New York, Mrs. MEEK of Florida, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Ms. NORTON, Ms. LEE, Mrs. THURMAN, and Ms. CARSON):

H.R. 2837. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to widely distribute information describing their procedures for receiving and responding to complaints concerning harassment; to the Committee on Education and the Workforce.

By Mr. WEYGAND (for himself, Mr. KENNEDY of Rhode Island, Mr. MCGOVERN, and Mr. FRANK of Massachusetts):

H.R. 2838. A bill to impose an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have been implemented, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H. Con. Res. 183. Concurrent resolution calling upon the Government of Indonesia to respect the results of the September 4, 1999, referendum on the status of East Timor and to bring about an immediate end to the violence in East Timor with the assistance of United Nations forces if necessary; to the Committee on International Relations.

By Mr. PORTMAN (for himself, Mr. MARKEY, Ms. DUNN, Mr. TURNER, Mrs. BONO, Mr. MORAN of Virginia, Mr. LAZIO, Mr. WOLF, Mr. MCCRERY, Mr. ROEMER, and Mr. BONILLA):

H. Con. Res. 184. Concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television; to the Committee on Commerce.

By Mr. WEYGAND:

H. Con. Res. 185. Concurrent resolution supporting the results of the East Timor plebiscite held on August 30, 1999, and calling for an end to the violence in East Timor; to the Committee on International Relations.

By Mr. CAPUANO (for himself, Ms. BALDWIN, Mr. BLAGOJEVICH, Mr. CROWLEY, Mr. DELAHUNT, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. HALL of Ohio, Mr. KENNEDY of Rhode Island, Mr. KING, Ms. LEE, Mrs. LOWEY, Mr. LUTHER, Mrs. MALONEY of New York, Mr. MCGOVERN, Ms. NORTON, Mr. OLVER, Mr. PAYNE, Ms. PELOSI, Ms. SCHAKOWSKY, Mr. WEXLER, Mr. WOLF, Mrs. CAPPS, Mr. BAIRD, Mr. MEEHAN, and Mrs. MORELLA):

H. Res. 285. A resolution expressing the sense of the House of Representatives regarding the referendum in East Timor and calling on the Government of Indonesia and all other parties to the current civil unrest in East Timor to assist in any attempts to immediately terminate the paramilitary's campaign of violence and terror and comply with the overwhelming results of the August 30, 1999, popular consultation; to the Committee on International Relations.

By Mr. PACKARD (for himself and Mr. UDALL of Colorado):

H. Res. 286. A resolution recognizing that prevention of youth suicide is a compelling national priority; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. CUNNINGHAM.

H.R. 41: Ms. DANNER.

H.R. 65: Mr. PALLONE.

H.R. 71: Mr. GORDON, Mr. SANDERS, and Mr. SWEENEY.

H.R. 72: Mr. GOSS, Mrs. BONO, Mr. RADANOVICH, and Mr. GOODLATTE.

H.R. 97: Ms. KAPTUR.

H.R. 125: Mr. KENNEDY of Rhode Island, Mr. HILLIARD, Mr. MEEKS of New York, Mr. BARRETT of Wisconsin, and Mr. DIXON.

H.R. 269: Mr. FARR of California, Ms. NORTON, Ms. LEE, Ms. LOFGREN, Ms. MILLENDER-MCDONALD, Mrs. MALONEY of New York, Ms. HOOLEY of Oregon, Mr. SANDLIN, Mr. BARRETT of Wisconsin, Mr. GUTIERREZ, and Mr. WEINER.

H.R. 270: Mr. ABERCROMBIE, Mr. KENNEDY of Rhode Island, Ms. RIVERS, Mr. CAPUANO, Mr. HASTINGS of Florida, Mr. WAXMAN, Mr. HINCHEY, Mrs. THURMAN, Mr. GREEN of Texas, and Mrs. JOHNSON of Connecticut.

H.R. 274: Mr. LIPINSKI, Mr. LAZIO, Mr. GORDON, and Mr. MOORE.

H.R. 303: Mr. BLAGOJEVICH, Mr. CAPUANO, Ms. BALDWIN, Mrs. CAPPS, and Mr. MOORE.

H.R. 306: Ms. BALDWIN and Mr. BAIRD.

H.R. 354: Mr. REGULA.

H.R. 355: Ms. BALDWIN.

H.R. 418: Mr. WEINER.

H.R. 534: Mr. RYAN of Wisconsin.

H.R. 549: Mr. OWENS.

H.R. 561: Mr. WAXMAN.

H.R. 568: Mr. SANDLIN.

H.R. 583: Mr. CLEMENT, Ms. PELOSI, Ms. KAPTUR, Mrs. LOWEY, and Mr. BILBRAY.

H.R. 626: Mr. BONIOR, Mr. JACKSON of Illinois, and Mr. LEWIS of Georgia.

H.R. 639: Mr. RYAN of Wisconsin.

H.R. 652: Mr. KLINK.

H.R. 699: Ms. ESHOO.

H.R. 701: Mr. MICA, Mr. OBERSTAR, Mr. BOUCHER, Mr. SHAW, and Mr. PHELPS.

H.R. 723: Mr. OWENS.

H.R. 731: Mr. HASTINGS of Florida and Ms. BERKLEY.

H.R. 735: Mr. BARCIA.

H.R. 750: Mr. MOORE, Mr. CUMMINGS, and Mr. WEINER.

H.R. 756: Mr. PACKARD.

H.R. 773: Mr. GONZALEZ.

H.R. 783: Mr. COYNE, Mr. CALVERT, Mr. ROGAN, and Mr. LUCAS of Kentucky.

H.R. 784: Mr. LUCAS of Kentucky, Mr. WEXLER, and Mr. COYNE.

H.R. 785: Mr. KIND.

H.R. 798: Mr. PHELPS.

H.R. 845: Mrs. KELLY.

H.R. 852: Mr. BOUCHER.

H.R. 864: Mr. MICA.

H.R. 865: Mr. SPRATT and Mr. LEWIS of Kentucky.

H.R. 1046: Mr. STRICKLAND, Mr. WISE, Mr. DEFAZIO, and Mr. LUCAS of Kentucky.

H.R. 1070: Mr. KILDEE.

H.R. 1082: Mr. MEEKS of New York.

H.R. 1093: Mr. UPTON.

H.R. 1106: Mr. KUCINICH.

H.R. 1111: Mr. ISAKSON and Mr. MCGOVERN.

H.R. 1119: Mrs. CHRISTENSEN.

H.R. 1130: Mrs. LOWEY.

H.R. 1173: Mr. PORTER.

H.R. 1176: Mr. SANDERS.

H.R. 1180: Mr. CROWLEY, Mr. TALENT, Mrs. CLAYTON, Mr. GOODLATTE, Mr. POMBO, Mr. SANDLIN, and Mr. SWEENEY.

H.R. 1222: Mr. SNYDER and Mr. EDWARDS.

H.R. 1237: Mr. MCGOVERN.

H.R. 1248: Mr. KOLBE, Mr. ANDREWS, Mr. HILLIARD, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. PELOSI, Mr. CONYERS, Mr. KUYKENDALL, Ms. WATERS, Mr. WEXLER, and Mr. ROMERO-BARCELÓ.

H.R. 1278: Mr. GONZALEZ.

H.R. 1312: Ms. RIVERS.

H.R. 1328: Mr. PAUL.

H.R. 1356: Mr. OXLEY.

H.R. 1358: Mr. SESSIONS and Mr. PHELPS.

H.R. 1363: Mr. SCHAFFER.

H.R. 1396: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TIERNEY, Mr. DAVIS of Illinois, Mr. OLVER, Mr. WEINER, Ms. NORTON, Mrs. NAPOLITANO, and Mr. BROWN of Ohio.

H.R. 1422: Mr. LEWIS of Georgia, Mr. CAPUANO, Mr. MCNULTY, Mr. KILDEE, Mr. BOUCHER, Mr. BARCIA, Mr. PETERSON of Minnesota, Mr. DUNCAN, Mr. LAMPSON, Ms. MCKINNEY, Mr. VENTO, Mr. LUCAS of Kentucky, and Mr. BRADY of Pennsylvania.

H.R. 1423: Mrs. THURMAN.

H.R. 1424: Mrs. THURMAN and Mr. GORDON.

H.R. 1446: Mr. MCINTOSH.

H.R. 1452: Mr. MANZULLO, MR. QUINN, Mr. GEKAS, and Mr. CAMPBELL.

H.R. 1464: Mr. BLUNT.

H.R. 1482: Mr. PRICE of North Carolina and Ms. PELOSI.

H.R. 1485: Mr. PALLONE.

H.R. 1549: Ms. WATERS.

H.R. 1577: Mr. MCINTOSH, Mr. JONES of North Carolina, and Mrs. CUBIN.

H.R. 1579: Mr. PRICE of North Carolina, Mrs. KELLY, Mr. HANSEN, and Mr. MCDERMOTT.

H.R. 1592: Mrs. NORTHUP.
H.R. 1604: Mr. FORD.
H.R. 1606: Mr. MCGOVERN.
H.R. 1634: Mr. GOODLATTE and Mr. KASICH.
H.R. 1640: Mr. MCDERMOTT, Mr. COYNE, Mr. MARKEY, and Mr. GORDON.
H.R. 1644: Mr. MALONEY of Connecticut, Ms. NORTON, and Mrs. MINK of Hawaii.
H.R. 1650: Mr. NADLER, Mrs. NAPOLITANO, Mr. TOWNS, Mr. COOK Mr. CAPUANO, Mr. CONDIT, and Mr. BLUMENAUER.
H.R. 1663: Ms. CARSON.
H.R. 1693: Mr. SANDLIN, Mr. GREEN of Texas, Mr. WEXLER, and Mr. LATHAM.
H.R. 1705: Mr. BARRETT of Wisconsin.
H.R. 1710: Mr. HANSEN.
H.R. 1736: Mr. CLEMENT.
H.R. 1760: Mr. TRAFICANT and Mr. LOBIONDO.
H.R. 1775: Mr. GREEN of Texas, Ms. BROWN of Florida, Mr. BLUMENAUER, Mr. BAIRD, and Mr. MCGOVERN.
H.R. 1795: Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. WEXLER, Mr. FATTAH, Mr. ABERCROMBIE, Mrs. MALONEY of New York, Mr. LATOURETTE, Mr. BRADY of Pennsylvania, Mr. COOK, Mr. TOWNS, Ms. PELOSI, Mrs. MCCARTHY of New York, Ms. BERKLEY, and Mrs. MYRICK.
H.R. 1816: Mr. SANDERS, Mrs. MCCARTHY of New York, Mr. ETHERIDGE, Mr. TIERNEY, Mr. CAPUANO, Mr. BALDACCI, Mr. DEFAZIO, Mr. HILLIARD, Mr. DIXON, Mr. MOAKLEY, and Mr. GONZALEZ.
H.R. 1837: Mr. SMITH of New Jersey, Mr. CLEMENT, Mrs. KELLY, Ms. STABENOW, Ms. DELAURO, Mrs. MORELLA, Mr. PICKERING, Mr. JEFFERSON, and Mr. DEFAZIO.
H.R. 1857: Mr. BROWN of Ohio.
H.R. 1883: Mr. LANTOS.
H.R. 1899: Mr. SPRATT and Ms. ESHOO.
H.R. 1917: Mr. LANTOS, Mr. PRICE of North Carolina, Mr. BONILLA, Ms. LOFGREN, Mr. DICKEY, Mr. SANDLIN, Mr. WEINER, Mr. FARR of California, and Mr. SUNUNU.
H.R. 1933: Mr. PACKARD and Mr. CHAMBLISS.
H.R. 1938: Mr. FROST.
H.R. 1999: Mrs. KELLY.
H.R. 2013: Mr. ENGLISH.
H.R. 2030: Mrs. KELLY.
H.R. 2053: Mrs. LOWEY, Ms. JACKSON-LEE of Texas, and Mr. LEWIS of Georgia.
H.R. 2129: Mr. DEAL of Georgia and Mr. MCKEON.
H.R. 2162: Mr. CAMPBELL, Mr. MASCARA, and Mr. PACKARD.
H.R. 2166: Mr. FILNER, Mr. ENGEL, Mr. CAMPBELL, and Mr. LAZIO.
H.R. 2241: Mr. LANTOS, Mr. RODRIGUEZ, Mr. SISISKY, Mr. PITTS, Mr. DICKEY, Mr. PASCRELL, Mr. FILNER, Mr. MEEKS of New York, Mr. ISAKSON, Mr. STEARNS, and Mr. BOYD.
H.R. 2246: Mr. MURTHA.
H.R. 2260: Mr. NEAL of Massachusetts.
H.R. 2265: Mr. SANDLIN, Mr. RAHALL, and Mr. GORDON.
H.R. 2319: Mrs. MORELLA, Mr. DOYLE, and Ms. CARSON.
H.R. 2335: Mr. GRAHAM, Mr. PETERSON of Minnesota, Mr. HILL of Montana, Mr. SIMPSON, Mr. DEMINT, and Mr. DOOLEY of California.
H.R. 2237: Mr. HAYWORTH.
H.R. 2341: Mr. CRAMER, Mr. LAHOOD, Ms. SCHAKOWSKY, Mr. HALL of Texas, Mr. ABERCROMBIE, Mr. SISISKY, Mr. ETHERIDGE, Mr. MEEKS of New York, Mr. SHAYS, Mr. DICKEY, Mr. BISHOP, Mr. DELAHUNT, Mr. SANDLIN, Mr. COYNE, Mr. BONILLA, Mr. FORD, Mr. KUCINICH, Mr. GILMAN, Mr. PICKERING, Mr. STEARNS, Mr. ROTHMAN, Mr. MORAN of Virginia, Mr. EWING, Mr. DEUTSCH, and Mr. HOBSON.
H.R. 2356: Mrs. KELLY and Mr. SPRATT.
H.R. 2362: Mr. BAKER and Mr. SMITH of Texas.
H.R. 2383: Mr. KOLBE.
H.R. 2389: Mr. SANDLIN, Mr. OWENS, Mr. METCALF, and Mrs. EMERSON.
H.R. 2401: Mr. SANDLIN.
H.R. 2418: Mr. CRAMER, Mr. RILEY, Mr. VITTER, Mr. WATTS of Oklahoma, Mr. LARGENT, Mr. HILLIARD, Mr. HALL of Texas, Mr. ISTOOK, Mr. JOHN, and Mr. MCCRERY.
H.R. 2419: Mr. GIBBONS, Mr. DIAZ-BALART, Mr. FILNER, Mr. WELDON of Florida, Ms. DANNER, and Mr. MARTINEZ.
H.R. 2420: Mrs. NORTHUP, Mr. BACHUS, Mr. BALDACCI, Mr. EVERETT, Ms. SANCHEZ, Mr. POMBO, and Mr. CUMMINGS.
H.R. 2436: Mr. COSTELLO, Mr. VITTER, Mrs. EMERSON, and Mr. OBERSTAR.
H.R. 2442: Mr. LARSON, Mr. MARKEY, Mr. DIAZ-BALART, Mr. MEEKS of New York, Mr. HORN, Ms. ROS-LEHTINEN, Mr. KENNEDY of Rhode Island, and Mrs. MEEK of Florida.
H.R. 2463: Mr. WISE, Mrs. BONO, Mr. GOSS, and Mr. PHELPS.
H.R. 2492: Mr. BENTSEN and Mr. MCNULTY.
H.R. 2500: Mr. STARK.
H.R. 2503: Ms. DELAURO.
H.R. 2505: Mr. HASTINGS of Florida, Mr. LANTOS, Mr. TOWNS, Mr. HOLT, Mr. ROMERO-BARCELO, and Mr. JEFFERSON.
H.R. 2511: Mr. HUNTER and Mr. SCHAFFER.
H.R. 2533: Mr. SCARBOROUGH.
H.R. 2543: Mr. FORD, Mr. BAKER, Mr. HILL of Montana, and Mr. GOODE.
H.R. 2548: Mr. ALLEN, Mr. DUNCAN, Ms. ESHOO, Mr. PICKERING, and Mr. HILL of Montana.
H.R. 2576: Mr. SUNUNU and Mr. GRAHAM.
H.R. 2594: Mr. STARK, Mr. FARR of California, Ms. MCKINNEY, Mr. FROST, Ms. KAPTUR, Mr. BROWN of Ohio, Mr. BARRETT of Wisconsin, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Ms. RIVERS, Mr. HINCHEY, Mr. EVANS, Mr. SCOTT, and Mr. MEEHAN.
H.R. 2595: Mr. OBEY and Ms. RIVERS.
H.R. 2612: Mr. BARR of Georgia.
H.R. 2620: Mr. GOODLATTE.
H.R. 2631: Mr. BONIOR, Mr. RAHALL, Mr. SANDLIN, and Ms. BROWN of Florida.
H.R. 2639: Mr. BASS, Mr. MCINTOSH, and Mr. PEASE.
H.R. 2640: Mr. EHRLICH and Mr. UPTON.
H.R. 2651: Mr. SAM JOHNSON of Texas and Mrs. KELLY.
H.R. 2655: Mr. GARY MILLER of California.
H.R. 2678: Mr. MCNULTY.
H.R. 2689: Mr. LOBIONDO.
H.R. 2696: Mr. ABERCROMBIE.
H.R. 2720: Mr. METCALF, Mr. FILNER, Mr. COOK, and Mr. FALEOMAVAEGA.
H.R. 2722: Ms. ESHOO, Mr. DIXON, Mr. CUMMINGS, Mr. BLAGOJEVICH, Mr. LAFALCE, Mr. CAPUANO, Mr. FILNER, Mr. OWENS, Mr. MEEKS of New York, Mr. PASCRELL, Mr. STARK, Mr. OLVER, Ms. BROWN of Florida, Mr. WEXLER, Mr. BRADY of Pennsylvania, Ms. NORTON, Mr. MORAN of Virginia, Mr. NADLER, Mr. ANDREWS, Ms. LEE, Ms. WOOLSEY, Mrs. MORELLA, Mr. CROWLEY, Mr. UNDERWOOD, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. FROST.
H.R. 2726: Mr. DEAL of Georgia, Mr. LUCAS of Kentucky, Mr. MCINTOSH, Mr. COOK, Mr. SESSIONS, Mr. ISTOOK, Mr. RYUN of Kansas, and Mr. HAYES.
H.R. 2790: Mr. WOLF, Mrs. ROUKEMA, and Mr. BOEHLERT.
H.R. 2792: Mrs. CLAYTON, Mr. FROST, Mr. TANNER, Mr. SKELTON, Mr. PHELPS, Mr. SISISKY, and Mr. SANDLIN.
H.R. 2795: Mr. KOLBE.
H.R. 2801: Mr. KANJORSKI.
H.R. 2809: Mr. WEYGAND, Mr. MCGOVERN, Mr. DELAHUNT, Mr. PAYNE, Mrs. LOWEY, Mr. CAPUANO, Mr. EVANS, Mr. WOLF, and Mr. FRANK of Massachusetts.
H.J. Res. 41: Mr. LUTHER, Mr. BOSWELL, Mr. COYNE, Ms. CARSON, Mr. HOYER, Mr. BLAGOJEVICH, Mr. CROWLEY, Mr. DAVIS of Illinois, and Mr. NEAL of Massachusetts.
H.J. Res. 56: Mr. SWEENEY.
H.J. Res. 64: Mr. STUMP.
H. Con. Res. 30: Mr. LAZIO, Mr. BONILLA, and Mr. BASS.
H. Con. Res. 34: Ms. STABENOW.
H. Con. Res. 60: Mr. FRELINGHUYSEN, Mr. BACHUS, Mr. SMITH of New Jersey, Mr. GREEN of Wisconsin, Mrs. MORELLA, Mr. GANSKE, Mr. CAPUANO, and Mr. MASCARA.
H. Con. Res. 97: Mr. STARK.
H. Con. Res. 100: Mr. MORAN of Virginia, Ms. WATERS, and Ms. HOOLEY of Oregon.
H. Con. Res. 120: Mr. SWEENEY, Mr. MORAN of Kansas, Ms. LOFGREN, Mr. ROGAN, Mr. KINGSTON, Mr. ORTIZ, and Mr. DIXON.
H. Con. Res. 135: Mr. COSTELLO, Mr. POMEROY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Ms. KAPTUR, Mr. MCNULTY, Ms. MCKINNEY, Mr. PALLONE, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. MALONEY of Connecticut, Ms. ESHOO, Mr. STUPAK, Mr. STRICKLAND, Mr. DAVIS of Illinois, and Mr. ACKERMAN.
H. Con. Res. 148: Mr. MCKEON.
H. Con. Res. 159: Mr. ROTHMAN, Mr. ROYCE, Mr. MORAN of Virginia, and Ms. WATERS.
H. Res. 15: Mr. SANDLIN.
H. Res. 89: Mr. SANDLIN and Mr. LAZIO.
H. Res. 224: Mr. FARR of California, Mr. NETHERCUTT, Ms. STABENOW, Mr. HASTINGS of Washington, Mr. BARCIA, Mr. BARRETT of Nebraska, Mr. WALDEN of Oregon, and Mr. PHELPS.
H. Res. 251: Mr. WEINER, Mr. WAXMAN, Mr. DEFAZIO, and Mr. CLEMENT.
H. Res. 254: Mrs. MINK of Hawaii, Mr. WEINER, Mr. DEUTSCH, Mr. CHAMBLISS, Mr. JACKSON of Illinois, Mr. BROWN of Ohio, Mr. FROST, Mr. MEEHAN, Mr. HILL of Indiana, Mr. HINCHEY, Mr. HASTINGS of Florida, Mr. WELLER, Mr. CAPUANO, Mr. LIPINSKI, Mr. MANZULLO, Mr. ROEMER, Mr. OWENS, Mr. LEACH, Mr. WAXMAN, Mr. CRANE, Mr. WATT of North Carolina, Mr. SANDLIN, Ms. BERKLEY, Mr. FARR of California, and Ms. PELOSI.
H. Res. 269: Mr. GIBBONS and Ms. MCKINNEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1621: Mr. CHAMBLISS.
H.R. 2788: Mrs. MCCARTHY of New York.

AMENDMENTS

Under clause 8 of rule XVII, proposed amendments were submitted as follows:

H.R. 2684

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 19: Page 79, line 5, insert ''(increased by $250,000,000)'' after the dollar amount.

Page 79, line 19, insert ''(increased by $449,000,000)'' after the dollar amount.

Page 80, line 14, insert ''(increased by $225,600,000)'' after the dollar amount.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, THURSDAY, SEPTEMBER 9, 1999 No. 116

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, to know You is to love You; to love You is to serve You; and to serve You is life's ultimate joy. Thank You for the privilege of serving You while serving our Nation. May Your joy be expressed in all that we say and do. Replace our grimness with Your grace; our stress with Your strength; our fears with Your love. Instead of carrying our burdens, Lord, may we allow You to carry us. May we think Your thoughts for what is best for our Nation and carry out Your will in all our decisions.

Bless the Senators today. May they be open to receive Your power and to listen both to You and to each other. Make them party to Your Spirit rather than to a party spirit. Unite them in commitment to You and patriotism for our Nation.

This is going to be a great day because we will experience Your greatness; We will be strong in Your strength; We will be hopeful thinkers because of our hope in You. This is the day that You have made; We will rejoice and be glad in You! Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The acting majority leader is recognized.

SCHEDULE

Mr. GRASSLEY. Mr. President, the Senate is about to begin a series of three stacked votes. The first vote is on a cloture motion to proceed to the Transportation appropriations bill, followed by a vote on or in relation to the Bond amendment No. 1621, and the third vote on or in relation to the Robb amendment No. 1583.

Following these votes, the Senate will resume consideration of the pending Hutchison amendment regarding oil royalties. Further amendments and votes are expected throughout the day, with the anticipation of completing action on this bill.

As previously announced, there will be no votes on Friday in observance of the Rosh Hashanah holiday.

I thank my colleagues for their attention.

MEASURE PLACED ON CALENDAR—S.J. RES. 33

Mr. GRASSLEY. I understand there is a resolution at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 33) deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

Mr. GRASSLEY. Mr. President, I object to further proceedings on this resolution.

The PRESIDING OFFICER. The bill goes to the calendar.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to the Transportation appropriations bill:

Trent Lott, Pete V. Domenici, Paul Coverdell, Thad Cochran, Pat Roberts, Jesse Helms, Judd Gregg, George Voinovich, Ted Stevens, Slade Gorton, William V. Roth, Jr., Bob Smith of New Hampshire, Craig Thomas, Michael Crapo, James Inhofe, and Frank Murkowski.

VOTE

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2084, the Transportation appropriations bill, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 264 Leg.]

YEAS—49

Abraham	Coverdell	Gregg
Allard	Craig	Hagel
Ashcroft	DeWine	Hatch
Bennett	Domenici	Helms
Bond	Enzi	Hutchinson
Brownback	Fitzgerald	Hutchison
Bunning	Frist	Inhofe
Burns	Gorton	Jeffords
Campbell	Gramm	Kyl
Cochran	Grams	Lott
Collins	Grassley	Lugar

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Mack	Sessions	Stevens
McConnell	Shelby	Thomas
Nickles	Smith (NH)	Thompson
Roberts	Smith (OR)	Thurmond
Roth	Snowe	
Santorum	Specter	

NAYS—49

Akaka	Edwards	Lincoln
Baucus	Feingold	Mikulski
Bayh	Feinstein	Moynihan
Biden	Graham	Murray
Bingaman	Harkin	Reed
Boxer	Hollings	Reid
Breaux	Inouye	Robb
Bryan	Johnson	Rockefeller
Byrd	Kennedy	Sarbanes
Chafee	Kerrey	Schumer
Cleland	Kerry	Torricelli
Conrad	Kohl	Voinovich
Crapo	Landrieu	Warner
Daschle	Lautenberg	Wellstone
Dodd	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

NOT VOTING—2

McCain	Murkowski

The PRESIDING OFFICER (Mr. FRIST). On this vote, the yeas are 49 and nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2466, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Gorton amendment No. 1359, of a technical nature.

Bond (for Lott) amendment No. 1621, to provide funds to assess the potential hydrologic and biological impact of lead and zinc mining in the Mark Twain National Forest of Southern Missouri.

Hutchison amendment No. 1603, to prohibit the use of funds for the purpose of issuing a notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000.

Robb amendment No. 1583, to strike section 329, provisions that would overturn recent decisions handed down by the 11th circuit corporation and federal district court in Washington State dealing with national forests.

AMENDMENT NO. 1621

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on or in relation to amendment No. 1621.

The Senator from Missouri.

Mr. BOND. Mr. President, this amendment requires a study of mining in the Mark Twain Forest to address the scientific gaps identified specifically by the Director of the U.S. Geological Survey on behalf of the Forest Service, EPA, and others. While the information is collected, it delays any prospecting or withdrawal decisions for the fiscal year.

It does not permit mining, prospecting or weaken environmental standards. It preserves the long-term requirements of a full NEPA process, which will ultimately dictate whether additional mining will occur.

The opponents seem to have an argument not with me but with the administration scientists who have concluded that there is insufficient information. The bipartisan county commissioners of the eight counties in the area are unanimous and adamant in their support. I met with the representatives of the 1,800 miners whose continued livelihood in this poor area depends on the opportunity to continue to mine. They want a hearing held in Mark Twain country.

I ask unanimous consent that the two additional letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE, MARK TWAIN NATIONAL FOREST,
Rolla, MO, July 27, 1999.

Hon. CHRISTOPHER BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: Thank you for the opportunity to respond to the situation concerning the collection of data to assess the potential impacts of lead mining on the Doniphan and Eleven Point Ranger Districts of the Mark Twain National Forest. These two districts were acquired in the Fristoe Purchase Unit in the 1930's, so there is some documentation that refers to the area as the Fristoe Unit. A Multi-agency Technical Team was established in 1988 to identify and collect the information necessary to evaluate the impacts of mining upon this area of the Forest. The Forest Service has chaired this Team since it began and since 1989 the Forest staff officer for Technical Services, Bob Willis, has been Chair. The original charter for the Team is enclosed.

A great deal of information has been collected, but there is much that remains to be gathered if a decision for mineral production is ever proposed. At this time, there are no proposals for exploration or leasing in this area of the Forest. The information that has been gathered is all that is identified in Phase I of the plan and is a portion of the information that may be required. The remaining information identified will be collected only if a proposal to mine is made. A proposal to withdraw the area from mineral entry would require collection of similar information.

Members of the Multi-agency Technical Team as well as a summary of the information the Team has collected is enclosed.

We anticipate the Technical Team will identify additional site specific information if a proposal to mine or a proposal to withdraw the area from mineral entry is made. This information will only be a portion of the information necessary to make a National Environmental Policy Act decision, and a multi-disciplinary team will take the Technical Team data as well as cultural, economic, social, biological, and additional ecological information to analyze the impacts of mining. Funding for the Technical Team information collection has been limited, and only a small portion of the data identified as needed for a mining decision has been collected. The remaining information will be extremely expensive to collect and has been waiting on a proposal to mine to initiate collection. The technical data needed to analyze the impacts of mineral development in this portion of the Forest is complex and the technical Team has done a good job identifying the technical data needs of the decision and collecting the first place of information. Additional effort by the Team will be needed on any mineral entry or withdrawal proposal.

Thank you for your interest regarding this issue and the Mark Twain National Forest. If you have additional questions, please contact me.

Sincerely,

RANDY MOORE,
Forest Supervisor.

MULTI-AGENCY TECHNICAL TEAM MEMBERS

USDA Forest Service—Mark Twain National Forest.
Bureau of Land Management.
National Park Service—Ozark National Scenic Riverways.
Environmental Protection Agency.
U.S. Geological Survey—Water Resources Division.
U.S. Geological Survey—Geologic Division.
U.S. Geological Survey—Mineral Resource Program.
U.S. Geological Survey—Mapping Division.
Missouri Department of Natural Resources.
Missouri Department of Conservation.
U.S. Geological Survey—Columbia Environmental Research Center.
Ozark Underground Laboratory.
Doe Run Company.
Cominco.
University of Missouri—Rolla.
U.S. Fish and Wildlife Service.

U.S. DEPARTMENT OF THE INTERIOR,
U.S. GEOLOGICAL SURVEY,
Reston, VA, July 30, 1999.

Hon. CHRISTOPHER S. BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: This is in response to your letter of July 20, 1999, to Mr. Jim Barks, related to mining in the Mark Twain National Forest (MTNF) area. In your letter, you ask that we provide a brief and clear assessment as to the quality of information that was compiled by the interagency technical team charged with building a ''relevant database to assess mining impacts and base future decisions.'' You ask that we, ''specifically address the question as to the adequacy and relevance of information currently available to provide a solid scientific foundation for any decision to justify either withdrawal or mining in the region.''

In 1988, an interagency technical team was assembled to guide the identification, collection, and dissemination of scientific information needed to assess the potential environmental impact of lead mining in the MTNF area. Since 1989, the team has been chaired by Bob Willis of the Forest Service. The U.S. Geological Survey (USGS) has actively participated on the team from the beginning, with Mr. James H. Barks, USGS Missouri State Representative, serving as our representative.

The technical team believes that there is insufficient scientific information available to determine the potential environmental impact of lead mining in the MTNF area. This is a consensus opinion that the technical team has held from the beginning through the present. Due to the lack of scientific information available to assess the potential impacts of lead mining, the technical team proposed that a comprehensive study be conducted.

In January 1998 at the request of the technical team, the USGS prepared a proposal for a multi-component scientific study to address the primary questions about the potential environmental impacts of lead mining in

the MTNF area. Mr. Barks provided a copy of the proposed study to Brian Klippenstein of your staff at his request on July 9, 1999. Neither a requirement for full environmental review to support a Secretarial decision nor a source of funding has been established. For these reasons the proposed study has not been initiated.

Please let us know if we can provide additional information or assistance.

Sincerely,

CHARLES G. GROAT,
Director.

Mr. BOND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I urge colleagues to oppose the Bond amendment. This sets the stage for lead mining in the Mark Twain National Forest, one of the most beautiful recreational areas in the Midwest. This is opposed by the Governor of Missouri, the attorney general of Missouri, every major newspaper in the State, a score of different groups of citizens living in the area, as well as environmental groups.

To open this area to lead mining is to run the risk of making an industrial wasteland out of one of the most beautiful recreation areas in Missouri. It is an area shared by those of us who live in Illinois and in many other States. At the current time, the Department of the Interior has the authority to review this. What the Senator from Missouri is attempting to do is to circumvent that process. That should not happen. Please, preserve this land owned by the taxpayers of America, which should not be exploited for lead mining purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 265 Leg.]

YEAS—54

Abraham	Enzi	Mack
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Nickles
Bennett	Gorton	Roberts
Bond	Gramm	Roth
Brownback	Grams	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Byrd	Hagel	Smith (NH)
Campbell	Hatch	Smith (OR)
Chafee	Helms	Snowe
Cochran	Hutchinson	Specter
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Thurmond
DeWine	Lott	Voinovich
Domenici	Lugar	Warner

NAYS—44

Akaka	Feingold	Lieberman
Baucus	Feinstein	Lincoln
Bayh	Graham	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Inouye	Reed
Breaux	Johnson	Reid
Bryan	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden
Edwards	Levin	

NOT VOTING—2

McCain	Murkowski

The amendment (No. 1621) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. ASHCROFT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1583

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on or in relation to the pending Robb amendment No. 1583.

The Senator from Virginia.

Mr. ROBB. Mr. President, this amendment would strike section 329, the legislative rider which attempts to bypass the administrative and legislative process. Section 329 would overturn recent Federal court decisions which merely required the Forest Service to collect the data the law requires for making forest management decisions like cutting timber. It would apply to all activities that are affecting wildlife on all 450 million acres of public lands in the United States. The Secretaries of Agriculture and the Interior said:

> It is unnecessary, confusing, difficult to interpret, and wasteful. If enacted, it will likely result in additional and costly delays, conflicts, and lawsuits, with no clear benefit to the public or the health of public lands.

It is opposed by the Forest Service. It is opposed by BLM. The Forest Service can comply and is complying with the court rulings. They are gathering the information now.

Last night, my colleagues complained that the New York Times and the Washington Post did not understand the Northwest. Here is what the Seattle Times has to say about the decisions, in an editorial opposing section 329 with the headline, ''No More Outlaw Logging.''

> It falls to the Forest Service to balance scientific and commercial interests . . . keeping the Forest Service honest and forcing it to commit resources to make the plan work.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Washington.

Mr. GORTON. Mr. President, the effect of the Robb amendment would be to terminate all harvests on all public lands in the United States and much recreational activity that requires any kind of improvement. It requires between $5 billion and $9 billion worth of wildlife surveys beyond endangered species, surveys that are unnecessary and so expensive that it will not be wise to go ahead with any of them.

The amendment does not require the Forest Service or the Secretary of the Interior to do anything. It simply authorizes them to conduct their business in the future as they have conducted it in the past. If they do not want to, if they want to go after these surveys, they still can. Section 329 is entirely discretionary and is entirely within the power of the administration to interpret as it wills.

Mr. LOTT. Mr. President, I express my full support for Senator GORTON's section 329. It is the right thing to do because, without it there would be a new $8 billion mandate on the Forest Service.

This provision is needed because it affirms a position taken by three circuit courts and nine Federal courts. Senator GORTON's effort is necessary because it will ensure that the Forest Service and the Nation have a uniform public policy.

The opponents of section 329 want to ignore the position taken by three circuit courts and nine Federal courts because they got the decision they liked from the 11th Circuit Court.

There is a certain irony here. Here is an instance where environmentalists do not want a one-size-fits-all national policy.

Senator GORTON's provision helps the Forest Service. It properly eliminates very expensive and completely unnecessary work by the Forest Service.

Senator GORTON would allow the Forest Service to rely on sampling data regarding available habitats for the species.

Opponents want the Forest Service to count the actual populations of the species—not just once, but several times to determine population trends. In each case, the three circuit courts and nine Federal courts did not buy this argument.

Currently, the Forest Service has followed the Federal court decisions. It has correctly contained to inventory wildlife by habitat availability for almost two decades.

Now, the Senate is being asked to ignore 20 years of experience plus decisions from three circuit courts and nine Federal courts.

Mr. President, I do not want to ignore the experts at the Forest Service.

The Senate is also faced with a decision that will significantly increase the cost of operating the timbers sales program in the Forest Service. Eight billion dollars is real money and spending the taxpayer's hard earned money unwisely is criminal.

Let me put the Senator ROBB mandated spending into a context. Eight billion dollars is 2½ times the entire annual budget of the whole Forest Service.

Mr. President, it is clear the 11th Circuit Court has ''overreached'' and Senator ROBB'S mandated spending is unjustified.

The current wildlife data requirements can be applied nationwide without threatening species habitats. But timber sales, an authorized and core mission of the Forest Service, would be placed in jeopardy.

In Mississippi, timber sales are the lifeblood of many counties. It funds children's education in some of Mississippi's and the Nation's poorest counties.

Congress must ensure that Forest Service timber sales continue in a timely fashion.

I urge my colleagues to vote against the efforts of Senator ROBB. His amendment would, quite frankly, destroy the fiscal viability of two counties in Mississippi. Wayne County and Perry County are currently listed by Federal Governments as two of the poorest in the Nation. They depend on Federal timber sales—remember, this is a legal and primary mission of the Forest Service.

Mr. President, Senator GORTON's section 329 is the right provision on the right appropriation bill.

Mrs. MURRAY. Mr. President, we all want to solve the problems concerning implementation of the Northwest Forest Plan and the so-called ''survey and manage'' requirements. I have long supported and continue to support the plan and believe it should work as written. Unfortunately, section 329 undermines the important protection and scientific credibility of the forest plan and does not solve the current problems. That's why today I supported the Robb/Cleland amendment to strike section 329 from the fiscal year 2000 Interior appropriations bill.

Recently, a Federal court injunction halted dozens of timber sales in Washington, Oregon, and California. The injunction is not the fault of the timber industry, the environmental community, or the Northwest Forest Plan. The blame rests squarely on the forest Service and the Bureau of Land Management (BLM). They have failed to undertake the survey and manage requirements of the forest Plan despite having five years in which to do so. The Forest Service and BLM may believe they were meeting the requirements of the forest Plan, but clearly they did not. Unfortunately, the Forest Service and BLM's failure is harming innocent communities and, potentially, species.

The Northwest Forest Plan came out of a time of discorded in the Pacific Northwest. In 1992, our timber industry was shut down by the spotted owl. The Forest Plan was designed to provide industry with a greater assurance regarding timber harvest levels, while also protecting the forests and the species they support.

The Northwest Forest Plan's survey and manage provision was developed by scientists to help land mangers reduce the potential 9mpact of timber harvests and other activities on a wide variety of currently unlisted species, ranging from fungi, to mollusks, to tree voles. The result should have been a management program for the Pacific Northwest national forest that provided for stable timber harvest levels and protection against another spotted own crisis. That hasn't happened.

However, we cannot abandon the Northwest Forest Plan. We especially cannot abandon it without putting in place other ways to protect our forests species and provide a sustainable flow of timber.

Section 329, is not a solution to the failure of federal agencies to meet their survey and manage requirements. The solution lies in the forest Service and BLM getting their acts together and doing what they are required to do. If some of the survey and manage requirements are flawed or unnecessary, we need the Federal agencies and the scientific community to tell us. We can then all work to find a balanced solution. I commit to working with the industry, agencies, environmentalists, and my colleagues to find a way to make the Northwest Forest Plan work.

Mr. COVERDELL. Mr. President, I rise today in opposition to the amendment offered by the Senator from Virginia, Mr. ROBB, that will move to strike a section of the Interior appropriations bill that is not only important to the future of the management of our national forests, but critical to the taxpayers of this country.

Section 329 of the fiscal year 2000 Interior appropriations bill is a necessary clarification to the National Forest Management Act provision that requires the Forest Service to include wildlife diversity in its management of the national forests. A recent decision by the 11th Circuit Court determined that the Forest Service must conduct comprehensive wildlife population surveys in every area of each national forest that would be disturbed by a timber sale or any other management activity in order to authorize that activity.

This may seem like a simple requirement. However, in order to understand this amendment, you need to understand what types of surveys are currently being done and how expensive it would be to comply with the new recent decision. It is also important to know that this decision overturns 17 years of agency practice and is contrary to decisions in 3 other courts of appeal.

From 1982 until 1999, the Forest Service has consistently interpreted its rules implementing the wildlife diversity by inventorying habitat and analyzing existing population data when determining the effect of planning decisions on wildlife populations. During this same 17 year period, the United States Court of Appeals for the Fourth, Eighth, and Ninth Circuits have upheld the Forest Service's interpretation of its own rule, not to mention several lower courts.

Then this year the Eleventh Circuit overruled a lower court decision concerning one national forest in Georgia and found that the Forest Service, despite two decades of agency interpretation and performance and judicial opinions, must count every member of every species on the ground. This decision sets a standard never seen before in the management of our national forests. The cost estimate to carry out such a laborious task could be as high as $9 billion. That is almost three times the entire National Forest Service budget. This inventory standard is unachievable and sets a paralysis on the management of our national forests.

In my home State of Georgia, this decision threatens small saw mills that purchase their lumber from public lands as well as fisheries and wildlife projects, recreation, land exchanges and new facility construction such as trails and campgrounds. Section 329 will reapply the standard that the Forest Service has been using for the past 17 years, and allow for a balance between protection of wildlife and protection of public lands.

I strongly urge my colleagues to look beyond the rhetoric on this amendment and see that section 329 does not interfere with the judicial process, nor does it reverse current policy of the Forest Service or the Bureau of Land Management. It simply allows agencies to use the best information that is available to them to protect our national forests. I urge you to support sensible management and vote ''no'' on the amendment to strike the language of section 329.

Mr. HUTCHINSON. Mr. President, I rise today in opposition to Senator ROBB's amendment to strike section 329 from the Interior appropriations bill. This effort is misguided and I urge my colleagues to understand the need for this Section if our National Forests are going to continue to function.

The ability of my home State's national forests to provide timber and other important resources is critical to the survival of many communities. I know the supervisors of both the Ozark-St. Francis and Ouachita National Forests in Arkansas. They are dedicated to preserving the forests' survival and natural beauty, while providing a healthy source of timber. The timber purchase program in Arkansas is one of the few in the country that consistently makes a profit. Not only does Arkansas' timber industry benefit, but so do school children who receive a portion of the earnings from the timber sales.

Section 329 simply clarifies that despite a recent circuit court decision, the Secretaries of Agriculture and Interior should maintain the discretion to implement current regulations as they have been doing for nearly 20 years. Specifically, on February 18, 1999, the 11th Circuit Court of Appeals ruled that the Forest Service must conduct forest-wide wildlife population surveys on all proposed, endangered, threatened, sensitive, and management indicator species in order to prepare or revise national forest plans on all ''ground disturbing activity.'' Never

before has such an extensive and impossible standard been set by the courts. In the end, this ruling results in paralysis by analysis.

It would require the Forest Service to examine every square inch of a project area and count the animals and plant life before it approved any ''ground disturbing activity.'' The cost to carry out such extensive studies—studies which have never been required before—could be as much as $9 billion nationwide. How do we know this? Because the Forest Service does contract for population inventorying on occasion.

If one were to extrapolate from the $8,000 cost of one plant inventory, they will reach $38.1 million for the 864,000 acres within the Chattahoochee National Forest where the 11th Circuit Court decision originated. When applied to Arkansas, one could deduce that this action could cost my state's industry roughly $78 million. If applied to the 188-million acre national forest system, the cost reaches $8.3 billion. During the past two decades, nine separate court decisions have backed the way the Forest Service has been conducting their surveying populations by inventorying habitat and analyzing existing population data.

We appropriate roughly $70 million for forest inventory and monitoring. Are we prepared to shift the $9 billion necessary for this new standard? If not, this recent interpretation forces the Forest Service to shut down until they can apply the new standard.

The purpose of section 329 is not to change the court decision or set a new lower standard. It is simply to clarify that the existing regulation gives the discretion to the Forest Service and the BLM when determining what kind of surveys are needed when management activities are being considered.

Some of my colleagues would argue that this is an issue for the authorizing committees to deal with. I agree. This is an issue that absolutely should be dealt with by those committees. They need to determine whether the agencies have been correctly interpreting their regulation for the past 17 years. They need to determine whether it is sufficient to inventory habitat, rely on existing populations, consult with state and Federal agencies and conduct population inventories only for specific reasons. But I argue that the appropriations process should not be made to bear the burden while the authorizing committees study the question.

All section 329 seeks to do is preserve the status quo, as the already limited resources of our home States' National Forests would be further stretched if they are required to fund this new standard. I urge my colleagues to oppose this amendment and support sensible management.

The PRESIDING OFFICER. The question is on agreeing to amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROTH (when his name was called). Mr. President, on this vote, Senator MURKOWSKI is absent but would have voted ''nay.'' If I were allowed to vote, I would vote ''yea.'' I therefore withhold my vote.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 266 Leg.]

YEAS—45

Akaka	Feingold	Lieberman
Baucus	Feinstein	Mikulski
Bayh	Graham	Moynihan
Biden	Harkin	Murray
Bingaman	Hollings	Reed
Boxer	Inouye	Reid
Bryan	Jeffords	Robb
Chafee	Johnson	Rockefeller
Cleland	Kennedy	Sarbanes
Conrad	Kerrey	Schumer
Daschle	Kerry	Specter
Dodd	Kohl	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Edwards	Levin	Wyden

NAYS—52

Abraham	Enzi	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McConnell
Bennett	Gorton	Nickles
Bond	Gramm	Roberts
Breaux	Grams	Santorum
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burns	Hagel	Smith (NH)
Byrd	Hatch	Smith (OR)
Campbell	Helms	Snowe
Cochran	Hutchinson	Stevens
Collins	Hutchison	Thomas
Coverdell	Inhofe	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Voinovich
DeWine	Lincoln	
Domenici	Lott	

PRESENT AND GIVING A LIVE PAIR—1

Roth, for

NOT VOTING—2

McCain Murkowski

The amendment (No. 1583) was rejected.

Mr. NICKLES. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, what is the pending business?

AMENDMENT NO. 1603

The PRESIDING OFFICER. The pending amendment is the Hutchison amendment No. 1603.

UNANIMOUS CONSENT REQUEST

Mr. NICKLES. Mr. President, I see both the sponsor of the amendment and also a couple of opponents of the amendment.

I ask unanimous consent that we have an up-or-down vote on the Hutchison amendment no later than 12 o'clock today.

Mrs. BOXER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. NICKLES. Mr. President, I ask unanimous consent that we have a vote on the Hutchison amendment no later than 5 p.m. today.

Mrs. BOXER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. NICKLES. Mr. President, for the information of my colleagues, I would like to have a vote on the Hutchison amendment. I think the Senator from Texas has a good amendment. The Senator from New Mexico, Mr. DOMENICI, has worked on this amendment. It is unfortunate that it is needed.

I am chairman of the Energy Regulation Subcommittee, and we had a hearing on this issue. The issue was whether or not MMS could change policy on royalties, or does that take an act of Congress. Does MMS have the power to increase taxes or the power to increase royalties? They have the power to collect royalties; that has been the law. Do they have the power to change it?

I tell my colleague from California, if she is not going to give us a vote on the amendment, then I am going to move to table the amendment momentarily. I am going to make a couple more comments. If she wishes to have a couple of minutes on this, I will agree to that. I listened to the debate last night for a while. I wasn't able to get in here to join the debate. I will make a couple of comments momentarily. If the Senator from California wishes to speak before I move to table, I will agree to that.

Mrs. BOXER. Mr. President, may I ask the Senator from Oklahoma a question?

The PRESIDING OFFICER. The Senator may.

Mrs. BOXER. Mr. President, I say to my friend, it is very generous to offer me a little time before he moves to table. My friend and I have spoken. We are very open about our disagreement on this amendment and whether it is the right or the wrong thing. That will come out in our debate. We have a couple of people who wanted to talk and weren't able to get over here last night. Senator WELLSTONE has been waiting. We would be very happy to agree to quite a limited time, a few minutes, if that would be possible, before my friend makes his motion to table.

Perhaps we can have a unanimous consent agreement that includes sufficient time, not exceeding 10 or 15 minutes total, before he moves to table. And, by the way, we are all going to vote not to table. I don't exactly know why we are going to do this. We think this deserves more discussion.

Mr. NICKLES. Mr. President, I ask unanimous consent that we have 20 minutes of debate on the motion to table, equally divided between the Senator from Texas and the Senator from California.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California is recognized.

Mrs. BOXER. Mr. President, I thank the Senator from Oklahoma for being generous. We know that under the rules he can move to table immediately, and we would not be able to have time for debate. I want to tell my friends from Illinois and Minnesota that I intend to yield to them under this unanimous consent request.

Let me set the stage, before I do that, by encapsulating in a very few minutes why I think the Hutchison amendment is not a good idea, why I think it is dangerous for the Senate to put its imprimatur on the Hutchison amendment, and why I think it is wrong for the taxpayers to continue to be cheated out of millions and millions of dollars.

Mr. President, if rushing through this center door here in this beautiful Senate Chamber we saw someone with a bag full of cash that he or she had stolen, we would call the police. Yet what is going on today on behalf of 5 percent of the oil companies is out and out thievery. Those are strong words, but they are backed up.

Listen to the words of USA Today. They say:

> Imagine being able to compute your own rent payments and grocery bills, giving yourself a 3 to 10 percent discount off the marketplace. Over time, that would add up to really big bucks. And imagine having the political clout to make sure nothing threatened to change that cozy arrangement.

They say:

> It is time for Congress to clean up this mess.

Yet the amendment we have before us continues this mess. We have already lost, because of these amendments in the past, $88 million from this Treasury. This amendment will continue that loss—another $66 million.

It is wrong. How do we know it is wrong? First of all, a royalty payment is not a tax. May I say that again. A royalty payment is not a tax. The Senator from Texas calls it a tax. It is not a tax. It is an agreement that is freely signed by the oil companies. It says they will pay royalty payments when they drill on Federal lands belonging to the people of the United States of America, and that payment will be based on the fair market value of the production. As a matter of fact, it is even stronger language:

> It shall never be less than the fair market value of the production.

Yet 5 percent of the oil companies that are vertically integrated are continuing to underpay. How do we know this? We know this because there is proof of this.

We know this because already the oil companies have settled with seven different States for $5 billion. In other words, rather than face the trial, they settled for $5 billion—I don't think any of us could imagine how much that is—because they didn't want to face the truth. They settled because they admitted it in essence, although technically they didn't. But by settling, the basic message is, we were wrong. How else do we know there is cheating going on?

How about the retired ARCO employee who said that the company underpaid oil royalties. Where do you think this ran? It didn't run in some liberal publication. It ran in Platt's Oilgram News. It is big news. It is big news—since the last time this rider went into effect.

Here he is, a retired Atlantic Richfield employee, admitting in court that while he was secretary of ARCO's crude price committee, the posted prices were far below market value. He basically says that he admitted he was not being truthful 5 years ago when he testified in a deposition that ARCO posted prices representing fair market value. What did he say while he was an ARCO employee? Some of the issues being discussed were still being litigated. He says: My plan was to get to retirement.

So you have a former employee from ARCO who raises his hand on the Bible and tells the truth about the scam that is going on. What does the amendment do? It continues the very scam that he has rebuked.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Five minutes 20 seconds.

Mrs. BOXER. I yield 3 minutes to the good Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I think the Hutchison amendment is one of the most outrageous provisions to be offered to the Interior appropriations bill and shouldn't be included in this legislation. This amendment would restrict the Interior Department from doing its job, which is to make sure that these oil companies pay full royalties for the oil they are drilling on Federal and Indian lands.

I thank the Senator from California, who is willing to stand up to oil companies. There are many Senators who will not do so. The Senator from California has the courage to do it.

I don't know why it is that all of a sudden we appear to have such sympathy for people who appear to be cheating the public. I know that when it comes to finding out what is happening to poor women and children, we do not seem to have a lot of interest in figuring out what is going on in their lives. I know that when we try to raise the minimum wage, my colleagues on the other side of the aisle want to block that. But in through the door walks the CEO of one of these large, integrated oil companies that has been underpaying its royalties—oil companies that have been heavy campaign contributors—and all of sudden we have sympathy to spare. We have sympathy coming out the wazoo. We feel their pain. All of a sudden, it is: ''At your service; we can do it for you, Senator. How can we serve you better?''

This is a vote about whether or not we have an open, accountable political process. These companies should pay their fair share, and when they try to get away with basically not being honest and paying what they owe the public, they call on their friends in the Congress. The Republican-led Congress answers their call without a moment's hesitation with an amendment to this bill. Congress comes to the rescue and rewards them for chronically underpaying the royalties which they owe to people in this country.

That is what this is all about.

I think this amendment is a sweetheart deal. It lets the oil companies off the hook. Frankly, I don't believe we should let them do that—not if we represent the people in this country.

I thank the Senator for her amendment. I will vote against tabling the amendment because I want to have a lot of debate and discussion. Because the more the people in this country know what is at stake on the floor of the Senate and understand what is going on, the better the chance we have of a significant victory.

Mrs. BOXER. Mr. President, will the Senator yield the remaining time?

How much time more time does the Senator have?

The PRESIDING OFFICER. The Senator has 30 seconds.

Mrs. BOXER. I want to ask the Senator if he was aware that the Hutchison amendment had been included in the bill, and whether when it came out of the Appropriations Committee it was stripped out because it was deemed legislating on appropriations. Now it is back before us in a little bit of a changed technical fashion. But doesn't the Senator agree with me that the Senator from Texas is legislating on an appropriations bill?

This is a matter that is very serious. It is not about appropriations. As a matter of fact, it is stealing appropriations. It is stealing money from the people. It results in money being lost from the Interior bill.

Mr. WELLSTONE. I don't have time. But I agree.

Mrs. BOXER. Mr. President, I reclaim any time and give an additional 30 seconds to the Senator.

If he will continue to yield, doesn't he believe that this kind of a rider doesn't belong on this bill?

Mr. WELLSTONE. I don't think the rider belongs on this bill. I don't think the rider belongs on any bill. I think these oil companies should pay the royalty. I think the public is cheated when they don't. I don't think, because they are big contributors and heavy hitters, that they should be taken off the hook. I don't believe it should be included in any bill, especially this bill.

Mrs. BOXER. I thank my friend. I leave the remaining time to the Senator from Illinois.

Before I do, I wanted to call to my colleagues' attention a Los Angeles Times editorial, ''The Great American Oil Ripoff.'' ''America's big oil companies have been ripping off Federal and State Governments for decades by underpaying royalties for oil drilled on public lands.''

It goes on. It says that Congress should not buckle to the pressure of the oil lobby, and that the Hutchison bill should be defeated.

Let me say I don't think you need a degree in economics; I don't think you need a degree in political science to know cheating when you see it. We know cheating when we see it. We know these companies are settling for billions because they do not want to face the courts. Yet this Senate, if it votes for the Hutchison amendment—I feel so strongly about it—is putting its approval on organized cheating. How do we know that it is organized? Because we have had former ARCO executives and others admit that it was, in fact, planned and organized.

I yield the remaining time to Senator DURBIN.

Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. Twenty seconds.

Mrs. BOXER. I am sorry.

Mr. DURBIN. Mr. President, let me say in conclusion that this is one of the legislative riders that calls into question the basic issue. Who owns the public lands of America? Will they be a playground for the companies that want to come in and use our lands to make a profit, or will these companies pay their fair share for using public lands?

The Senator from California is resisting Senator HUTCHISON's amendment. She wants these companies to pay their fair share in royalties.

The PRESIDING OFFICER. The Senator's time has expired.

Who seeks time?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I wonder if the Senator from Texas would give me time. I know the Senator from Louisiana wants a couple of minutes.

Mrs. HUTCHISON. Mr. President, I yield 2 minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 minutes.

Mr. BREAUX. Mr. President, I thank the Senator for yielding.

When I heard some of the arguments by my colleagues about cheating, stealing, and lying, I thought I was listening to a country and western song at one point. The question is not about cheating, stealing, and lying. It is not about whether you have sympathy for the oil companies coming out the wazoo. I checked my wazoo, and I don't have any sympathy for the oil companies coming out of it. But I do think I have sympathy for what is fair and what is right.

The Federal Government owns the oil, and it allows companies to explore and produce it. The companies give back in return one-sixth or one-eighth of the royalties to the Federal Government—to the taxpayers of the United States—in payment for the right to do this type of production.

The only question is, What is the value of oil? The companies don't set that. We do. Congress does. The only issue is, How do you determine the legitimate value of the oil?

We have a formula that has been in place for years. The Federal Government, through minerals management, said we will try to make it simple. We are not going to try to raise any additional money and keep it revenue-neutral. We want to have a simpler way of doing it.

The issue now boils down to the regulations. They are very complicated. It is not an easy process. How do you determine the price of oil that is produced in the middle of the Gulf of Mexico? If you sold it at the well 200 miles offshore, it would be easy to determine what the price is. But it is not sold in the middle of the Gulf of Mexico. It is transported hundreds and hundreds of miles onshore where it is refined and then ultimately sold.

The question is, What is the legitimate production price? Who pays for the transportation from the middle of the gulf? It is the Federal Government's oil. Do the companies pay for the transportation, or does the Federal Government pay for the transportation?

The question is, What is the legitimate production in determining what the price is?

Could I have 30 seconds to conclude?

What the Senator from Texas has done is say: Look, pull over. There is a huge disagreement. It is very difficult and very complicated. Nobody is stealing, cheating, or lying. But we need a little bit more time to try to bring both sides together to come up with a realistic way of determining fair market value.

I think our amendment is a good one and should be supported.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I appreciate so much the explanation of the Senator from Louisiana because he is getting to the real point.

This chart shows what the MMS is proposing to do under the new rule. As the Senator from Louisiana said, the mandate to MMS was to simplify the rule so the Federal Government and the taxpayers of America get a fair share of the oil royalties. This is what they have come up with.

I believe if we can have a 1-year moratorium that MMS, which has a new leader, will come forward with a reasonable plan. It is not going to tax costs. No other industry has a tax on their transportation costs and their marketing costs. It is going to be a fair return. That is what we are after.

I want to make one other point before I yield to the Senator from New Mexico.

We keep hearing about this former ARCO employee and all of the oil companies settling. But the Senator from California fails to mention that 2 weeks ago, there was a verdict by a jury in California saying that Exxon did not cheat the taxpayers of California. That is the oil company that didn't settle because it didn't believe it had cheated. The former ARCO employee who has been referred to by the Senator from California testified in the case and was found uncredible.

So I think it is very important that be in the debate.

I yield 2 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first I thank the distinguished Senator from Texas. I think the Senate has an opportunity today to decide whether we are going to give in to a group of Federal bureaucrats who have decided it is going to be their way or no way. That is actually the issue. All we are trying to determine through the activities of an established regulatory body is what the fair market value of the oil is on which the U.S. taxpayers are entitled to receive a royalty.

The MMS has decided to change the way we have done it in the past and in the process, in the opinion of this Senator and many others, has made it no longer fair. It is not actually levying a royalty on the value of the oil. They have decided to have new starting points. They are not allowing certain things to be deducted that are actual business expenses. In a nutshell, they are establishing a price upon which the royalty is predicated which is not the result of the marketplace and ordinary business practices but some concoction that they have come up with which will cost more money to an American industry that clearly should not be paying new taxes today.

This is a new tax because you change the way you regulate it and the way you determine value and you thus increase the taxes. If it is not the right way, then it is an increase in taxes. I do not believe they should be doing this. I think we should be doing this. I believe they ought to establish a process and submit it to us and ask, Do you want to change the rules on this or not?

Essentially, I listened attentively to the Senator from Louisiana. He hit it right on the head. And the distinguished Senator from Oklahoma in his brief remarks was right there. There has not been a better fighter than KAY HUTCHISON. She has been right again. We have been right together on this, and we have convinced the Senate heretofore, but we cannot convince the MMS to be fair, and that is what the issue is all about.

I yield the floor.

Mrs. HUTCHISON. Mr. President, I yield the remainder of my time to the distinguished assistant majority leader and thank him very much for his leadership on this issue. Senator DOMENICI, Senator NICKLES, and I have been fighting this fight and I could not think of

two people who better understand the issue.

Mr. NICKLES. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 3½ minutes remaining.

Mr. NICKLES. Mr. President, I compliment my colleague from Texas for her statement of yesterday and today, and also for the chart. I hope my colleagues will look at the chart because that is what MMS is proposing and it is not workable. People who work in this field all the time have come before our committee, a committee of Congress, and said this proposal is not workable. They told that to myself, they told that to the Senator from New Mexico, Mr. BINGAMAN, as well as Senator DOMENICI, also from New Mexico. They said it is not workable.

I have two or three problems. I am going to touch on them briefly.

One, I have a problem with the Senator from California saying she doesn't like the amendment so she is going to filibuster the amendment. I earlier said: Let's vote on the amendment an hour from now, or 5 hours from now.

No, no, we are not going to have a vote on the amendment; she's going to filibuster the amendment.

If we are going to filibuster every amendment coming along on an appropriations bill, we are never going to get it done. If we do this, we are never going to be able to get finished.

People can talk all they want about a do-nothing Congress, but if we have members of one party or the other, or individual Members, who say: I don't like that provision in the transportation bill so I am going to filibuster the transportation bill—we have already seen that happen today—or I don't like this provision so we are going to filibuster it so we are not going to get an Interior bill unless I get my way, or get a supermajority—to say we need to have 60 votes to pass any amendment, I think that is a mistake. So we should get away from that.

Let me touch on the subject of this amendment. We passed in 1996 a bill, the Federal Royalty Fairness and Simplification Act, of which I was one of the principal sponsors, in a bipartisan way to simplify royalty collection. We did that. It passed overwhelmingly. The President signed it. It was a good bill.

The chart Senator HUTCHISON shows, the proposed MMS regs, is just the opposite of royalty simplification and fairness. If we follow the MMS proposal, what we have is an invitation for litigation. You have litigation nightmares already going on. The Senator from Texas already mentioned the testimony of the ARCO employee. His testimony was not persuasive. The issue of royalty under payments went before a jury of twelve in California in a case that had been ongoing for 14 years, and guess what? The jury decided in favor of the oil companies. They decided that the oil company was right. This company litigated the issue of underpayments for 14 years.

A lot of companies decided it was not worth the expense. It was not worth the bad press. It was not worth these editorials that really do not know what they are talking about, that know nothing about oil valuation and the complexity of it. So maybe they do settle. That does not mean they are guilty, that they are stealing. That is like somebody who says, wait a minute, the IRS audited your taxes and you owe some more money. Does that mean you are stealing?

There are some things wrong with the current royalty valuation program. We had two government employees who were involved in these developing the new MMS regulations and all of a sudden they got paid $350,000 each by an outside group who supports the proposed regulations. That is pretty corrupt. That is like having an IRS agent say: I audited your return and as a result we found out you owed more money. I want half of it. That is what happened in this case.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NICKLES. Mr. President, I ask unanimous consent to speak on the majority leader's time for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. That investigation is pending. Supposedly, the Justice Department is reviewing that case.

I urge all of our colleagues, to think about that. There are two federal employees involved in developing these MMS regulations who were paid $350,000 by a group with a financial interest in the final rule. I find that to be corrupt. I find that to be unethical. I find that to be outlandish. It needs to be stopped.

So I compliment, again, my colleague from Texas for this amendment. We need to make sure that Congress raises taxes if Congress is going to. If there is going to be a tax increase, if there is going to be a royalty increase, it should happen by an act of Congress. It should not happen by an act of unelected bureaucrats changing the rules without appropriate legislative authority and opening up a litigation nightmare.

Mr. President, I move to table.

Mrs. HUTCHISON. Will the Senator withhold for a unanimous consent request to add Senators BROWNBACK and THOMAS as cosponsors of the Hutchison-Domenici amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I rise in support of Senator HUTCHISON's amendment to continue the moratorium on the Minerals Management Service (MMS) oil royalty valuation rule. I am concerned that the MMS proposed rules for determining federal royalty payments will increase compliance costs for small, independent oil producers. These producers have just begun to recover from some of the lowest oil prices in 30 years, which cost the oil and gas industry more than 67,000 American jobs and saw the closure of more than 200,000 oil and gas wells. A hike in the royalty rates will make a bad situation worse and could cause more domestic oil production to be replaced by foreign imports.

It is up to Congress and not federal agencies to establish public policy. The MMS clearly exceeded its authority by proposing to raise royalty rates without congressional authorization. No congressional committee or affected industry groups were notified before the final version of the rule was announced. The MMS has also tried to get around the congressional moratorium by changing federal lease forms and taking other measures that are similar to the prohibited rule. These reckless actions have led me to believe that this is an agency out of control.

I am also very concerned about the appearance of a *quid pro quo* with respect to payments that were made by the Project on Government Oversight (POGO) to officials at the Departments of Interior and Energy who were involved with the royalty rate valuation issue. I agree with Senator HUTCHISON that the Interior Department should not proceed with this rule until this matter has been resolved by the Justice Department.

I do believe that the current royalty rate valuations are fundamentally flawed and should be changed. But the regulations proposed by the MMS would increase the amount of royalties to be paid by assessing royalties on downstream values without full consideration of costs. In a period of low oil prices, the government should be considering royalty rate reductions, not an increase.

It is the responsibility of Congress to make policy decisions affecting royalty rates and the responsibility of the MMS to implement those policies. We, the United States Senate, have been elected by our constituents in order to make these difficult decisions and should not have our authority preempted by federal bureaucrats. I urge my colleagues to support the Hutchison royalty rate moratorium amendment and I yield the floor.

Mr. BINGAMAN. Mr. President, I am supporting Senator HUTCHISON's amendment to extend the moratorium on the oil valuation rule of the Department of the Interior. I do this with some reluctance because like most of my colleagues from oil producing States, I believe strongly that this issue must be settled. Yet, after careful consideration, I cannot honestly conclude that the rule as currently proposed will achieve that.

I have worked hard with officials from the Department of the Interior and others to try to find the right approach to resolving the disputes involved in this rulemaking. I am very aware of the hard work and good faith efforts of many in the environmental and public interest community, within the States, and within the industry, to address the controversial issues raised

by this rule. I believe there has been progress. However, we are not there yet.

The way oil from Federal leases is valued for purposes of calculating royalty payments is complex to say the least. Nonetheless, it is also very important; it is important to those producing the Federal oil, it is important to the American taxpayers, and it is important to the States who receive up to half of the proceeds from Federal leases within their state boundaries.

My State of New Mexico is the second largest producer of onshore Federal oil and gas. In 1998, there were almost twelve thousand Federal oil and gas leases within New Mexico, covering over seven million acres of land. The majority of these leases are operated by small independent producers whose livelihood is greatly impacted by the manner in which Federal payments are calculated.

In 1998, the State of New Mexico received almost $168 million as its share of the revenues from Federal mineral leases within the State. My State uses these payments to help fund its public education system.

Given these circumstances, it is obvious to me that the method of valuing these Federal royalty payments is of deep concern to New Mexico, from a number of different angles. It is important to get it right. It is pointless to create rules that are unworkable, or unfair, or that will be mired in costly and nonproductive litigation. I owe it to the honest producers in my State, as well as to my State Treasury, to try to ensure that a final rulemaking on this subject will achieve the desired end of fairness to all, and creation of a clear set of standards that will not be plagued by endless controversy.

For this reason I am supporting an additional moratorium. I do not believe the rulemaking as it is currently proposed will work. The Department of the Interior has indicated that its latest round of comments has resulted in information which it has found helpful, and which could result in changes that would satisfy the concerns of industry and others, while ensuring that the United States receives fair market value for its oil resources. The Department has suggested that with this new information, it may be able to work out ways to resolve the issues that to date have proven so intractable.

I believe imposition of this moratorium will allow the Department the additional time it needs to re-propose this rule, and get to the elusive, but necessary resolution of this issue.

In comments I submitted to this rule, I recommended a number of areas for change, based on my conversations with New Mexico producers, and with other interested groups. These include ensuring that independent producers and others who engage in arms-length sales of their oil pay royalties only on the actual amount they receive; creating reasonable deductions for transportation costs; and resolving the treatment of marketing costs. I continue to urge the Department to consider these recommendations as it addresses the final rule.

Mr. NICKLES. Mr. President, so we will have all Senators on record voting either for or against the Hutchison amendment, I move to table the Hutchison amendment. I urge my colleagues to vote no on the motion to table.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1603. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 2, nays 96, as follows:

[Rollcall Vote No. 267 Leg.]

YEAS—2

Byrd	Gregg

NAYS—96

Abraham	Enzi	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Fitzgerald	McConnell
Baucus	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murray
Biden	Gramm	Nickles
Bingaman	Grams	Reed
Bond	Grassley	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden

NOT VOTING—2

McCain	Murkowski

The motion was rejected.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, the present order of business, of course, is a continuing debate on the Hutchison amendment. There will be a cloture motion filed on that amendment that will ripen either Monday or Tuesday; I am not certain which. The Senator from California has justifiably, in defending her position, asked for assurances that there will not be a cloture motion filed on the whole bill, which could theoretically deprive her of her right to continue debate until some conclusion with respect to the Hutchison amendment.

I assure her that will not take place. Her amendment will be disposed of one way or another—either by the adoption of cloture and the eventual vote on the amendment, or by a failure of cloture and its withdrawal before any cloture motion will be filed on the bill as a whole. In fact, I can say I don't see any reason or need that we should have to file cloture on the bill as a whole. We are making good progress on it. There are other amendments we can discuss and vote on today, and perhaps even on Monday, so it may very well be that the disposition of her amendment is the last significant matter.

In any event, I assure her that her rights will be protected, and that, of course, is a necessary precondition to my asking unanimous consent to set the Hutchison amendment aside and go on to other amendments. The Senator from New Jersey, Mr. TORRICELLI, has such an amendment. So I hope with that assurance, it is sufficient that we can go forward on another subject.

Mrs. BOXER. Will the Senator yield to me?

Mr. GORTON. I will.

Mrs. BOXER. Mr. President, I thank the chairman of the committee for being so gracious in preserving my rights. My friend from Texas and I feel equally strongly on the point, just on different sides. I think each of us wants to have justice done on the amendment. So I want to reiterate what my friend stated so we all agree that this is the procedure. There will be a cloture motion filed on the Hutchison amendment.

Mr. GORTON. That is correct.

Mrs. BOXER. A vote will be held Monday or Tuesday, or perhaps later, at whatever date it ripens. Then, in any case, there will not be a cloture vote on the entire bill until the cloture vote on the Hutchison amendment is held.

Mr. GORTON. The Senator from California is correct.

Mrs. BOXER. I thank the Senator very much. With that, I do not object to laying the amendment aside.

Mr. GORTON. Mr. President, I ask unanimous consent that the Hutchison amendment be laid aside and the Senator from New Jersey be recognized to propose an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1571

(Purpose: To prohibit the use of funds made available by this Act to authorize, permit, administer, or promote the use of any jawed leghold, trap, or neck snare in any unit of the National Wildlife Refuge System)

Mr. TORRICELLI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from New Jersey [Mr. TORRICELLI], for himself, Mrs. BOXER, Mr. SCHUMER, Mr. DURBIN, Mr. REID, Mr. MOYNIHAN, and Mr. DODD, proposes an amendment numbered 1571.

Mr. TORRICELLI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 62, between lines 3 and 4, insert the following:

SEC. 1__. USE OF TRAPS AND SNARES IN NATIONAL WILDLIFE REFUGES.

None of the funds made available in this Act may be used to authorize, permit, administer, or promote the use of any jawed leghold trap or neck snare in any unit of the National Wildlife Refuge System, except for the purpose of research, subsistence, conservation, or facilities protection.

Mr. GORTON. Will the Senator from New Jersey yield?

Mr. TORRICELLI. Yes.

Mr. GORTON. I have been informed that members of his party are in a policy meeting and would like to defer any vote on this amendment to a time certain—2 o'clock. Am I correct in that?

Mr. TORRICELLI. If, indeed, it is required to have a rollcall vote, that would be OK. I have some expectation that it might not be required.

Mr. GORTON. It seems to me to be appropriate to say, for Members, that there won't be another rollcall vote prior to 2 o'clock, and we hope by that time we will have completed debate on the Torricelli amendment and deal with it either by rollcall or voice vote at the necessary time.

Mr. TORRICELLI. I thank the Senator. Mr. President, trapping has been part of the American economic and cultural life before there was a United States, whether for recreational purposes or subsistence——

Mrs. BOXER. Will the Senator yield? I don't want to interrupt, but this is so crucial, and I am with him on it.

Mr. TORRICELLI. Yes.

Mrs. BOXER. I wanted to correct myself and make sure the Senator from Washington would allow me this chance and not on Senator TORRICELLI's time. I wanted to say that I agree with the Senator that there would not be a cloture vote on the bill until the Hutchison amendment was resolved. Those were his words. I didn't say it exactly in that way in my agreement.

Mr. GORTON. I thought she did. In any event, that is the agreement.

Mrs. BOXER. In remembering my words, I am in agreement with my friend. I have no objection.

Mr. TORRICELLI. Mr. President, the amendment before the Senate deals with the issue of trapping on Federal wildlife refuge lands. It recognizes the reality that trapping has been part of the economic and cultural life of the United States for generations and, indeed, an important part of the economic life of many communities. But as anything else in life, there is a right and a wrong way to have trappings on these Federal lands.

Overwhelmingly, trappers on Federal lands are using relatively humane methods of trappings that ensure the death of the animal so that there is no suffering. But in a small minority of these instances there are particularly egregious types of traps that continue to be used on Federal lands though many States have banned them for years. Most egregious of all are steel-jaw leg-hold traps and neck snares. These traps almost assure the suffering of an animal. The legislation before the Senate would ban these two specific types of traps and no others—traps used in a small minority of the trapping industry and no others, and not for all purposes.

Trapping for research is not included in this amendment. All scientific research can continue with any traps.

Subsistence: Many Native American tribes that live off these traps—live off the game they collect—should not be impacted and are not impacted.

Facilities protection, or conservation: For any of those purposes, trappers are free to use whatever type of traps they would like. But for recreational purposes or other subsistence purposes, we would ban these two specific types of traps.

I know some Senators have raised the question of whether or not banning any traps would cause a problem for the Government itself in maintaining stocks, endangered species, or other legitimate purposes of the Government itself.

It is important to note that Secretary Babbitt was asked to address this question, and he wrote:

The amendment would not impact the ability of the U.S. Fish and Wildlife Service to manage refuges under the Organic Act of 1997.

Specifically, therefore, Secretary Babbitt had given testimony that banning these traps would not contradict the lawful purposes of the U.S. Government.

It should also be noted that it is not a new issue for the States. It is not a new issue for the Congress. The House of Representatives on July 14 was confronted with the identical issue on whether or not these two specific traps should be banned for these narrow purposes. By a vote of 259 to 166, with 89 Members of the Republican majority, it overwhelmingly passed this same prohibition.

The question arises: Why have the States, why has the House of Representatives, and why have so many of our colleagues expressed concern and support on this floor about a ban on these two specific forms of traps?

A leg-hold trap is simply designed to trap an animal by its leg with the force of this steel jaw and hold the animal until the trapper returns. There are several problems with this very old, very tested, but very cruel technology. The trapper may not return for days, or a week, in which case the animal starves to death, becomes dehydrated, and suffers over a period of days and days and days.

Second, the extraordinary power of this trap is nearly certain to cause a laceration, or to break the leg of the animal. The animal suffers. As is the case with 80 or 90 percent of these traps, the trap catches the wrong animal. It is not the animal the trapper wants. It is some other animal. If it were a live cage, as overwhelmingly trappers use, the trappers would then release to the wild the animal that was unwanted. But in 80 or 90 percent of the cases the trapper has an animal that he didn't even want. The leg is now broken, or the animal is bleeding to death. It cannot be released to the wild. And an unwanted species is destroyed for no purpose when another technology—a live-bait trap, which most trappers use—would have avoided the whole problem.

Even crueler, what is often happening is, these animals caught in the leg-hold trap for days and the trapper does not return are chewing off their own legs—destroying themselves to get free. The reality is that it is destroying unwanted species, with extraordinary suffering, with animals maiming themselves, and for absolutely no reason.

This legislation, I repeat, does not deal with scientific reasons, subsistence reasons for Native American tribes, or other scientific purposes. It is only for recreation. It is only for a minority of trappers. It is only for these two kinds of traps, and it only deals with wildlife refuges.

What kind of wildlife refuges are the United States maintaining if we are to allow these particularly egregious and cruel types of traps? These are refuges. They are set up for the safety and maintenance of an animal species. It allows trapping and harvesting of species, but not with this one particularly cruel kind of trap. That is the purpose of the amendment.

Only 1 out of every 10 species actually gets caught in these traps. It is the intended species—1 in 10.

I brought before you a protected species of bird caught in a leg-hold trap. No one was trying to trap an eagle. No one wanted to do so. It was unlawful. There is no purpose in doing so. But the trap doesn't discriminate. When the trapper arrives, what is he to do? The leg of this bird is broken. You can do nothing but kill this animal, though it was no one's intention.

This has been endorsed by the American Veterinary Medical Association, the American Animal Hospital Association, hunting groups, and sportsmen. The States of California, Arizona, Colorado, and Massachusetts have already passed statewide ballot initiatives banning these specific traps. Florida, New Jersey, and Rhode Island have legislative or administrative bans. Eighty-

eight nations—virtually the entire industrialized world—developed nations, all have banned these traps. We, and we alone, use them. And we are not only using them, we are using them in wildlife refuges that we have had set up for 100 years to protect these animals. How could anyone rise in defense of this trap?

Mr. President, I ask that the Senate join the House of Representatives and the various States and impose this narrow prohibition on these two specific traps for these narrow recreational purposes and on these Federal lands. It is a modest request for what is an egregious problem.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I rise today to oppose this amendment. I think it sets a bad precedent because I think it is bad politics.

I just came back from my State, as most of us did, and talked to my agricultural producers. We have a predator problem in Montana.

Let me tell you about a conversation I had with a good friend in Glasgow, MT. They are sheep producers. They run from the Fort Peck Reservoir south towards Circle, MT. That is McCone Valley and Roosevelt County. They have trapped and killed 90 coyotes on their ranch, and they are still run over with them.

This lies along the CMR Wildlife Refuge in Montana along the Missouri River. Those sheep are smart enough to stay in that refuge. The only time we can get them is when they come out. They lose about 300 lambs a day. I don't know how many people can sustain that much loss.

But this particular trap is sort of needed, whether it be in the use of predator control, whether it be used on the refuge, or on BLM or private land.

I said yesterday that on one of the amendments one of these days this body is going to be hit by a large bolt of common sense. Then I don't know what is going to happen. We will not know how to deal with things here.

But I will tell you that the U.S. Fish and Wildlife Service opposes this amendment. They are the ones who manage the refuge systems.

The International Association of Fish and Wildlife Agencies that represents the 50 fish and wildlife agencies and conservation groups—which includes the Izaak Walton League of America—all oppose this amendment. They oppose it for the simple reason that we get a little loose with definitions.

I think the point is that nobody likes to see the suffering and catching the wrong animal in the wrong trap. I would question the 80 to 90 percent wrong animal figure. I would question that because no trapper I know, whether they did it as a sportsman for recreation, whether they did it to prevent predation on livestock, or whether they did it for a living, worth his salt, who knows how to trap, has figures similar to this. There is none that I know. And we have quite a few of them in my State.

So I ask we oppose and defeat this amendment. It is taking away some of those tools that do not meet the definition. We say, if States OK it for recreation, then define recreation. We know it has a habit of spilling over into areas where, if we cannot use these traps to prevent predation, then we are again put at the mercy of predators, of which we have many.

Businesses cannot sustain those losses. Maybe no one cares whether businesses sustain themselves or not. Let's face it; they have human faces, too, in this situation. So I rise in opposition to this amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am pleased to join the Senator from Montana. I want the Senate to know this amendment would seriously harm a vital sector of the rural Alaskan economy. It would injure greatly those who follow the Alaskan way of life.

We are very much involved with this amendment. What it seeks to do is end trapping in the Federal wildlife refuges. There are some exceptions in the Senator's amendment for research, conservation, facilities protection, and subsistence.

Let me point out this chart I have. There are 77 million acres of wildlife refuge in our State; 85 percent of all the wildlife refuge in the country is in Alaska.

The amendment seeks to absolutely discard the concepts of sound game management principles. As the Senator from Montana stated, the U.S. Fish and Wildlife Service, the International Association of Fish and Wildlife Agencies, which represent State fish and game managers throughout the country, have opposed the amendment because it limits the ability to manage wildlife populations scientifically. The Fish and Wildlife Service wrote me a letter on July 20 explaining the Service's opposition to the House amendment in detail. This is a very serious thing. I am disturbed when my colleague talks about recreational trapping.

The Fish and Wildlife Service recognizes that the core of its mission is wildlife management. In its letter to me, the Fish and Wildlife Service stated that:

> . . . a prohibition of specific animal restraint devices is not in the best interest of sound wildlife management.

The Department of Fish and Game of my State of Alaska also stated this amendment hinders the ability of wildlife managers to do their job. It said:

> We have consistently supported trapping as an important tool in managing the national wildlife refuge system.

I ask unanimous consent to have those letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF ALASKA, DEPARTMENT OF FISH AND GAME, DIVISION OF WILDLIFE CONSERVATION,

Juneau, AK, July 22, 1999.

Hon. TED STEVENS,
U.S. Senate,
Washington, DC.

DEAR SENATOR STEVENS: I am writing to express my concern over house approved language amending the FY2000 Interior Appropriation Bill (HR2466) that restricts the use of leghold traps and neck snares on National Wildlife Refuges. I understand similar language may be introduced soon on the senate floor. If that language is introduced, I encourage you to vote no and to remove the house passed language in conference committee.

Commercial, recreational, subsistence, and nuisance animal trapping have never been classified in regulation as separate uses because pelts are acquired, traded, or sold and enter commerce through all of these uses. Therefore, it is meaningless to separate commercial and recreational activities from other types of trapping for purposes of managing the refuge system.

Trapping on National Wildlife Refuges in Alaska is important to our department because the activity helps us track furbearer populations in areas not often frequented by members of the public, especially during winter when weather can have severe impacts on animal populations. We have consistently supported trapping as an important tool in managing the National Wildlife Refuge system and the Wildlife Refuge Improvement Act of 1996 recognizes the importance of that tool.

Eighty-five percent of all lands in the National Wildlife Refuge system are in Alaska. The opportunity to trap and snare furbearers on these lands is essential to our rural culture and the lifestyle of families living in remote villages. Many people in these areas have seasonal incomes, and trapping plays a critical role in supplementing that income with cash obtained from a local resource when jobs are nonexistent. If trapping and snaring are prohibited on these refuges, the impact would be disastrous economically, as well as culturally, to the people of Alaska.

Thank you for your support.

Sincerely,

WAYNE REGELIN,
Director.

DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, DC, July 20, 1999.

Hon. TED STEVENS
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As you know, the House of Representatives recently adopted an amendment by Congressman Sam Farr to the Interior Appropriations Bill (H.R. 2466) concerning trapping on National Wildlife Refuges. We anticipate that this issue may arise during Senate consideration.

The U.S. Fish and Wildlife Service opposes this amendment. We believe national legislation directing a prohibition of specific animal restraint devices is not in the best interest of sound wildlife management. The enclosed statement explains our opposition to this amendment.

We would be happy to respond to any questions or provide any further information that may be helpful as you consider this matter.

Identical letters have been sent to the Honorable Robert C. Byrd, Ranking Minority Member, Subcommittee on Interior and Related Agencies, Committee on Appropriations, United States Senate; the Honorable

Slade Gorton, Chairman, Subcommittee on Interior and Related Agencies, Committee on Appropriations, United States Senate; the Honorable John Breaux, United States Senate; the Honorable John H. Chafee, Chairman, Committee on Environment and Public Works, United States Senate; the Honorable Frank H. Murkowski, Chairman, Committee on Energy and Natural Resources, United States Senate; the Honorable Jeff Bingaman, Ranking Minority Member, Committee on Energy and Natural Resources, United States Senate; the Honorable Max Baucus, Ranking Minority Member, Committee on Environment and Public Works, United States Senate.

Sincerely,

JOHN ROGERS,
Director.

Mr. STEVENS. Mr. President, these agencies agree wildlife managers rely upon commercial trappers to control invasive and nuisance species, as well as normal predators. In Alaska, Federal and State wildlife managers rely on these trappers to control predators in order to maintain healthy moose and caribou herds, for instance. Moose and caribou are major subsistence species, and a ban on this trapping would harm subsistence hunters by creating more competition for subsistence resources.

Another example is the Aleutian-Canada goose. This species was listed under the Endangered Species Act after foxes were introduced on the Aleutian Islands. At first, the refuge managers tried to poison the foxes until EPA banned the poison. Then they hired local trappers to save the goose, and trappers have successfully controlled the fox population, restoring the Aleutian-Canada goose.

Our Alaska Department of Fish and Game relies upon data from trappers to track remote populations, where the agency cannot afford to have biologists, through this area that is one-fifth the size of the United States. I know proponents of the amendment argue that more humane methods are available. But the trouble is the methods cost 10 times as much and will not work, and we do not have the people to pursue those methods. A $2 snare trap works much better than a $30 conibear trap that freezes in the snow. A trapper can vary the size, location, tension, bait, scent, screening, and seasonal timing of a trap to target specific animals.

These unfortunate concepts that have been mentioned by the Senator of the birds that have been trapped—no one seeks that. I do not believe that is a normal result of trapping, particularly in our very wild country.

The amendment purports to contain a subsistence exemption. I want to explain that a little bit to the Senate. In 1980, the Congress specifically allowed those who reside in the area of wildlife refuges in Alaska to use refuge lands for subsistence hunting. Most of the trappers in our States are, in fact, subsistence hunters.

Many Native Alaskans trap for subsistence and they generate cash income from the pelts they take. This permits trapping only for subsistence, but not for the commercial side of that operation. These people are not in trapping for recreation. They are trapping not only for the food they obtain but also for the cash they derive from the trapping activities. That cash is one of the main sources of income for people who live in the rural area of Alaska.

In 1980, Congress passed the Alaska National Interest Lands Conservation Act, which added 53 million acres, in one act of Congress, to the wildlife refuge system, the National Wildlife System, on lands within our State. Among the new Federal lands added by that act were the Innoko, Kanuti, and Koyukuk; almost 9 million acres of land, the size of New Hampshire and Connecticut together. Congress specifically recognized the furbearer resources of those refuges when it passed that act which we call ANILCA.

This amendment will essentially repeal the Alaska National Interest Land Conservation Act concept of permitting trapping by prohibiting the harvesting of resources in a way that currently is recognized by law. In Alaska, licensed trappers earn about $7 million annually, mostly from marten, lynx, and beaver. It may not sound like a lot of money to Members of Congress, but within these refuges in our State lies the most poor census district in the country; that is, the Wade Hampton District in the Yukon Delta Refuge. That stretches over 22 million acres. It's the largest refuge in the United States and the largest of the 16 refuges in Alaska. It is, I would say to my friend from New Jersey, four times the size of New Jersey.

The refuge contains 42 Native Alaska villages and tens of thousands of people, mostly Natives. Like many others in Alaska, most of these people rely on subsistence lifestyle, which includes commercial trapping, as I have said.

I have received letters from a number of villages on or near refuges, including Ruby, Mountain Village, and Quinhagak. They point out to me that trapping keeps predators in check so the other game animals on which they rely will flourish. They also point out how the only nongovernment jobs available in the winter are trapping jobs and they would rather trap and sell the fur than sit idle and collect welfare checks. As a matter of fact, we in Congress have mandated they do just that; they go to work.

When we passed the welfare reform we required these people to go to work. Now this amendment would outlaw the only jobs that are available for these people in this very remote area of Alaska.

The amendment also makes a value judgment about the way these Alaskans have lived for generations. This bothers me greatly. For decades, in many cases centuries, our Alaskan Native people have lived off the land. They have been joined by a great many non-Alaskan people, by the way. The Federal law guarantees both non-Natives as well as Natives the right to a subsistence lifestyle, and to trap within these areas if they reside in the area of the refuge. When others tell Alaskan hunters, trappers, and fishermen how to manage our resources, they are literally telling them how to live their lives.

We have a great deal of respect and admiration for our wildlife, probably more than any I know. This includes trappers who, incidentally, have a very strict code of ethics. I want to have that printed in the RECORD. I am not sure many people realize these trappers have come together and put up, even before this issue arose, an ethics code.

That code encourages trappers to act humanely, to concentrate on areas with overabundant population, and to share information that they obtained with the wildlife managers. In other words, each one of them is a volunteer on a wildlife refuge to assist in the scientific management of the areas that are set aside in our State.

I ask unanimous consent that the code of ethics be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CODE OF ETHICS—A TRAPPER'S RESPONSIBILITY

1. Respect the other trapper's ''grounds''—particularly brushed, maintained traplines with a history of use.
2. Check traps regularly.
3. Promote trapping methods that will reduce the possibility of catching nontarget animals.
4. Obtain landowners' permission before trapping on private property.
5. Know and use proper releasing and killing methods.
6. Develop set location methods to prevent losses.
7. Trap in the most humane way possible.
8. Dispose of animal carcasses properly.
9. Concentrate trapping in areas where animals are overabundant for the supporting habitat.
10. Promptly report the presence of diseased animals to wildlife authorities.
11. Assist landowners who are having problems with predators and other furbearers that have become a nuisance.
12. Support and help train new trappers in trapping ethics, methods and means, conservation, fur handling, and marketing.
13. Obey all trapping regulations, and support strict enforcement by reporting violations.
14. Support and promote sound furbearer management.

The Code of Ethics is reprinted from the Alaska Trappers Manual. The manual was created in a joint effort by the Alaska Trappers Association and the Alaska Department of Fish and Game.

Mr. STEVENS. Mr. President, I urge my colleagues in the Senate to respect the needs of these wildlife managers and the traditional lifestyle of our Western States, as well as to respect the basic concepts of the Alaska lifestyle.

Let me add just a few statistics before I close.

Our State has 365 million acres. As I said, we are one-fifth the size of all the lands of the United States. These 16

wildlife refuges have 77 million acres. They are more than 20 percent of Alaska. More than one-fifth of our State, which is one-fifth of the Nation, has been set aside in refuge land.

Congress specifically recognized the need for this type of harvesting of resources in the 1980 act. We believe the impact of this amendment, if adopted, would deny our Alaskan people the protection that was assured by Congress at the time this vast acreage was set aside as wildlife refuge areas.

I want to quote from a book written by a friend, John McPhee. Some people may recognize John. He wrote a book, called ''Coming Into The Country,'' about Alaska. It was a book that received acclaim from all sides of issues pertaining to Alaska, those who agree with us as well as Alaskans who basically agree with John McPhee and his outlook.

He told a story of one woman in Alaska, and he said this:

> Ginny looks through Alaska Magazine, where her attention is arrested by letters from the Lower 48. ''There was a time when man was justified in taking wildlife,'' she reads aloud, ''for then man's survival was at stake, but that time is long gone. . . .'' She slaps the magazine down on the table. ''They don't understand,'' she says. . . .''These people who write these letters are not even rational. They say we're out to kill everything. People in the Lower 48 do not understand Alaska. . . . They wonder how Alaskans get their mail, and what they do in the winter. They can't believe anything can grow here. They're amazed we can't buy any land. They think Indians are Eskimos. They know nothing about Alaska and yet they've been manipulating us for years. We thought Statehood would put an end to that. They don't understand trapping. They don't understand the harvesting of animals.''

That is the type of comment I get when I go home. People in Alaska constantly tell me: Those people you work with in the Congress just don't understand us. They have asked me to stand up and try to explain to the Senate what the Alaska lifestyle is.

That is hard for a lawyer, a person who has been here 30 years now, to continue to try to convince succeeding generations, those who have come after me, that Alaska is still that way. For the most part, Alaska is natural wilderness, and dispersed throughout that wilderness are some 700,000 people. The bulk of the people out of the cities live the Alaska lifestyle. They hunt for their food. They trap to obtain furs as well as food, but the furs give them a cash flow of income. That is supplemented by our own Alaska system of what we call a permanent fund dividend. Without the income they obtain from hunting, these people would not be able to survive.

In this area, hunting is done by trapping. If you take away the traps, they will go back to shooting them. This bill does not ban guns. What it would do is go back to the day before traps were recognized as a scientific management concept, and animals will be shot. For every time there is a miss, it is much worse than one being caught and having a leg broken in a trap because that animal is wandering off forever.

The wildlife managers have told us, if you are going to harvest these animals, the best way to do it is with these traps following the code of ethics that has been adopted by the trappers themselves, with the approval, by the way, of the wildlife managers.

I can tell you without any question that I have urged every Member of the Senate by a personal letter to vote no on this amendment. This is not the way to change the concept of scientific management of the lands that we have set aside as wildlife refuges. It is not the way to change basically the Alaska lifestyle. Eighty-five percent or more of its impact is in our State. We would be devastated if this concept is adopted. I urge this amendment be defeated.

I serve notice that I will ask for a rollcall vote on this amendment. When the time is appropriate, I will make that request.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the amendment offered by Senator TORRICELLI. I listened carefully to the statement of my colleague from the State of Alaska. Having visited his State several times, I acknowledge they have an extraordinary situation that is unlike perhaps any other State across this Nation. I hope he will take into consideration what Senator TORRICELLI's amendment seeks to do is to really limit the use of this trap on national wildlife refuges.

I am not sure exactly how one would define a refuge, but in my way of thinking, it is akin to a shelter. It is something that has really been designed by law to provide a special kind of protection that might not otherwise be available to wildlife. That is why Senator TORRICELLI's amendment, I believe, is so appropriate because it is limited to the wildlife refuge and, secondly, it makes exceptions.

I understand what Senator STEVENS has said, that the subsistence exception would not cover commercial trapping on wildlife refuges, but I say to the Senator from Alaska, I think perhaps other forms of trapping should be used rather than this form.

I know the Senator from New Jersey is going to take the floor again and make a part of the RECORD a letter which was received after the letter quoted by the Senator from Alaska. I have a copy of it, and I will read from it. It is a letter from the Secretary of the Department of the Interior, Bruce Babbitt. It is written to the House sponsor of this legislation. It is very brief, and I will read it into the RECORD:

> Dear Mr. Farr:
>
> I am responding to your letter requesting the Department's position on your amendment relating to the use of certain kinds of traps on national wildlife refuges. The letter dated July 20, 1999, from Mr. John Rogers and the enclosed effect statement do not represent the position of the Department of the Interior. After careful consideration, I can advise you that your amendment—
>
> The Farr amendment—
>
> and the Torricelli amendment, which is identical, would not impact the ability of the U.S. Fish and Wildlife Service to manage refuges under the Organic Act of 1997. Accordingly, the Department does not take a position on your amendment.

I say to those who are following this debate, the earlier reference to a letter of July 20 was superseded by a letter on July 23 from the Secretary of the Department of the Interior who said they will not take a position on the amendment and the Torricelli and Farr amendment do not in any way impact their ability to manage wildlife refuges.

I also remind those following the debate of Senator TORRICELLI's statement that some 88 nations across the world have already banned this form of trap. Many people are critical of Senators from New Jersey and Illinois who try to make comment on the way people live in the West. My friend from Montana, Senator BURNS, occasionally calls me aside when I offer these amendments related to Montana and the West and speaks of his Midwestern friends who do not quite understand the lifestyle of the West. I will concede, by classic definition, I am from a sodbuster State. I may not understand all the things that are part of the lifestyle of the West, but I call the attention of those who are considering this amendment to statements made in the press in Western States about these steel-jawed leghold traps.

Arizona, the Arizona Republic, February 7, 1993:

> Outlawing the barbaric, needlessly cruel steel trap—a device that tortures animals to death—should no longer be a matter of serious dispute.

The Arizona Tribune, 1994:

> No need for extremists to exaggerate what happens to an animal when a trap's steel jaws slam shut on it. It's more than inhumane; it's heinous.

Colorado, October 15, 1996, the Boulder Daily Camera:

> The trapper hides the equivalent of a land mine in wildlife habitat and ''harvests'' whatever has the rotten luck to step in it.

From the Californian, October 8, 1998:

> Laying a trap that statistically is more likely to maim or kill an animal other than the one being hunted is wasteful, inhumane, and cruel.

The Tucson Citizen 1993, Arizona:

> Steel-jaw traps are cruel devices that subject animals—sometimes family pets—to mutilation or slow and painful death. And they pose a threat to people who use public lands for recreation. . . . Steel-jaw traps have no place in a civilized world, particularly on public lands.

Those were statements not from some bleeding heart eastern journals but from newspapers from the West—Arizona, Colorado, California—areas where I think they have even more familiarity with this than some Members of the Senate might themselves.

I have a couple photographs to demonstrate how these traps are used. You can see from this photograph that the

cat has had the misfortune of coming across a steel trap and its paw has been trapped inside. From what we have been told, it might be a day or two or maybe even more before the person who set this trap comes to decide what to do with the animal that is included. I don't know if this was the target animal this trapper was looking for. My guess is that this animal will be in pain and suffering until that trapper shows up on the scene to either release it or kill it.

Here is another photograph. It appears to be a fox trapped as well. There is evidence that many of the animals that are caught in these traps, in pain, in desperation chew off their own limbs to try to escape. Of course, as they hobble around the wilderness, they may not last long either.

These are basically and fundamentally inhumane. For us to allow them in wildlife refuges, I think, is a serious mistake. The amendment by the Senator from New Jersey is a reasonable one. It allows exceptions for research, subsistence, which the Senator from Alaska has alluded to, conservation, and facility protection.

When the Senator from Montana, Mr. BURNS, told the story of those in Montana who were trying to protect their flocks of sheep from coyotes that came out of the wildlife refuge, as I understand the amendment of the Senator from New Jersey, there would be no prohibition against their setting these traps on their own property to protect their flock from these predatory animals. The Torricelli amendment alludes only to putting these traps in wildlife refuges. I think, frankly, that is a line that should be drawn and one that I support.

As I have said, Secretary Bruce Babbitt has written to the Senate indicating the Torricelli amendment would have no adverse impact on the management of the Fish and Wildlife Service on refuges. The House has approved this amendment overwhelmingly on a bipartisan basis. Eighty-eight nations and a number of States have made it clear that this barbaric device has no place in wildlife management.

I urge support for the Torricelli amendment and yield the floor.

Mrs. BOXER. Mr. President, I am pleased to cosponsor the amendment offered by Senator TORRICELLI to the Interior Appropriations Act concerning leghold traps. This is a sensible and narrowly tailored amendment that will address the misuse of tax dollars to promote cruel, commercial trapping programs on the National Wildlife Refuge System.

This amendment will prohibit the use of taxpayer funds to administer or promote the use of steel-jawed leghold traps or neck snares for commerce in fur or recreation on National Wildlife Refuges. Our amendment would not limit the ability of the U.S. Fish and Wildlife Service to manage our National Wildlife Refuges.

I am proud to say that my State of California banned the use of steel-jawed leghold traps last year when voters overwhelmingly approved a ballot initiative related to trapping. Californians recognized not only that these traps are inhumane, but also non-selective. In other words, these traps often result in the death of many animals that are not the targets of the traps.

In its 1998 Environmental Document on trapping, the California Department of Fish and Game cited several state studies showing a high number of non-target species being caught. In Colusa County, 26 target muskrats and 19 non-target animals; in Tehema County, seven target coyotes and 85 non-target animals; in San Diego County, 42 target bobcats and 91 non-target species.

Mr. President, these numbers are astonishing, and they demonstrate to us beyond a shadow of a doubt that these traps are abhorrent devices. Whether they are hunting dogs, family pets, bald eagles, deer, or other animals, there are countless untold victims of these traps. They have rightly been likened to ''land mines'' for wildlife, catching any animal that triggers them.

It is shocking that these traps are allowed in our country at all, especially given that 88 nations throughout the world bar their use. But it is even more horrifying to think that American tax dollars go to administer trapping programs on our nation's wildlife refuges.

I looked up the word ''refuge'' in the American College Dictionary. It defines refuge as (1) ''a place of shelter, protection, or safety,'', or (2) ''anything to which one has recourse for aid, relief or escape.''

It is plainly contradictory to allow the commercial killing of wildlife on places called wildlife refuges. It is worse to allow the use of barbaric traps on refuges. And it is shocking to Americans to have their hard-earned dollars finance this hoax. The Torricelli amendment goes very far to be reasonable and accommodating.

It does not bar trapping on refuges. It does not even bar steel traps or neck snares on refuges, since the amendment specifically allows these traps to be used for research, conservation, subsistence trapping, or facilities protection. It simply bars these devices for commerce or recreation.

This amendment should be adopted overwhelmingly. It makes sense. The policy of allowing the financing of such programs is contradictory and wrong-headed. It should be no surprise that fully 83 percent of Americans oppose using steel traps on refuges. Just last month, the House passed an identical amendment by an overwhelming margin. The Department of the Interior has no problem with this amendment. I urge my colleagues to join me in supporting the Torricelli amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, it is basic in this institution, indeed in our Union, that each of us, as representatives of some States, have respect for the economy, the culture, and the traditions of other States.

Indeed, this should not, and cannot, be a debate between Illinois and New Jersey against Montana and Alaska. Disproportionately, this would impact the great State of Alaska and several other Western States. Because of the gracious invitation of the Senator from Alaska, I have visited his State. I have been to Montana many times. I have enormous respect for their traditions and their cultures. It is because of that fact that this amendment was so carefully designed.

Senator BURNS has appropriately talked about the problem of ranchers and farmers who lose livestock and need to protect their own properties. The Senator from Montana need not be concerned. The management of species protection of those lands is exempt from this amendment. Private lands are exempt from this amendment.

There is no greater advocate of native peoples than Senator STEVENS. He appropriately has talked about the need for subsistence of people who live off the land. And while he has talked about the need to sell some of those species, to the extent that he is concerned about the need of people to trap for their own subsistence, he need not be concerned. That is exempt from this amendment.

Maintenance of species, dealing with predatory animals, research are all exempt from this amendment. Private lands are all exempt from this amendment.

We are talking about wildlife refuges set up by this Congress to protect species from two specific traps. The question was raised by the Senator from Montana whether or not it was accurate that 80 percent of the species caught in these traps are not the intended species. The life of the animal lost is wasted because these specific traps cannot distinguish between the fox or the mink or the coyote, whatever it is that is being hunted, and another animal. Indeed, 80 percent, upon further research, is not accurate. In 1989, a study by Tomsa and Forbes from the Fourth Eastern Wildlife Damage Control proceedings found that 11 non-intended animals were maimed or killed for every 1 that was being sought, 11 to 1.

Mr. STEVENS. Will the Senator yield?

Mr. TORRICELLI. I am happy to yield.

Mr. STEVENS. I have placed in the RECORD the statement prepared by the Fish and Wildlife Service and a letter they sent to me on July 20. In there is a statement about which I want to ask the Senator, my good friend from New Jersey, a question. It says: As background, during the period 1992 to 1996, a total of 281 refuges conducted one or more trapping programs, a total of 487 programs. Eighty-five percent of the mammal trapping programs on refuges were conducted for wildlife and facilities management reasons—85 percent.

The remaining 15 percent occurred primarily to provide recreational, commercial, subsistence opportunities to the public, as portrayed by the following table.

The Senator's amendment exempts all of the 85 percent. It affects only those who are not government, those who live on the land.

I ask the Senator, what about the 85 percent of the trapping programs using the same traps that will continue to be conducted by Federal and State managers? They have the same effect as the Senator complains of concerning those that are private. Why should the Senator allow any trapping if he believes as he does? The Federal managers, State managers are not prohibited from conducting 85 percent of the trapping in the wildlife refuges. This only prohibits those of the people who live there, who reside there. Why would the Senator pick out those who earn money from trapping and say they cause more damage than the 85 percent of the trapping by Federal and State agencies?

Mr. TORRICELLI. Reclaiming my time, the Senator from Alaska cites an interesting point, but it is one that has been done to accommodate people concerned about trapping. Senator BURNS has noted the problem of maintaining stocks, of protecting ranchers. We have kept the power on these lands to use these traps by government or private citizens or scientists or universities or trappers or anybody else, if it is to manage the stocks, if it is to deal with predatory animals or research.

What is interesting about Senator STEVENS' points is, to identify the extent of what this amendment does in order to minimize the impact on ranchers, on the economy, on hunting, we are taking what in essence, by the Senator's own statement, is only 15 percent of all the activity with these traps, recognizing these traps only represent 10 or 15 percent of all trapping activity. We are dealing with 10 percent of 10 percent of trapping activity and then only on Federal wildlife lands.

Now, if the Senator from Alaska wants to offer an amendment to ban these traps on all lands and by everybody and for all purposes, I can assure the Senator from Alaska, he will have my vote. I have narrowly constructed this because I do not want to impact native peoples who are on subsistence. I do not want to interfere with predatory animals. I do not want to interfere with the management of these lands by the Government. My main purpose is to try to prohibit this for recreational purposes, only with these two traps, or other purposes where it is not necessary to protect ranchers or other legitimate objectives.

I yield to the Senator from Alaska.

Mr. STEVENS. The Senator has used the statistics for all trapping on Federal wildlife refuges in order to try to eliminate those who use them for income, those who use them to pursue a lifestyle. I say to my friend, does he think that is fair?

The wildlife managers use these traps. The statistics the Senator has cover all the programs on all of the wildlife refuges mainly, 85 percent, conducted by managers. But the Senator presumes that the damage is done by the 15 percent. Does the Senator think it is fair to say: Let's stop these people from using these traps because they harm the animals that they trap? What about the 85 percent? They catch birds. They catch foxes that eat their legs off. They catch other animals other than the targeted species. But in terms of fairness, the Senator's amendment prohibits those who live by trapping.

Trapping is a management tool. I defend the 85 percent. I don't oppose it. It is a management tool.

I wonder if the Senator knows that trapping of species such as red fox and racoons has saved the Hawaiian coot and duck and goose. They have saved some of the indigenous species that live in these refuges from the predators they trap.

The predators they trap have a value. Those skins are sold for cash. I just ask the Senator, in fairness now, why should we say those people who use traps for a living do all this damage? It is not fair, in my opinion.

Mr. TORRICELLI. First, let me repeat my offer. If the Senator would like, for the sake of fairness, to abandon this, not only by the managers of the land and recreational, but also commercial people, I would be the first to vote for his amendment. This has been narrowly construed only for commercial purposes as an accommodation to the Senator from Alaska.

Now, I believe that, as you know, overwhelmingly, trappers are not using these two traps. Overwhelmingly, they are using alternate kinds of technology that are not inhumane, are recognized internationally, and by most other States.

If, indeed, by further banning these, we can encourage others to use these traps, I would be the first to do it. It is simply my belief that people who are in this for cash business, they are trapping for furs, getting cash for their furs, we have a right to ask them to spend the extra money to get different traps that either kill the animal outright or catch it alive and unhurt so it can be released and the wrong species are not caught. I think we can put that extra burden on a person who is trapping for cash dollars to buy the different trap. The subsistence people, who are eating the game they are trapping, are exempt from this, as the Senator knows—particularly native peoples who may not be able to afford to do so, or it is in their tradition to do so. They are exempt.

So we are dealing with a minority of a minority, only on wildlife refuge lands. I think that is fair; it is narrowly construed, and mostly to accommodate the Senator from Alaska. The Senator was probably unaware of this or he would not have put the earlier statement in the RECORD, but after the letters the Senator submitted for the RECORD, Secretary Babbitt wrote to me as he did to Congressman FARR, making clear that "The letter dated July 20, 1999, from Mr. John Rogers and the enclosed effect statement do not represent the position of the Department of the Interior."

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 26, 1999.

Hon. ROBERT G. TORRICELLI,
U.S. Senate,
Washington, DC.

DEAR SENATOR TORRICELLI: I am responding to your request for the Department's position on your amendment relating to the use of certain kinds of traps on National Wildlife Refuges. The letter dated July 20, 1999, from Mr. John Rogers and the enclosed effect statement do not represent the position of the Department of the Interior.

After careful consideration, I can advise you that your amendment would not impact the ability of the U.S. Fish and Wildlife Service to manage refuges under the Organic Act of 1997. Accordingly, the Department does not take a position on your amendment.

Sincerely,

BRUCE BABBITT.

Mr. STEVENS. I have the highest regard for the Secretary of the Interior as a Secretary of the Interior. I don't accept him, however, as a wildlife manager. I have put in the RECORD a letter from the Director of the Fish and Wildlife Service, a professional who has put over 30 years of his life into the management of wildlife refuges, and he stands by his position. The letter that I have read to you was written after the Secretary of the Interior made his statement as a political figure, and the wildlife managers stand by their position. They stand by their position that these traps are the best scientific way to manage wildlife on Federal refuges.

I really believe the Senator misinterprets my position. I want to make sure we understand each other. I support the use of these traps for wildlife management purposes, and I support the use of them for those who want to trap for income. But I say to my friend, in terms of the two types of traps that he would ban, those are traps that have been specifically approved by the wildlife managers. They are now opposed on a political level; I admit that. But what does the Senate want to do in terms of wildlife refuges? Manage for political purposes, or manage the system as the scientifically trained managers tell us is the best way to manage them?

We defend the fish and wildlife managers and the safe fish and game commissioners. I say to my good friend, I accept the fact that he is defending the political judgment of my good friend, the Secretary of the Interior. I disagree with that, and I hope the Senate does also.

Mr. TORRICELLI. As the Senator knows, I have respect for him for his extraordinary advocacy in all interests of Alaska. We simply have a difference of judgment on what is a relatively narrow matter. You have pointed out that one-fifth of Alaska is in a Federal wildlife refuge. That means in four-fifths of Alaska you can use any trap you want, any way you want, for any purpose you want. But on those lands set up as refuges—20 percent of your State—in those few lands where, by political judgment, this institution in previous years decided it wanted wildlife to have a refuge, it is basic to the concept of a refuge that we try to use, at least for the killing of animals, a technology that is understood and accepted to be relatively humane in those lands and only for these narrow purposes.

For all the concerns that you legitimately bring and Senator BURNS brings about the destruction of livestock, or culture, people who live on subsistence, they are free to do what they want, even in the refuge. If we cannot make this narrow exception here, with a letter from the Secretary of the Interior making clear the position of his Department, something endorsed by the House of Representatives, by my party and 89 members of your party, by every other industrialized nation in the world, and we alone are doing this, all I am asking—and it is overwhelmingly in the United States—if you want to use a leghold trap, though it is inhumane and rejected by the rest of the world and most of the Nation, you are free to do so under my amendment. For all these purposes, I ask that, in those few narrow lands, these two specific traps be banned for these few narrow purposes. That is our fundamental disagreement. But that is our only disagreement on that narrow point. I wanted to clarify that.

Mr. STEVENS. If the Senator will yield, I say to my friend, I have this map again to show to the Senate. Isn't it interesting that, however, the Senator's amendment affects 52 native villages in that one area, the Yukon Delta Refuge. The Senator says I can use the other four-fifths of the land of the United States. These people have no access at all. They are the lowest income people in the United States. The effect of the Senator's amendment would limit them, even under subsistence, to obtaining no more than $10,000.

I don't know if he understands that, but Federal law already limits subsistence use when it is totally for subsistence, without a commercial protection, to $10,000, in terms of barter concepts. But these people can't go to these lands that are in yellow. Those are the other lands that are not affected. The lands affected are the lands in which they live.

Congress, in 1980, gave them the right to continue their lifestyle in order that they might continue to live. They live on fish and game resources, and they sell both to obtain cash income, very limited amounts, on an individual basis. The total, altogether, is $7 million. But the total out there is something like 70,000 people. When you look at it, you are saying, oh, yes, you can use traps, just go to downtown Anchorage now and get one of those new-fangled traps, the ones that the environmental people say are safe and humane, but you can't use the one that the scientific managers say are the most effective, not only to carry out the business of obtaining their food and their cash income, but to pursue our own objectives of limiting predators so we can protect other wildlife.

I have a whole list of wildlife that have been protected by these people who are subsistence hunters, who catch or trap these animals and sell the furs, but they do protect the migratory birds that come into this vast area. The areas were not set aside to protect the animals being snared. They were set aside to protect migratory waterfowl. These are not wildlife refuges to protect the red fox, or anything else. They are for migratory waterfowl. You are telling them that they cannot use these traps. As our volunteer agents, by the way, they are doing the job that it would take a thousand paid officials to do.

They are trapping the predators and selling their skins.

Mr. TORRICELLI. So our colleagues are clear on this narrow difference that we represent, two things have been said that deserve further attention.

One, if the trapping is to deal with a predator—and indeed this is part of the management of the refuge—my amendment does not affect them. They can trap.

Mr. STEVENS. Does the Senator want a permit every time they do it and have the managers say this is for management purposes only?

Mr. TORRICELLI. Allow me to finish.

If it is a predator and it is for management of the species, they are free to use any trap they want.

Second, it was appropriately pointed out if they are in the business of getting furs, they are in that cash business. My amendment would impact them. However, if they are using these traps for subsistence for their own consumption, as the Senator knows, they are also exempt from my amendment.

There is a great deal of debate on this floor for a great number of people who have no relationship to my amendment.

We are dealing with two traps, one kind of land, narrowly defined, with six exemptions. We are dealing with a fraction of a fraction of the hunting that is going on, which will still leave the United States as the only developed nation in the world that is allowing the traps to be overwhelmingly used. If we cannot take the narrow stand for the wildlife refuge, my guess is we can take no stand at all.

I yield the floor and I thank the Senator from Alaska for what has been an enlightening discussion.

Mr. STEVENS. Mr. President, I heard this morning a brilliant statement by the Senator from Hawaii to our Alaska Federation of Natives forum being conducted now.

One of the things he stated I want to repeat to the Senator from New Jersey: Subsistence is not about eating. The Senator's amendment presumes subsistence means going out and obtaining food.

Subsistence is a way of life. Subsistence is the ability to hunt, fish, trade, or barter what they get for cash in order to live. It is more than just obtaining an animal. The Senator's amendment says one can continue to trap for subsistence and I believe he means for food. He says once they sell the pelt, they are into commercial activities.

Our State fish and wildlife service recognizes that trapping for subsistence is a legitimate activity. As a matter of fact, the exception in the Federal law is for subsistence hunters. They can trap in pursuing their subsistence lifestyle.

To think they could not then sell those animals, sell the pelts, or to put them in a position where they could only do so for wildlife management purposes—which is the effect of the Senator's amendment—offends us. The people who rely on a subsistence lifestyle hunt, fish, and trap. They consume some of the fish, they consume the animals, and they sell or use the remainder of what they catch—both mammals and fish—for their native arts and crafts.

They also carry out the purposes of wildlife management because they are, in fact, trapping the predators that would destroy the migratory waterfowl—the foxes that eat the eggs, the other predators that eat the birds. The area was set aside to protect the migratory waterfowl.

The Senator is saying they cannot use traps on these wildlife refuges that were set aside to protect migratory waterfowl because these traps catch some birds. The predators they catch considerably outnumber the impact of the traps on migratory waterfowl. The Senator says they can do it if it is for wildlife management purposes. There is no agent setting traps because these people are setting traps. In effect, they carry out the purposes of the management scheme by trapping the way the managers tell them to trap. They are using the traps that have been approved by the Federal and State system.

Along comes this amendment. It makes the judgment that two of those traps are inhumane and should not be used by these people. It doesn't ban the fish and wildlife managers from using them. It doesn't ban anyone from using them. It bans the 15 percent of the people who use these traps. I don't intend to support banning anyone from using them as long as the fish and wildlife managers say this is scientifically the best way to deal with both the predator

control and the objective of obtaining resources for maintaining the subsistence lifestyle of these people.

These 52 native villages, I think the Senator knows, can only be reached by air in the wintertime. For the most part they are on rivers. During the summertime, visitors can travel to the villages but during the winter trapping period, the only way to get to and from there is by air. Diesel costs $3 to $5 a gallon. And now the Senator would say they can't sell those pelts? They can still catch the animals and eat them but they can't sell them?

Those people are out there trapping simply for plain trapping purposes. That is their cash income. They are from one of the larger villages, but they have a trapline. They have a permit. They are supervised by somebody. They get approval of where they will set the traps. They get approval of the type of traps they will use. That is what the wildlife management system brought to them. They live with that. They made up the code of ethics as required by the Federal managers; they live by that. Why should the Congress of the United States tell them they cannot carry out a lifestyle that the scientific manager says is the correct way to manage those resources?

I think those who live in the East have the luxury of saying do something else. Go to the store and get another trap. That is not the case. Most of the traps are very old. They are maintained by our people. Many of them were made by them. The idea of saying they can continue trapping but go down to the store—there is not a Sears, Roebuck store nearby. You can't get the needed traps by mail order.

If you use these new traps, you can continue trapping, but you can't use the ones you have been using.

It is amazing; the Senator's amendment hits about 95 percent of the traps that are in use today on the wildlife refuges. Does the Senator know that?

I say to my friend, I could not oppose this more, not only on the basis of being the Senator from Alaska but on the basis of scientific management. As much respect as I have for the Secretary of the Interior—I was assistant to the Secretary of the Interior and the solicitor general counsel to the Interior Department in the Eisenhower administration, but in my day we relied upon scientific managers and did not reverse them for political purposes. That, I think, is what the Senator is defending, which I oppose.

Mr. TORRICELLI. Mr. President, I believe we have defined the issue appropriately and at length. That ultimately is where we now differ. The technology of trapping has clearly moved. Eighty-five percent of those who are trapping in the country are not using these traps. The largest States in the Nation have now banned these traps, as have other nations.

What remain are those few on Federal wildlife refuge lands who continue to use these two traps identified as inhumane who would admittedly, as Senator STEVENS suggested, for purposes where they are in the cash business of killing the animal and getting the fur, have to change to use other traps. If they are eating the food, they can use the same trap. If it is against predators, they can use the same trap. If they are in management for wildlife species, they can use the same trap. If they are going to sell the fur and they are in the business of making money by doing so, they are going to have to move to a more humane trap. That is as narrow as I know how to write this.

That is the issue. That is our difference. I commend it to the Senate.

I yield the floor.

Mr. STEVENS. Mr. President, I serve notice to the Senate that as the hour of 2 o'clock approaches, I will make a motion to table. I am informed that other Senators wish to make statements. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, as we work to pass Interior appropriations, of course, because this is a piece of legislation that is key to so many important areas of our States, whether they be east or west, it is also an opportunity to attempt to change what is standard law or practice or belief in many of our States. The Torricelli amendment on trapping is just that kind of amendment.

My guess is there are few Senators on the floor who have actually ever trapped. I grew up on a very rural ranch in southwestern Idaho, and at age 6 I began to run a trapline and I used legholding traps to catch coyote and bobcats. That was done largely for the purpose of raising money, but it was also to protect our domestic livestock herds in the springtime when our cows began to calve and would find themselves, oftentimes, having their baby calves harassed and killed by coyotes.

I was taught how to trap, but I was also taught an important lesson in trapping. I will not dispute in any way what the Senator from New Jersey might try to suggest is an inhumane approach, but I will suggest it can be used in a right and responsible way. The thing I was taught by my father and by an elderly gentleman who lived on our ranch who taught me how to trap was that you check your trapline daily, so if an animal is caught, it will not suffer. Of course that is exactly what I did, and that is exactly what good trappers do throughout the West.

The reason I was allowed to do that and the reason trappers around the country are allowed today to trap when and where necessary under the appropriate circumstances is that responsibility always rested with State governments—State fish and game departments and State agencies. And because I believe, as most Senators do, that State agencies are much closer to the people and can more quickly respond to the needs of a State or a given locale, that that is where that authority to determine policy ought to be—not with a Senator from New Jersey who would not understand Idaho or any other Western State where the abundance of wildlife sometimes is such that it needs to be managed. He would not understand the State of Idaho or Montana or Wyoming or Alaska works very closely with their fish and game department to make sure laws and regulations fit the need and the desire of the area under concern.

Historically, this Government, our Government, the Federal Government, has said it is the responsibility of States to govern and manage wildlife populations. They have said it for the very reason I have just given, because a Congress and a Senate cannot really be in tune with what is necessary in Juneau, or out from Juneau in Alaska, or out from Jackson Hole in Wyoming, or out from Midvale in Idaho. They don't really understand the circumstance if there is an infestation or large buildup of coyote, a killing of domestic livestock herds, and a reason to moderate and manage that wildlife population. That is why we have allowed trapping and why States have consistently allowed it. We have constantly erred on the humane side, of being responsible in the management of our wildlife, as we should.

We have the responsibility of good stewardship. That is my job, that is every citizen's job, to be a good steward of their public land resources. But it is not our job here to try to fine tune and micromanage because some interest group comes to us and suggests this is a good and right political thing to do, because it will sell well in suburbia New York. It has no impact in New York. It has no impact whatsoever in that State. But what might sell well and be a good, warm, touchy-feely, ''I care'' kind of vote in New York causes all sorts of problems in a rural Western State such as mine.

That is why, again, we have tried to take the emotions out of these issues and say there are categories of responsibility on which we ought to err and on which we ought not. This is an amendment that really should not be debated on this floor. We have a U.S. Fish and Wildlife Service. They make every effort to be responsible in the effective management of our wildlife. And they, while they have broad authority, work directly with State fish and game departments. Historically, they have always had a right and proper relationship, erring on the side of the State and on the side of the area or

local fish and game management experts when making the kinds of decisions that I believe arbitrarily the Senator is attempting to make with his amendment.

That is why it is interesting that after this amendment passed the House, the U.S. Fish and Wildlife Service wrote a letter to all of us saying they would not support the House amendment. It was only when the politics caught up with it that Bruce Babbitt, our Secretary of the Interior, came out and said that is not the position of the administration. The reason it has not become the position of the administration is because of a set of environmental groups that came forward and said this is our national cause and we need to make it a national cause, totally ignoring what is good policy or what is a reasonable relationship between a State government and a State agency and the Federal Government and a Federal agency.

Interestingly enough, even with the position of the Secretary of the Interior, the U.S. Fish and Wildlife Service has not changed its position. It still believes the Torricelli amendment is the wrong amendment, and the right thing to do is what they have done historically with State fish and game agencies.

What do I hear from my citizens? They want the right to trap. They accept the responsibility and they accept the regulations that the State fish and game agency would put upon them. But an outright ban is not the way to manage this, and I hope those of my colleagues who focus on this issue will cut away from the idea that this is an easy, free vote that somehow demonstrates their humaneness toward a population of wildlife.

What they ought to err on the side of is allowing their State fish and game agencies to make those determinations and allow the State agencies and the Federal U.S. Fish and Wildlife Service that kind of a relationship. I hope they will err on the side of good government instead of warm, feely, and touchy politics because that is all this is. It is a feel-good vote that ends up being pretty bad government in the end.

Sometimes, I suggest to my colleagues, it takes a little bit of strength and a little bit of backbone to stand up and say, no, this is the wrong thing to do and then be willing to go home and explain it, if you erred on the side of the State capital and the fish and game agency of that State in making the decision and you trust your State legislators because they are the closest to the people, to make sure fish and game regulations and fish and game management in their State is done in a fair and humane way. I believe it is today, and I believe it will continue to work well that way when we allow our national U.S. Fish and Wildlife Service to work closely with our State agencies, erring on the side of primacy, or primary responsibility, at the State and local level. It has worked well in the past. It will work well in the future.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I move to table the Torricelli amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I believe there was an understanding that this vote would not start before 2 p.m. I ask unanimous consent that the vote start at 2 p.m. and the quorum call end automatically at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I applaud my friend, Mr. TORRICELLI, for bringing up this important amendment today.

This amendment is very simple. It prohibits the expenditure of funds to administer or promote the use of steel-jawed leghold traps or neck snares on any unit of the National Wildlife Refuge System except for research subsistence, conservation, or facilities protection.

This is a no-brainer. These traps are inhumane. They are designed to slam closed. The result is lacerations, broken bones, joint dislocations, and gangrene.

Additional injuries result as the animal struggles to free himself, sometimes chewing off a leg or breaking teeth from chewing at the metal trap.

An animal may be in a trap for several days before a trapper checks it.

The American Veterinary Medical Association, the American Animal Hospital Association, and the World Veterinary Organization have all declared leghold traps to be inhumane.

Our National Wildlife Refuges are the only category of federal land set aside for the protection and benefit of wildlife. It is inconceivable to me that, as a matter of federal policy, we allow recreational and commercial killing of wildlife on refuges with inhumane traps.

This is not even a close call. These traps are so inhumane and indiscriminate that they have been banned altogether in 88 countries. Additionally, they have been banned in four of our United States: California, Arizona, Colorado, and Massachusetts. Other states impose restrictions on them.

Let me be clear about one critical point: This amendment does NOT bar trapping on National Wildlife Refuges. Other traps, such as foot snares, conibears, and box and cage traps can be used for any purpose consistent with applicable laws and regulations on Refuges.

This amendment does not even forbid the use of steel traps or neck snares outright, although I think that would be a good idea. It just bans these two processes on National Wildlife Refuges.

As I mentioned at the outset, research, subsistence, conservation, and facilities protection uses are still allowed under this amendment.

In this day and age, there is no need to resort to inhumane methods of trapping, particularly not on those portions of our federal land that are set aside specifically for the protection and benefit of wildlife. I encourage all of my colleagues to support the Torricelli amendment.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the question is on agreeing to the motion to table amendment No. 1571.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Rhode Island (Mr. CHAFEE) are necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

The PRESIDING OFFICER (Mr. VOINOVICH). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 32, as follows:

[Rollcall Vote No. 268 Leg.]

YEAS—64

Abraham	Dorgan	Kyl
Allard	Edwards	Landrieu
Ashcroft	Enzi	Leahy
Baucus	Feingold	Lincoln
Bayh	Frist	Lott
Bennett	Gorton	Lugar
Bingaman	Gramm	Mack
Bond	Grams	McConnell
Breaux	Grassley	Nickles
Brownback	Gregg	Roberts
Bunning	Hagel	Santorum
Burns	Hatch	Sessions
Campbell	Helms	Shelby
Cochran	Hollings	Snowe
Collins	Hutchinson	Stevens
Conrad	Hutchison	Thomas
Coverdell	Inhofe	Thompson
Craig	Inouye	Thurmond
Crapo	Jeffords	Voinovich
Daschle	Johnson	Warner
DeWine	Kerrey	
Domenici	Kohl	

NAYS—32

Akaka	Fitzgerald	Murray
Biden	Graham	Reed
Boxer	Harkin	Reid
Bryan	Kennedy	Robb
Byrd	Kerry	Rockefeller
Cleland	Lautenberg	Roth
Dodd	Levin	Sarbanes
Durbin	Lieberman	Schumer
Feinstein	Mikulski	

Smith (NH)	Specter	Wellstone
Smith (OR)	Torricelli	Wyden

NOT VOTING—4

Chafee	Moynihan
McCain	Murkowski

The motion was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, I note the presence of the senior Senator from Illinois, who has an amendment related to grazing. My inclination is, since he is here and ready to go, he should go next.

I think it is important to inform our Members that we hope to accomplish more business during the course of the day. The particular large piece of business that we are closest to, an agreement on a collection of several amendments that do not relate to amounts of money in the bill, we hope shortly to have unanimous consent for. We are also working, of course, on a managers' amendment. Many of the amendments that have been reserved are likely to be the subject of a managers' amendment. I have discussed this matter with a number of individual Members.

I say to the Senator from Illinois, whether we will be able to get to a vote on his amendment this afternoon I am not certain. I hope we will. He has cooperated in this connection. I would like to see a couple of more votes this afternoon, but I am not sure we will. But let's begin the debate and we will see what its dynamics are and determine how far we can go.

Mr. DURBIN. Will the Senator from Washington yield?

Mr. GORTON. Certainly.

Mr. DURBIN. I am prepared to agree to a time agreement allowing 40 minutes on this amendment and a vote to follow.

Mr. GORTON. Unfortunately, I am not able to agree to even that yet. The opponents to his amendment will control that. While I will be voting with the opponents, I will not lead the debate on this. So I think we should work on a unanimous consent agreement during the course of the debate.

Mr. DURBIN. Let the RECORD show that I tried.

Mr. GORTON. It will so show.

AMENDMENT NO. 1591

(Purpose: To require the Bureau of Land Management to establish a schedule for completion of processing of expiring grazing permits and leases)

Mr. DURBIN. Mr. President, I ask unanimous consent to set aside the pending business and to move to my amendment at the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 1591.

Mr. DURBIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 52, strike lines 16 through 24 and insert the following:

"SEC. 117. PROCESSING OF GRAZING PERMITS AND LEASES.

''(a) SCHEDULE.—''

::(1) IN GENERAL.—The Bureau of Land Management shall establish and adhere to a schedule for completion of processing of all grazing permits and leases that have expired in fiscal year 1999 or which expire in fiscal years 2000 and 2001.

''(2) REQUIREMENTS.—The schedule shall provide for the completion of processing of the grazing permits and leases in compliance with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) not later than September 30, 2001.

''(b) REQUIRED RENEWAL.—Each grazing permit or lease described in subsection(a)(1) shall be deemed to be renewed until the earlier of—

''(1) September 20, 2001; or

''(2) the date on which the Bureau completes processing of the grazing permit or lease in compliance with all applicable laws.

''(c) TERMS AND CONDITIONS OF RENEWALS.—

''(1) BEFORE COMPLETION OF PROCESSING.—Renewal of a grazing permit or lease under subsection (b)(1) shall be on the same terms and conditions as provided in the expiring grazing permit or lease.

''(2) UPON COMPETITION OF PROCESSING.—Upon completion of processing of a grazing permit or lease described in subsection (a)(1), the Bureau may—

''(A) modify the terms and conditions of the grazing permit or lease; and

''(B) reissue the grazing permit or lease for a term not to exceed 10 years.

''(d) CONSIDERATION OF PERMIT OR LEASE TRANSFERS.—(1) During fiscal years 2000 and 2001, an application to transfer a grazing permit or lease to an otherwise, qualified applicant shall be approved on the same terms and conditions as provided in the permit or lease being transferred, for a duration no longer than the permit or lease being transferred, unless processing under all applicable laws has been completed.

''(2) Upon completion of processing, the Bureau may—

''(A) modify the terms and conditions of the grazing permit or lease; and

''(B) reissue the grazing permit or lease for a term not to exceed 10 years.

''(d) EFFECT ON OTHER AUTHORITY.—Except as specifically provided in this section, nothing in this section affects the authority of the Bureau to modify or terminate any grazing permit or lease.''

Mr. DURBIN. Mr. President, this is an amendment which addresses the question of grazing on public land. If you followed the debate on the Department of Interior appropriations bill over the last few days, and the weeks when we were in session before our August recess, you would see that we have an issue primarily between the Republican side of the aisle and the Democratic side of the aisle, a question of stewardship of public land. In virtually every amendment offered from the Democratic side there has been an attempt to make certain that the public lands are protected, that the value of the public lands are protected, and that America's taxpayers, who in fact own these public lands, are not shortchanged by those who would come in and use them.

Consistently on the other side the position has been, if someone wants to take the land of America, the land belonging to all Americans, our public land, and use it for grazing, drilling, mining, or logging, that there should be few or any restrictions and, second, that they should not pay an extraordinary amount of money for the privilege of taking profit off our public land.

This has been a clash of philosophy that has been visited on every single amendment in one form or another. It is a clear difference of opinion, primarily between the Republican side of the aisle and the Democratic side of the aisle.

There are those of us on the Democratic side who understand that these public lands, first and foremost, are a legacy that we inherited from previous generations and must leave in good shape for future generations. First and foremost, that is our obligation.

Second, if the lands are to be used for a practical purpose such as deriving income from logging or mining or grazing or drilling, the taxpayers of this Nation are entitled to fair compensation from those who would use the lands for commercial purposes.

We have had a lot of arguments about various aspects. This particular amendment goes to the question of grazing. The Bureau of Land Management, BLM, is an agency within the Department of the Interior which is entrusted with an extraordinary responsibility—to administer literally millions of acres of our Nation's valuable and diverse public lands located primarily in 12 Western States, including Alaska.

The BLM has an extraordinary responsibility when it comes to land management. It manages more Federal land than any other Federal agency. This agency, BLM, oversees 40 percent of our Nation's Federal lands, roughly 264 million acres of surface land.

But acres do not really tell the story. Our Nation's public lands contain a wealth of natural, cultural, historic, and economic resources that literally belong to every American. The natural and ecological diversity of BLM-managed public lands is perhaps the greatest of any Federal agency. The BLM manages grasslands, forest lands, islands, wild rivers, high mountains, Arctic tundra, desert landscapes, and virtually the spectrum of land primarily in the western part of the United States. As a result of this diversity of habitat, many thousands of wildlife and fish species occupy these lands. These fish and wildlife species represent a wealth of recreational, natural, and economic opportunities for local communities, States, and the Nation's hunters, sportsmen, and families. So the responsibility of the BLM is not only to watch this land but to make certain that they preserve the resources given to them in the lands.

Grazing is the most extensive use of BLM lands in the lower 48. Of the roughly 179 million acres of BLM public lands outside of Alaska, grazing is

allowed on almost 164 million acres, and millions of these acres also contain valuable and sensitive fish, wildlife, archeological, recreation, and wilderness values.

At the present time, BLM authorizes, through the issuance of grazing permits, approximately 17,000 livestock operators to graze on these 164 million acres of public lands. These permits and the public land grazing they allow are important to thousands of western livestock operators who literally make their living by grazing their cattle on the public lands. Many of these operators use the permits they receive from the BLM to secure bank loans that provide important financial resources for their operations.

The BLM typically issues grazing permits for a 10-year period of time. Many of the current grazing permits were issued in the late 1980s and now are starting to expire in large numbers during a 2- or 3-year period. These permits, numbering in the thousands, present the BLM with an unusually large and burdensome short-term renewal workload.

The BLM reports that they face a workload of renewing some 5,300 grazing permits which will expire in fiscal year 1999. While the BLM will be able to handle the majority of these renewals during this fiscal year, it is anticipated that 1,000 of these expiring permits will have to be held over until the next fiscal year. In addition, the number of permits due to expire in that fiscal year is greater than average. As a result, the BLM will have a fiscal year 2000 workload of approximately 3,000 permit reviews.

I raise this point because we are trying to balance, with this amendment, two or three things: First, to make sure that those who make their livelihood by grazing livestock on public lands have an opportunity to renew their permits to secure the bank loans to continue their operations in a responsible way. That is reasonable. This amendment that is offered is consistent with that, and I think it will achieve that end.

On the other side of the ledger, and equally important from a public policy viewpoint, we believe that this Federal agency, the BLM, has a responsibility to look at the permits and view the land that is being used, the public land being used by private people, to make certain it is being adequately protected, protecting America's natural resource, the millions of acres of public land that we as a nation own. How does the BLM do that?

When they reissue these permits for grazing, they take a look at the land to determine what has been the impact of the grazing: Is there too much grazing in one particular area? Are there things that need to be changed in terms of the terms and condition of the grazing to protect America's natural assets, these public lands?

Superimpose over this balance this workload I have just described. BLM now has more permits to renew than is usually the case, and there is some uncertainty among those who are asking for permits as to whether BLM can do their job in an expeditious fashion. It is my understanding that last year we extended permits by a year. We decided because of the workload that we wanted the permit holders to know they could continue to have their permits even if they had not been individually reviewed by the BLM.

My amendment says that the extension will be for 2 years or, if the BLM is able to do the review, sooner, which gives assurance to the landholder that they will have the permit and they can go to the banker and say: We have at least 2 years on this, perhaps longer.

At the same time, it says to the BLM: Don't shirk your responsibility; you are supposed to review these permits, guard America's natural assets, and make sure the public land is not exploited.

The purpose of my amendment is to strike this balance to give to the permit holders the additional 2 years and to say to the BLM: Still do your job, protect these assets, make the environmental reviews that are necessary, and open it for public hearing as required.

The on-the-ground, permit level decisionmaking that should legally accompany BLM's permit renewal process is fundamentally important to the ecologically sound, multiple-use management of our Nation's public lands. The BLM must conduct what is known as National Environment Policy Act compliance—shorthand, in Federal jargon, NEPA, National Environmental Policy Act—and land use plan performance reviews before reauthorizing the permits.

To meet the review requirements of NEPA and other existing Federal laws and regulations and to meet the diverse demands of the American public, the BLM uses interdisciplinary teams composed of agency professionals in wildlife, range, wild horse and burro, cultural, recreation, wilderness, and other areas. The BLM also solicits public comment and relevant information from the wide array of the public interested in range management, including hunters, fishermen, and others who enjoy our public lands.

The simple fact is this: On most public land grazing allotments, all the important decisions that determine the condition of public rangeland resources are contained in the terms and conditions of the grazing permits and in the annual decision about the amount, timing, and location of livestock grazing.

These decisions determine whether streams and riparian areas will flourish or be degraded, whether the wildlife habitat will be maintained, protected, or destroyed. Public involvement in this process is essential for balanced public land management. Without the application of NEPA and related laws, the American public literally has no voice in public rangeland management.

The unusually large number of permits that need to be renewed have created a dual dilemma for the Bureau and for its many public constituents. Western livestock operators who currently hold these expiring permits are worried that delays in the Bureau's processing time may cause them to lose their permits or otherwise threaten their ability to use them to secure loans and make a living.

Conservationists meanwhile believe the Bureau ought to perform responsibly the environmental stewardship and analysis aspects of its grazing management and permit renewal activities.

It is not the ranchers' fault that such a large number of permits are expiring at once. If anyone were to blame, it would be BLM, the agency, which should have recognized this and addressed the problem sooner.

I am not certain whether we provided the resources, incidentally, so they could do that, but certainly it should have been called to the attention of Congress.

BLM has a duty to all public land users, ranchers, conservationists, and others to provide orderly and balanced management of our public land resources.

It is entirely understandable to me, being from the State of Illinois, that ranchers are concerned about the issues of security and predictability. My farmers face the same thing. Likewise, we require the BLM to wisely manage and protect our public lands for all Americans. In the face of these concerns, a balance must be struck. The good news, I submit, is that these two concerns can be handled in a mutually inclusive fashion.

The substitute language I am offering addresses the ranchers' needs for the Bureau to process grazing permits in a timely fashion and in a manner by which ranching operations and financial operations will not be needlessly disrupted.

I want to hold BLM's feet to the fire, make them do their job right. I want them to solve the backlog of expiring permits. I want them to deal in a fair and forthright way with ranchers. And I want them to apply our Nation's environmental laws so that public rangelands are protected for all to use and enjoy.

As I seek to protect ranchers from operational uncertainty due to bureaucratic delays, I also want to address the concerns raised by conservationists that the Bureau's equally necessary environmental analysis and resource protection duties move forward.

The current language in the bill, if I am not mistaken, was inserted by Senator DOMENICI of New Mexico. This language, unfortunately, provides an unnecessarily controversial, open-ended, and uncertain response to this problem. Clearly, the language in the bill, which I seek to change, is pitting conservationists against ranchers, and that is needless.

Ironically, I am concerned the language in the bill at this time, as drafted, will actually undercut both the

ranchers and the conservationists. The actual permit renewal and environmental protection problem at hand is tightly defined and should be remedied with a tightly defined and effective solution.

Nevertheless, section 117 in the bill, as drafted, would apply to permits that have or will expire in ''this or any fiscal year''—any fiscal year.

Consider that for a moment—not just those that would expire during the term of this appropriations bill, but any fiscal year. Given the tightly defined 2- to 3-year nature of the current issue, this section provides an open-ended timeframe that is excessive and unnecessary. Instead of responding to the current real and specific crisis, section 117 in the bill virtually writes a new policy for permits that expire in this or any fiscal year.

I think that goes way beyond what we need to accomplish in this legislation. Section 117 provides a loosely drafted, open-ended delay of application of NEPA, the environmental law, and many other laws.

Given the facts of the issue at hand and the importance of maintaining adequate environmental protections and reviews for public land management decisions, section 117 is far too sweeping in its effect. As written in the current law, section 117 would actually provide the Bureau of Land Management with an incentive to delay the application of NEPA and other laws.

Because the Senator from New Mexico does not put a time certain as to when these permits will end, putting pressure on BLM to do its job, I am afraid we are going to have literally no review, and that is not in the best long-term interest of protecting America's public lands, which is the second half of this equation that we have to balance if we are going to be fair both to ranchers and to conservationists and Americans at large.

Section 117 also undercuts meaningful opportunities for public involvement in the range management process. Because it requires the BLM to reissue permits under their current terms and conditions for an indefinite period of time, it effectively eliminates effective public input. As a result of these and other problems, the existing section 117 is adamantly opposed by a wide array of groups that include the National Wildlife Federation, Defenders of Wildlife, Natural Resources Defense Council, and the Wilderness Society.

If enacted as written, section 117 could well cause the Bureau to maintain expiring grazing permits in sort of a bureaucratic limbo indefinitely. Ranchers might find themselves holding a permit of uncertain tenure instead of ultimately receiving the clearly defined permit that would be required under my amendment. Section 117, therefore, could well create a situation that would actually harm the economic certainty of ranching operations in the West.

We need to find a workable solution. We must not give the BLM the ability to delay its important permit renewal activities indefinitely. Congress must act to place the Bureau on a schedule to accomplish its work in a timely fashion to renew the permits. We need not—we must not—create a system that sacrifices either legitimate rancher concerns or environmental protection. We have to hold the BLM's feet to the fire. We must treat public land ranchers fairly, and we must protect the environment. We do not need to sacrifice one for the other, and I fear the existing language of section 117 does just that.

My intent is to ensure that the Bureau will be able to bring the current permit renewal situation under control by the end of fiscal year 2001, 2 years from now.

Additionally, I propose we extend the tenure permits which have expired in fiscal year 1999, or will expire in fiscal year 2000 or 2001, until the end of fiscal year 2001 or until the necessary environmental analysis under NEPA and other laws is completed, whichever comes first. This says to a rancher, you know with certainty if the Durbin amendment is adopted that your permit will be extended at least to the end of fiscal year 2001, and if in the interim BLM has done its job, it could be extended longer. That gives them something to go to the bank with, that they can, in fact, secure loans and continue their ranching operations. This amendment provides the ranching community and financial institutions certainty that these permits will not lapse during reprocessing. This amendment will provide continued assurance to the American public that their lands are being protected. It provides a real solution, not a controversial stopgap approach.

I based my proposal on the permit language that Congress adopted as part of the Interior appropriations law for fiscal year 1999, as well as current House and Senate versions of this bill. My language closely resembles a solution that Congress passed as part of the 1995 rescissions bill to address a similar permit renewal problem faced by the Forest Service. In the rescissions bill, Congress placed the Forest Service on a fixed-year schedule to bring their grazing permits into compliance with NEPA. I urge my colleagues to join me in supporting this balanced approach to the management and protection of our Nation's public lands.

I understand the backlog and the workload faced by the BLM. As I said, it is extraordinary in its scope. I also understand the challenges that face the ranchers and those who depend on these permits for their livelihood. I think we have struck a balance, a balance which should give some assurance on the one hand to the ranchers about the future of their permits, and give assurance to the public and conservationists that these natural resources are being protected.

I have two illustrations of why this is a particularly important issue. These photos were taken on BLM land and give a good indication of what can happen with proper land management and what happens when it doesn't occur. Notice on the left-hand side this overgrazed riparian area, Road Canyon in southeast Utah. There is hardly anything left, sand and gravel.

On the other side is Grand Gulch, where it has been properly managed. There is a good stand of grass. This is important for many reasons. If we are going to protect these lands and make certain that we have grazing opportunities for years and years to come, we have to manage them. My farmers in the Midwest have to manage their lands every year, decide what to plant, where to plant, what to apply to make certain the land will be ready after this crop for another crop. Basically, the Bureau of Land Management has that responsibility when it comes to our public lands.

They allow these ranchers to come and graze but under terms and conditions so they can say to the American people: Next year, 10 years from now, we will have protected your assets, your resources, for your use as well as the use of future ranchers. Overgrazing has severely degraded riparian areas in Comb Wash. As a result of many years of overgrazing, much of the natural streambank vegetation has been stripped away, leaving either bare soil or undesirable plants such as snakeweed and tumbleweed that invade overgrazed areas. Because of the overgrazing, severe stream channel erosion has occurred, and water tables have dropped.

Annual grazing permits issued by BLM allow this degradation to occur. If they keep renewing the permits on an annual basis instead of stepping back from time to time and looking at the impact, you can see that, frankly, we are going to have bad results. The language in the bill, which I amend, section 117, would continue this degradation indefinitely. Once we have run these resources down to bare rock, what good is it to the ranchers? Literally, they have to be certain they have a resource to turn to in decades to come so they have some assurance of their own livelihood. It is in their best interest to protect this resource as well with reasonable permits.

When you take a look at this healthy riparian area, as illustrated in the other photo, Grand Gulch, you can see the difference. This area had, again, been arrested from grazing for 20 years. In Grand Gulch, there was a healthy streamside ecosystem. The stream channels are stable, protected from erosion by vegetation. Sound grazing management decisions by BLM would allow more riparian areas across the West to return to healthier conditions.

This has been a controversial area and is a clear illustration of why we need to have the annual review by BLM consistent with NEPA standards.

The second photo shows a similar story. The ecological condition of the Santa Maria River in western Arizona has improved dramatically as a result of permit management practices under the National Environmental Policy Act. It is important to note the BLM continues to allow grazing in this area. However, it has changed the timing of this grazing. BLM is not at war with the ranchers but trying to make sure that it manages the Nation's resources on these public lands in a responsible fashion.

As a result of environmental reviews, the grazing permits on the Santa Maria River now contain terms and conditions requiring livestock to be kept out of the riparian areas during the spring and summer growing seasons.

The Santa Maria River is a rarity: a free-flowing river in the midst of a vast, hot, low-elevation desert. The riparian corridor provides essential habitat for dozens of species of wildlife, including 15 species that are listed by Federal or State agencies as threatened, endangered, or other special status. The riparian area of the Santa Maria and its ability to support wildlife were severely degraded by many years of uncontrolled, unmanaged livestock grazing in the river corridor. The vegetation was stripped away. The water was polluted. Streambanks were trampled. Miles of riparian area were nearly as barren as the surrounding desert.

For decades, the BLM issued and renewed grazing permits to ranchers along the Santa Maria River with no terms and conditions to protect riparian areas. Even though the BLM developed a land use plan that required the river to be arrested from livestock grazing, the requirement was never incorporated in grazing permits.

It illustrates the point to be made: The existing language in the bill, which I seek to amend, extends indefinitely these grazing permits under the terms and conditions currently existing. If there is a need to step in and to protect an area such as this from being degraded and destroyed for future generations, the language of the bill does not provide for it. My amendment does. It says the permits will be extended to 2 years; if there is an intervening environmental review, even longer but under terms and conditions consistent with good environment and public input.

In the late 1980s, a portion of the Santa Maria River received an unplanned reprieve from grazing because the rancher holding the permit went bankrupt and had to sell his cattle. The result of 3 years of rest from grazing can be seen in this second photograph. It is night and day between this dry river bed and this creek, which we can see, this riparian area, which has good growth and a stand of grass.

The riparian vegetation has returned. The streambanks are starting to rebuild. The water is cleaner, as are other portions of the river. In the early 1990s, the bankrupt rancher sold out to a new rancher who wanted to restock the river corridor with cattle. The BLM proposed to transfer the grazing permit to the new rancher with no NEPA analysis, no public review. The transferred permit would have had the same terms and conditions as the old permit: year-round grazing in the riparian area with no measure to protect or restore riparian vegetation and wildlife habitat.

A number of individuals and organizations challenged the BLM decision to renew the permit without a NEPA review. As a result, grazing permits on the Santa Maria contained terms and conditions requiring that livestock be kept out of this area during spring and summer growing seasons.

If section 117 is enacted as written in the law, such permit level management changes will be much more difficult to achieve.

I see other Members wishing to speak to this amendment. I can certainly return to this debate after they have had their opportunity, but I do believe it is in the best interest of those who value these public lands as a natural resource of assets for America and those who see them as a livelihood to come together and reach a commonsense agreement.

The existing language in the bill, which I would amend, gives the ranchers the upper hand. It says: Your permit is renewed indefinitely. We may never return to the question of whether or not your grazing rights should be changed to protect this particular creek bed from becoming part of the desert. That is not in the best interest of the rancher involved, nor in the best interest of the people of the United States who literally own this land. It is another question, another environmental rider which addresses the basic philosophy I mentioned at the beginning of this debate.

There was an unusual breakdown in point of view between the Republican side of the aisle and the Democratic side of the aisle. It is hard for me, as I study history, to believe that the party of Theodore Roosevelt, which, frankly, initiated the creation of such things as the Yosemite National Park and our National Park System, would now take such a different point of view when it comes to guarding the value of these resources. It would seem to me to be bipartisan, nonpartisan, for us to agree that if these public lands are to be used, they should be used safely, responsibly, and in a way so that future generations could have that benefit.

But time and again, these environmental riders that come to us, whether they are for logging, drilling, mining, whatever it happens to be, have come to us with the suggestion that the public interest should be secondary to the private exploitation of the land. I think that is wrong. I think the balance should be struck. It is not only in the best interest of this country, it is in the best interest of everyone living in the western part of the United States. The amendment I have offered has been supported by virtually every major environmental group: The Wilderness Society, National Wildlife Federation, Natural Resources Defense Council, Trout Unlimited, Friends of the Earth, American Land Alliance, and others.

I sincerely hope my friends from the West, the Senator from New Mexico, and the Senators from Idaho and Wyoming, will look carefully at this amendment and realize that it is a positive one; it is not negative in nature. It is an attempt to resolve this in a fair and balanced way.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I think we have three people who want to speak on our side. I think the Senator from Wyoming would like to speak first. I will follow with a few minutes and then Senator CRAIG will follow, and we will be finished.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. I thank the Senator from New Mexico for giving leadership on this issue. We have worked together for a very long time in this area. I guess I am a little surprised and, frankly, a little offended that it would be said that people on this side of the aisle are not as careful or do not care as much about public lands as someone else.

I brought out this map I used yesterday. You can see where the Federal land holdings are in this country. Out in the West, nearly half of the land in most of our States belongs to the Federal Government, and we have taken care of it for years. I think the Senator's State of Illinois has about 2 percent. Here he is telling us how to manage public lands. I find that very difficult.

We are very intent on being the stewards of public lands. I want to tell you a little bit about open space. There has been more and more interest in open space as people move out. We have discovered that the best way to keep it is to provide an opportunity for ranchers to continue to operate. That is how you keep open space. We are trying to do that now. We want fair compensation. This has nothing to do with compensation. Let me start by reading the language that we think works. This is what is in the bill:

> Grazing permits and leases which expire or are transferred, in this or any fiscal year, shall be renewed under the same terms and conditions as contained in the expiring permit or lease until such time as the Secretary completes the process of renewing permits and leases in compliance with all applicable laws.

That is what it says, ''all applicable laws,'' which includes the responsibility of the BLM to do this.

> Nothing in this language shall be deemed to affect the Secretary's statutory authority or the rights of the permittee or lessee.

That is the language—the language that we have studied for several years.

We have been through this temporary thing the Senator from Illinois brought forth before, and we are back at it again. We think we have found an answer that would be more long term.

Let me cover a few of the things. This year, 5,364 grazing permits are up for renewal; only 2,159 have been renewed. So here we are, almost at the end of September, with people who have leases that, if not studied, will be taken off the land at the end of the month. Section 117 of S. 1292 addresses this problem by allowing the BLM more time to complete the renewal process without causing unwarranted hardship on the rancher or farmer who utilizes the public lands to make a living. Keep in mind, this is not some random thing people do. When the West was settled, we settled in and the homesteads were taken up along the water, the better lands, and these other lands were basically left there. They are simply residual lands that are managed by the BLM. They are very much attached, however, to the water and the other lands to make a ranching economic unit. So it is more than that.

Section 117 allows for the renewal of grazing permits under the same terms and conditions of expiring permits pending completion of the renewal process. BLM has to do this, and in the meantime this farmer or rancher is not penalized for something that wasn't his fault.

Permits renewed under this provision are not exempt from compliance with existing environmental laws. Permits will be issued under existing environmentally compliant land use plans. That is the way that is.

Section 117 allows for a thorough environmental review by the BLM, industry, and the public instead of an abbreviated, cursory environmental analysis, which will probably happen if the Senator has his way. The BLM cannot and will not ignore its environmental obligations due to the threat of litigation, of course.

We talked a little bit about the finances of it. One of the interesting things, of course, is that most farmers and ranchers depend on credit. Let me read you something that comes from the Farm Credit Association:

> It is no secret that providing loans for farmers and ranchers is a risky business. The security offered by section 117 in allowing a full 10-year permit will relieve some of the risks. However, the Senator from Illinois intends to make the practice even more risky by shortening the duration of permits to 1 or 2 years.

That is the Farm Credit Association talking about the opportunity to have an effective beef production operation.

There is another factor that is underlying all of these things, the Administrative Procedures Act. That allows for these things to continue if the permittee simply sends in a request and does that prior to the time of the exploration. That has been recently dealt with in the court and proved to be an effective tool. The language in this amendment, if it passes, would probably negate that. I think that would be a real problem.

So there are a lot of things involved. It sounds kind of simple. You know, we are just going to do it for 2 years and we will get this all resolved. That isn't the way it works, my friends. We have been through this before. We continue to come up each year, and we have found, through the help and leadership of the Senator from New Mexico, a long-term solution that will not change the obligation for environmental protection, will not change the obligation of the BLM, and it, in fact, will take away some of the risk from the farmer or rancher, which has nothing to do with the fact that this has been elongated.

Mr. President, I yield the floor.

Mr. DOMENICI. Mr. President, I think Senator DURBIN, who serves on the Budget Committee, which I happen to chair, knows that on many matters I hold him in high esteem. As a matter of fact, I believe he is smiling a very gentle smile there as he sits back in his chair, and I guess he is going to listen now for a few minutes. I hope so. He would not disavow what I have just said. But he is wrong on this one. He is wrong in many ways.

First, he would have done a wonderful job if he had left out the partisan speech at the end about this side of the aisle not being as concerned as our forefathers about the environment. Second, he showed some pictures of leases where one of the leaseholds had been abused and in some way tied that to the Domenici language or to his amendment. To do that is totally without an understanding of the ongoing authority of the BLM and the Forest Service, the twin agencies who are out there on our property.

I say to the good Senator, the BLM does not find malfeasance on the part of ranchers only when they renew the lease every 10 years. As a matter of fact, they have total authority to enter upon the premise, inspect, and periodically recommend changes in the use that the rancher should make. They don't wait around until a drought year or until the 10-year permit has expired to go in and change the usage of the lessee.

You cannot use what we are trying to do to prevent a wholesale diminution of ranching properties in our States, and state that there are abuses out there that need to be fixed; let me suggest they are being fixed. Animal numbers are being changed all the time. As a matter of fact, 2 years ago they were changed regularly in my State, regularly in Arizona, and regularly in Wyoming because we were in a drought period. Federal managers would say this coming year you can't do as much because the foliage isn't so good. You wore it down pretty good last year. So we are going to cut you by 50 head or 100 head.

Ongoing management remains the prerogative of the management agency—in this case the Bureau of Land Management.

Having said that, let me also say I have been around a little while—sometimes longer than I want to admit. But the Senate ought to know that no administration before this one—Democrat or Republican—has subjected the leases of cattlemen and women and businesses to a total review under NEPA for the simple issuance of permits. The Forest Service did on a few selective ones. This administration comes along with thousands and thousands of leases out there and decides that before they are going to issue a renewal, they are going to subject it to an environmental assessment and, if necessary, a full-blown impact statement. Some of us told them that is crazy. We lost. Do you know the result? The result is this debate on this floor of the Senate because BLM can't conceivably do their work on time.

As a matter of fact, in the State of Wyoming only 15 percent of the subject leases—these leases are to families who live on the ranches and borrow money on their houses and their ranch together—only 15 percent have gone through compliance by the BLM. The BLM hasn't done its work.

Look, before we leave a wide-open opportunity to cancel these leases because the environmental assessment is not done, we have to give some latitude to these people who are subject annually to review in terms of their ranch management. We have to provide them with some flexibility and assurance from the standpoint of knowing what they own and what the bankers are going to say about the loans they have on the ranch. There is nothing new about having a loan on a ranch in Wyoming or New Mexico. You put it on the entire ranch, including the fee ownership, and the ranch house. The entire unit—it is called—is collateral for the loan.

It is a coincidence that a member of an esteemed banking institution is sitting in the Chair and happens to be from the same State as the Senator who is opposed to my approach. But I ask hypothetically, do you think a banker who had been expecting to renew a loan because there was going to be a new 10-year permit issued—it is about a year away—and the rancher comes up, and says: Hey, banker, friend, are you going to give us a loan again?

And the banker says: What does the BLM say about your permit?

The poor rancher says: Well, they have their own rule, and it says if you do not have an impact statement you can't get the permit.

But they haven't done the required work on this permit.

And the poor rancher says: Won't you lend me the money anyway?

But the banker says: No, of course not.

What Senator DOMENICI tried to do was to say it isn't a ranchers' problem that the BLM undertook such a mammoth job of environmental assessments

and sometimes full-blown statements on every single lease out there in the West. BLM and the Forest Service began the process, so we can say both of the public lands management twins do this. It is not the ranchers' fault. They didn't hold up these environmental assessments.

I said to the ranching community: What would be a fair way to make sure you are not harmed by the inaction of the Bureau of Land Management?

They said: Let them extend our lease as they would have done 5 years ago, and as they would have done if they had completed their work. But let them continue with their assessment work, and when they get it done and say there are some changes that have to be made, give them the authority to make the changes that the assessment calls for.

That is essentially where we are. I understand we are in a battle in the West. We are in a battle where ranchers are looked upon by some environmental groups with very low esteem. In fact, some of the groups even say there shouldn't be any cattle grazing on public lands. They say this without any evidence it is harmful. If managed properly, grazing is not harmful. It is salutary. It is healthy. It is good for the forest lands and for Bureau of Land Management lands.

We are not talking here about rich farmers and ranchers; even though there may be some in corporate ownership.

I have five letters from New Mexicans. I want everybody to listen to the last names of these people. They live in northern New Mexico with anywhere from 100 head to 350 head. Their names are Gerald Chacon, a Hispanic American whose family has lived there for generations.

He says in this letter, ''Please don't take away our security.'' It isn't ''take away our ranch.'' They are saying ''our security.'' ''The bank won't lend us the money.'' He alludes to the fact that if it is only a 2-year opportunity to get a loan, he is not going to have a very good chance.

That is the solution of the Senator from Illinois to this problem.

From Palemon Martinez, also from northern New Mexico, a letter that just plain pleads with me to make sure their leases are not held in abeyance because the Bureau of Land Management did not do their work.

Again, I repeat for those worried about proper management, BLM has entry all year long, and management opportunities all year long. They do not need to wait around for permit renewal to say to my friend, Palemon Martinez, that he has to change his way of doing business because he is grazing too heavily or he is affecting the stream.

Alonso Gallegos from Pena Blanca, NM—the same kind of letter. Jake Vigil, and Dennis Braden, general manager for a family. They are all the same—frightened to death of what is going to happen to the security in their allotment if we don't say it is the BLM's fault for not having done the assessments.

This fellow, Jake Vigil, had nothing whatsoever to do with it. He is wide open to review. They come out there and do their assessment. He makes his comments. But they do not get it done.

I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

July 27, 1999.

Hon. PETE DOMENICI,
U.S. Senator, Hart Senate Office Building, Washington, DC.

DEAR SENATOR DOMENICI: I am pleased to have the opportunity to express the serious concerns we have should the Bureau of Land Management not complete its required environmental assessments of each grazing permit.

I sincerely hope your colleagues in the senate recognize the economic and personal hardships that ranch families will face in our county.

I represent 3 families who share as an association, a BLM allotment made up mostly of BLM lands. Our contact (permit) with the US government allows for 348 head of cattle to graze from May 1 to November 1 of each year. Our winter grazing is located 70 miles away at a lower elevation with winter access. We have no alternate pasture available to us should we be removed in mid season. The permittees will be forced to suffer for something, we did not have any control over or participation in. We would be faced to sell, at depressed prices the 348 cow-calf pairs we own. Two families have loans on operating expenses and cattle to service. Markets are at the least, 140 miles from the ranch. Trucking expenses shrink on the weights of cattle and depressed prices would bankrupt us. We also have large sums of our own money currently being spent on a livestock and wildlife watering pipeline system for each pasture. Our water system and other rangeland improvements would be lost without our ability to pay for it from calf sales this fall.

Our schools and county governments rely heavily on our private property and livestock taxes to operate on. Our county, already one of the poorest in this nation depends heavily on income generated from public land resources like grazing, timber and recreation. The multiplying affect of this action to our local economies would be staggering. I am hopeful that common sense will prevail and you will be able to do what is right for our families and the land. Removing one from the other has in the past proven disastrous for our communities and for the environment.

I would invite any members of the senate to visit our homes, communities, and the public lands we care for. We are constantly troubled by one decision after the other that we are forced to face without a voice or process for our involvement. I hope all of you can help us to stay on these lands as we have for over two hundred years.

Thank you for your continued representation and help in this serious matter. Please help us to tell our story.

Sincerely,

GERALD L. CHACON,
Representing the Chacon Family and the Esperanza Grazing Association.

NORTHERN NEW MEXICO STOCKMAN'S ASSOCIATION,
Ranchos de Taos, NM, July 27, 1999.

Hon. PETE DOMENICI,
U.S. Senator, Hart Senate Office Building, Washington, DC.

DEAR SENATOR DOMENICI: The Northern New Mexico Stockman's Association supports the language you have proposed to the FY 2000 Interior Appropriations Bill. Grazing activities on public lands should not be disrupted or interrupted. Small ranchers in Northern New Mexico cannot afford additional hardships. We stand in opposition to Senator Durbin's amendments.

We appreciate your assistance.

Thank you,

PALEMON A. MARTINEZ,
Secretary-Treasurer.

Pena Blanca, NM, July 27, 1999.

Hon. PETE DOMENICI,
U.S. Senate, Hart Building, Washington, DC.

DEAR SENATOR DOMENICI: As a permittee with the Bureau of Land Management (BLM), my family and I are in trouble. The language you successfully attached to the Interior Appropriations Bill would be a lifesaver.

My ten-year permit is up for renewal this year. Under new BLM policy, the agency says that National Environmental Policy Act (NEPA) analysis must be completed prior to my renewal. This means that this work must be done by September 30, 1999.

My permit is for 98 head, year-round. I have had it more than half a century. It was inherited from my father, who inherited it from his father. Our family grazed this land before there was a BLM. This permit makes up 50 percent of the income for my family, which includes my wife and three children, ranging in age from 13 to 16.

I was unaware that the BLM was working on my allotment until the middle of June 1999, when I received a letter giving me seven days to comment on an ''Analysis, Interpretation & Evaluation'' (AIE). I did not even receive the letter until the comment period had expired. Then in mid-July, I received an environmental assessment (EA) with a 15-day comment period.

Given that the EA does not meet the requirements of NEPA, it is highly likely that there will be problems with its' completion. With just over 60 days to complete this process, I am in serious jeopardy. If the NEPA is not completed, what will I do with my cattle? How will I feed my family?

As you can see, the language allowing more time for the completion of the analysis is imperative to me and my family as well as hundreds of other New Mexicans in a similar position.

Thank you in advance for what you have done on this issue thus far. However, without passage of the amendment on the Senate Floor, I will lose half of my income, not to mention my heritage.

Sincerely,

ALONSO GALLEGOS.

El Rito, NM, July 28, 1999.

Hon. PETE DOMENICI,
U.S. Senator, Washington, DC.
RE: BLM Permit Extension

DEAR SENATOR DOMENICI: I am the 4th Generation Rancher in Northern New Mexico and hope to pass it on to my sons in the future.

I urge you to keep fighting for our BLM Permit/Extension renewal. Without this permit it would be detrimental to our ranching business,since this is my only source of income.

Thank you for your support and efforts.

JAKE M. VIGIL.

EL SUEÑO DE CORAZON RANCH,
Abiquiu, NM, July 27, 1999.

Hon. PETE DOMENICI,
U.S. Senate, Hart Building, Washington, DC.

DEAR SENATOR DOMENICI: As a permittee with the Bureau of Land Management (BLM), our ranch is in trouble. The language you successfully attached to the Interior Appropriations Bill would be a lifesaver.

Our ten-year permit is up for renewal this year. Under new BLM policy, the agency says that National Environmental Policy Act (NEPA) analysis must be completed prior to renewal. This means that this work must be done by September 30, 1999.

Our permit is for 153 head of cattle for 7 months. We have had it more than 20 years. This permit is an integral part of our ranching operation.

We have been urging our BLM office to start this process for over a year.

With just over 60 days to complete this process, we are in serious jeopardy. If the NEPA is not complete, what will we do with our cattle?

As you can see, the language allowing more time for the completion of the analysis is imperative to us as well as other New Mexico ranchers in a similar position.

Thank you in advance for what you have done on this issue thus far. However, without passage of the amendment on the Senate floor, we will lose half of our income, not to mention our heritage.

Sincerely,

DENNIS BRADEN,
General Manager.

FARM CREDIT,
Albuquerque, NM.

Members of the Senate,
Washington, DC.

DEAR SENATOR: I am requesting your attention to a very serious issue before the Senate. My concern encompasses the renewal of grazing permits for a ten-year term and how my financing organization deals with those permits. Within Section 117 of the Interior Appropriations bill you will find language providing for ten-year grazing permits.

This year, over 5,000 BLM grazing permits for public lands are expiring. In New Mexico alone over 700 permits are expiring. Farm Credit Services of New Mexico currently holds loans for over 1,400 ranching and farming families totaling over $360 million. By providing these loans to the ranching and farming families in New Mexico, we therefore also support the communities in which they reside.

It is no secret that providing loans to farms and ranches is a risky business. The security offered by Section 117 in allowing the full ten-year permit will relive some of the risk. However, Senator Durbin intends to make the practice even more risky by shortening the duration of permits to one or two years. Though Senator Durbin may be well-intentioned, he is placing a lot of unnecessary and unwarranted pressure on families already suffering through a depressed agriculture economy.

Financial lenders, including myself, may not be as willing to provide the level of support as we have in the past if the grazing permit is only for a short period or if it is uncertain whether the permit will be renewed. As a lender, I do not look forward to foreclosing on a farm or ranch. We try to do everything we can before taking such a drastic measure. Nonetheless, providing loans becomes more difficult when matters out of our control such as Senator Durbin's Amendment enter the process.

I strongly urge you to resist any amendment to the existing language in Section 117. The language as it stands is very vital to the economic well being of many farming and ranching families in New Mexico and other western states. thank you for your consideration of my request.

Sincerely,

EDDIE RATLIFF,
President.

Mr. DOMENICI. The history of noncompliance by the Bureau of Land Management in getting this work done in New Mexico is miserable. In our State, we are a little ahead of Wyoming. We have 26 percent that have had their environmental assessments done. The rest aren't going to have it done before their permits expire and are exactly subject to what I have been telling the Senate on the floor.

My friend from Illinois says: Keep the pressure on the BLM. Don't take the pressure off by saying you can issue the permit. But I say you continue your assessment work, and when you have finished and find that you want to make some changes to the permit, if you must, then do it, and you have the automatic right to do it.

We are not on the floor of the Senate trying to risk the security of hundreds and hundreds of ranchers—including these people—for the purpose of keeping the heat on the Bureau of Land Management, which ought to get their own work done. As a matter of fact, there are many people who think the assessments and impact statements are very expensive, that in many cases they don't even fix the problems.

We have a NEPA law that is a couple of decades or more old. We attempt to apply it to every kind of environmental issue around. The cases it applies to with the least efficacy are ranchlands because they are small ''events.'' We had in mind big governmental actions before we applied the NEPA laws to land.

I am not interested in putting at risk the ranchers in my State so we can keep the pressure on the Bureau of Land Management. Senator GORTON can keep the pressure on in his bill. He gives them the money. He can tell them: Do your work. That is all the pressure they need.

Frankly, this is an easy one. Sometimes it is awful hard for people who don't have public lands to understand our plight. This is easy. The only thing difficult is a whole group of organizations that don't think the rancher cares about anything. They are saying: Don't give them help with what DOMENICI wants, give them something less.

Keep the heat on; and a wonderful, nice Senator from Illinois who doesn't have any public land making their pitch for them. He is a good pitch maker. He made a good speech today. It just happens to be it is not right. It is not right.

I will have printed in the RECORD a letter of very recent origin from the president of the Farm Credit Services of New Mexico. I think the Senator from Wyoming alluded to it.

Anyone who questions whether or not the ranchers are more at risk under this 2-year extension rather than giving them their permit and letting the Bureau of Land Management do their work, this is the proof of the pudding. I was giving a hypothetical. This is the banker. This is the Farm Credit Bureau. They go out and place these loans. They say it is very hard on this 2-year proposal to get the financing for the farmers and their families in my State, Idaho, Wyoming, Colorado, and the rest.

My last observation, and I am not at all sure the senior Senator from Illinois intended this, I view the amendment as making a significant change in FLMPA, Federal Land Management bill that underlies this debate. In Arabic No. 2, his amendment says:

> Upon completion of processing of a grazing permit or lease described in subsection (a)(1), the Bureau may—
>
> . . . (B) reissue the grazing permit or lease for a term not to exceed 10 years.

I think the substantive law of the land says ''shall,'' not ''may.'' I am not sure he wants to have ''shall'' or ''may'' in there. It shouldn't be ''may.'' If you have done your work and the land is OK, the law is they shall issue the permit. We surely should not change that on the floor while we are trying to get the Bureau of Land Management to do their job—which they are not doing—on time. Frankly, I think they bit off more than they can chew. That is the reason. This is a big undertaking.

What we ought to have is an economic impact statement on this huge job of environmental assessments. What have we gotten out of it that is environmentally enhancing? I am not sure it would be very much. I am not asking for that today. I am merely speculating based on what I happen to feel and know.

Having said that, I want the Senate to know I have used far more time on this issue than I should. The combined time we all spent is probably more than we should have used. Some people are very pleased we are spending all of this time so they can be doing something else. But I guarantee, this is very important. These five letters from the New Mexicans that I read are multiplied across Western America hundreds and hundreds of times over.

We talk on the floor about problems people have. Many times they are less significant and less important than the problem we are addressing today. We don't need to punish a few thousand Americans living out in rural Wyoming, New Mexico, Arizona, et cetera, who are already having it very tough because of the market in cattle and the droughts that have been recurring. We don't need them worrying about what the Federal Government will do to them, when they have done nothing wrong themselves.

We don't need them worrying about their banker, who will tell them: When you know you have the permit, we will lend you the money. Isn't that what they will say? They will not say: You

are a nice fellow and I loaned your grandpa and your great grandpa money on this ranch. They will say: Where is the permit? They will say: The Durbin amendment passed and we only have it for up to 2 years because we had to give the government more time to do an impact statement, which they should have already done.

I don't think we need that. If Members had the opportunity to read these five or six letters, they would get the tone. The tone is one of real fear. If we don't fix this, technically, they wouldn't have to issue any of these permits because the impact statement isn't completed—because of the government's delay—and they could say: Here are the rules; unless it is done, we will not issue permits.

I understand my friend from Idaho wants to speak.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. GORTON. Mr. President, would the Senator from Idaho yield for a moment?

Mr. CRAIG. I am happy to yield to the Senator.

Mr. GORTON. Mr. President and the Senator from Illinois, I have been informed that my comanager, the distinguished senior Senator from West Virginia, will not be available until approximately 4 o'clock. There will be a motion to table, and I strongly suspect the Senator from Illinois will desire some time to reply. The motion to table should be made not earlier than 3:45, which means there is another 20 minutes for debate. For the information of other Senators, at least, we will be likely to vote on a motion to table the Durbin amendment at or some time shortly after 3:45.

Mr. DOMENICI. Mr. President, could the chairman of the subcommittee put the last statement in the form of a unanimous consent request?

Mr. GORTON. I need to know how much time the Senators from Idaho and Illinois wish to speak in order to do that.

Mr. CRAIG. I certainly need no more than 10 minutes.

Mr. DURBIN. Ten minutes.

Mr. GORTON. I ask unanimous consent that a vote on or in relation to this amendment take place at 3:50 this afternoon, with the time between now and 3:50 equally divided between the Senator from Idaho and the Senator from Illinois.

Mr. DURBIN. If the Senator will yield, in his unanimous consent request there will be no second-degree amendments.

Mr. GORTON. And there will be no second-degree amendments.

Mr. DOMENICI. Reserving the right to object, I wonder if we could add it be in order to make the motion to table and ask for the yeas and nays at this time.

Mr. GORTON. Mr. President, I make that request.

Mr. DOMENICI. I move to table the Durbin amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CRAIG. I yield such time to myself as I may consume under the unanimous consent agreement.

I sat through most of the debate on this very important amendment that the senior Senator from Illinois has proposed. If I could speak to the senior Senator from Illinois for just a moment, there is a very real difference but a similar responsibility between the Senator from Idaho and the Senator from Illinois.

When I went home during the August recess, I held meetings with the agricultural community. The Senator from Illinois has a good many farmers, but there was a different kind of person in my meetings than could possibly have been in any meeting he would have. That was a public land rancher. Because the Senator from Illinois knows he doesn't have ranchers and grazers on the public lands of the State of Illinois. But the Senators from Idaho and New Mexico and the Senator from Iowa do—thousands of them. Their livelihood depends on access to the public lands and a perpetuation and a continuation of that access, to keep their ranching operations alive. The Senator from Illinois understands that. He has already expressed that as it relates to financing and banking.

What is important here—and I wish to express something that probably no one coming from a public land State would miss—is that there is a very different word, a single word in his amendment that does not exist in law today and should not be put in law. That is the word ''may.''

It has been the public policy of this country that, under certain conditions and in the right areas, grazing is a responsible use of our public lands and that we shall allow grazing as a right in responsible use of our public lands if the following conditions are met—the conditions of the National Environmental Policy Act and the conditions that are established by the regional advisory groups that were appointed by this Secretary of the Interior. That is the law that establishes the permanency and the relationship that the Senator from Illinois said he speaks to, but in fact he does not.

Having said all of that, the law of this public land is the National Environmental Policy Act, and from that the rules and regulations by which ranchers graze that public land are established. We have said as a Congress, and as a part of public policy, that with the renewal of those permits there should be an analysis of the condition of the rangeland that the permit is tied to. The Senator from Illinois understands that. That is within the law. But, because of costs, because of personnel, because of the time involved, not all of these permits have been able to be analyzed and therefore gain their impact statement in time for that renewal.

Is that a fault of the rancher? It is not. Is that a fault of BLM and the Federal Government? It is. Last year we extended for 1 year the right of renewal while the studies went on. But we also understand—and what Senator DOMENICI's addition to the Interior bill clearly states—after the analysis is done and the terms and conditions of the permit are established, that permit will be allowed and shall exist under those conditions to be met—not ''may be'' but ''shall be.'' That is very important.

If the Senator from Illinois were truly dedicated to the continuation of grazing on public lands under these environmental conditions, then the word ''may'' would not be there because that is the word the financial community looks toward to see whether they ought to lend money to this rancher to continue his or her ranching operation. They could not continue that ranching operation without access to the public grazing lands. The map the Senator from Wyoming displayed is the very simple reason why.

Idaho's No. 1 agricultural commodity is cattle—not potatoes but cattle in total dollar volume sold. Mr. President, 80 percent of that amount, 80 percent of the cattle in Idaho, have to graze on public lands at some time during the year for them to exist in our State. Throwing that in jeopardy is like suggesting to the Senator from Illinois we are going to wipe Caterpillar out of Peoria or we are going to throw it in such jeopardy that the banks won't continue to finance it. But that will not happen to Caterpillar in Peoria because they are not dictated to by the Government and they are not operating under governmental regulations, except safety and all of that, but their very livelihood does not exist on a ''may'' or ''shall'' piece of language in a Federal bill.

That is what is important here. We want the environmental analysis done. We want the public lands to retain a high quality of environmental values.

The Senator from Illinois held up some pictures, one from Utah and one from Arizona. The reason he did not show Illinois is that the issue he is talking about doesn't exist in his State, so you will have to go elsewhere to find a problem, if a problem exists, if you want to debate this bill. Those problems do exist on public lands but much less than they ever have. I am extremely proud of the laws we have changed to improve the rangeland conditions in my State and in large, western public land grazing States in this Nation. We should not be throwing extraordinary roadblocks in the way. We ought to be facilitating the BLM in this area.

The BLM will not take a position. But when the Director of BLM was in my office several months ago, prior to his confirmation, he said: If you keep the general language in the bill that you had last time, we can support it. That is because they need that flexibility to go ahead to do their analysis

in a right and proper way. That is what is important.

So when the Senator from Illinois says that none of these rules can apply, this locks in a standard and the BLM cannot come back and make the changes, I must say, in all due respect to my colleague from Illinois, that is not correct. The BLM does govern these lands. The BLM can make these changes. And the BLM has the right under the law to do it, even if the permit is issued. The BLM has the right to amend the permit if there is major environmental degradation going on.

So what the Senator said, and I quote him, ''they could not achieve''—that was in the beginning of his statement, and at the end of his statement he said, ''it would be very difficult for the BLM to achieve changes in the environmental standards allowed under the permit.'' The truth is, the BLM can change these standards. They can rewrite the permits if there are major grazing changes.

Another factor the Senator from Illinois would, I am sure, appreciate knowing is, when ranches are brought and sold, while I do not like what the BLM is doing at this moment, they are actually stepping in midway now and saying change some of the regulations. And right now, under this administration's regulations, anyone from the outside can step in and say: We don't like the character of the regulations because the regulations have failed to address certain needs of the land that are not consistent with the grazing permit.

Those are the realities with which we are dealing. That is why the Senator from New Mexico thought it was extremely important to offer some degree of certainty to the process. That is exactly what BLM needs because they have not done their work well. They have a huge backlog. In fiscal year 1999 there were 5,360 grazing permits and leases expiring, and, according to the BLM's latest statistics, only 2,159 of these expiring leases—permits or leases—have been analyzed and renewed. So they have a giant task before them. We encourage them to do so. We finance them so they can.

Because I am proud of the western legacy of public land grazing, I want it done right. I want it done to assure riparian quality. I do not want our cattlemen run off the public land, the people's land, where the Congress has consistently said it is a right and proper use to graze these grasslands. It is a way to return revenue to our Government while at the same time ensuring quality wildlife habitat, water quality, and all those natural things the Senator from Illinois talks about.

Oh, yes, the Senator from Illinois has a right to talk on this issue. Absolutely he does, because these are public lands. But I have tried to discuss today the sensitivity I hope he understands is important, where these lands become a major factor in the economy of my State—not the economy of his State—where it is critically important that we maintain a high quality of grasslands to assure a high quality not only for the environment but for the very users of that environment, in this case the public land grazing in the West.

So I hope my colleagues will join me and the Senator from New Mexico and other western legislators in tabling this amendment.

We are not saying don't do the study. We are saying do it and do it right, do it properly, and make the amendments and make the changes where necessary, protect the riparian zones, make sure that all of that happens as it should. But do not put a black cloud over a third-generation ranching family who must have a relationship with that land to exist and to ensure their financing on an annualized basis.

I retain the remainder of my time and yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. How much time is remaining under the unanimous consent agreement?

The PRESIDING OFFICER. The Senator from Illinois has 11 minutes. The Senator from Idaho has 9 seconds. He will have to speak quickly.

Mr. DURBIN. I thank the Chair.

Mr. President, I know the Senator from Idaho can use those 9 seconds very effectively, as we have seen in the past.

I readily acknowledge to my colleagues from the Western States that their knowledge of the subject is greater than mine. They live in these areas. They deal with these problems on a regular basis. I have tried to make it clear with this amendment that I am not seeking to end this part of the western economy, the use of public lands for grazing purposes. I am not one of those.

Someone in the course of the debate said there are some environmental organizations so radical that they would stop grazing on public lands. That is not my position. I do not know if it is a position of any of the groups that have endorsed this amendment.

What I am trying to do is find a consistent way of protecting the privilege given to private people to use public lands for grazing while still protecting the value of those public lands.

There are several things that have been said during the debate which just baffle me. I want to at least express myself on those and invite my colleagues during the course of my comments to perhaps ask a question or make a comment if they care to.

The first is the argument that unless a rancher can go to a bank and say to the bank, I have the right to graze on this land for at least 3 years or more, that rancher cannot secure a loan for his operation. We have heard this repeatedly. My amendment would extend these permits for 2 years.

Critics of the amendment have stood up and said that is not enough; no rancher can secure the money for his ranching operation with only 2 years of certainty. Yet, isn't it odd, as we listen to the debate, that those on the other side have conceded that many of these ranchers are dealing with 10-year permits which do expire. So these ranchers have faced this time and again. There has always been the second to the last year and the last year of the permit when they had to finance their operations. This is nothing new. What we are saying is give them 2 years with certainty.

We have also heard it said that the Bureau of Land Management could step in under extraordinary circumstances and amend the terms and conditions of the permits. One of the suggestions was to reduce the number of animal units or cattle that could be grazing on a certain piece of land because of environmental concerns. I hear in that suggestion that the terms and conditions of these permits can also be changed unilaterally during the course of the permit and that these ranchers continue to do business, continue to secure loans.

Those who argue on the other side against my amendment, saying we need drop-dead certainty of 3 years or more or we cannot do business, really, I think, have in the course of their own debate put a mockery on the table when it comes to that argument. We know these permits expire, and we know they expire in short order, 1 or 2 years to go, and these ranchers stay in business, as they should.

I also suggest someone has said: We are not about the business of putting pressure on the BLM to do their job. I disagree. I believe it is our responsibility as Senators entrusted with these assets of the Nation, these public lands, to say to the Bureau of Land Management: You have a job to do here as well, not just to give a permit to a rancher but to make certain that permit is consistent with protecting public lands, and if you do not do that, we are going to be on your case, we are going to put the pressure on you.

Let me step back for a second and tell my colleagues what I think the real concern is. I think there are many who hope the BLM will not do their job. They would just as soon renew the permits, the terms and conditions, indefinitely and not take into consideration these environmental concerns. That may be their point of view; it is not one I share.

What I try to achieve by this amendment in a 2-year extension is to say to the BLM: Get your job done, too; protect the ranchers for 2 years, but get your job done, too, to make sure that permit is consistent with the environmental laws of the land. I do not think that is wrong.

Let me also add, the Senator from New Mexico has read letters into the RECORD of ranchers of humble means who write to his office concerned about their future. I have farmers in similar circumstances. I know that type of plaintive letter. I receive them in my

office, and I have sympathy for men and women working hard for a living who ask those of us in Washington: Don't make anything more difficult; try to help us if you can.

Remember last year when we addressed this problem what our solution was? A 1-year extension. The Durbin amendment is a 2-year extension. I do not think this is hard-hearted or heartless on my part. In fact, it is an effort to offer twice as much in terms of certainty as was offered by this Congress last year. So say to the BLM at the same time, do your job and renew these permits in the right way.

For those who argue that I just do not understand it, I am not sympathetic, I do not have sufficient compassion for the situation, I suggest that last year a 1-year extension was considered sensible, reasonable, and compassionate. Now a 2-year extension is not. I do not follow that logic, that reasoning on the other side.

The final point I will make is this: My concern is that in this debate the environmental issue is an afterthought, it is secondary. There are many who are determined to renew permits for ranchers to continue to use public lands and care not when or if BLM meets its responsibility. I do not agree with that point of view. I think both sides have to be taken into consideration. There has to be a balance, as offered by this amendment.

For those who argue the existing language which Senator DOMENICI put in the bill preserves this environmental protection, I tell them that virtually every major environmental group in America endorses the Durbin amendment because they understand that it puts in place a mechanism which not only gives the ranchers a new permit and extends for 2 years those that are expiring but says to the BLM: Do your job, too; you have a responsibility of stewardship as well.

That is why the environmental groups support this amendment. That is why those who vote to table this amendment are basically saying: We believe the needs and requirements of the ranchers are paramount to the needs and requirements of the American people in the future of their public lands. I disagree with that, and I hope those on both sides of the aisle will take a close look at it when it comes up for this vote.

I conclude by saying this amendment strikes a balance which is reasonable, which acknowledges that private individuals and their families and businesses can continue to use public land for grazing and can do it for 2 years if their permit is expiring but says at the same time to the BLM: Do your job; make certain that you supervise those lands in a way that we can say to future generations, those lands will be intact long after we have come and gone so the American people will realize we met our obligation of stewardship of their natural assets.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I have 9 seconds left, and I yield back all 9 seconds. I believe that will bring us to the vote, if the Senator from Illinois yields back his time.

Mr. ENZI. Mr. President, with more than 5,000 Federal grazing permits scheduled to expire in FY 1999, the Bureau of Land Management, BLM, is hard pressed to meet its September 30 deadline before hundreds of American ranchers are forced to shut down business and move off the land. This could result in local economies suffering dramatically for the BLM's inability to keep up with bureaucratic regulations.

The Senate Interior Appropriations Subcommittee has included language in this bill that would allow the BLM to complete its permit renewal process without forcing ranchers out of business.

It is important to note, that, in spite of misconceptions put forward by the other side:

1. The BLM must still comply with all Federal environmental laws and the BLM must still complete all of its environmental reviews. The cost of delays, however, will be borne by the agency and not by individual ranchers who have no control over the completion of the environmental reviews.

2. The current language does not dictate any new terms or conditions. After the BLM completes its final reviews the BLM still has the authority to update the terms and conditions of all permits.

3. The BLM still holds the authority to terminate grazing permits for unauthorized use or noncompliance.

The goals of environmental protection and economic stability are not mutually exclusive. Please help keep western livestock producers on the land while protecting the financial future of family ranches and Western economies.

I strongly urge my colleagues to support the existing language in Section 117 of the bill, and oppose this and any amendment that may adversely impact the delicate balance of sound livestock production, and the sustainability of western landscapes for wildlife habitat and other recreational opportunities.

Mr. DURBIN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. One minute 25 seconds.

Mr. DURBIN. I will use 25 seconds of it only to clarify one point that has been raised; that is, whether or not I used the word "may" in contravention to existing law. We object. And the language we have in the bill is consistent with the language which was passed last year by those who wanted a 1-year extension. It is consistent with the language in the House as well. So we have not changed any of the language in the bill in that regard.

I yield the floor and yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask unanimous consent I have 2 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I say to the Senator, I am reading off a type-written amendment. If you say it is "shall," I withdraw that part.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1591. The yeas and nays have been previously ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Rhode Island (Mr. CHAFEE), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Mr. MURKOWSKI) and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 37, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—58

Abraham	Domenici	Lott
Allard	Dorgan	Lugar
Ashcroft	Enzi	Mack
Baucus	Feinstein	McConnell
Bennett	Fitzgerald	Nickles
Bond	Frist	Roth
Breaux	Gorton	Santorum
Brownback	Gramm	Sessions
Bunning	Grams	Shelby
Burns	Grassley	Smith (NH)
Byrd	Hagel	Smith (OR)
Campbell	Hatch	Specter
Cochran	Helms	Stevens
Conrad	Hutchinson	Thomas
Coverdell	Hutchison	Thompson
Craig	Inhofe	Thurmond
Crapo	Inouye	Voinovich
Daschle	Kerrey	Warner
DeWine	Kyl	
Dodd	Lieberman	

NAYS—37

Akaka	Harkin	Murray
Bayh	Hollings	Reed
Biden	Jeffords	Reid
Bingaman	Johnson	Robb
Boxer	Kennedy	Rockefeller
Bryan	Kerry	Sarbanes
Cleland	Kohl	Schumer
Collins	Landrieu	Snowe
Durbin	Lautenberg	Torricelli
Edwards	Leahy	Wellstone
Feingold	Levin	Wyden
Graham	Lincoln	
Gregg	Mikulski	

NOT VOTING—5

Chafee	Moynihan	Roberts
McCain	Murkowski	

The motion was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mr. THOMAS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, as manager I believe that is all of the business on the Interior appropriations bill that can be completed during today's session of the Senate. We are very close

on two omnibus amendments, but we still have in addition to the debate on the Hutchison amendment and a cloture vote on that amendment on Monday several other—perhaps three or four—amendments that will eventually require rollcall votes.

I regret that we haven't been able to go further today or to complete action on any of them. On the other hand, I think during the last literally 24 hours of the clock we have accomplished a great deal in connection with this bill. I hope that can be completed by the end of this Tuesday.

The PRESIDING OFFICER. The Senator from Vermont.

CONTINUING JUVENILE JUSTICE CONFERENCE

Mr. LEAHY. Mr. President, today, the Department of Justice is releasing a report on the success of the National Instant Criminal Background Check System in keeping guns out of the hands of criminals. In its first seven months of operation, national background checks have stopped 100,000 felons, fugitives and other prohibited persons from getting guns from licensed firearms dealers.

Unfortunately, it doesn't extend to all of the people who sell guns.

There is a major gun show loophole. Congress has been unwilling to close that because of the opposition of the gun lobby, even though, incidentally, we passed a measure that did close that loophole several months ago in the Hatch-Leahy juvenile justice bill. Even though we closed it, we have yet to move forward on the juvenile justice conference report. It had been hoped and I think the American people hoped that we would complete the juvenile justice bill prior to school opening.

I am hoping that we can complete it prior to Christmas vacation for schools, at the rate we have been going.

I talked to a lot of gun dealers at home who say they have to obey the law, they have to fill out the forms, they have to report whether somebody tries to buy a gun illegally, and they ask why they have to compete with those who can take their station wagon to a weekend flea market and sell guns out of the back of it.

This report is more concrete evidence that Congress should extend background checks to the sales of all firearms.

I want to commend the nation's mayors and police chiefs for coming to Washington today to demand action on the juvenile justice conference.

I hope the leadership in the Senate and the House will listen to what they said. I hope the majority will hear the call of our country's local officials and law enforcement officers to act now to pass a strong and effective juvenile justice conference report.

I am one of the conferees on the juvenile justice bill. I am ready to work with Republicans and Democrats to pass a strong and effective juvenile justice conference report. I suspect most Americans, Republicans or Democrats, would like to see that. So far we have only had one meeting to resolve our differences. Even though we passed the Hatch-Leahy bill months ago, we have had only one conference meeting. In fact, that one meeting was 24 hours before we recessed for the August recess, almost guaranteeing there would be no more meetings.

We haven't concluded our work. The fact is school started without Congress finishing its work, and I think that is wrong. We have overcome technical obstacles, we have overcome threatened filibusters, but now we find that everybody talks about how we should improve the juvenile justice system and everybody decries the easy availability of guns, but nobody wants to do anything about it.

We spent 2 weeks, as I said, on the floor in May. We considered almost 50 amendments to the Senate juvenile justice bill. We made many improvements on the bill. We passed it by a huge bipartisan majority. Now I am beginning to wonder whether we were able to pass it because there was a private agreement that the bill would go nowhere.

We need to do more to keep guns out of the hands of children who do not know how to use them or plan to use them to hurt others. Law enforcement officers in this country need our help.

I am concerned that we are going to lose the opportunity for a well-balanced juvenile justice bill—one that has strong support from the police, from the juvenile justice authorities, from those in the prevention community at all levels. We are going to lose this opportunity because one lobby is afraid there might be something in there they disagree with.

I come from a State that has virtually no gun laws. I also come from a State that because of its nature that has extremely little crime. But I am asked by Vermonters every day when I am home, they say: Why has this bill been delayed? Aren't you willing to stand up to a powerful lobby? My answer so far has been, no; the Congress has not.

Due to the delays in convening this conference and then its abrupt adjournment before completing its work, we knew before our August recess that the programs to enhance school safety and protect our children and families called for in this legislation would not be in place before school began.

The fact that American children are starting school without Congress finishing its work on this legislation is wrong.

We had to overcome technical obstacles and threatened filibusters to begin the juvenile justice conference. It is no secret that there are those in both bodies who would prefer no action and no conference to moving forward on the issues of juvenile violence and crime. Now that we have convened this conference, we should waste no more time to get down to business and finish our work promptly.

Those of us serving on the conference and many who are not on the conference have worked on versions of this legislation for several years now. We spent two weeks on the Senate floor in May considering almost 50 amendments to S. 254, the Senate juvenile justice bill, and making many improvements to the underlying bill. We worked hard in the Senate for a strong bipartisan juvenile justice bill, and we should take this opportunity to cut through our remaining partisan differences to make a difference in the lives of our children and families.

I appreciate that one of the most contentious issues in this conference is guns, even though sensible gun control proposals are just a small part of the comprehensive legislation we are considering. The question that the majority in Congress must answer is what are they willing to do to protect children from gun violence?

A report released two months ago on juvenile violence by the Justice Department concludes that, ''data . . . indicate that guns play a major role in juvenile violence.'' We need to do more to keep guns out of the hands of children who do not know how to use them or plan to use them to hurt others.

Law enforcement officers in this country need help in keeping guns out of the hands of people who should not have them. I am not talking about people who use guns for hunting or for sport, but about criminals and unsupervised children.

An editorial that appeared yesterday in the Rutland Daily Herald summed up the dilemma in this juvenile justice conference for the majority:

''Republicans in Congress have tried to follow the line of the National Rifle Association. It will be interesting to see if they can hold that line when the Nation's crime fighters let them know that fighting crime also means fighting guns.''

Every parent, teacher and student in this country was concerned this summer about school violence over the last two years and worried about when the next shooting may occur.

They only hope it does not happen at their school or involve their children. This is an unacceptable and intolerable situation.

We all recognize that there is no single cause and no single legislative solution that will cure the ill of youth violence in our schools or in our streets. But we have an opportunity before us to do our part. We should seize this opportunity to act on balanced, effective juvenile justice legislation, and measures to keep guns out of the hands of children and away from criminals.

I hope we get to work soon and finish what we started in the juvenile justice conference. We are already tardy.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The majority leader is recognized.

UNANIMOUS CONSENT REQUEST—S.J. RES. 33

Mr. LOTT. Mr. President, in view of the urgent nature of the subject involved, since the subject will be dealt with on Friday of this week, tomorrow, I thought we needed to proceed to have some debate and hopefully even a vote with regard to the matter of the pardon of the Puerto Rican terrorists.

So I ask unanimous consent the Senate proceed to S.J. Res. 33, a joint resolution deploring the actions of President Clinton with respect to clemency for FALN terrorists, and there be 2 hours for debate to be equally divided between the two leaders. I further ask consent that no amendments be in order to the resolution and that following the use or yielding back of the debate time, the joint resolution be read a third time and the Senate proceed to a vote on passage with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object, let me say this resolution was introduced last night. It was only put on the calendar today. To my knowledge, very few, if any, people have had the opportunity to read the resolution, much less give much consideration to it. So I ask unanimous consent the majority leader's consent request be modified to conform with the regular order of the Senate and provide for amendments and no limit on debate.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, reserving the right to object, I think the Senator's point is well taken, that this has come up quickly. But there is a reason for that. This whole issue came out during the August recess period when Senators were back in their respective States. I think everybody was stunned and shocked and somewhat in disbelief that these 12 or so terrorists—I believe it was 16 total—were going to be offered this clemency and this pardon.

We just returned to the Senate for business on Wednesday of this week. There was no earlier opportunity to introduce this resolution, and I understand clemency takes effect tomorrow, on Friday. That is why it has been handled in this way.

Having said that, I inquire of Senator DASCHLE, with those amendments, any amendment that would be offered, would they be relevant to this subject, to the question of the clemency of these terrorists, or would it be his request that any amendment would be in order affecting any subject?

Mr. DASCHLE. If I can respond to the distinguished majority leader, first, let me say that nothing, as I understand it, in this resolution—again, I have only had a cursory opportunity to look at it—would do anything with regard to the President's actions. The President is going to be able to act with or without this resolution. So the timing of the resolution has no real bearing on the President's decision.

We can adopt or reject the amendment and the resolution at any time. That is, I think, what the majority leader's intent would be, to put the Senate on record with regard to the action, not prevent the President from doing so because this resolution does not prevent him; it simply comments on what they view to be the advisability of the resolution.

But in answer to the question of the majority leader, let me say, we would want to at least give our colleagues the right to offer amendments. I am not in a position at this moment to come to agreement with regard to what the amendments might or might not be. I simply am asking that in the context of legislation and the Senate rules the regular order be followed. The regular order is that Senators can offer amendments. It does not say the regular order requires germaneness or relevancy. The regular order is Senators have a right to offer amendments.

I simply ask in my unanimous consent request that the regular order under Senate rules be allowed in this case as one would expect they would be followed traditionally.

Mr. LOTT. Mr. President, first of all, I say to Senator DASCHLE, the Democratic leader, and other Senators on both sides of the aisle, since I believe there apparently will be objection, and there will probably be a vote on this at some point, we will be glad to work on both sides.

I know there is a feeling of outrage in the country and on both sides of the political aisle about this happening. We are going to express ourselves either before or after the clemency actually takes place. I extend that invitation to work with us to see if we can develop language that can have the type of broad support that I believe there is in this country on the whole against this action. In view of the request, I have to object to that addition to the unanimous consent request.

The PRESIDING OFFICER. The Chair notes that the unanimous consent request by the minority leader is not in order. We first must dispose of the unanimous consent request of the majority leader before we can entertain an additional unanimous consent request.

Mr. LOTT. I believe under that circumstance then it goes back to the question of whether or not there is objection to my original request.

Mr. DASCHLE. Mr. President, as I understand it, the majority leader objects to my modification.

Mr. LOTT. Right.

Mr. DASCHLE. As a result of that, I object to the proposal as presented.

The PRESIDING OFFICER. Objection is heard.

MORNING BUSINESS

Mr. LOTT. Mr. President, in light of the objection, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, for the information of all Senators, this joint resolution will be eligible for Senate consideration on Friday. I will ask consent to proceed to the joint resolution on Friday, and if an objection is heard, I will move to proceed and file a cloture motion, and that cloture vote will occur at 5 p.m. on Monday. I urge my colleagues to join us in trying to work out language that can be acceptable to Senators on both sides who feel strongly about this.

Also, I notify Senators there will be no further recorded votes today or this week, but there will be stacked votes, probably three or four, at 5 o'clock on Monday next. I have notified Senator DASCHLE of that intent. I ask Senators to be sure to be here. We will not have recorded votes tomorrow. We will probably do some business, but it will not involve votes. The next votes will occur at 5 p.m. on Monday, and all Senators will be expected to be present and accounted for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CONDEMNING GRANTING OF CLEMENCY TO CONVICTED TERRORISTS

Mr. GRAMM. Mr. President, I begin by thanking the majority leader for offering the resolution condemning the President's action in granting this clemency to convicted terrorists. What I want to do is begin by reminding people about the activities conducted by the organization to which these 16 terrorists belong. I then will remind people that we are about to see history repeat itself because a President has pardoned and given clemency to Puerto Rican nationalist terrorists before. Then I will make some basic observations about how outrageous I believe the President's action is.

First, I remind my colleagues that on November 1, 1950, two terrorists who were, or at least claimed to be, promoting independence for Puerto Rico attempted to shoot and kill President Truman. One of the gunmen was killed and the other was sentenced to death but President Truman subsequently commuted the sentence to life imprisonment. On March 1, 1954, three such

terrorists opened fire from the gallery of the United States' House of Representatives—in fact, there is a bullet hole in the ceiling of the gallery of the House of Representatives to this day and to this day, a bullet hole remains in the desk of the Republican leader on the House floor. Several Congressmen were wounded in the attack, one of them quite seriously. This was in 1954.

In 1979, then-President Jimmy Carter pardoned the three Puerto Rican terrorists who were involved in the House of Representatives attack and the terrorist who attempted to take the life of President Truman.

The point I want to make, and I think if you will listen to this pattern of activity you will see that we are in grave danger of history repeating itself. Several terrorists tried to kill the President; others actually shot and wounded Members of Congress; Jimmy Carter becomes President and pardons them, and I believe you will see when I go through the list of terrorist acts committed by those terrorists who are now being given clemency by President Clinton that there was a surge in such terrorist activity after the Carter pardons, when it appeared to became clear that you could actually attempt to murder the President, shoot Members of Congress, commit terrorist acts, and be pardoned by the President of the United States. In short, history is about to repeat itself.

We use clinical terms in talking about these people. But I want to go back and give first a review of history and then I want to talk about four of their acts. Then I will talk about three of their victims. I will make my point and get out of the way and let other people have an opportunity to speak.

Let me review the following facts. On Wednesday, August 11, President Clinton offered clemency to 16 terrorists who were members of the notorious FALN, Armed Forces of National Liberation, terrorist group in exchange for the simple act of agreeing not to use violence to promote their political agenda. I wonder if one looked at every felon, every murderer, every terrorist, every drug dealer in every prison in America and asked them, Would you be willing to say you won't do it again if we let you out, my guess is there would be no one left in any prison anywhere in America. That is the President's standard.

The New York Times reported on August 27 that the FBI, the Bureau of Prisons, and the U.S. attorneys in Illinois and Connecticut, flatly opposed President Clinton's offer of clemency to these terrorists.

Newsweek reported this week that some of the 16 terrorists offered clemency were captured on tape by the Bureau of Prisons discussing a return to violence upon release from prison.

The FALN carried out 130 bombings of key political and military locations throughout the United States. The number of such attacks, and their frequency, has never been rivaled by any terrorist group in the history of the United States.

The 16 terrorists who were offered clemency are serving prison sentences ranging from 15 to 105 years.

Most of the 16 terrorists were charged with seditious conspiracy and weapons possession connected to 28 bombings that occurred in northern Illinois in the late 1970s.

Despite the President's generous deal, and demonstrating a clear lack of remorse for their reign of terror and destruction, 13 of the 16 terrorists have called the President's offer of clemency ''intolerable.''

On Wednesday, September 8, 12 of the jailed Puerto Rican terrorists accepted President Clinton's offer of clemency.

That is a recounting of the recent events.

Let me talk about four of the crimes that were committed because, again, it is easy to talk about this act of clemency and pardon by the President, and sometimes it is hard to remember what happened.

In January of 1975, members of this terrorist group bombed a historical site in lower Manhattan and killed 4 people and injured 53 people.

In August of 1977, they bombed the Mobil Oil Corporation building on East 42nd Street in Manhattan and killed a 26-year-old young man.

On New Year's Eve in 1982, their terrorist acts accelerated; they bombed the New York City Police Headquarters, the Manhattan office of the FBI, the Metropolitan Correctional Center, and other locations, seriously injuring several New York City police officers, including Detective Richard Pastorella.

Let me tell you about him.

Detective Pastorella was blinded in both eyes. He lost all five fingers on his right hand. He is deaf in his right ear and lost 70 percent of his hearing in his left ear. He required 13 major operations on his face alone. He had 20 titanium screws used to hold his facial bones together.

Let me give you a quote from him: ''You wake up with nightmares at night, cold sweats. It never leaves. It never goes away.''

The second police detective who was wounded in this terrorist attack on New Year's Eve in 1982 was Anthony Senft. He underwent five operations in 1983 alone. He is blind in his right eye. He has diminished hearing in both ears. His nose, eyeball sockets, and hip have been reconstructed.

Police Officer Rocco Pascarella had his left leg amputated below the knee. He is deaf in his left ear. He lost 20 percent of his hearing in his right ear. He is legally blind in his left eye.

Let me make two other points of fact, and then I will say what I have to say.

Carmen Valentin, one of the 16 terrorists offered clemency, called the judge a terrorist when she was being sentenced and said that only the chains around her waist and wrists prevented her from doing what she would like to do; and that is, kill the judge.

Ricardo Jiminez shouted to the judge, when he was sentenced to prison, ''We're going to fight . . . revolutionary justice will take care of you and everybody else!''

The worst wave of terrorist attacks in the history of America were committed by the group to which the 16 people whom the President is in the process of pardoning and letting out of jail, belong and all he asked is that they say they won't do it again.

Joe Lockhart, the White House Press Secretary, on September 8, 1999, when he was talking about the Osama bin Laden terrorist case, said: ''You know, I think that our efforts to bring terrorists to justice are one of the highest priorities of the president's national security agenda.''

I ask my colleagues, if bringing terrorists to justice, if deterring terrorism is one of the President's top priorities, what is he doing pardoning 16 terrorists who killed Americans on our own soil?

When we are facing, as our greatest national security crisis in the world, terrorist acts, when we are threatened with terrorism in our homes and in our cities and in our businesses, in our capital, in the Capitol Building, in our embassies, when we are trying to deter terrorist acts, what is the President of the United States doing pardoning people who have committed such acts?

I think I know what he is doing. I think he is playing New York politics. We have offered a resolution condemning this action by the President.

I wonder, if the First Lady were a Senator, if she would cosponsor this resolution. I wonder if our Vice President, who is running for President, supports the President's policy. I wonder if he would support this resolution.

But I say I think it is an absolute outrage, at the very moment when we face terrorist attacks and threats to our embassies all over the world, when we face the very real threat of terrorism in the heartland of America, at the very moment when our No. 1 national security problem in the world is terrorism, we have the President of the United States pardoning terrorists who are reported to have no remorse about the acts they have taken, and at least some evidence is available that they have said they will commit these acts again if they are freed.

As I have said earlier, I do not know what kind of standard it is, saying you are sorry and you won't do it again. By that standard, we would release every criminal in every prison in America.

But I believe Congress should go on record. Let me also say that if we could overturn the President's decision, I would be in favor of doing it. The President has the right to pardon under the Constitution. We have no powers, as far as I am aware, to overturn that decision. But if we could, I would offer an amendment to do it.

Let me say to the minority leader, it is true that this resolution was just introduced last night. But there is hardly

anything startling in this resolution. Basically, this resolution says that we deplore what the President has done. You either deplore it or you do not deplore it. So I think we can engage in these parliamentary gimmicks for a while, but I think eventually people are going to understand.

I say, as one Member of the Senate, we are going to vote on this resolution or we are going to vote on a cloture motion related to it. We are going to have Senators on record. I think people have a right to know whether you think it is a good idea for the President of the United States to be pardoning terrorists who have killed Americans. I think this is a very serious matter.

It is a very serious matter, not because it has to do with New York politics, not because we have gotten into this absurd charade where the President clearly undertakes this action to respond to a political constituency in New York only to see it backfire—the First Lady is opposed to it unless they say they are sorry and they won't do it again—I think that is, to a large extent, beside the point. The real point is, at a time when the greatest threat we face to national security is terrorism, what are we doing pardoning terrorists?

I conclude by asking my colleagues, do we never learn anything? When we had terrorists promoting with violence and attempted murder exactly the same cause of the terrorists that the President is pardoning today, when we had terrorists with the same goal shoot Members of Congress in 1954 and try to kill President Truman in 1950, and when we see Jimmy Carter as President in 1979, pardon those terrorists. What happened in the 1970s and 1980s? New members of the terrorist group committed acts of violence in the same name to promote the same objective. We have a process. If people in Puerto Rico want to be an independent nation, let them choose to do it. But let's not use violence to promote an objective. I think civilization breaks down when we allow that to happen.

We saw terrorist acts in 1950 and 1954. Jimmy Carter came into office, pardoned the terrorists in 1979, and you have heard me describe some of the terrorist acts that took place in the early 1980s, and now we are about to repeat, in my opinion, the same sad history. I think this is a bad idea. I think it is wrong. I am opposed to it. I think it is outrageous. I think the President ought to be ashamed of it. I think the American people need to hold him accountable. I think the American people have a right to know who finds the President's act deplorable.

I do. I want people to know it. I think our colleagues ought to be on record, and they will be as a result of this resolution.

I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I join with the Senators from Georgia and Texas and the majority leader, TRENT LOTT, in expressing my very deep concern about what I consider to be one of the greatest miscarriages of justice I have seen in our country.

When the President of the United States chose to pardon these 16 terrorists, he did an act which I can only conclude is based on political reasons and not on merit, and in doing so, he has damaged the credibility of the Department of Justice, a Department of this Government I dearly love, at which I spent 15 years and have some real appreciation for and have some understanding about how it works. Equal justice under law is a cornerstone of our Government. It is on our Supreme Court building right across the street, chiseled into the marble of that building, ''Equal Justice Under Law.''

Before we go into the details of this matter, I suggest that there are a million or more Americans in jail at this very moment. As a Federal prosecutor, part of the Department of Justice, and U.S. attorney, I had the responsibility to preside over cases in which young men and women involved, maybe for the first time, with large amounts of cocaine and marijuana received very severe sentences for their offenses—15 years, 20 years, life without parole for people as young as 25 years of age. I have seen that in Federal court under the laws this Congress has passed for serious drug offenses.

Now, there are other criminal offenses in this country, and every one of those individuals has some excuse for what they did. They have some basis to claim they didn't mean it or they have changed or they have turned over a new leaf.

In 1893, the President of the United States issued a document, an Executive order, that transferred the investigatory power over clemency and pardons to the Department of Justice, a logical step. The country was growing and he had no ability to investigate these cases. So an office in the Department of Justice exists, known as the pardon attorney, and it is the responsibility of that office to investigate these matters.

Let me read to you from the current Department of Justice manual. They call it the United States Attorney's Manual. It says this when it talks about the pardon attorney:

> The pardon attorney, under the direction of the associate Attorney General, receives and reviews all petitions for executive clemency—which is what we have here—
> which includes pardon after completion of the sentence, the commutation of sentence, remission of fine and reprieve, initiates necessary investigation, and prepares the Department's recommendation to the President.

Now, fundamentally, that is a logical requirement. The Constitution flatly gives unreviewable power to the President to pardon anyone for an offense against the United States as he so chooses. They have set up this procedure to make sure we have some sort of order and consistency, but the President ultimately has the power. I understand he has only done a few commutations —maybe as few as four— in recent years. At any rate, that is an unreviewable power. To the extent to which he does it, we don't legally have the power to stop it in this body. We might as well accept that.

But when the President of the United States takes a power given to him by the Constitution and he abuses it and he denigrates the orderly procedures of justice, when he elevates terrorists over other people who may well deserve pardons much more, or having their sentence cut much more, he has abused his power and abused his office, and it is the duty and responsibility of this Congress to do the only thing we can, and that is to adopt a resolution that speaks clearly that we don't accept it, don't agree with it, and we deplore it. So I salute the Senator from Georgia for preparing that resolution and presenting it and bringing it forward this day.

There are thousands of people in Federal prisons today—thousands of them, tens of thousands, hundreds of thousands—who are more deserving of a commutation of their sentence, or a pardon, than these defendants in this case. There is no doubt about it.

I am quite confident, and I would be shocked if the pardon attorney who is required to do an evaluation of this approved and recommended that the President make these clemency actions. I just would be amazed if that happened. If they did, that pardon attorney needs to come before the Congress for hearings in this body and explain why they chose to have these terrorists' sentences cut and not someone else. If the person did recommend that, I don't see how they are fit to remain in office. I don't see how they can look in the eyes of the mothers and fathers, as I have, of people in prison who are asking for a break on their sentences, and you tell them no, no, no, no, no—and then you give a break to these people. It is a fundamental question of justice that is so deep that a lot of people don't understand it. But we must exercise the pardon and clemency powers in this country effectively, fairly, and judiciously. The President has not done that in this case.

I wanted to share with the Members of this body a letter to the Wall Street Journal from just a couple of days ago, written by Deborah A. Devaney, former assistant U.S. attorney. I once was an assistant U.S. attorney. I supervised some of the finest assistant U.S. attorneys this country has ever produced for 12 years as U.S. attorney. I want to read what she said about this case. It chills my spine. This is clearly what this is about. Make no mistake about it, when Deborah Devaney and her cohorts were prosecuting these terrorists, you better believe when they came home at night and talked to their families about it, they talked about their own personal safety because these were terrorists, murderers, who suggested

they would kill the judge if they had a chance to do so. This was a courageous prosecution, and this person deserves to be heard on this subject. This is what she said:

As one of the FALN prosecutors, I know too much. I know the chilling evidence that convicted the petitioners—the violence and vehemence with which they conspired to wage war on all of us.

I am quoting her exact words:

I know, too, the commitment and sacrifice it took the FBI and the U.S. Attorney's Office to convict these terrorists in three separate prosecutions.

In the first prosecution, some of the petitioners were captured in the back of a van loaded with weapons to be used to commit armed robberies to fund the FALN operations.

Now, we have a President who is always talking about some new gun law to apply to some innocent American citizen. Here we have people with a van full of weapons designed to conduct armed robberies to get money to create bombs to kill American citizens, and he cuts their sentences.

In the second prosecution, three of the petitioners were caught on videotape in safehouses—

That is where they thought they had a safe house—

making bombs that they planned to plant at military installations.

So they had a house set aside to make bombs to blow up a military installation, and the FBI penetrated it, apparently, and videotaped it. Now, I will tell you, there are a lot of people in the Federal penitentiary today who deserve clemency a lot more than these, but only four others have gotten it since this President has been in office, apparently. She goes on to note:

Through determination and luck, the FBI was able to obtain search warrants allowing them to surreptitiously disarm those bombs at night.

They went in the place and disarmed the bombs as part of the undercover effort.

In the third prosecution, the imprisoned leader of the FALN, (whose sentence President Clinton has drastically reduced) led a conspiracy of cooperating radical groups to obtain C–4 explosives to be used to free him from Leavenworth Penitentiary —

He was already in jail and they were going to free him—

and to wage war on the American people. Most of the petitioners were convicted of seditious conspiracy, a prosecution reserved for the most serious conspiracies, that of opposing by force the authority of the United States.

Yet the President has seen fit to reward these conspirators simply because they were unsuccessful in their murderous attempts.

Well, he said, ''I pardon them because nobody was hurt.'' Now you know why nobody was hurt by this bunch. It was because they were caught in the act before they completed their crime. They were caught with a van load of guns to commit robberies, apparently, before they were able to commit the robberies.

They penetrated the bombmaking enterprise and caught them before they could make the bombs. Morally they are as responsible as if they had been able to carry out their intentions. There is no basis to suggest they deserve a lesser punishment or should be relieved of the just sentence that was imposed on them by a Federal judge and had it affirmed by the courts of appeals in full appellate review.

It goes on to note that when the news of the clemency petition broke, the White House spun the tale that Mr. Clinton was freeing only those who harmed no one. A few dedicated agents are the only people who stood in their way.

That is what Ms. Devaney says. Only a few dedicated agents were there, or they would have harmed someone at the risk of their very lives, I submit to you. The conspirators, she says, made every effort to murder and to maim. It is no small irony that they should be freed under the guise of humanitarianism.

Then she goes on.

Since the granting of the clemency petition, we have been subjected to the spectacle of convicted terrorists objecting to the conditions precedent to their release.

Isn't that a spectacle? Isn't she correct about that? He has given them a pardon—letting them out of jail. And now they are not happy because he asked them not to do violence in the future. That is too much of a burden on them, they say.

That is really an embarrassment to this Nation. This Nation is a great nation. The Presidency of the United States is an august office of power and prestige, and the President needs to exercise that power carefully. The world will be laughing at us over this. The world is laughing at this.

We ought not to be. We ought to be outraged.

Contrast those protestations, she says, with a poignant message of the Connors whose lives were forever diminished by the political murder of their father. There is little anyone can say to give solace, but I would like the Connor family to know that there were those who cared about the victims and fought for them, Ms. Devaney—and those FBI agents—being one of them who fought for them and who believed these crimes were the precursors to heightened domestic terrorism, and who tried very hard to protect the American people.

In fact, I will add that this series of prosecutions and tough sentences that were imposed by a courageous Federal judge broke the back of these terrorist acts. We have a safer country today because of it and because of the courage of the people who brought these cases successfully.

Then she finished. All of America ought to hear this. This is her last line.

I would like the Connor family to know that the American justice system did not fail them. The President did.

This is a real serious issue. Justice in this country is extremely important. Out of all the people who are in jail today—all over America in Federal jails, many of them convicted and serving long sentences, some of them might deserve a sentence to be cut every now and then. For some of them maybe their offenses were not so serious that a pardon after some period of time in private life living a good life would be justified.

I have supported, in 15 years as a Federal prosecutor, two or three pardons for people who I believe justified it. These were pardons after they had served their time—not letting them out of jail before their time was over—after they had led a good life for a number of years, and only after I thought, after fully evaluating their case, that the offenses were not so serious that a pardon would be improper. Many of those offenses may have been technical offenses, paperwork offenses, or things that were less serious.

But to take a terrorist, a person with a truckload of guns, C–4 explosives, and plans to blow up military bases, and give them a pardon over everybody else in the prison system in America—that doesn't make sense to me. There is something afoot here.

I think it is important that the First Lady rejected this after the storm blew up. I think we need to know where the Vice President stands on this and what his views are on this. The President has apparently acted. I hope it is not too late for him to change his mind. But if it has been done, it has been done. It is his power. He can do it. And we can't do anything about it.

Let me show you what the Department of Justice U.S. Attorneys Manual, section 1–2.108 under the Office of the Pardon Attorney rubric notes about how you determine who deserves clemency.

With respect to commutation of sentence—that is what we are talking about here—appropriate grounds for considering clemency include disparity of sentence. Have they received a lot more sentence than somebody else of the same offense? A terminal illness—we don't have that here—and meritorious service on the part of the petitioner in some fashion.

Pardons after completion of the sentence usually are granted on the demonstration of good conduct for a significant period of time after release from confinement.

The seriousness of the offense, it goes on to say, are factors that should be considered in whether to grant clemency.

I think we have a number of things that we need to know about. I hope the Senator from Georgia will be having some hearings about it. We need to know. What did the Attorney General do? Did she recommend for or against this?

Frankly, I cannot imagine the Attorney General recommending these pardons. I am going to be shocked if she recommended it.

We need to know whether the pardon attorney recommended them or not. He

has a duty in this case. Did they even bypass him?

You will notice one other thing that is most unusual about how this process was conducted. Here it is in the Code of Federal Regulations—referring to the same subject—petitions and recommendations: Executive clemency, says the Attorney General, shall review each petition and all pertinent information developed through the investigation.

It says ''shall review each petition.''

Is there a petition in this case? From what we have seen in the papers, there was not. These people never even asked for a pardon. They never even petitioned for a pardon to set forth why they are entitled to one.

According to the U.S. attorney's manual, the petition initiates a background investigation to see if it is worthwhile to go forward.

That, again, is an extraordinary event—the President pardoning 16 convicted terrorists sentenced to a very long time in prison who have not even petitioned for it.

I can't imagine that. That is beyond my comprehension. It is a threat and a diminishment to the rule of law in this country. It is an embarrassment to the justice system of our country.

I hope we will continue to look into it. We will find out what basis there was for it. We know the FBI opposed this clemency. We know the Federal Bureau of Prisons opposed it. Indeed, the Federal Bureau of Prisons, it is reported, have audio records indicating that some of these 16 have vowed to resume violent activities—recordings made while they were still in prison. And he has pardoned these people?

That is beyond my comprehension.

Mr. President, I hope that we will proceed with it carefully. It is not a matter that is insignificant. If this is what we call politicizing justice in America, it is sad, and we need to know if that is true. We need to stand up as a nation and as a Senate, reject it, and say we will not condone politics when it comes to justice; we will not do so; we will protect the lives of Americans; we will validate the personal risk this young prosecutor and those FBI agents expended in order to apprehend these criminals and the risk and damage and suffering of the victims throughout the procedure. I hope we can do that, get to the bottom of it, and that the truth will come out.

To pardon somebody is so serious, if I were the pardon attorney of the United States and I recommended against these pardons, and then the President of the United States pardoned them, I don't believe I could continue to serve in that administration. I believe I would submit my resignation.

Every year there are thousands of requests for pardon and clemency. A lot of them are so much more deserving of this. And the President comes along, for some unknown reason to me as pardon attorney, and grants these pardons to terrorists, and I am supposed to forget that and continue to deny every day young men and women who have served sentences who are so much more deserving of a pardon. What kind of justice system is that? What kind of right and wrong is that?

I say to the pardon attorney who is presidentially appointed and confirmed by this Congress: We want to know your position on this. This goes for the Attorney General. We want to know what the Attorney General's recommendation was on this before it got to the President.

As someone who loves justice and the legal system of America, as someone who cares about its faithful execution and the laws being fairly and objectively enforced, equal justice under law, I believe we have to talk about this. We cannot let this slide.

I congratulate the Senator from Georgia. I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I commend both the Senator from Alabama and the Senator from Texas who preceded him on their remarks regarding this subject.

I am particularly taken with the personal experience the Senator from Alabama brings to this as a former prosecutor. He raises a point in conjunction with the exchange that occurred between the majority and minority leader about the timeliness of this. The minority leader suggested we can't really affect the President's decision—that is correct—and therefore we are under no mandate to speak hurriedly—wrong.

The Senator from Alabama talked about the duty and the honor of the law enforcement officials who put their lives on the line to stop this terrorist activity. He alluded to victims, two sons who lost their father in the tavern in New York.

The Senator from Alabama is making the case that there must be a voice in our Government that says to these people and the world that this divergence from policy about how the United States handles terrorism is not universally accepted here. In fact, there is massive objection. It is setting the record straight. Because of the speed with which the President has proceeded with this, a speed must occur that responds to it. There is no terrorist in the world, no law enforcement official, no living victim who does not understand what U.S. policy is with regard to terrorism, even if there is confusion in the White House.

The U.S. State Department has a report entitled ''Patterns of Global Terrorism in 1998'' which is exceedingly pertinent to this discussion. Before I read from this paragraph, terrorism is now a component of strategic warfare. It is not a passing fad as we might have thought in the 1980s. It is a permanent tool of forces throughout the world that would destabilize large free societies such as the United States. It is here. It will become even more perfected. Therefore, this issue requires massive attention of our Government.

The introduction to this chapter reads:

> The cowardly and deadly bombings of the U.S. Embassies in Kenya and Tanzania in August of 1998 [just a year ago] were powerful reminders that the threat of international terrorism still confronts the world.

This is our State Department telling all Americans that this issue is dynamic, it is large, and we had better be paying attention.

It goes on to list the number of casualties and wounded. It says:

> It is essential that all law-abiding nations [the rule of law to the Senator from Alabama] redouble their efforts to contain this global threat and save lives.

That is a correct statement coming from our State Department in this administration.

It says:

> The United States is engaged in a long-term effort against international terrorism. [These are international terrorists we are talking about.] To protect lives and to hold terrorists accountable we will use the full range of tools at our disposal, including diplomacy backed by the use of force when necessary as well as law enforcement and economic measures.

In other words, no stone unturned in terms of recognizing the threat of terrorism to the United States and to the free world and our resolve to contain it.

Obviously, this clemency is a contradiction with policy. It is incongruous. It is illogical.

Let me go on to the summary of the policy:

> The United States has developed a counter-terrorism policy that has served us well over the years [Republican and Democrat administrations] and was advanced aggressively during 1998.
>
> First, make no concessions to terrorists and strike no deals.

I repeat the one sentence: ''Make no concessions to terrorists and strike no deals.''

> Second, bring terrorists to justice for their crimes.

Now, a tortured editorial in the New York Times endeavors to give some credence to this action, although they say it is a bit difficult. The President has been totally silent. He has not defended his actions. He hasn't given reasons for them. He is just quiet, so it makes it a little complicated here.

They say in closing:

> At a time when the United States must be vigilant against terrorism [that is certainly true] all over the world, the administration cannot afford mixed signals about its tolerance of violence. At the same time, justice demands the sentence fit the crime as proved in a court of law. The long sentences of the men in this case resulted at least in part from their declining even to contest the charges. They accepted the case presented against them and even threatened the life of the judge presiding over the case.

I have to say that if you commute, pardon, the sentences of 16 convicted terrorists who did not dispute the facts, who had arms in their vans, who were planning these bombings, who created 130 bombings in the United States, 70 wounded—we have heard certain personal descriptions about it: 6

dead and, by the grace of God and these law enforcement officers, not more—how clear a case must we have?

I repeat our policy, the United States policy:

First, make no concessions to terrorists and strike no deals.

Not only was there clemency offered here but the standards of it were made known: If you will just promise not to associate with that kind of crowd anymore and tell us you are going to be OK and you won't do this anymore, we are going to let you out. What an absurd condition, relating to people who have been convicted for international terrorism.

My point here is that the New York Times editorial is hopelessly lost because there is no way to achieve anything other than a mixed signal. If the policy is ''make no concessions to terrorists and strike no deals,'' and the President makes a deal with 16 terrorists and says you can get out because you didn't throw the bomb, what kind of message is that? Does that mean bin Laden is some lesser problem to the United States because he did not personally throw the bomb in Kenya and Tanzania? Is he, therefore, less of a threat to the United States just because he planned it, less than the person who threw it? Would anybody in their right mind believe that?

So we do have a mixed signal. And, therefore, we need these resolutions to be adopted by the people's branch of Government that says to these terrorists wherever they are, whatever their plans, our policy is: Make no concessions and strike no deals, and if you are arrested and caught by these law enforcement officers, you are going to face the harshest form of justice. It is the only way we will be able to stabilize the threat of terrorism in the United States.

I am going to conclude by just noting that the House resolution on this subject, H. Con. Res. 180, has just been agreed to. There were 311 Members of the House who voted ''aye,'' 41 voted ''no.'' But here is the shocker: 72 only voted ''present.'' That is pretty remarkable.

I have always said the best barometer of where the American people are is the House. It is a great barometer. This says the American people do not accept this incongruity in our pursuit to throttle terrorism. The message that has been sent by the President is a wrong message, and the responsibility of the people's branch is to get the message straight and fast.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, one of the key things in any pardon is that the individual is presumed to be guilty of the offenses, and when they review a pardon or a clemency it normally does not even deal with the question of guilt or innocence. It is assumed since the jury has convicted them and the case has been affirmed—and I don't think there is any doubt about these defendants. They have never even denied their involvement in these offenses. But I would like to point out that before you have clemency for individuals, they really should renounce, clearly and unequivocally, the acts which they have done.

You would think that would mean some of these prisoners would say that violence in these circumstances was terribly wrong, I wish I hadn't done it, I am sorry for the lives, I apologize for the destruction and devastation it has caused. But that is not the case.

I am reading here from the Washington Post, a newspaper here in Washington known for its pro-Clinton leanings. This is what Michael Kelly has written about this very subject, about whether or not they have renounced their wrongdoing. He says:

. . . none of the 16 prisoners has ever admitted to complicity in any fatal bombings or expressed specific remorse for those bombings. No one has ever apologized to the families of those murdered. The statement signed by the 12 who have accepted commutation does renounce the use of violence, but it expresses no contrition or responsibility for past actions.

And these selected statements distributed by the White House did not fully and honestly represent the views of the 16. Not included, for instance, was a 1998 [just last year] statement by one of the FALN leaders, Oscar Lopez Rivera, in which Rivera rejected the whole idea of contrition.

I am quoting here Michael Kelly in the Washington Post:

I cannot undo what's done. The whole idea of contrition, atonement, I have a problem with that.

So I will just say that is a sad event we are now proposing, to offer clemency to persons with that type of mentality. I believe this has been a colossal error, a great stain on the integrity and consistency of the Department of Justice pardon and commutation procedures. It cannot be explained to any rational person. It represents an aberrational, unfair, and unjust act that I can only conclude was driven by some forces, probably political, outside the realm of justice. It is a terrible thing.

I agree with the Senator from Georgia, it is important that at least this branch of Government, the Senate and the House, speak out clearly and deplore it.

I thank the Senate for its time and attention and I yield the floor.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

RUSSIAN STATEMENTS REGARDING THE ANTI-BALLISTIC MISSILE TREATY

Mr. COCHRAN. Mr. President, the National Missile Defense Act makes it the policy of the United States to deploy a limited national missile defense system as soon as the technology to do so is ready. This act was passed by large margins in both Houses. Because the Anti-Ballistic Missile or ABM Treaty prohibits such a system, that treaty must be modified.

That point was made in the debate on the National Missile Defense Act in the Senate, and it is the reason why administration officials have engaged the Russian Government in discussions on modifying the treaty. These discussions began last month in Moscow, and I am pleased that staff members of the Senate's National Security Working Group were able to attend and be briefed on the progress of those talks. Deputy Secretary of State Strobe Talbott is in Moscow for further negotiations on this and other important issues.

But I am very disturbed by reported comments of Russian officials on this subject. Today, for example, it was reported that Mr. Roman Popkovich, Chairman of the Defense Committee of the Russian Parliament, said that if the United States builds a missile defense system, Russia may respond by ''developing an entirely new kind of offensive weapon.'' Mr. Popkovich was also quoted in this story as saying, ''No anti-missile defense will be able to stop our new missiles.''

His are not the first such comments we have heard about modifying the ABM Treaty. The lead Russian negotiator, Grigory Berdennikov, said the mere raising of the issue meant ''the arms race could now leap to outer space.'' Gen. Leonid Ivashov, head of International Cooperation in the Russian Ministry of Defense, said that modifying the treaty ''would be to destroy the entire process of nuclear arms control.''

I don't know the motivations for such statements, but I believe they deserve a response. There should be no misunderstanding of our Nation's intentions with respect to national missile defense. We face a real and growing threat of ballistic missile attack from rogue states or outlaw nations. That threat is advancing, often in unanticipated ways. The U.S. Government has a duty to protect its citizens from this threat.

It is our policy, which is now set in law, to deploy a system to defend against limited attack by ballistic missiles as soon as technologically possible. The system we intend to deploy in no way threatens the strategic retaliatory force of Russia. The ABM Treaty, an agreement between two nuclear superpowers engaged in an arms buildup in 1972, prohibits such a system and must be modernized. I am sure Russian officials know all of this. They have been briefed repeatedly on the U.S. assessment of the threat. They have been briefed repeatedly on U.S. plans for national missile defense and know as well as we do that the system we contemplate is not directed at Russia and poses no threat to its forces.

So the statements of Mr. Popkovich and the other Russian officials essentially threatening an arms race if the U.S. does what it must do to protect its citizens are very disappointing. They sound like something from the past, an echo of the cold war that is over.

The United States has embarked in good faith in discussions about the need to modernize the ABM Treaty. We negotiated in good faith with Russia when it demanded changes to the Conventional Forces in Europe Treaty in order to enable Russia to adapt to changed circumstances. It would be unfortunate if the United States were put in the position of choosing between defending its citizens and adhering to an outdated agreement because we have already determined that we will defend ourselves.

I am confident the Senate will not accept an arrangement in which the U.S. continues to be vulnerable to new threats because of a 27-year-old agreement that is so clearly out of date. What is needed now is for the rhetoric to be cooled, for threats about arms races and new missiles to be set aside, and let serious and fruitful discussions proceed. It is in not only our interest for that to happen but Russia's as well.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, September 8, 1999, the Federal debt stood at $5,656,209,987,935.17 (Five trillion, six hundred fifty-six billion, two hundred nine million, nine hundred eighty-seven thousand, nine hundred thirty-five dollars and seventeen cents).

One year ago, September 8, 1998, the Federal debt stood at $5,548,700,000,000 (Five trillion, five hundred forty-eight billion, seven hundred million).

Five years ago, September 8, 1994, the Federal debt stood at $4,679,340,000,000 (Four trillion, six hundred seventy-nine billion, three hundred forty million).

Ten years ago, September 8, 1989, the Federal debt stood at $2,855,859,000,000 (Two trillion, eight hundred fifty-five billion, eight hundred fifty-nine million) which reflects a doubling of the debt—an increase of almost $3 trillion—$2,800,350,987,935.17 (Two trillion, eight hundred billion, three hundred fifty million, nine hundred eighty-seven thousand, nine hundred thirty-five dollars and seventeen cents) during the past 10 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 a treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time and placed on the calendar:

S.J. Res. 33. Joint resolution deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

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–5082. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closes Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area for Pollock Allocated to the Inshore Component,'' received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

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–341. A resolution adopted by the Board of Tipler Township, Florence County, Wisconsin relative to the Nicolet National Forest; to the Committee on Energy and Natural Resources.

POM–342. A resolution adopted by the House of the Northern Marianas Commonwealth Legislature relative to the Kyoto Protocol; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 11–176

Whereas, the United States is a signatory to the 1992 United Nations Framework Convention on Global Climate Change (FCCC); and

Whereas, a protocol to implement the goals of the FCCC was negotiated in December 1997 in Kyoto, Japan (the Kyoto Protocol), which, when ratified, will require the United States to reduce emissions of greenhouse gases by seven percent below 1990 levels by the year 2012; and

Whereas, the world's leading climate scientists have warned that rising concentrations of carbon dioxide and other ''greenhouse gases'' in the atmosphere threaten to increase average global temperatures at unprecedented rates; and

Whereas, climatic alternations will have a dramatic, if not catastrophic, effects on human health and well-being, severe weather event, agricultural productivity, and other resource industries; and

Whereas, a National Academy of Sciences study concludes that the United States can reduce energy consumption by twenty percent or more, thereby reducing greenhouse gas emissions at a net economic benefit to the country; and

Whereas, increased United States energy efficiency and technological development will improve United States competitiveness in world trade; and

Whereas, past greenhouse emissions have already committed the world to a future rise in global temperatures, thereby making immediate action imperative to protect the health, welfare and security of the American people: Now, therefore, be it

Resolved, by the House of Representatives, Eleventh Northern Marianas Commonwealth Legislature, That the Senate of the United States be urged to ratify the Kyoto Protocol to the United Nations Framework Convention on Climate Change and that the United States Congress be urged to take the lead in lowering greenhouse gas emissions; and be it further

Resolved, That the Speaker of the House shall certify and the House Clerk shall attest to the adoption of this resolution and thereafter transmit copies of this resolution signed by the Speaker of the House of Representatives be forwarded by the clerk to the President of the United States Senate, the CNMI Governor, Chair, CNMI 902 Consultation Team, and to the CNMI Washington Representative.

POM–343. A concurrent resolution adopted by the Legislature of the State of Texas relative to the McGregor Range at Fort Bliss, Texas; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 38

Whereas, Future military threats to the United States and its allies may come from technologically advanced rogue states that for the first time are armed with long-range missiles capable of delivering nuclear, chemical, or biological weapons to an increasingly wider range of countries; and

Whereas, The U.S. military strategy requires flexible and strong armed forces that are well-trained, well-equipped, and ready to defend our nation's interests against these devastating weapons of mass destruction; and

Whereas, Previous rounds of military base closures combined with the realignment of the Department of the Army force structure have established Fort Bliss as the Army's Air Defense Artillery Center of Excellence, thus making McGregor Range, which is a part of Fort Bliss, the nation's principal training facility for air defense systems; and

Whereas, McGregor Range is inextricably linked to the advanced missile defense testing network that includes Fort Bliss and the White Sands Missile Range, providing, verifying, and maintaining the highest level of missile defense testing for the Patriot, Avenger, Stinger, and other advanced missile defense systems; and

Whereas, The McGregor Range comprises more than half of the Fort Bliss installation land area, and the range and its restricted airspace in conjunction with the White Sands Missile Range, is crucial to the development and testing of the Army Tactical Missile System and the Theater High Altitude Area Defense System; and

Whereas, The high quality and unique training capabilities of the McGregor Range allow the verification of our military readiness in air-to-ground combat, including the Army's only opportunity to test the Patriot missile in live fire, tactical scenarios, as well

as execute the ''Roving Sands'' joint training exercises held annually at Fort Bliss; and

Whereas, The Military Lands Withdrawal Act of 1986 requires that the withdrawal from public use of all military land governed by the Army, including McGregor Range, must be terminated on November 6, 2001, unless such withdrawal is renewed by an Act of Congress: Now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby support the U.S. Congress in ensuring that the critical infrastructure for the U.S. military defense strategy be maintained through the renewal of the withdrawal from public use of the McGregor Range land beyond 2001; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–344. A concurrent resolution adopted by the Legislature of the State of Texas relative to benefits for military retirees; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, Military retirees who have served honorably for 20 or more years constitute a significant part of the aging population in the United States; and

Whereas, These retirees were encouraged to make the United States Armed Forces a career, in part by the promise of lifetime health care for themselves and their families; and

Whereas, Prior to the age of 65, these retirees are provided health services by the United States Department of Defense's TRICARE Prime program, but those retirees who reach the age of 65 lose a significant portion of the promised health care due to Medicare eligibility; and

Whereas, Many of these retirees are also unable to access military treatment facilities for health care and life maintenance medications because they live in areas where there are no military treatment facilities or where these facilities have downsized so significantly that available space for care has become nonexistent; and

Whereas, The loss of access to health care services provided by the military has resulted in the government breaking its promise of lifetime health care; and

Whereas, Without continued affordable health care, including pharmaceuticals, these retirees have limited access to quality health care and significantly less care than other retired federal civilians have under the Federal Employees Health Benefits Program; and

Whereas, It is necessary to enact legislation that would restore health care benefits equitable with those of other retired federal workers; and

Whereas, Several proposals to meet this requirement are currently under consideration before the United States Congress and the federal Department of Defense and Department of Health and Human Services; of these proposals, the federal government has already begun to establish demonstration projects around the country to be conducted over the next three years, which would allow Medicare to reimburse the Department of Defense for the costs of providing military retirees and their dependents health care; this project would allow a limited number of Medicare-eligible beneficiaries to enroll in the Department of Defense's TRICARE Prime program and receive all of their health care under that program: Now, therefore, be it

Resolved, That the 76 Legislature of the State of Texas hereby memorialize the Congress of the United States to maintain its commitment to America's military retirees by providing lifetime health care for military retirees over the age of 65; to enact comprehensive legislation that affords military retirees the ability to access health care either through military treatment facilities or through the military's network of health care providers, as well as legislation to require opening the Federal Employees Health Benefits Program to those uniformed services beneficiaries who are eligible for Medicare, on the same basis and conditions that apply to retired federal civilian employees; and to enact any other appropriate legislation that would address the above concerns; and, be it further

Resolved, That the Texas Secretary of State forward official copies of this resolution to the President of the United States, the president of the Senate and Speaker of the House of Representatives of the United States Congress, and all members of the Texas delegation to the Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States.

POM–345. A concurrent resolution adopted by the Legislature of the State of Texas relative to the Medicaid disproportionate share hospital program; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 75

Whereas, The Lower Rio Grande Valley is an area of Texas vital to the economic success and well-being of the state; and

Whereas, The area faces a variety of challenges, one of which is a significant demand for indigent health care; this need is complicated by transportation issues and other difficulties affecting patient access to health care services; and

Whereas, The State of Texas operates the South Texas Hospital in the city of Harlingen, and this institution provides critically needed health care services to indigent patients in the Lower Rio Grande Valley; and

Whereas, State funds used to provide indigent health care services at the South Texas Hospital have been used to obtain matching federal funds through the Medicaid disproportionate share hospital program and their use has increased the resources available to provide health care services to indigent patients throughout Texas; and

Whereas, The South Texas Hospital's physical facilities are in need of major renovation, and there are other hospitals in the Lower Rio Grande Valley that can provide inpatient services needed by the indigent population of the region; and

Whereas, The mission of the South Texas Hospital and the public good will best be served by contracting with public and private hospitals in the Lower Rio Grande Valley so that they may provide inpatient services to the indigent population; and

Whereas, If the state intends to continue its commitment to provide needed health services to the people of the Lower Rio Grande Valley, then the Texas Legislature must encourage the federal government to continue matching state funds used to provide eligible inpatient services and to participate in innovative approaches that maximize local, state, and federal resources to address the pressing need for indigent health services in Texas: Now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to qualify the contributions made by the State of Texas for eligible inpatient hospital services provided by contract in the Lower Rio Grande Valley for federal matching funds under the Medicaid disproportionate share hospital program; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–346. A concurrent resolution adopted by the Legislature of the State of Texas relative to customs facilities at Texas-Mexico border crossing areas; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 2

Whereas, Bottlenecks at customs inspection lanes have contributed to traffic congestion at Texas-Mexico border crossing areas, slowing the flow of commerce and detracting from the economic potential of the North American Free Trade Agreement (NAFTA); and

Whereas, Smuggling of drugs inside truck parts and cargo containers compounds the problem, necessitating lengthy vehicle searches that put federal customs officials in a crossfire between their mandate to speed the movement of goods and their mandate to reduce the flow of illegal substances; and

Whereas, At the state level, the Texas comptroller of public accounts has released a report titled ''Bordering the Future,'' recommending among other items that U.S. customs inspection facilities at major international border crossings stay open around the clock; and

Whereas, At the federal level, the U.S. General Accounting Office is conducting a similar study of border commerce and NAFTA issues, and the U.S. Customs Service is working with a private trade entity to review and analyze the relationship between its inspector numbers and its inspection workload; and

Whereas, Efficiency in the flow of NAFTA commerce requires two federal customs-related funding commitments: (1) improved infrastructure, including additional customs inspection lanes; and (2) a concurrent expansion in customs personnel and customs operating hours; and

Whereas, Section 1119 of the federal Transportation Act for the 21st Century (TEA–21), creating the Coordinated Border Infrastructure Program, serves as a funding source for border area infrastructure improvements and regulatory enhancements; and

Whereas, Domestic profits and income increase in tandem with exports and imports, generating federal revenue, some portion of which deserves channeling into the customs activity that supports increased international trade; and

Whereas, Texas legislators and businesses, being close to the situation geographically, are acutely aware of the fixes and upgrades that require attention if NAFTA prosperity is truly to live up to the expectations of this state and nation: Now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to provide funding for infrastructure improvements, more customs inspection lanes and customs officials, and 24-hour customs operations at border crossings between Texas and Mexico; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–347. A joint resolution adopted by the Legislature of the State of California relative to persons with disabilities; to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION NO. 17

Whereas, In California and elsewhere, throughout a prolonged period of economic well-being and record low unemployment rates, recent national and California studies both have unaccepted findings that only one-third of adults with disabilities nationally and in California hold part-time or full-time jobs; and

Whereas, In these same studies, 75 percent of those not working stated they wanted to work; and

Whereas, The lack of access to private health insurance or the lack of continuing access to Medi-Cal or Medicare is the main obstacle individuals with significant disabilities face when working or returning to work; and

Whereas, The Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) work incentive rules have the potential to be effective but are underutilized, overly complex, and inconsistently administered. Social Security work incentives are used by only a small fraction of those eligible and often result in benefit by only a small fraction of those eligible and often result in benefit overpayments that must be repaid by the payee; and

Whereas, People with disabilities who are SSDI beneficiaries and SSI recipients have limited choice in employment services; and

Whereas, On January 28, 1999, Senator James M. Jeffords, Senator Edward M. Kennedy, Senator William V. Roth, Jr., and Senator Daniel Patrick Moynihan, introduced Senate Bill 331, cited as the ''Work Incentives Improvement Act of 1999,'' to expand the availability of health care coverage for working individuals with disabilities, establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide these individuals with meaningful opportunities to work, and for other purposes; and

Whereas, On March 18, 1999, Representative Rick A. Lazio, Representative Michael Bilirakis, Representative Nancy L. Johnson, Representative Henry A. Waxman, Representative Tom Bliley, Jr., Representative Bob Matsui, Representative Fortney (Pete) Stark, Representative Brian Bilbray, Representative Steve Horn, of California and other states, introduced House Resolution 1180, cited as the ''Work Incentives Improvement Act of 1999,'' a measure similar to that introduced in the Senate; and

Whereas, The federal act, as introduced, would provide states with the option and incentive grants to set up programs to extend medicaid coverage to certain classes of SSDI and SSI beneficiaries who work, provide more choice of employment services, and establish a $2 for $1 earned income offset demonstration project for SSDI beneficiaries; and

Whereas, The federal act, as introduced, contains strong work incentive and planning provisions for individuals with disabilities who work or want to work, and provisions for community work incentive planners to help individuals understand and use federal and state work incentive programs, Social Security specialists in work incentives at field offices to disseminate accurate information, protection and advocacy assistance when an individual's situation is negatively impacted as a result of work, and an advisory panel to counsel the Commissioner of Social Security and other federal agencies on employment and work incentive programs; and

Whereas, The interconnected provisions of the federal act work in concert to remove work barriers for people with disabilities; and

Whereas, California with disabilities want to live and work side by side with others in their communities and this goal can begin to happen with passage of this historic national legislation; and

Whereas, It is the California Legislature's strongest belief that people have the responsibility and right to meaningful employment opportunities: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature affirms its endorsement of the federal ''Work Incentives Improvement Act of 1999,'' and urges the United States Congress to pass this act at once in order to meet the urgent demands of people with disabilities who work or want to work across the nation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Senate Majority Leader, the Speaker of the House of Representatives, the Chirpersons of the Senate Committees on Appropriations, Budget, and Finance, and to the Chairpersons of the House Committees on Appropriations, Budget, Commerce, and Ways and Means, and to each Senator and Representative from California in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 974. A bill to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes (Rept. No. 106–154).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. JEFFORDS (for himself and Mr. AKAKA):

S. 1571. A bill to amend title 38, United States Code, to provide for permanent eligibility of former members of the Selected Reserve for veterans housing loans; to the Committee on Veterans Affairs.

By Mr. ROTH (for himself, Mr. DODD, Mr. BIDEN, and Mr. INOUYE):

S. 1572. A bill to provide that children's sleepwear shall be manufactured in accordance with stricter flammability standards; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself, Mr. CHAFEE, Mr. LEAHY, and Mr. JEFFORDS):

S. 1573. A bill to provide a reliable source of funding for State, local, and Federal efforts to conserve land and water, preserve historic resources, improve environmental resources, protect fish and wildlife, and preserve open and green spaces; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. Res. 180. A resolution reauthorizing the John Heinz Senate Fellowship Program; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JEFFORDS (for himself and Mr. AKAKA):

S. 1571. A bill to amend title 38, United States Code, to provide for permanent eligibility of former members of the Selected Reserve for veterans housing loans; to the Committee on Veterans' Affairs.

PERMANENT ELIGIBILITY OF MEMBERS OF THE SELECTED RESERVE FOR VETERANS

• Mr. JEFFORDS. Mr. President, I would like to draw my colleagues' attention to legislation Senator AKAKA and I are introducing today. Entitled ''Permanent Eligibility of Members of the Selected Reserve for Veterans Home Loans,'' this important legislation does not change existing law, but rather makes permanent a critical benefit for the National Guard and Reserve personnel.

Under current law, selected Reservists and National Guard personnel who complete six years of service are eligible for guaranteed home loans. This is a significant benefit that has been enjoyed by active duty personnel for many years and has proven to be very effective. In 1992, there was broad bipartisan support in both the House and the Senate for extending this benefit to the hard working men and women of the Reserves on a trial basis until 1999. Last year the program was extended to the year 2003. However, as we near that date, no potential recruit may participate in the program because it expires before they are able to complete six years of service. Therefore, we introduce this bill in an effort to make this benefit permanent.

Our Reserves and National Guard are being called upon more and more today. They are a crucial asset to our Nation's military, but the Reserves are not exempt from problems such as low recruiting that currently face our military. This legislation will give the Reserve Component an added recruitment incentive to offer potential service members.

Mr. President, more and more of our service members are taking the giant step of buying a home. Since the start of the VA Home Loan Program in 1992 through 1996, 33,224 loans have been guaranteed by the VA. Only 93 of those

have been foreclosed upon; an incredibly low rate of .37 percent; The foreclosure rate for loans made to other veterans was .97 percent (two and a half times more). In 1996 alone, over $1.1 billion was given out in home loans under this program. This legislation is good not only for our veterans and Reserves, but it is good for our economy as well. I hope there will be support from both sides on this issue.●

● Mr. AKAKA. Mr. President, I am pleased to join Senator JEFFORDS in introducing a bill that would permanently authorize the Department of Veterans Affairs Home Loan Guaranty Program for members of the Selected Reserve.

As the proud author of the original legislation enacted in 1992 to extend eligibility for the VA Home Loan Guaranty Program to National Guard and Reserve members, I am pleased with the results of the program. Tens of thousands of dedicated reservists who served for at least six years, and continue to serve or have received an honorable discharge, have been able to fulfill the dream of home ownership through this program. The participation of Guard and Reserve members not only benefits these service members, but also stabilizes the financial viability of the program since this group has had a lower default rate than most other program participants.

In anticipation of the October 1999 expiration of the eligibility of reservists for VA-guaranteed home loans, I introduced legislation last year to permanently authorize the VA Home Loan Guaranty Program for members of the Selected Reserve. With bipartisan support in the House and Senate, a revised version of my legislation was enacted into law. While I am pleased that the eligibility of reservists for veterans housing loans was extended September 2003, I believe that permanent authority should be provided to members of the Selected Reserve.

Since the end of the cold war, we have reassessed the role, size, and structure of our Armed Forces. Recognizing the changes in our national military strategy prompted by a new global environment and appreciating the need to address our nation's budget deficit, we have significantly downsized our active duty military forces. As a result, the National Guard and Reserve have played a more prominent role in the Total Force. Reservists are being increasingly called upon to protect and promote our national security interests in regions throughout the world. Most recently, reservists have been serving alongside active duty forces in the Balkans to support NATO air operations over Kosovo. By making permanent the eligibility of members of the Selected Reserve for the VA Home Loan Guaranty Program, we would specifically recognize their vital service to our country and ensure that veterans housing loans will continue to be available to them beyond the near future.

The VA guaranty program is also an important component of a benefits package which makes Guard and Reserve service more attractive to qualified individuals. This is of particular importance during a time when the civilian sector is competing for the same pool of limited applicants, as well as when our military needs are becoming increasingly technical, demanding only the most intelligent, motivated, and competent individuals. Currently, the VA Home Loan Guaranty Program cannot be used as a recruitment tool since the authority expires in four years and reservists are required to serve for at least six years before they qualify for VA-guaranteed loans. A permanent authorization will assist the National Guard and Reserve with their recruitment efforts by allowing veterans housing loans to be offered as an incentive.

Thank you, Mr. President. I urge my colleagues to support this measure which would recognize the vital contributions of National Guard and Reserve members to our country, as well as ensure that veterans housing loans will continue to be available in the future.●

By Mr. LIEBERMAN (for himself, Mr. CHAFFEE, Mr. LEAHY, and Mr. JEFFORDS):

S. 1573. A bill to provide a reliable source of funding for State, local, and Federal efforts to conserve land and water, preserve historic resources, improve environmental resources, protect fish and wildlife, and preserve open and green spaces; to the Committee on Energy and Natural Resources.

NATURAL RESOURCES REINVESTMENT ACT

● Mr. LIEBERMAN. Mr. President, I rise to offer introductory remarks on the Natural Resources Reinvestment Act, a bill that I am introducing today with my colleagues Mr. CHAFEE, Mr. LEAHY, and Mr. JEFFORDS. Before we adjourned for the summer recess, Congress spent many weeks preoccupied with weighty fiscal matters like how to divvy up a hypothetical budget surplus, whether to grant tax cuts with money that may or may not exist, or whether to do the responsible thing and pay off the national debt with any surplus that might actually materialize. Make no mistake, these are important issues, but they are not the only issues that should cause us concern. Recent visits with citizens in Connecticut reinforced my conviction that one of the most critical, but commonly overlooked, issues facing our nation today is the conservation debt that we have amassed in recent years.

This conservation debt is difficult to define because it cannot be measured in dollars and cents. It is not dependent on interest rates or stock market gyrations. It is not a debt that can be paid off by signing a check when eventually we realize that we have shortchanged our children's environmental inheritance.

This conservation debt grows as urban sprawl spreads across prime farmland and degrades wetlands. It is a debt that multiples every time a community misses a chance to acquire the watershed lands that help to purify their drinking water. It is a debt that grows irreversibly every time another endangered species is driven down the one-way road to extinction. It is a debt that increases each time an untended urban park is ceded to drug-peddlers through neglect and inattention. It is a debt that builds every time a structure representing our cultural heritage is demolished rather than renovated. It is a debt that we can no longer afford to ignore.

Unfortunately, too little has been said or done recently in Washington to define the steps we—as a nation—should take to pay off the conservation debt and ensure that our children and grandchildren inherit a planet that is healthy, productive, and blessed with abundant, clean, green open space.

Because I am committed to preserving a rich environmental legacy for our children, today I join with Mr. CHAFEE, from Rhode Island, the esteemed Chairman of the Environment and Public Works Committee on which I serve, and Mr. LEAHY and Mr. JEFFORDS from Vermont to introduce the Natural Resources Reinvestment Act of 1999.

The principle behind our bill is simple: as we deplete federally-owned, nonrenewable natural resources such as oil and gas, we should reinvest the proceeds to establish a reliable source of funding for State, local, and federal efforts to conserve land and water, provide recreational opportunities, preserve historic resources, protect fish and wildlife, and preserve open space. The Natural Resources Reinvestment Act honors this principle by re-establishing America's long-standing commitment to protecting land, fish and wildlife, and our cultural heritage and by re-doubling Federal commitments that help states and localities protect the open space and recreational opportunities that Americans cherish so deeply.

Notwithstanding our current conservation debt, America has made many wise conservation investments over the years. Therefore, the Natural Resources Reinvestment Act is not spun entirely from whole cloth, but also improves upon those things we have done well. For example, the Land and Water Conservation Fund, which has served as the primary Federal source of funds for the acquisition of recreational lands since 1965, has been a tremendous success by any measure. It has helped protect more than seven million acres of open space and contributed to the development of 37,000 parks and recreation areas across the country. Everglades and Saguaro National Parks, the Appalachian Trail, the Martin Luther King, Jr., National Historic Site, and Niagara Falls are few examples of treasured places across the country that have been created or protected with help from the Land and Water Conservation Fund.

Because the Outer Continental Shelf petroleum royalty system is already in collecting billions of dollars every year, rather than introducing new taxes, this bill would simply ensure that taxes historically raised for conservation purposes actually result in conservation activity. Despite the notable successes and broad bipartisan support and authorization for $900 million dollars, Congress has failed to appropriate sufficient money for Land and Water Conservation Fund. More than $11 billion dollars of authorized conservation funding has been funneled back into the general treasury since the Fund was established. Again, this bill requires no new taxes——it simply ensures that existing revenues are spent on the conservation priorities that communities across the country have identified.

The stateside portion of the Land and Water Conservation Fund—the money that is supposed to help states and local communities direct their own conservation and recreation goals—has gone completely unfunded since 1995. This is particularly troubling for me because Connecticut has the smallest percentage of federally-owned land of any state in the union.

The Natural Resources Reinvestment Act ensures that the Land and Water Conservation Fund will receive full authorized funding every year. The bill also builds on the success of the Fund, by authorizing a new program for State Lands of National or Regional Interest to help protect areas of unique ecological, recreational, aesthetic, or regional value that would not be eligible for traditional Land and Water Conservation Fund support. We also provide full funding for other successful programs with an existing claim on Outer Continental Shelf revenues, including the Historic Preservation Fund, and the Urban Park and Recreation Recovery program. Every year our bill will reinvest $250 million dollars of Outer Continental Shelf petroleum revenues in State fish and wildlife conservation efforts, with special emphasis on projects that protect nongame and threatened or endangered species.

The Natural Resources Reinvestment Act also creates a $900 million Environmental Stewardship Fund to be distributed to States for the purposes of conserving, protecting, and restoring their natural resources beyond what is required by current law. The Environmental Stewardship Fund is designed so that States have the flexibility to devise innovative solutions to their individual conservation challenges. This commitment to helping, but not dictating how, communities achieve their conservation goals is exceptionally important.

Over the last year, the State of Connecticut has acquired 3,725 acres of open space worth more that $15 million dollars in 24 different municipalities. These open space purchases represent important steps toward the state goal of setting aside 21% of Connecticut land as open space. However, that goal is still more than 345,000 acres away from being reality. Each state has unique conservation and recreation priorities and the NRRA ensures that they will have flexible federal assistance they need to put their plans into practice. Because the NRRA would support diverse ideas and approaches to conserving and protecting the nation's natural and cultural resources, each state will also benefit from the innovation and lessons learned by other states from coast to coast.

Finally, the Natural Resources Reinvestment Act clarifies and improves existing laws to leverage opportunities to protect farmland and watersheds, and mitigate the extent to which transportation projects encroach on open and green space. While these improvements are made in federal laws, they affect local decisions. For example, the NRRA amends the 1996 Farm Bill so that state and local conservation organizations can help acquire easements designed to maintain productive farmland as productive farms. This provision of the NRRA gives communities a powerful tool to help make sure that family farms are not squeezed out of American communities as cities and towns grow and prosper in the 21st century.

By amending the Federal Water Pollution Control Act so that up to 10% of the State Revolving Loan Fund can be used for matching grants to purchase land that protects watersheds, the NRRA recognizes that flexibility is critical for cost-effective delivery of clean and healthy drinking water to American homes and businesses. This provision of the NRRA recognizes that protecting watersheds—the Earth's natural water filtration and purification systems—by preserving open space can be an important and relatively inexpensive component of municipal water supply strategies.

America's world-class network of roads and highways represents the foundation of our national commerce. It also embodies many families' tickets to staying in touch with friends and relatives across the country and their passports for exploring the beauty and history of our nation. The NRRA amends the Transportation Equity Act for the 21st century so that highway development funds can be used to purchase open space and green corridors that will help mitigate the effects of transportation-related growth and development.

The Natural Resources Reinvestment Act represents a strong, renewed federal commitment to protecting our natural and historical resources nationwide at local, state, and regional levels. It demonstrates our dedication to ensuring that revenues from oil and gas leasing on federal lands are reinvested in our heritage for current and future generations alike. Mr. President, I ask that the bill be printed in the RECORD.

The bill follows:

S. 1573

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Natural Resources Reinvestment Act of 1999''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Stewardship Council.

TITLE I—OPEN SPACE AND HISTORIC PRESERVATION

Sec. 101. Findings and purposes.

Subtitle A—Land and Water Conservation Fund

Sec. 111. Secure funding for the Land and Water Conservation Fund.
Sec. 112. Financial assistance to States.

Subtitle B—Urban Park and Recreation Recovery

Sec. 121. Urban park and recreation recovery.

Subtitle C—Historic Preservation

Sec. 131. Historic Preservation Fund.

Subtitle D—State Land and Water of National or Regional Interest

Sec. 141. State land and water of national or regional interest.

Subtitle E—Payments for Federal Ownership

Sec. 151. Authorization of appropriations for payments for entitlement land and the Refuge Revenue Sharing Fund.

TITLE II—STATE CONSERVATION ASSISTANCE

Sec. 201. Short title.
Sec. 202. Findings and purpose.
Sec. 203. Definitions.
Sec. 204. Environmental Stewardship Fund.
Sec. 205. Apportionment of Fund receipts to States.
Sec. 206. Use of funds by States.
Sec. 207. State plans.
Sec. 208. Effect on leasing and development.

TITLE III—FISH AND WILDLIFE CONSERVATION

Sec. 301. Findings and purposes.
Sec. 302. Definitions.
Sec. 303. Conservation programs.
Sec. 304. Fish and Wildlife Conservation Fund.
Sec. 305. Apportionment of Fund receipts to States.
Sec. 306. Technical amendments.

TITLE IV—NEW OPEN SPACE INITIATIVES

Subtitle A—Watersheds

Sec. 401. Findings and purpose.
Sec. 402. Land acquisition and restoration program.

Subtitle B—Transportation

Sec. 411. Findings and purpose.
Sec. 412. Surface transportation program.
Sec. 413. Federal-aid system.

Subtitle C—Farmland

Sec. 421. Farmland protection.

SEC. 2. DEFINITIONS.

In this Act:

(1) LEASED TRACT.—The term ''leased tract'' means a tract—

(A) leased under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources; and

(B) comprising a unit consisting of a block, a portion of a block, or a combination of blocks or portions of blocks, as specified in the lease, and as depicted on an outer Continental Shelf Official Protraction Diagram.

(2) OUTER CONTINENTAL SHELF.—The term ''outer Continental Shelf'' has the meaning given the term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(3) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

(A) IN GENERAL.—The term ''qualified outer Continental Shelf revenues'' means—

(i) all sums received by the United States from each leased tract or portion of a leased tract located in the western or central Gulf of Mexico; less

(ii) such sums as may be credited to States under section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) and amounts needed for adjustments and refunds as overpayments for rents, royalties, or other purposes.

(B) INCLUSIONS.—The term ''qualified outer Continental Shelf revenues'' includes royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases granted under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a leased tract or portion of a leased tract described in subparagraph (A)(i).

(4) REVENUES.—The term ''revenues'' means all sums received by the United States as rents, royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases granted under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STEWARDSHIP COUNCIL.—The term ''Stewardship Council'' means the interagency council established by section 3.

SEC. 3. STEWARDSHIP COUNCIL.

(a) ESTABLISHMENT.—There is established an interagency council to be known as the ''Land and Water Resource Stewardship Council''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Stewardship Council shall be composed of the following members or their designees:

(A) The Administrator of the Environmental Protection Agency.

(B) The Secretary of the Interior.

(C) The Administrator of the National Oceanic and Atmospheric Administration.

(D) The Secretary of Agriculture.

(E) 2 Members of the Senate—

(i) to be appointed by the President of the Senate; and

(ii) to serve in a nonvoting capacity.

(F) 2 Members of the House of Representatives—

(i) to be appointed by the Speaker of the House of Representatives; and

(ii) to serve in a nonvoting capacity.

(2) CHAIRPERSON.—The members of the Stewardship Council shall elect a Chairperson not less often than once every 2 years.

(c) DUTIES.—

(1) IN GENERAL.—The Stewardship Council shall be responsible for reviewing and selecting applications for grants for State land and water of national or regional interest under section 14 of the Land and Water Conservation Fund Act of 1965 (as added by section 141 of this Act), reviewing and approving the State plans required under section 207, and coordinating technical assistance at the request of any State, Indian tribe, or Territory.

(2) CONSULTATION.—In making decisions and reviewing State plans, the Stewardship Council shall consult with and seek recommendations from other appropriate Federal agencies.

(d) FREQUENCY OF MEETINGS.—The President shall—

(1) convene the first meeting of the Stewardship Council not later than 30 days after the date of enactment of this Act; and

(2) convene additional meetings as often as appropriate, but not less often than quarterly, to ensure that this Act is fully carried out.

(e) PROCEDURES.—

(1) QUORUM.—Three members of the Stewardship Council shall constitute a quorum.

(2) VOTING AND MEETING PROCEDURES.—The Stewardship Council shall establish procedures for voting and the conduct of meetings by the Stewardship Council.

TITLE I—OPEN SPACE AND HISTORIC PRESERVATION

SEC. 101. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) Congress enacted the land and water conservation fund in 1964 and the Historic Preservation Fund in 1976, and provided that revenues from activities in the outer Continental Shelf would fund each program;

(2) however, since 1964, of $21,000,000,000 authorized for the land and water conservation fund, only $9,000,000,000 has been appropriated, and since 1977, of $2,776,000,000 authorized for the Historic Preservation Fund, only $845,000,000 has been appropriated;

(3) prior to dedicating outer Continental Shelf revenues for new programs to benefit the Nation, Congress should dedicate outer Continental Shelf revenues to the original purposes for which those funds were intended;

(4) since the establishment of the land and water conservation fund, the fund has been responsible for the preservation of nearly 7,000,000 acres of park land, refuges, and open spaces, and the development of more than 37,000 State and local parks and recreation projects;

(5) since the establishment of the Historic Preservation Fund, the fund has been responsible for identifying more than 1,000,000 historic sites throughout the United States and certifying 1,145 local governments as partners in preserving historic sites;

(6) as the loss of open space and the phenomenon of sprawl in rural, suburban, and urban areas of the Nation continues to increase, it is increasingly important to conserve natural, historic, and cultural resources of the Nation;

(7) the land and water conservation fund and the Historic Preservation Fund serve valuable purposes to address the needs of the Nation today as they did when they were enacted, and they are vital programs to assist State and local governments in their efforts to address those needs;

(8) the land and water conservation fund should be augmented to provide a new program to encourage State, local, and private partnerships for conservation of non-Federal land of national and regional significance that will fulfill national conservation priorities while allowing the land to remain under State and local control; and

(9) the purposes of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.) and payments in lieu of taxes are consonant with those of the land and water conservation fund and the Historic Preservation Fund, and complement those programs.

(b) PURPOSES.—The purposes of this title are—

(1) to provide a secure source of funding for Federal land acquisition to meet State, local, and urban conservation and recreation needs through the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.) and the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.); and

(2) to recognize and to preserve the historic places of the United States through the National Historic Preservation Act (16 U.S.C. 470 et seq.).

Subtitle A—Land and Water Conservation Fund

SEC. 111. SECURE FUNDING FOR THE LAND AND WATER CONSERVATION FUND.

Section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6) is amended—

(1) by striking ''SEC. 3. APPROPRIATIONS.—Moneys'' and inserting the following:

''SEC. 3. APPROPRIATIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), moneys''; and

(2) by adding at the end the following:

''(b) SPECIAL APPROPRIATION.—

''(1) IN GENERAL.—For each of fiscal years 1999 through 2015, from qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999) covered into the fund in the preceding fiscal year, there is appropriated the lesser of—

''(A) $900,000,000; or

''(B) the amount that is equal to 34 percent of the amount of qualified outer Continental Shelf revenues covered into the fund during the preceding fiscal year;

to remain available until expended.

''(2) PURPOSES.—

''(A) IN GENERAL.—Notwithstanding section 5, for each of fiscal years 1999 through 2015, funds appropriated by paragraph (1) shall be available for the purposes specified in this paragraph.

''(B) ADMINISTRATIVE EXPENSES.—

''(i) IN GENERAL.—Of the amount made available for a fiscal year by paragraph (1), the Secretary of the Interior may deduct not more than 2 percent for payment of administrative expenses incurred in carrying out this subsection.

''(ii) PERIOD OF AVAILABILITY.—A deduction by the Secretary under clause (i) for a fiscal year shall be available for obligation by the Secretary until September 30 of the following fiscal year.

''(iii) DISTRIBUTION OF UNOBLIGATED FUNDS.—Not later than 60 days after the end of a fiscal year, the Secretary shall distribute under subparagraphs (C) and (D) any unobligated amount of a deduction under clause (i) for which the period of availability under clause (ii) terminated on September 30 of the fiscal year.

''(C) FEDERAL PURPOSES.—Of the amount made available for a fiscal year by paragraph (1) remaining after the deduction under subparagraph (B)(i), 50 percent shall be available for Federal purposes under section 7.

''(D) STATE PURPOSES.—

''(i) IN GENERAL.—Of the amount made available for a fiscal year by paragraph (1) remaining after the deduction under subparagraph (B)(i), 50 percent shall be available for providing financial assistance to States under section 6 and for any other State purpose authorized under this Act.

''(ii) DISTRIBUTION.—Amounts made available by clause (i) shall be distributed among States in accordance with section 6.

''(iii) LOCAL GOVERNMENT SHARE.—Not less than 50 percent of the amount provided to a State for each fiscal year under this subparagraph shall be provided by the State to local governments to provide natural areas, open space, park land, or recreational areas.

''(3) ANNUAL BUDGET SUBMISSIONS.—

''(A) IN GENERAL.—In the annual budget submission of the President for the fiscal year concerned, the President shall specify the specific purposes for which the funds made available under paragraph (2)(C) are to be used by the Secretary of the Interior and the Secretary of Agriculture.

''(B) USE BY SECRETARIES.—Funds made available for a fiscal year under paragraph

(2)(C) shall be used by the Secretary concerned for the purposes specified by the President in the annual budget submission of the President for the fiscal year unless Congress, in the general appropriation Acts for the Department of the Interior or the Department of Agriculture for the fiscal year, specifies that any part of the funds is to be used by the Secretary concerned for another purpose.

''(4) PRIORITY LISTS.—

''(A) IN GENERAL.—For the purposes of assisting the President in preparing an annual budget submission under paragraph (3), the Secretary of the Interior and the Secretary of Agriculture shall prepare Federal priority lists for the expenditure of funds made available under paragraph (2)(C).

''(B) CONSULTATION.—The priority lists shall be prepared in consultation with the head of the affected bureau or agency, taking into account the best professional judgment regarding the land acquisition priorities and policies of the bureau or agency.

''(C) FACTORS.—In preparing the priority lists, the Secretaries shall consider—

''(i) the potential adverse impacts that might result if a land acquisition is not undertaken;

''(ii) the availability of a land appraisal and other information necessary to complete the acquisition in a timely manner; and

''(iii) such other factors as the Secretaries consider appropriate.''.

SEC. 112. FINANCIAL ASSISTANCE TO STATES.

(a) ALLOCATION OF AMOUNTS AVAILABLE FOR STATE PURPOSES.—Section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8) is amended by striking subsection (b) and inserting the following:

''(b) DISTRIBUTION AMONG STATES.—

''(1) IN GENERAL.—For each fiscal year, the Secretary shall distribute sums made available from the fund for State purposes among the States in accordance with this subsection. The determination of the distribution by the Secretary shall be final.

''(2) FORMULA.—For each fiscal year, the Secretary shall distribute the sums made available from the fund for State purposes as follows:

''(A) 30 percent shall be distributed equally among the States.

''(B) 70 percent shall be distributed among the States based on the ratio that—

''(i) the population of each State; bears to

''(ii) the total population of all States.

''(3) MAXIMUM ALLOCATION.—For each fiscal year, the total allocation to any 1 State under paragraph (2) shall not exceed 10 percent of the total amount allocated to all States under this subsection for the fiscal year.

''(4) TREATMENT OF DISTRICT OF COLUMBIA, TERRITORIES, AND INDIAN TRIBES.—

''(A) ALLOCATION.—For the purpose of paragraph (2)(A)—

''(i) the District of Columbia shall be treated as 1 State;

''(ii) Puerto Rico, the Virgin Islands, Guam, and American Samoa—

''(I) shall be treated collectively as 1 State; and

''(II) shall each be allocated an equal share of the amount distributed under subclause (I); and

''(iii) Indian tribes, and Alaska Native villages and Regional or Village Corporations (as defined or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.))—

''(I) shall be treated collectively as 1 State; and

''(II) shall be allocated the amount distributed under subclause (I) in a manner determined by the Secretary of the Interior.

''(B) OTHER PURPOSES.—Each of the areas referred to in subparagraph (A), and each Indian tribe, shall be treated as a State for all other purposes of this Act.

''(5) AVAILABILITY OF ALLOCATIONS.—

''(A) IN GENERAL.—For each fiscal year—

''(i) the Secretary shall notify each State of the allocation to the State under this subsection; and

''(ii) the allocation shall be available to the State, after the date of notification to the State, for planning, acquisition, or development projects in accordance with this Act.

''(B) PERIOD OF AVAILABILITY.—Any amount of an allocation to a State that is not paid or obligated by the Secretary during the period consisting of the fiscal year in which notification is provided under subparagraph (A) and the 2 fiscal years thereafter shall be redistributed by the Secretary in accordance with this subsection, without regard to paragraph (3).''.

(b) STATE PLAN.—Section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8) is amended by striking subsection (d) and inserting the following:

''(d) STATE PLAN.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—To be eligible for financial assistance for acquisition or development projects under this Act, a State, in consultation with local subdivisions, nonprofit and private organizations, and interested citizens, shall prepare and submit to the Secretary a State plan that meets the requirements of this paragraph.

''(B) SUITABLE PLAN.—To meet the requirement for a plan under subparagraph (A), a State may use, in accordance with criteria developed by the Secretary, a comprehensive statewide outdoor recreation plan, a State recreation plan, or a State action agenda, if—

''(i) in the judgment of the Secretary, the plan or agenda encompasses and furthers the purposes of this Act; and

''(ii) the Governor of the State certifies that the plan or agenda was developed (and revised, if applicable) with ample opportunity for public participation.

''(C) CRITERIA FOR PUBLIC PARTICIPATION.—In consultation with appropriate persons and entities, the Secretary shall develop criteria for public participation which shall constitute the basis for certification by the Governor under subparagraph (B)(ii).

''(D) REQUIRED ELEMENTS.—A State plan under subparagraph (A) shall contain—

''(i) the name of the State agency that has the authority to represent and act for the State in dealing with the Secretary for the purposes of this Act;

''(ii) an evaluation of the demand for and supply of outdoor conservation, recreation, and open space resources in the State;

''(iii) a program for the implementation of the plan; and

''(iv) such other information as the Secretary determines to be necessary.

''(E) CONSIDERATION OF OTHER RESOURCES, PROGRAMS, AND PLANS.—A State plan under subparagraph (A) shall—

''(i) take into account relevant Federal resources and programs; and

''(ii) be coordinated to the maximum extent practicable with other State, regional, and local plans.

''(2) FINANCIAL ASSISTANCE FOR PREPARATION OR MAINTENANCE OF STATE PLAN.—The Secretary may provide financial assistance to a State for—

''(A) the development of a State plan under paragraph (1) if the State does not have a State plan; or

''(B) the maintenance of a State plan.''.

(c) PROJECTS FOR LAND AND WATER ACQUISITION.—Section 6(e)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(e)(1)) is amended in the first paragraph by striking '', but not including incidental costs relating to acquisition''.

(d) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USES.—Section 6(f) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(f)) is amended by striking paragraph (3) and inserting the following:

''(3) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USES.—

''(A) IN GENERAL.—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses.

''(B) APPROVAL OF CONVERSION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall approve the conversion of property under this paragraph only if the State demonstrates that no prudent or feasible alternative exists to the conversion of the property.

''(ii) EXCEPTIONS.—Clause (i) does not apply to a property that—

''(I) is no longer viable for use for an outdoor conservation or recreation facility because of a change in demographic conditions; or

''(II) must be abandoned because of environmental contamination that endangers public health or safety.

''(C) SUBSTITUTION OF OTHER CONSERVATION OR RECREATION PROPERTY.—

''(i) IN GENERAL.—Subject to clause (ii), any conversion of property under this paragraph shall satisfy any conditions that the Secretary determines to be necessary to ensure the substitution of other conservation or recreation property of at least equal market value and reasonably equivalent usefulness and location, in a manner consistent with the State plan required under subsection (d).

''(ii) WETLAND.—Wetland and interests in wetland that are identified in a State plan and proposed to be acquired as suitable replacement property within the State and that are otherwise acceptable to the Secretary shall be considered to be of reasonably equivalent usefulness to the property proposed for conversion.''.

(e) CONFORMING AMENDMENTS.—

(1) Section 6(e) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(e)) is amended—

(A) in the matter preceding paragraph (1), by striking ''State comprehensive plan'' and inserting ''State plan''; and

(B) in paragraph (1), by striking '', or wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan''.

(2) Section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)) is amended in the last proviso of the first paragraph by striking ''existing comprehensive statewide outdoor recreation plan found adequate for purposes of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)'' and inserting ''State plan required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8)''.

(3) Section 102(a)(2) of the National Historic Preservation Act (16 U.S.C. 470b(a)(2)) is amended by striking ''comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)'' and inserting ''State plan required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8)''.

(4) Section 8(a) of the National Trails System Act (16 U.S.C. 1247(a)) is amended in the first sentence—

(A) by striking ''comprehensive statewide outdoor recreation plans'' and inserting ''State plans''; and

(B) by inserting ''of 1965 (16 U.S.C. 460*l*–4 et seq.)'' after ''Fund Act''.

(5) Section 11(a)(2) of the National Trails System Act (16 U.S.C. 1250(a)(2)) is amended by striking ''(relating to the development of Statewide Comprehensive Outdoor Recreation Plans)'' and inserting ''(16 U.S.C. 460*l*–8) (relating to the development of State plans)''.

(6) Section 11 of the Wild and Scenic Rivers Act (16 U.S.C. 1282) is amended—

(A) in subsection (a)—

(i) by striking ''comprehensive statewide outdoor recreation plans'' and inserting ''State plans''; and

(ii) by striking ''(78 Stat. 897)'' and inserting ''(16 U.S.C. 460*l*–4 et seq.)''; and

(B) in subsection (b)(2)(B), by striking ''(relating to the development of statewide comprehensive outdoor recreation plans)'' and inserting ''(16 U.S.C. 460*l*–8) (relating to the development of State plans)''.

(7) Section 206(d) of title 23, United States Code, is amended—

(A) in paragraph (1)(B), by striking ''statewide comprehensive outdoor recreation plan required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)'' and inserting ''State plan required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8)''; and

(B) in paragraph (2)(D)(ii), by striking ''statewide comprehensive outdoor recreation plan that is required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)'' and inserting ''State plan that is required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8)''.

(8) Section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9)) is amended by striking ''statewide outdoor recreation plans developed under the Act of September 3, 1964 (78 Stat. 897), as amended'' and inserting ''State plans required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8)''.

Subtitle B—Urban Park and Recreation Recovery

SEC. 121. URBAN PARK AND RECREATION RECOVERY.

(a) AUTHORITY TO DEVELOP NEW AREAS AND FACILITIES.—Section 1003 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2502) is amended in the first sentence by striking areas, facilities,'' and inserting ''areas and facilities, development of new recreation areas and facilities (including acquisition of land for such development),''.

(b) DEFINITIONS.—Section 1004 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2503) is amended—

(1) in subsection (j)—

(A) by striking ''Governor;'' and inserting ''Governor, the District of Columbia,''; and

(B) by striking ''and'' at the end of the subsection;

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

(3) by adding at the end the following:

''(l) 'acquisition grants' means matching capital grants to general purpose local governments and special purpose local governments to cover the direct and incidental costs of purchasing new park land to be permanently dedicated and made accessible for public conservation and recreation; and

''(m) 'development grants' means matching capital grants to general purpose local governments and special purpose local governments to cover the costs of developing and constructing existing or new neighborhood recreation sites, including indoor and outdoor recreation facilities, support facilities, and landscaping, but excluding routine maintenance and upkeep activities.''.

(c) FEDERAL ASSISTANCE GRANTS.—Section 1005 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2504) is amended by striking subsection (a) and inserting the following:

''(a) ELIGIBILITY.—

''(1) IN GENERAL.—Eligibility of general purpose local governments to compete for assistance under this title shall be based on need, as determined by the Secretary.

''(2) ELIGIBLE GOVERNMENTS.—General purpose local governments that are eligible to compete for assistance under this title include—

''(A) a political subdivision included in a consolidated metropolitan statistical area, primary metropolitan statistical area, or metropolitan statistical area, as those terms are used in the most recent census;

''(B) any other city or town within an area referred to in subparagraph (A) with a total population of 50,000 individuals or more in the 1970 or any subsequent census; and

''(C) any other political subdivision, county, parish, or township with a total population of 250,000 individuals or more in the 1970 or any subsequent census.''.

(d) REHABILITATION AND INNOVATION GRANTS.—Section 1006(a) of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2505(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''rehabilitation and innovative grants directly'' and inserting ''rehabilitation grants, innovation grants, development grants, or acquisition grants'';

(2) in paragraph (1)—

(A) by striking ''rehabilitation and innovation grants'' and inserting ''rehabilitation grants, innovation grants, development grants, and acquisition grants''; and

(B) by striking ''authorities: *Provided*,'' and all that follows through ''eligible applicant'' and inserting ''authorities, except that the grantee of a grant under this section shall provide assurances to the Secretary that the grantee will maintain public conservation and recreation opportunities at assisted areas and facilities owned or managed by the grantee in accordance with section 1010''; and

(3) in paragraph (2)—

(A) in the first sentence, by striking ''rehabilitation or innovative projects'' and inserting ''projects eligible for rehabilitation grants, innovation grants, development grants, or acquisition grants''; and

(B) in the second sentence, by striking '', except'' and all that follows and inserting ''and on a reimbursable basis.''.

(e) RECOVERY ACTION PROGRAMS.—Section 1007(a) of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2506(a)) is amended—

(1) in the first sentence, by inserting ''development,'' after ''commitments to ongoing planning,''; and

(2) in paragraph (2), by inserting ''development and'' after ''adequate planning for''.

(f) STATE ACTION INCENTIVES.—Section 1008 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2507) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by striking the last sentence of subsection (a) (as designated by paragraph (1)) and inserting the following:

''(b) COORDINATION WITH LAND AND WATER CONSERVATION FUND ACTIVITIES.—

''(1) PREPARATION OF PROGRAMS AND PLANS.—The Secretary and general purpose local governments are encouraged to coordinate preparation of recovery action programs required by section 1007 with development of State plans required under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8), including by allowing flexibility in preparation of recovery action programs so that the programs may be used to meet State and local requirements for receipt by local governments of—

''(A) funds provided as grants from the land and water conservation fund; or

''(B) State grants for similar purposes or for other conservation or recreation purposes.

''(2) CONSIDERATION OF FINDINGS, PRIORITIES, STRATEGIES, AND SCHEDULES.—The Secretary shall encourage States to consider the findings, priorities, strategies, and schedules included in the recovery action programs of urban local governments in the development and revision of State plans in accordance with the public participation and coordination requirements of section 6(d) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(d)).''.

(g) CONVERSION OF RECREATION PROPERTY.—The Urban Park and Recreation Recovery Act of 1978 is amended by striking section 1010 (16 U.S.C. 2509) and inserting the following:

''SEC. 1010. CONVERSION OF RECREATION PROPERTY.

''(a) IN GENERAL.—No property acquired, improved, or developed under this title shall, without the approval of the Secretary, be converted to other than public recreation uses.

''(b) APPROVAL OF CONVERSION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall approve the conversion of property under this section only if the grantee demonstrates that no prudent or feasible alternative exists to the conversion of the property.

''(2) EXCEPTIONS.—Paragraph (1) does not apply to a property that—

''(A) is no longer a viable recreation facility due to a change in demographic conditions; or

''(B) must be abandoned because of environmental contamination that endangers public health or safety.

''(c) SUBSTITUTION OF OTHER CONSERVATION OR RECREATION PROPERTY.—Any conversion of property under this section shall satisfy any conditions that the Secretary determines to be necessary to ensure the substitution of other conservation or recreation property of at least equal market value and reasonably equivalent usefulness and location, in a manner consistent with the 5-year action program for park and recreation recovery required under section 1007(a).''.

(h) FUNDING.—Section 1013 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2512) is amended—

(1) by striking the section heading and all that follows through ''There are hereby'' and inserting the following:

''SEC. 1013. FUNDING.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are''; and

(2) by adding at the end the following:

''(c) SPECIAL APPROPRIATION.—For each of fiscal years 1999 through 2015, from revenues due and payable to the United States as qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), there is appropriated, for the purpose of making grants to local governments under this Act, the lesser of—

''(1) $100,000,000; or

''(2) the amount that is equal to 4 percent of those revenues;

to remain available until expended.

(i) LIMITATION ON USE OF FUNDS.—Section 1014 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2513) is repealed.

Subtitle C—Historic Preservation

SEC. 131. HISTORIC PRESERVATION FUND.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended—

(1) by striking ''SEC. 108. To'' and inserting the following:

''SEC. 108. HISTORIC PRESERVATION FUND.

''(a) ESTABLISHMENT.—To'';

(2) in subsection (a) (as designated by paragraph (1)), by striking ''There shall be covered into such fund'' and all that follows through ''(43 U.S.C. 338),'' and inserting ''There shall be deposited in the fund for each fiscal year after fiscal year 1999, from revenues due and payable to the United States as qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), the lesser of $150,000,000 or the amount that is equal to 5 percent of those revenues.'';

(3) by striking the third sentence of subsection (a) (as so designated by paragraph (1)) and all that follows through the end of the subsection and inserting ''Such moneys shall be used only to carry out this Act.''; and

(4) by adding at the end the following:

''(b) AVAILABILITY.—Of amounts in the fund, up to $150,000,000 shall be available fiscal year 2000 and each fiscal year thereafter, for obligation or expenditure without further Act of appropriation to carry out this Act, and shall remain available until expended.

''(c) INVESTMENT.—The Secretary of the Treasury shall invest moneys in the fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited in the fund.''.

Subtitle D—State Land and Water of National or Regional Interest

SEC. 141. STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST.

Title I of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.) is amended by adding at the end the following:

''SEC. 14. STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST.

''(a) DEFINITIONS.—In this section:

''(1) ACCOUNT.—The term 'account' means the special account for conservation of State land and water of national or regional interest established under subsection (b).

''(2) COUNCIL.—The term 'Council' means the Stewardship Council established by section 3 of the Natural Resources Reinvestment Act of 1999.

''(3) STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST.—The term 'State land and water of national or regional interest' means land or water located in a State that is—

''(A) determined by the State to be of clear national or regional significance based on the ecological, aesthetic, recreational, and cultural value of the land or water; and

''(B) not owned by the Federal Government (including any unit of the National Park System, National Forest System, National Wildlife Refuge System, or National Wilderness System).

''(b) STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST ACCOUNT.—

''(1) IN GENERAL.—There is established in the fund a special account to provide grants to States for the conservation of State land and water of national or regional interest.

''(2) ALLOCATION.—Notwithstanding section 5, there shall be credited annually to the account, from qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), the lesser of $200,000,000 or the amount that is equal to 7 percent of those revenues.

''(c) GRANTS TO STATES.—

''(1) IN GENERAL.—A State may submit an application (including a detailed description of each proposed conservation project) to the Secretary for a grant to fund the conservation of State land and water of national or regional interest.

''(2) FORWARDING OF APPLICATIONS.—On receipt of an application for a grant described in paragraph (1), the Secretary shall forward the application to the Council.

''(3) SELECTION OF GRANT RECIPIENTS.—

''(A) IN GENERAL.—Not later than 90 days after receipt from the Secretary of an application described in paragraph (1), the Council shall—

''(i) review the application;

''(ii) decide whether to recommend that a grant to fund the conservation of State land and water of national or regional interest be awarded to the State making the application; and

''(iii) notify the State of the decision of the Council.

''(B) SELECTION FACTORS.—In deciding whether to recommend the award of a grant under subparagraph (A), the Council shall—

''(i) consider, on a competitive basis as compared with other applications received, the extent to which a proposed conservation project described in a grant application would conserve ecological, aesthetic, recreational, and cultural values of the State land and water of national or regional interest; and

''(ii) give preference to—

''(I) proposed conservation projects that are aimed at protecting ecosystems; and

''(II) proposed conservation projects that are developed in collaboration with private persons or other States.

''(4) MATCHING REQUIREMENTS.—A grant awarded to a State under this subsection shall cover—

''(A) not more than 70 percent of the costs of a conservation project undertaken by the State, in the case of full fee acquisition by the State of State land and water of national or regional interest; and

''(B) not more than 50 percent of the costs of a conservation project undertaken by the State, in the case of acquisition of State land and water of national or regional interest by the State that is less than fee acquisition, such as acquisition of a conservation easement.

''(5) REPORT.—At least 90 days before awarding a grant to a State under this section, the Council shall submit a report describing the proposed grant to—

''(A) the Subcommittee on Interior of the Committee on Appropriations of the Senate; and

''(B) the Subcommittee on Interior of the Committee on Appropriations of the House of Representatives.''.

Subtitle E—Payments for Federal Ownership

SEC. 151. AUTHORIZATION OF APPROPRIATIONS FOR PAYMENTS FOR ENTITLEMENT LAND AND THE REFUGE REVENUE SHARING FUND.

(a) ENTITLEMENT LAND.—There is authorized to be appropriated for payments to units of general local government under chapter 69 of title 31, United States Code, for entitlement land acquired after the date of enactment of this Act, $50,000,000.

(b) REFUGE REVENUE SHARING FUND.—There is authorized to be appropriated for payments required under the Act of June 15, 1935 (16 U.S.C. 715s), for refuge land acquired after the date of enactment of this Act, $25,000,000.

TITLE II—STATE CONSERVATION ASSISTANCE

SEC. 201. SHORT TITLE.

This title may be cited as the ''State Conservation Assistance Grants Act of 1999''.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the outer Continental Shelf contains oil, gas, and other nonrenewable resources owned by the public that are developed by the Federal Government and generate significant revenues for the United States;

(2) historically, the development of those mineral resources has been accompanied by adverse environmental impacts on the States adjacent to the outer Continental Shelf in which development has occurred;

(3) consistent with the commitment to devote revenues from offshore oil and gas leases to resource protection through the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.), a portion of revenues derived from the development of mineral resources of the outer Continental Shelf should be reinvested in the United States through conservation of environmental and other public resources, including open and green spaces, habitat for fish and wildlife, wetland, historic sites, parks and other outdoor recreation areas, clean air, and clean water;

(4) the need to reinvest in the public resources described in paragraph (3) has increased significantly, because the United States has experienced unprecedented prosperity, growth, and development that have intensified stress on the natural environment;

(5) in recent years, numerous State and local governments, as well as citizens throughout the United States, have initiated efforts to conserve, protect, and restore those resources; and

(6) the priority for carrying out measures to protect and conserve the public resources described in paragraph (3) should be determined—

(A) at the State and local levels, by individuals who have the greatest interest in enhancing the quality of life in their communities; and

(B) in cooperation with the Federal Government, which has an interest in protecting the resources of the United States.

(b) PURPOSE.—The purpose of this title is to establish a program to provide a reliable source of Federal funding for States to carry out activities to conserve, protect, and restore the natural resources of the United States, including water and air quality, fish and wildlife habitat, marine, estuarine, and coastal ecosystems, wetland, farmland, forest land, and parks and other places of outdoor recreation.

SEC. 203. DEFINITIONS.

In this title:

(1) COASTLINE.—The term ''coastline'' has meaning given the term ''coast line'' in section 2 of the Submerged Lands Act (43 U.S.C. 1301).

(2) DISTANCE.—The term ''distance'' means minimum great circle distance, measured in statute miles.

(3) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means a State, a municipality (including a subdivision of a State or municipality), or an interstate agency.

(4) ESTIMATED POPULATION.—The term ''estimated population'' means the population determined by the Secretary of Commerce on the basis of the most recent decennial census for which information is available.

(5) FUND.—The term ''Fund'' means the Environmental Stewardship Fund established by section 204.

(6) GOVERNOR.—The term ''Governor'' means the chief executive officer of a State.

(7) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(8) POPULATION DENSITY.—The term ''population density'', with respect to a State,

means the quotient obtained by dividing the estimated population of the State by the geographic area of the State.

(9) STATE.—The term ''State'' means—

(A) any of the 50 States, the Territories, and the District of Columbia; and

(B)(i) when used in a political sense, the tribal government of an Indian tribe; and

(ii) when used in a geographic sense, the land under the jurisdiction of the tribal government of an Indian tribe.

(10) TERRITORY.—The term ''Territory'' means Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 204. ENVIRONMENTAL STEWARDSHIP FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ''Environmental Stewardship Fund', to be used in carrying out this title, consisting of—

(1) such amounts as are deposited in the Fund under subsection (b); and

(2) any interest earned on investment of amounts in the Fund under subsection (c).

(b) TRANSFERS TO FUND.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), for each fiscal year, there shall be deposited in the Fund from qualified outer Continental Shelf revenues the lesser of $900,000,000 or the amount that is equal to 34 percent of the amount of those revenues.

(c) EXPENDITURES FROM FUND.—On request by the Stewardship Council, and without further Act of appropriation, the Secretary of the Treasury shall transfer from the Fund to the Stewardship Council such amounts as the Stewardship Council determines are necessary to carry out this title.

(d) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(e) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

SEC. 205. APPORTIONMENT OF FUND RECEIPTS TO STATES.

(a) ADMINISTRATIVE EXPENSES.—For each fiscal year, without further Act of appropriation, the Stewardship Council may use, for payment of administrative expenses incurred in carrying out this title, not more than 2 percent of the sums deposited in the Fund for the preceding fiscal year.

(b) AVAILABLE AMOUNT.—For each fiscal year, without further Act of appropriation, the Secretary of the Treasury shall distribute in accordance with this section an amount equal to the sum of—

(1) the amount of the sums deposited in the Fund for the preceding fiscal year remaining after the use authorized under subsection (a); and

(2) the interest earned on investment of those sums under section 204(d) for the preceding fiscal year.

(c) APPORTIONMENT.—

(1) APPORTIONMENT TO HISTORICALLY OIL AND GAS PRODUCTIVE COASTAL STATES.—

(A) IN GENERAL.—For each fiscal year, the Stewardship Council shall apportion from the amount available under subsection (b) the amount specified in subparagraph (B) for the fiscal year to coastal States any portion of the coastline of which is located within a distance of 200 miles of the geographic center of a leased tract that was leased at any time during the period of 1953 through 1997, and produced oil or gas during that period, based on the ratio that—

(i) the revenues received during that period from the leased tracts the geographic centers of which are located within a distance of 200 miles of any portion of the coastline of the coastal State; bears to

(ii) the total of the revenues described in clause (i) with respect to all such coastal States.

(B) AMOUNTS.—The amount specified in this subparagraph is—

(i) for fiscal year 2000, $100,000,000;

(ii) for fiscal year 2001, $80,000,000;

(iii) for fiscal year 2002, $60,000,000;

(iv) for fiscal year 2003, $40,000,000;

(v) for fiscal year 2004, $20,000,000; and

(vi) for fiscal year 2005 and each fiscal year thereafter, $10,000,000.

(2) APPORTIONMENT TO INDIAN TRIBES, DISTRICT OF COLUMBIA, AND TERRITORIES.—

(A) APPORTIONMENT TO INDIAN TRIBES.—For each fiscal year, 0.5 percent of the portion of the amount available under subsection (b) remaining after the apportionments under paragraph (1) shall be apportioned to the Indian tribes collectively, to be distributed by the Secretary.

(B) APPORTIONMENT TO THE DISTRICT OF COLUMBIA AND TERRITORIES.—For each fiscal year, 0.5 percent of the portion of the amount available under subsection (b) remaining after the apportionments under paragraph (1) shall be apportioned to the District of Columbia and the Territories collectively, to be distributed in equal amounts among the District of Columbia and each of the Territories.

(3) APPORTIONMENT TO OTHER STATES.—

(A) IN GENERAL.—For each fiscal year, the portion of the amount available under subsection (b) remaining after the apportionments under paragraphs (1) and (2) shall be apportioned to the States not receiving an apportionment under paragraph (2) as follows:

(i) 25 percent in the ratio that the miles of coastline in each such State bears to the total miles of coastline in all such States.

(ii) 25 percent in the ratio that the geographic area of each such State bears to the total geographic area of all such States.

(iii) 35 percent in the ratio that the estimated population of each such State bears to the total estimated population of all such States.

(iv) 15 percent in the ratio that the population density of each such State bears to the sum of the population densities of all such States.

(B) MINIMUM AND MAXIMUM APPORTIONMENTS.—For each fiscal year, the amounts apportioned under this paragraph shall be adjusted proportionately so that no State receiving an apportionment under subparagraph (A) is apportioned a sum that is—

(i) less than 0.5 percent of the portion of the amount available under subsection (b) remaining after the apportionments under paragraph (1) for the fiscal year; or

(ii) more than 5 percent of that amount.

(d) PERIOD FOR OBLIGATION OF APPORTIONMENTS.—If the Secretary of the Treasury determines that any portion of an apportionment to a State has not been obligated by the State during the fiscal year for which the apportionment is made or during the 2 fiscal years thereafter, the Secretary of the Treasury shall—

(1) reduce, by the amount of the unobligated portion of the State's apportionment, the apportionment to the State for the succeeding fiscal year; and

(2) apportion to the States during that fiscal year, in accordance with subsection (c), the amount of the unobligated portion.

SEC. 206. USE OF FUNDS BY STATES.

(a) HISTORICALLY OIL AND GAS PRODUCTIVE COASTAL STATES.—Each State described in section 205(c)(1)(A) shall use—

(1) not more than 27 percent of the apportionment to the State under section 205(c)(2)—

(A) to mitigate the adverse environmental impacts resulting from the siting, construction, expansion, or operation of outer Continental Shelf facilities beyond the mitigation required under other law;

(B) to pay administrative costs incurred by the State or a political subdivision of the State in approving, disapproving, or permitting outer Continental Shelf development and production activities under applicable law, including the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) and the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.); and

(C) to repurchase leases for outer Continental Shelf development and production; and

(2) the balance of the apportionment to the State under section 205 to fund activities described in subsection (c).

(b) OTHER STATES.—

(1) IN GENERAL.—Amounts apportioned under section 205 to a State other than a State subject to subsection (a) shall be used to make grants to eligible applicants to pay the Federal share of the cost of carrying out eligible activities described in subsection (c).

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out an eligible activity shall be determined by the Governor, but shall not exceed 70 percent.

(c) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—An eligible activity described in this subsection is any activity—

(A) the implementation of which would improve air and water quality, result in the acquisition of open space or a park, preserve a historic site, conserve habitat for fish and wildlife, redevelop a brownfield, or otherwise further the purposes of this title in a manner that exceeds the requirements of any Federal law in effect as of the date of enactment of this Act;

(B) that has been approved by the Governor, subject to public notice and opportunity for comment; and

(C) that is identified in the current State plan that has been approved by the Stewardship Council.

(2) TYPES OF ELIGIBLE ACTIVITIES.—Specific eligible activities include the following:

(A) CLEAN WATER.—With respect to clean water, an eligible activity may be—

(i) implementation of a project identified in a national estuary program comprehensive management plan under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) or an approved coastal zone management plan;

(ii) State participation in monitoring and exposure assessment related to estrogenic substances; or

(iii) development and support of a watershed management council.

(B) CLEAN AIR.—With respect to clean air, an eligible activity may be—

(i) exceeding attainment levels prescribed under the Clean Air Act (42 U.S.C. 7401 et seq.); or

(ii) implementation of State energy conservation efforts carried out after the date of enactment of this Act.

(C) FARMLAND AND OPEN SPACE PROTECTION.—With respect to farmland and open space protection, an eligible activity may be—

(i) provision of technical assistance for small and rural communities in the development of open space preservation and conservation plans;

(ii) purchase of farmland conservation easements; or

(iii) redevelopment of brownfields for the purpose of public recreation.

(D) MARINE RESOURCES.—With respect to marine resources, an eligible activity may be—

(i) protection of essential fish habitat; or

(ii) acquisition of sensitive coastal areas, including coastal barriers, wetland, and buffer areas and coral reef renovation.

(E) WILDLIFE CONSERVATION.—With respect to wildlife conservation, an eligible activity may be—

(i) implementation of recovery plans to conserve endangered or threatened species;

(ii) landowner incentives for the conservation of endangered or threatened species; or

(iii) conservation of nonlisted species, including sensitive and declining species.

(d) COMPLIANCE WITH APPLICABLE LAWS.—All activities funded with an apportionment to a State under section 205 shall comply with all applicable Federal, State, and local laws (including regulations).

(e) LIMITATIONS ON USE OF FUNDS.—A State shall not use an apportionment to the State under section 205—

(1) to carry out an activity in satisfaction of liability for natural resource damages under Federal or State law; or

(2) to carry out an activity otherwise required by law.

SEC. 207. STATE PLANS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, as a condition of receipt of apportionments under this title, the Governor of each State eligible to receive an apportionment under section 205 shall—

(1) develop and submit to the Stewardship Council a State plan for the use of the apportionments, including—

(A) identification of high-priority environmental concerns of the State; and

(B) consideration of relevant Federal and State resources;

(2) obtain and maintain the approval of the Stewardship Council of the State plan; and

(3) to the maximum extent practicable, coordinate the actions under the State plan with ongoing conservation planning efforts in the State.

(b) REVISIONS.—The Governor shall revise and resubmit the plan for approval, as necessary, but not less often than once every 2 years.

(c) CRITERIA FOR APPROVAL.—The Stewardship Council shall approve a State plan submitted under subsection (a), or a revision of a State plan submitted under subsection (b), if the State plan or revision—

(1) provides for use of apportionments to the State in accordance with this title; and

(2) addresses high-priority conservation issues, or projects that are identified in a State comprehensive conservation plan.

(d) REVOCATION OF APPROVAL.—The Stewardship Council may revoke approval of a State plan if the Stewardship Council determines that—

(1) the State is not using apportionments to the State in accordance with this title; or

(2) the Governor of the State fails to revise the plan as required under subsection (b).

(e) PUBLIC PARTICIPATION.—The plan, and each revision of the plan, shall be developed after public notice and an opportunity for public participation.

(f) CERTIFICATION BY THE GOVERNOR.—The Governor shall certify to the Stewardship Council that the plan, and each revision of the plan, was developed with an opportunity for public participation and in accordance with all applicable State laws.

(g) REPORTING OF EXPENDITURES.—The plan shall contain a description of activities funded with amounts appropriated under this title for the preceding 2 years.

SEC. 208. EFFECT ON LEASING AND DEVELOPMENT.

Nothing in this title—

(1) affects any moratorium on leasing of outer Continental Shelf leases for drilling; or

(2) constitutes an incentive to encourage the development of outer Continental Shelf resources where those resources are not being developed as of the date of enactment of this Act.

TITLE III—FISH AND WILDLIFE CONSERVATION

SEC. 301. FINDINGS AND PURPOSES.

The Fish and Wildlife Conservation Act of 1980 is amended by striking section 2 (16 U.S.C. 2901) and inserting the following:

"SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) fish and wildlife are of ecological, educational, esthetic, cultural, recreational, economic, and scientific value to the United States;

''(2) healthy populations of species of fish and wildlife should be achieved and maintained for the benefit of present and future generations of Americans;

''(3) management and conservation of fish and wildlife require adequate funding for State programs and coordination with Federal, local, and tribal governments, private landowners, and interested organizations within each State;

''(4) coordination and comprehensive planning of conservation efforts and funding sources under existing programs, such as the Federal aid in wildlife program and the Federal aid in sport fish restoration program, are being carried out by many States and should be encouraged;

''(5) increasing coordination and comprehensive planning of State conservation efforts and funding sources would provide significant benefits to the conservation and management of species; and

''(6) conservation efforts and funding should emphasize species that are not hunted, fished, or trapped, as nongame programs receive less than $100,000,000 annually among all 50 States, compared with an estimated $1,000,000,000 annually for game-focused programs.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to provide assistance to the States for the conservation of fish and wildlife, especially nongame fish and wildlife; and

''(2) to encourage implementation and coordination of comprehensive fish and wildlife conservation programs.''.

SEC. 302. DEFINITIONS.

Section 3 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2902) is amended—

(1) by striking ''As used in this Act—'' and inserting ''In this Act:'';

(2) in paragraphs (1), (2), and (4), by striking ''plan'' each place it appears and inserting ''program'';

(3) in paragraph (8), by striking ''the Trust Territory of the Pacific Islands,'';

(4) by redesignating paragraphs (6), (7), and (8) as paragraphs (7), (9), and (10), respectively;

(5) by inserting after paragraph (5) the following:

''(6) LEASED TRACT.—The term 'leased tract' means a tract—

''(A) leased under section 8 of the outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources; and

''(B) comprising a unit consisting of a block, a portion of a block, or a combination of blocks or portions of blocks, as specified in the lease, and as depicted on an Outer Continental Shelf Official Protraction Diagram.''; and

(6) by inserting after paragraph (7) (as redesignated by paragraph (4)) the following:

''(8) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

''(A) IN GENERAL.—The term 'qualified outer Continental Shelf revenues' means—

''(i) all sums received by the United States from each leased tract or portion of a leased tract located in the western or central Gulf of Mexico; less

''(ii) such sums as may be credited to States under section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) and amounts needed for adjustments and refunds as overpayments for rents, royalties, or other purposes.

''(B) INCLUSIONS.—The term 'qualified outer Continental Shelf revenues' includes royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases granted under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a leased tract or portion of a leased tract described in subparagraph (A)(i).''.

SEC. 303. CONSERVATION PROGRAMS.

(a) IN GENERAL.—The Fish and Wildlife Conservation Act of 1980 is amended by striking section 4 (16 U.S.C. 2903) and inserting the following:

"SEC. 4. CONSERVATION PROGRAMS.

''(a) IN GENERAL.—Not later than 5 years after the date of receipt by a State of an initial apportionment under section 7, the State shall develop and begin implementation of a conservation program for species of fish and wildlife in the State that emphasizes fish and wildlife species that are not hunted, trapped, or fished (including associated habitats of those species) and is based on best available and appropriate scientific information and data.

''(b) REQUIRED ELEMENTS.—A conservation program under subsection (a) shall include—

''(1) information on the distribution and abundance of species (including species having a low population and declining species, as determined to be appropriate by the designated State agency) that are indicative of the diversity and health of wildlife of the State;

''(2) identification of the extent and condition of wildlife habitats and community types essential to the conservation of species;

''(3) identification of problems that may adversely affect species and habitats;

''(4) priority research and surveys to identify factors that may assist in restoration and more effective conservation of species and habitats;

''(5) determinations of actions that should be taken to conserve the species and habitats, and establishment of priorities for implementing any recommended actions;

''(6) periodic monitoring of species and habitats, including—

''(A) assessment of the effectiveness of the conservation actions determined under paragraph (5); and

''(B) development of recommendations for implementing conservation actions to appropriately respond to new information or changing conditions;

''(7) review of the State conservation program, and, if appropriate, revision of the conservation program at least once every 10 years; and

''(8) coordination, to the maximum extent feasible, by the designated State agency, during the development, implementation, review, and revision of the conservation program, with Federal, State, and local agencies and Indian tribes that—

''(A) manage significant areas of land or water within the State; or

''(B) administer programs that significantly affect the conservation of species or habitats.''.

(b) APPROVAL BY THE SECRETARY OF CONSERVATION PROGRAMS.—The Fish and Wildlife Conservation Act of 1980 is amended by striking section 5 (16 U.S.C. 2903) and inserting the following:

''SEC. 5. APPROVAL BY THE SECRETARY OF CONSERVATION PROGRAMS.

''(a) IN GENERAL.—

''(1) APPROVAL.—The Secretary shall approve a conservation program if the conservation program meets the requirements of section 4, is substantial in character and design, and has been made available for public comment.

''(2) INDIVIDUAL CONSERVATION ACTIONS.—

''(A) IN GENERAL.—In the absence of an approved conservation program, the Secretary may approve conservation actions that are intended to conserve primarily species of fish and wildlife that are not hunted, trapped, or fished and the habitats of those species.

''(B) CRITERIA FOR APPROVAL.—Under subparagraph (A), the Secretary may approve a conservation action for a species of fish or wildlife if—

''(i) the proposal for the conservation action—

''(I) includes an estimate of the population and distribution of the species and a description of the significant habitat of the species;

''(II) provides for regular monitoring of the effectiveness of the conservation action; and

''(III) is substantial in character and design;

''(ii) the conservation action is a high priority action in conserving the species; and

''(iii) the State is making reasonable efforts to develop or revise a conservation program that complies with this Act.

''(3) EFFECT OF APPROVAL.—

''(A) IN GENERAL.—Subject to subparagraph (B), the development, implementation, and revision of conservation programs approved under paragraph (1) and the development and implementation of conservation actions approved under paragraph (2) shall be eligible for funding using funds apportioned to the States under section 7.

''(B) LIMITATION ON USE OF FUNDS.—Of the funds apportioned to a State under section 7 for a fiscal year, a pro rata portion of the amount required under section 6(b) to be used for the conservation of endangered or threatened species shall be used by the State for that purpose.

''(b) CONSOLIDATION OF PLANNING EFFORTS.—

''(1) WILDLIFE PLANNING EFFORTS.—With respect to conservation of wildlife, the State may include the information required to be included in a conservation program under section 4 in the plan developed by the State under the Act entitled 'An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes', approved September 2, 1937 (16 U.S.C. 669 et seq.), in which case the Secretary shall approve the conservation program for the purposes of, and in accordance with, this Act and that Act.

''(2) FISH PLANNING EFFORTS.—With respect to conservation of fish, the State may include the information required to be included in a conservation program under section 4 in the plan developed by the State under the Act entitled 'An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes', approved August 9, 1950 (16 U.S.C. 777 et seq.), in which case the Secretary shall approve the conservation program for the purposes of, and in accordance with, this Act and that Act.''.

SEC. 304. FISH AND WILDLIFE CONSERVATION FUND.

The Fish and Wildlife Conservation Act of 1980 is amended by striking section 6 (10 U.S.C. 2905) and inserting the following:

''SEC. 6. FISH AND WILDLIFE CONSERVATION FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the 'Fish and Wildlife Conservation Fund' (referred to in this section as the 'Fund'), consisting of—

''(1) such amounts as are appropriated to the Fund under subsection (b); and

''(2) any interest earned on investment of amounts in the Fund under subsection (d).

''(b) TRANSFERS TO FUND.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), for each fiscal year, there are appropriated to the Fund, from revenues due and payable to the United States as qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), the lesser of—

''(1) $250,000,000, of which $75,000,000 shall be used for conservation of endangered or threatened species under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535); or

''(2) the amount that is equal to 10 percent of those revenues, of which an amount equal to 3 percent of those revenues shall be used for conservation of endangered or threatened species under that section.

''(c) EXPENDITURES FROM FUND.—

''(1) IN GENERAL.—Upon request by the Secretary and without further Act of appropriation, for fiscal year 2000 and each fiscal year thereafter, the Secretary of the Treasury shall transfer from the Fund to the Secretary such amounts as the Secretary determines are necessary to provide funding for administrative expenses and apportionments under section 7.

''(2) USE OF FUNDS BY STATES.—

''(A) IN GENERAL.—Funds apportioned to a State under section 7 shall be used to carry out activities eligible for funding under section 5.

''(B) MAINTENANCE OF EFFORT.—Funds made available to States from the Fund shall supplement, but not supplant, funds made available to the States from—

''(i) the Federal aid to wildlife restoration fund established by section 3 of the Act entitled 'An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes', approved September 2, 1937 (16 U.S.C. 669b); and

''(ii) the Sport Fish Restoration Account established by section 9504 of the Internal Revenue Code of 1986.

''(d) INVESTMENT OF AMOUNTS.—

''(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

''(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

''(A) on original issue at the issue price; or

''(B) by purchase of outstanding obligations at the market price.

''(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

''(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(e) TRANSFERS OF AMOUNTS.—

''(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

''(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.''.

SEC. 305. APPORTIONMENT OF FUND RECEIPTS TO STATES.

The Fish and Wildlife Conservation Act of 1980 is amended by striking section 7 (16 U.S.C. 2906) and inserting the following:

''SEC. 7. APPORTIONMENT OF FUND RECEIPTS TO STATES.

''(a) DEDUCTION FOR ADMINISTRATIVE EXPENSES.—

''(1) IN GENERAL.—For each fiscal year, the Secretary may deduct, for payment of administrative expenses incurred in carrying out this Act, not more than 6 percent of the total amount of the Fish and Wildlife Conservation Fund established by section 6 available for apportionment for the fiscal year.

''(2) PERIOD OF AVAILABILITY.—A deduction by the Secretary under paragraph (1) for a fiscal year shall be available for obligation by the Secretary until September 30 of the following fiscal year.

''(3) APPORTIONMENT OF UNOBLIGATED FUNDS.—Not later than 60 days after the end of a fiscal year, the Secretary shall apportion under subsections (b) and (c) any unobligated amount of a deduction for which the period of availability under paragraph (2) terminated on September 30 of the fiscal year.

''(b) APPORTIONMENT TO DISTRICT OF COLUMBIA AND TERRITORIES.—For each fiscal year, after making the deduction under subsection (a), the Secretary shall make the following apportionments from the amount of the Fish and Wildlife Conservation Fund remaining available for apportionment:

''(1) To each of the District of Columbia and the Commonwealth of Puerto Rico, a sum equal to not more than ½ of 1 percent of that remaining amount.

''(2) To each of Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, a sum equal to not more than ⅙ of 1 percent of that remaining amount.

''(c) APPORTIONMENT TO OTHER STATES.—

''(1) IN GENERAL.—Subject to paragraph (2), for each fiscal year, after making the deduction under subsection (a) and the apportionment under subsection (b), the Secretary shall apportion the amount of the Fish and Wildlife Conservation Fund remaining available for apportionment among the States not receiving an apportionment under subsection (b) in the following manner:

''(A) ⅓ based on the ratio that the geographic area of each such State bears to the total geographic area of all such States.

''(B) ⅔ based on the ratio that the population of each such State bears to the total population of all such States.

''(2) MINIMUM AND MAXIMUM APPORTIONMENTS.—For each fiscal year, the amounts apportioned under this subsection shall be adjusted proportionately so that no State receiving an apportionment under paragraph (1) is apportioned a sum that is—

''(A) less than 1 percent of the amount available for apportionment under this subsection for the fiscal year; or

''(B) more than 5 percent of that amount.

''(d) PERIOD OF AVAILABILITY OF APPORTIONMENTS.—

''(1) IN GENERAL.—An apportionment to a State under subsection (b) or (c) for a fiscal year shall be available for obligation by the State until the end of the fourth succeeding fiscal year.

''(2) REAPPORTIONMENT OF UNOBLIGATED FUNDS.—Any amount apportioned to a State under subsection (b) or (c) for which the period of availability under paragraph (1) terminated at the end of a fiscal year shall be reapportioned to the States in accordance with subsections (b) and (c) during the following fiscal year.

''(e) COST SHARING.—Not more than 70 percent of the cost of any activity funded under this Act may be funded using amounts apportioned to a State under this section.''.

SEC. 306. TECHNICAL AMENDMENTS.

(a) Section 9 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2908) is amended by striking ''conservation plans'' and inserting ''conservation programs''.

(b) Section 13(b) of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2912) is amended in the second sentence by striking ''Committee on Merchant Marine and Fisheries'' and inserting ''Committee on Resources''.

(c) The Fish and Wildlife Conservation Act of 1980 is amended—

(1) by striking sections 8, 11, and 12 (16 U.S.C. 2907, 2910, 2911); and

(2) by redesignating sections 9, 10, and 13 (16 U.S.C. 2908, 2909, 2912) as sections 8, 9, and 10, respectively.

(d) Section 3(5) of the North American Wetlands Conservation Act (16 U.S.C. 4402(5)) is amended by striking ''under the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901–2912)'' and inserting ''in section 3 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2902)''.

(e) Section 16(a) of the North American Wetlands Conservation Act (16 U.S.C. 4413) is amended in the first sentence by striking ''section 13(a)(5) of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2912(a))'' and inserting ''section 10(a)(5) of the Fish and Wildlife Conservation Act of 1980''.

TITLE IV—NEW OPEN SPACE INITIATIVES

Subtitle A—Watersheds

SEC. 401. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) properly managed watersheds can protect and enhance surface water quality by—

(A) processing nutrients;

(B) trapping sediments; and

(C) providing settings where runoff contaminants can be chemically and biologically neutralized before the contaminants enter surface and ground water;

(2) properly managed watersheds can reduce erosion of stream banks and surrounding land by—

(A) reducing the volume and velocity of peak runoff flows; and

(B) helping to protect sensitive stream bank and stream bed areas often critical to the protection of the biological integrity of surface and ground waters; and

(3) the purchase of easements in, or fee title to, critical land from willing sellers can be a useful tool in ensuring the implementation of an effective program for enhancing and protecting the quality of surface and ground waters.

(b) PURPOSE.—The purpose of this title is to encourage the acquisition or restoration of contiguous watersheds and wetland by providing funding for the acquisition or restoration of wetland, adjacent land, or buffer strips under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 402. LAND ACQUISITION AND RESTORATION PROGRAM.

(a) FUNDING.—Title III of the Federal Water Pollution Control Act (33 U.S.C. 1311 et seq.) is amended by adding at the end the following:

''SEC. 321. SAVE OUR WATERSHEDS PROGRAM.

''(a) CONSIDERATION OF ACQUISITION.—Each plan prepared by the appropriate State, local, or other non-Federal entity under section 118, 314, 319(g), or 320 shall—

''(1) evaluate the effectiveness of the acquisition or restoration of land or interests in land as a means of meeting the goals of the plan; and

''(2) include programs to encourage State, local, private, or other non-Federal funding of acquisitions or restorations if acquisition or restoration of land or interests in land is found by the entity to be an effective tool for plans prepared under this Act.

''(b) FUNDING.

''(1) SRF FUNDING.—

''(A) IN GENERAL.—A State may use funds from the water pollution control revolving fund of the State established under title VI for the acquisition or restoration of land in accordance with a plan developed under section 118, 314, 319(g), or 320.

''(B) SRF FUNDING LIMITATION.—Not more than 10 percent of the funds awarded to a State under title VI may be used for the acquisition or restoration of land in accordance with this section.

''(2) PREFERENCES FOR FUNDING.—In considering requests for funding of a plan for the acquisition or restoration of land or interests in land under this section, the Administrator shall provide a preference to requests with respect to which Federal funds will be matched by—

''(A) the State;

''(B) the entity responsible for developing and implementing the plan; or

''(C) other non-Federal entities.

''(c) POSSESSION OF LAND.—

''(1) IN GENERAL.—All land or interests in land acquired or restored under this section shall be held by an entity chosen by the Governor or a designee.

''(2) FEDERAL POSSESSION PROHIBITED.—An officer or employee of the Environmental Protection Agency or any other Federal agency shall not hold any land or interests in land acquired or restored under this section.

''(d) USE OF LAND.—

''(1) IN GENERAL.—Land acquired or restored under this section using Federal funds shall be made available for public recreational purposes to the maximum extent practicable considering the environmental sensitivity and suitability of the land.

''(2) INCOMPATIBLE PURPOSE EXCEPTION.—Land acquired or restored under this section shall not be made available for public recreational purposes if public recreational activities would be incompatible with the purposes for which the land was acquired or restored.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 601(a) of the Federal Water Pollution Control Act (33 U.S.C. 1381(a)) is amended—

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

(B) by inserting before the period at the end the following: '', and (4) for acquiring or restoring land under section 321''.

(2) Section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)) is amended in the first sentence—

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

(B) by inserting before the period at the end the following: '', and (4) for acquiring or restoring land under section 321''.

Subtitle B—Transportation

SEC. 411. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) historically, transportation projects have contributed to suburban sprawl, loss of open space, and degradation of the local environment; and

(2) comprehensive transportation planning should incorporate environmental mitigation and preservation of open space to the extent locally desired and practicable.

(b) PURPOSE.—The purpose of this subtitle is to incorporate efforts to mitigate transportation-related growth and development in surface transportation and highway projects.

SEC. 412. SURFACE TRANSPORTATION PROGRAM.

Section 133(b) of title 23, United States Code, is amended by inserting after paragraph (11) the following:

''(12) Acquisition of open space and conservation easements to mitigate transportation-related growth and development.''.

SEC. 413. FEDERAL-AID SYSTEM.

Section 103(b)(6) of title 23, United States Code, is amended by adding at the end the following:

''(Q) Acquisition of open space and conservation easements to mitigate transportation-related growth and development.''.

Subtitle C—Farmland

SEC. 421. FARMLAND PROTECTION.

Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3830 note; Public Law 104–127) is amended—

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

(2) by striking subsections (a) and (b) and inserting the following:

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) any agency of any State or local government, or federally recognized Indian tribe; and

''(2) any organization that—

''(A) is organized for, and at all times since its formation has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986; and

''(B)(i) is an organization described in section 501(c)(3) of the Code that is exempt from taxation under section 501(a) of the Code;

''(ii) is described in section 509(a)(2) of the Code; or

''(iii) is described in section 509(a)(3) of the Code and is controlled by an organization described in section 509(a)(2) of the Code.

''(b) AUTHORITY.—The Secretary of Agriculture shall establish and carry out a farmland protection program under which the Secretary shall provide grants to eligible entities to provide the Federal share of the cost of purchasing conservation easements or other interests in land with prime, unique, or other productive soil for the purpose of protecting topsoil by limiting nonagricultural uses of the land.

''(c) FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement or other interest described in subsection (b) shall be not more than 50 percent.

''(d) TITLE; ENFORCEMENT.—Title to a conservation easement or other interest described in subsection (b) may be held, and

the conservation requirements of the easement or interest enforced, by any eligible entity.

''(e) STATE CERTIFICATION.—The attorney general of the State in which land is located shall take such actions as are necessary to ensure that a conservation easement or other interest under this section is in a form that is sufficient to achieve the conservation purpose of the farmland protection program established under this section, the law of the State, and the terms and conditions of any grant made by the Secretary under this section.

''(f) CONSERVATION PLAN.—Any land for which a conservation easement or other interest is purchased under this section shall be subject to the requirements of a conservation plan to the extent that the plan does not negate or adversely affect the restrictions contained in any easement.

''(g) TECHNICAL ASSISTANCE.—The Secretary may use not more than 10 percent of the amount that is made available for a fiscal year under subsection (h) to provide technical assistance to carry out this section.''.●

● Mr. CHAFEE. Mr. President, I am very pleased to join with my colleague, Senator LIEBERMAN, as well as Senators LEAHY and JEFFORDS, in introducing a bill to strengthen the environmental infrastructure of our nation, and to lay the foundation for conservation efforts for the new century.

This bill—the Natural Resource Reinvestment Act of 1999 (NRRA)—will also help shape the debate now taking place in Congress on spending revenues from the oil and gas activities in the Outer Continental Shelf. Rarely are we confronted with choices that will profoundly influence the natural legacy of this nation. The current debate over OCS revenues presents us with such a choice.

Let me first applaud the tremendous work already undertaken by my colleagues who have introduced legislation on this subject, particularly Senators LANDRIEU, FEINSTEIN, BOXER and GRAHAM, as well as Senators MURKOWSKI and BINGAMAN, who oversee these bills in the Energy and Natural Resources Committee. At the same time, there is room for additional voices on this subject.

I would like to identify four basic principles that are embodied in our legislation, and that I believe should govern Congress' deliberations on spending OCS revenues. These principles hearken back to those espoused by Congress when it created the Land and Water Conservation Fund and the Historic Preservation Fund, the only two programs that by law are funded from OCS receipts.

First, OCS revenues should be reinvested in the nation's public resources—our environmental, natural, cultural and historic resources. Second, reinvestment in public resources should be meaningful and lasting—the capital assets of our nation. Third, revenues must be distributed in an equitable manner across the nation. Fourth, the funding must be permanent.

The NRRA allocates $2.5 billion in OCS receipts to three major areas: $1.35 billion to land and water and historic preservation (title I); $900 million to states for matching conservation grants (title II); and $250 million for state fish and wildlife conservation (title III). In the event that total OCS receipts falls short of $2.5 billion, each program will receive a pro-rated, percent share of the funds.

The funds generally must be spent for conservation and environmental improvement activities, in keeping with the vision that revenues from development of non-renewable resources should be returned to the conservation of other natural resources. The funds are distributed to all 50 states in an equitable manner, derived from receipts from past, present and future OCS activities, but based on a formula and derived from qualified revenues that do not encourage additional OCS activity.

The NRRA recognizes that the existing programs created by Congress, to be funded with revenues from OCS activities, should receive their full share before new programs funded by those revenues are created. Title I of the NRRA fulfills the promise that Congress made 35 years ago when it created the LWCF. The LWCF is authorized to receive $900 million annually from OCS revenues, but receives only a fraction of this amount in appropriations. One of the greatest conservation laws ever enacted, it provides money for Federal land and water acquisitions, and matches state dollars for local parks, beaches, gardens and other open spaces.

The NRRA would fully fund the LWCF automatically, without further Congressional action. I attempted such an effort in 1988 with the American Heritage Trust Act, and nothing would please me more than to see this effort fulfilled before I leave the Senate.

Created in 1976, the Historic Preservation Fund is also funded with OCS revenues, but of $150 million authorized annually, it receives roughly $45 million—30 percent. The Fund is responsible for registering more than one million historic sites across the nation, and with additional funding, restoration work can be carried out. The bill would fully fund it at $150 million.

In addition, the bill provides full funding, $100 million, for the Urban Parks and Recreation Renewal Program, which supports parks and open spaces in large urban areas. Funds are also authorized for the Payment in Lieu of Taxes Program and the Refuge Revenue Sharing Program, which provide annual payments to local governments to compensate for the removal of newly acquired public lands from the property tax base.

The NRRA seeks to improve and expand the LWCF in order to revitalize it, modernize it and bring it into the new century. Since the creation of the LWCF, the conservation needs of the country have evolved in ways that require greater flexibility and creativity than the traditional methods authorized in the original law.

The NRRA establishes a new program to increase the LWCF by $200 million to support state efforts to conserve land and water of regional or national significance. The program would provide Federal funding for state and private partnerships, in order to meet nationally important land protection priorities in a way that ensures state or local control of lands and waters. This program would help conserve some of the nation's most treasured areas, such as the Great Lakes, the Everglades, the Mississippi Delta, the Northern Forest of New England, the midwestern prairie lands, and the southwestern desert.

Let me cite one example of why we need this new program. With over five million acres of woodland on the auction block in Maine this past year, The Nature Conservancy negotiated an extraordinary deal that would protect 185,000 acres around the Upper St. John River, which is the largest, least developed river system east of the Mississippi River. The Nature Conservancy has already raised over $10 million in private funds for this project, and hopes to receive some of a $50 million bond which will be on the Maine ballot in the fall. The Federal government should be a partner as well. However, many folks in Maine do not want additional Federal acquisitions, so the traditional Federal LWCF program is not a possibility. Yet Maine's annual stateside LWCF allocation would be too small to handle such an expensive project. A new program could leverage the private and State dollars without requiring Federal ownership.

Recognizing that priorities for protecting and conserving resources should be determined at the state and local levels, in cooperation with the Federal government and the use of Federal dollars, the bill creates a new grants program for state activities to promote conservation and improvement of environmental quality.

Specifically, $900 million is apportioned among all 50 states, based on a formula using the following criteria: population, length of coastline, geographic area, and population density. This formula is based on the premise that all states share in the benefits of development of OCS resources. It also recognizes the many factors that put pressure on the nation's resources. Because the formula is not tied to OCS oil and gas production, it does not create incentives for further activity. Lastly, with a ceiling of 5 percent, and a floor of 0.5 percent, the formula ensures that no state receives a disproportionate amount.

The funds can be used for clean air, clean water, cleanup of brownfields, conservation of fish and wildlife habitat, and preservation of open space and farmland. Projects must exceed standards required under existing law, be approved by the Governor after public notice and comment, and must be included in the state plan approved by a Stewardship Council comprised of Federal agency and Congressional representatives.

Federal funding for projects must also be matched with at least 30 percent by non-Federal dollars. This matching requirement is extremely important in that it provides leverage for Federal dollars, and that it encourages states to use the money wisely.

There are special provisions for states that have historically borne the activities in the OCS. Specifically, $300 million over five years, and $10 million annually thereafter, is provided for these states in addition to the amounts they receive under the formula. The funds may be used for OCS mitigation activities, as well as the activities enumerated above.

The NRRA establishes a separate title for the conservation of fish and wildlife, to receive $250 million in OCS revenues, of which $75 million is to be spent on conservation of endangered or threatened species.

Although the States are the principle stewards of our nation's fish and wildlife, their efforts to perform this role are chronically under-funded. It is high time that the Federal government assist them. And it is high time that we protect our nation's fish and wildlife before they become threatened or endangered, rather than wait until the costs and controversies are so great. At the same time, we must get a steady flow of funds for endangered and threatened species to help their recovery.

The key to species conservation is, of course, protection of the habitat. Habitat protection, in turn, requires comprehensive planning and collaboration to determine which habitat is important. Many State fish and wildlife agencies already engage in comprehensive planning, and work closely with neighboring States and the Federal government. The tremendous work conducted in the Mississippi Alluvial Valley through the Partners in Flight program exemplifies what States can do when they have adequate funding. Indeed, the States have recently completed comprehensive plans for all migratory birds, and plans are underway for amphibians and reptiles.

The NRRA amends the 1980 Fish and Wildlife Conservation Act to encourage implementation and coordination of comprehensive fish and wildlife conservation programs. The bill also places an emphasis on species that are not hunted, fished or trapped. This emphasis seeks to rectify the current imbalance in which non-game programs among all 50 states receive less than $100 million annually, while game-focused programs receive more than $1 billion annually. Less than 10 percent of state fish and wildlife funding is targeted at the conservation of 86 percent of fish and wildlife species.

Three new programs are created in the bill. To promote watershed protection, the NRRA amends Title III of the Federal Water Pollution Control Act to allow up to 10 percent of the State Revolving Loan Fund to be spent as 50 percent matching grants for open space acquisition to protect watersheds and water quality. To address transportation-related development, the NRRA amends current law to allow surface transportation and highway funding to be used for the purchase of open space and green corridors that mitigate transportation-related growth and development. Lastly, to promote the protection of farmland, the NRRA amends the Federal Agriculture Improvement and Reform Act of 1996 to allow State and local conservation organizations to participate in the purchase of conservation easements for farmland protection.

Almost 90 years ago, Teddy Roosevelt said that "of all the questions which can come before this nation, short of actual preservation of its existence in a great war, there is none which compares in importance with the central task of leaving this land a better land for our descendants than it is for us." When a rugged coastline is marred by condos, or farmland is replaced by a strip mall, or a breathtaking vista is pocked with smokestacks, we lose something very valuable, most likely for good. Our bill ensures that the tools are available to leave this land in better condition for our descendants, and remains true to the vision of Teddy Roosevelt.

I urge my colleagues to cosponsor this worthwhile legislation.●

● Mr. JEFFORDS. Mr. President, I rise today as an original cosponsor of the Natural Resources Reinvestment Act of 1999 (NRRA) and thank Senator LIEBERMAN for his leadership on this issue. The purpose of this bill is to reinvest revenues from oil and gas production on outer continental shelf lands to establish a reliable source of funding for State, local and Federal efforts to conserve land and water, provide recreational opportunities, preserve historic resources, protect fish and wildlife, and preserve open and green spaces.

This Congress, the subject of permanent funding for the Land and Water Conservation Fund (LWCF) has received significant attention. The Land and Water Conservation Fund, a special account created in 1964, is the primary vehicle for funding land conservation efforts in the United States and is used for acquisitions and maintenance for our national parks, forests, and wildlife refuges. Four federal agencies—the Park Service, Bureau of Land Management, Fish and Wildlife Service, and Forest Service—receive these funds. In addition, the Park Service has administered a matching grants program to assist states (and localities) in acquiring and developing recreation sites and facilities. The fund accumulates money from diverted revenues from off-shore oil leases.

Unfortunately, the main fund has not recently been fully funded and the state grant program has not received any funding since 1995. The promise of this worthy program has never been fully realized and many opportunities to conserve precious lands and to work with our state and local partners have been lost. People across the country are realizing that they cannot afford to lose more opportunities to protect the lands they consider important to their quality of life.

Many of us think of large tracks of land, like the Green Mountain National Forest in my home state of Vermont, when we think about federal conservation programs. When we think about the Land and Water Conservation Fund, however, we should also envision soccer fields, swing-sets, picnic areas, town beaches and wildlife preserves across the country. The LWCF has made it possible to protect some of the most valuable wildlife habitat in the United States, and also for small communities to afford public recreation facilities that would otherwise not be possible, bringing the benefits of outdoor recreation close to where we live and work.

In addition to the LWCF, the NRRA establishes permanent funding for Urban Parks and Recreation Recovery, the Historic Preservation Fund, and creates several new open space initiatives. The bill also establishes an Environmental Stewardship Fund for states to conserve, protect, and restore their natural resources beyond what is required by current law. The Fund is designed so that states have the flexibility to create their own plans that address their particular needs, while including citizens through a comment process.

The Natural Resources Reinvestment Act demonstrates a commitment to conserving and protecting our national natural and historical resources. I urge my colleagues to support this bill that would secure the funding of our conservation and open space programs for the future.●

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 37, a bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997.

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 118

At the request of Mr. REID, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Washington (Mrs. MURRAY), the Senator from Ohio (Mr. VOINOVICH), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors

of S. 118, a bill to amend the Public Health Service Act to provide, with respect to research on breast cancer, for the increased involvement of advocates in decisionmaking at the National Cancer Institute.

S. 121

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 121, a bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, age, or disability, and for other purposes.

S. 146

At the request of Mr. ABRAHAM, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 146, a bill to amend the Controlled Substances Act with respect to penalties for crimes involving cocaine, and for other purposes.

S. 171

At the request of Mr. MOYNIHAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 171, a bill to amend the Clean Air Act to limit the concentration of sulfur in gasoline used in motor vehicles.

S. 172

At the request of Mr. MOYNIHAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 172, a bill to reduce acid deposition under the Clean Air Act, and for other purposes.

S. 391

At the request of Mr. KERREY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 391, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 469

At the request of Mr. BREAUX, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 469, a bill to encourage the timely development of a more cost effective United States commercial space transportation industry, and for other purposes.

S. 472

At the request of Mr. GRASSLEY, the names of the Senator from Rhode Island (Mr. REED), and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain Medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the Medicare program, and for other purposes.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 661

At the request of Mr. ABRAHAM, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 661, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 717

At the request of Ms. MIKULSKI, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 717, a bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 763

At the request of Mr. THURMOND, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 763, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and for other purposes.

S. 778

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 778, a bill for the relief of Blanca Echeverri.

S. 792

At the request of Mr. MOYNIHAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 792, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women, children, and blind or disabled medically needy individuals to be eligible for medical assistance under the medicaid program, and for other purposes.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) 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. 894

At the request of Mr. CLELAND, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 894, a bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees and annuitants, and for other purposes.

S. 922

At the request of Mr. ABRAHAM, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from West Virginia (Mr. BYRD), and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 922, a bill to prohibit the use of the ''Made in the USA'' label on products of the Commonwealth of the Northern Mariana Islands and to deny such products duty-free and quota-free treatment.

S. 926

At the request of Mr. DODD, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 926, a bill to provide the people of Cuba with access to food and medicines from the United States, and for other purposes.

S. 1131

At the request of Mr. EDWARDS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1131, a bill to promote research into, and the development of an ultimate cure for, the disease known as Fragile X.

S. 1155

At the request of Mr. ROBERTS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1159

At the request of Mr. STEVENS, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1310

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor 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. 1327

At the request of Mr. CHAFEE, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1327, a bill to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes.

S. 1382

At the request of Mr. MCCAIN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to make grants to carry out certain activities toward promoting adoption counseling, and for other purposes.

S. 1446

At the request of Mr. LOTT, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 1446, a bill to amend the

Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 1448

At the request of Mr. HUTCHINSON, the names of the Senator from Florida (Mr. GRAHAM) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 1448, a bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the program through 2005, and for other purposes.

S. 1449

At the request of Mr. CONRAD, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 1449, a bill to amend title XVIII of the Social Security Act to increase the payment amount for renal dialysis services furnished under the medicare program.

S. 1464

At the request of Mr. HAGEL, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Ohio (Mr. DEWINE), and the Senator from Texas (Mr. GRAMM) were added as cosponsors of S. 1464, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish certain requirements regarding the Food Quality Protection Act of 1996, and for other purposes.

S. 1473

At the request of Mr. ROBB, the name of the Senator from Connecticut (Mr. LIEBERMAN) 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.

S. 1485

At the request of Mr. NICKLES, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of 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.

S. 1528

At the request of Mr. LOTT, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1528, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that act for certain recycling transactions.

S. 1568

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1568, a bill imposing an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have implemented, and for other purposes.

SENATE JOINT RESOLUTION 33

At the request of Mr. BROWNBACK, his name was added as a cosponsor of Senate Joint Resolution 33, a joint resolution deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

At the request of Mr. HAGEL, his name was added as a cosponsor of Senate Joint Resolution 33, supra.

SENATE RESOLUTION 163

At the request of Mrs. BOXER, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of Senate Resolution 163, a resolution to establish a special committee of the Senate to study the causes of firearms violence in America.

SENATE RESOLUTION 179

At the request of Mr. BIDEN, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of Senate Resolution 179, a resolution designating October 15, 1999, as ''National Mammography Day.''

AMENDMENT NO. 1603

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of amendment No. 1603 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

SENATE RESOLUTION 180—REAUTHORIZING THE JOHN HEINZ SENATE FELLOWSHIP PROGRAM

Mr. SPECTER (for himself and Mr. SANTORUM) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 180

Resolved,

SECTION 1. JOHN HEINZ SENATE FELLOWSHIP PROGRAM.

Senate Resolution 356, 102d Congress, agreed to October 7, 1992, is amended by striking sections 2 through 6 and inserting the following:

''SEC. 2. FINDINGS.

''The Senate 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 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;

''(3) conduct a screening of applicants for the fellowship program; and

''(4) select participants without regard to race, color, religion, sex, national origin, age, or disability.

''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 resolution 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 resolution 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 resolution 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 resolution.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, September 9, 1999, at 9:30 a.m. in open session, to consider the nomination of General Henry H. Shelton, USA for reappointment to the grade of General and for reappointment as chairman of the Joint Chiefs of Staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, September 9, 1999, at 2:15 p.m. on two committee nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate Foreign Relations Committee be authorized to meet during the session of the Senate on 9, September, 1999 at 2 p.m. to hold a joint subcommittee hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. GORTON. Mr. President, the Committee on the Judiciary requests

unanimous consent to conduct a hearing on Thursday, September 9, 1999 beginning at 10 a.m. in room 226 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. GORTON. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on September 28, 1999 at 10 a.m. for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

I WILL PLEDGE WEEK

• Mr. ALLARD. Mr. President, I rise today to recognize a program in Colorado aimed at stopping youth violence. In the wake of the shootings at Columbine in Littleton, students and parents throughout northern Colorado in Fort Collins, Greeley, Windsor and my home town of Loveland organized the week of August 29 through September 4 as ''I will pledge week.'' The program was sponsored by the Fort Collins Coloradoan, Clear Channel—the parent company of radio stations KPAW, KCOL, KIIX, and KGLL, and school districts throughout northern Colorado.

The ''pledge'' is a symbolic gesture meant to heighten everyone's awareness of the problem of youth violence. It stresses personal responsibility, tolerance and empowers each student to be part of the solution. I have proudly endorsed ''the pledge'' because I believe it will make a difference. I would like to now share with my colleagues ''the pledge.''

THE PLEDGE

To end violence . . . ''I will pledge to be a part of the solution.

I will eliminate taunting from my behavior.

I will encourage others to do the same.

I will do my part to make my community a safe place by being more sensitive to others.

I will set the example of a caring individual.

I will eliminate profanity toward others from my language.

I will not let my words or actions hurt others . . .

And if others won't become part of the solution, I will.''

Last week, literally thousands of students across northern Colorado took this pledge. They committed themselves to be part of the solution to ending youth violence. It is an example I encourage others to follow.•

REMOVAL ON INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 106–8

Mr. SESSIONS. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following convention transmitted to the Senate on September 9, 1999, by the President of the United States:

Convention (No. 176) Concerning Safety and Health in Mines (Treaty Document No. 106–8).

I further ask that the convention be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification of the Convention (No. 176) Concerning Safety and Health in Mines, adopted by the International Labor Conference at its 82nd Session in Geneva on June 22, 1995, I transmit herewith a certified copy of that Convention.

The report of the Department of State, with a letter from the Secretary of Labor, concerning the Convention is enclosed.

As explained more fully in the enclosed letter from the Secretary of Labor, current United States law and practice fully satisfies the requirements of Convention No. 176. Ratification of this Convention, therefore, would not require the United States to alter in any way its law or practice in this field.

Ratification of additional ILO conventions will enhance the ability of the United States to take other governments to task for failing to comply with the ILO instruments they have ratified. I recommend that the Senate give its advice and consent to the ratification of ILO Convention No. 176.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 9, 1999*.

FOUR CORNERS INTERPRETIVE CENTER ACT

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 265, S. 28.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 28) to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported by the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Four Corners Interpretive Center Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Four Corners Monument is nationally significant as the only geographic location in the United States where 4 State boundaries meet;

(2) the States with boundaries that meet at the Four Corners are Arizona, Colorado, New Mexico, and Utah;

(3) between 1868 and 1875 the boundary lines that created the Four Corners were drawn, and in 1899 a monument was erected at the site;

(4) a United States postal stamp will be issued in 1999 to commemorate the centennial of the original boundary marker;

(5) the Four Corners area is distinct in character and possesses important historical, cultural, and prehistoric values and resources within the surrounding cultural landscape;

(6) although there are no permanent facilities or utilities at the Four Corners Monument Tribal Park, each year the park attracts approximately 250,000 visitors;

(7) the area of the Four Corners Monument Tribal Park falls entirely within the Navajo Nation or Ute Mountain Ute Tribe reservations;

(8) the Navajo Nation and the Ute Mountain Ute Tribe have entered into a memorandum of understanding governing the planning and future development of the Four Corners Monument Tribal Park;

(9) in 1992, through agreements executed by the Governors of Arizona, Colorado, New Mexico, and Utah, the Four Corners Heritage Council was established as a coalition of State, Federal, tribal, and private interests;

(10) the State of Arizona has obligated $45,000 for planning efforts and $250,000 for construction of an interpretive center at the Four Corners Monument Tribal Park;

(11) numerous studies and extensive consultation with American Indians have demonstrated that development at the Four Corners Monument Tribal Park would greatly benefit the people of the Navajo Nation and the Ute Mountain Ute Tribe;

(12) the Arizona Department of Transportation has completed preliminary cost estimates that are based on field experience with rest-area development for the construction of a Four Corners Interpretive Center and surrounding infrastructure, including restrooms, roadways, parking areas, and water, electrical, telephone, and sewage facilities;

(13) an interpretive center would provide important educational and enrichment opportunities for all Americans; and

(14) Federal financial assistance and technical expertise are needed for the construction of an interpretive center.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize the importance of the Four Corners Monument and surrounding landscape as a distinct area in the heritage of the United States that is worthy of interpretation and preservation;

(2) to assist the Navajo Nation and the Ute Mountain Ute Tribe in establishing the Four Corners Interpretive Center and related facilities to meet the needs of the general public;

(3) to highlight and showcase the collaborative resource stewardship of private individuals, Indian tribes, universities, Federal agencies, and the governments of States and political subdivisions thereof (including counties); and

(4) to promote knowledge of the life, art, culture, politics, and history of the culturally diverse groups of the Four Corners region.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) CENTER.—The term ''Center'' means the Four Corners Interpretive Center established under section 4, including restrooms, parking areas, vendor facilities, sidewalks, utilities, exhibits, and other visitor facilities.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means the State of Arizona, Colorado, New Mexico, or Utah, or any consortium of 2 or more of those States.

(3) FOUR CORNERS HERITAGE COUNCIL.—The term ''Four Corners Heritage Council'' means the nonprofit coalition of Federal, State, tribal, and private entities established in 1992 by agreements of the Governors of the States of Arizona, Colorado, New Mexico, and Utah.

(4) FOUR CORNERS MONUMENT.—The term ''Four Corners Monument'' means the physical

monument where the boundaries of the States of Arizona, Colorado, New Mexico, and Utah meet.

(5) FOUR CORNERS MONUMENT TRIBAL PARK.—The term ''Four Corners Monument Tribal Park'' means lands within the legally defined boundaries of the Four Corners Monument Tribal Park.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. FOUR CORNERS INTERPRETIVE CENTER.

(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary is authorized to establish within the boundaries of the Four Corners Monument Tribal Park a center for the interpretation and commemoration of the Four Corners Monument, to be known as the ''Four Corners Interpretive Center''.

(b) LAND DESIGNATED AND MADE AVAILABLE.—Land for the Center shall be designated and made available by the Navajo Nation or the Ute Mountain Ute Tribe within the boundaries of the Four Corners Monument Tribal Park in consultation with the Four Corners Heritage Council and in accordance with—

(1) the memorandum of understanding between the Navajo Nation and the Ute Mountain Ute Tribe that was entered into on October 22, 1996; and

(2) applicable supplemental agreements with the Bureau of Land Management, the National Park Service, and the United States Forest Service.

(c) CONCURRENCE.—Notwithstanding any other provision of this Act, no such center shall be established without the consent of the Navajo Nation and the Ute Mountain Ute Tribe.

(d) COMPONENTS OF CENTER.—The Center shall include—

(1) a location for permanent and temporary exhibits depicting the archaeological, cultural, and natural heritage of the Four Corners region;

(2) a venue for public education programs;

(3) a location to highlight the importance of efforts to preserve southwestern archaeological sites and museum collections;

(4) a location to provide information to the general public about cultural and natural resources, parks, museums, and travel in the Four Corners region; and

(5) visitor amenities including restrooms, public telephones, and other basic facilities.

SEC. 5. CONSTRUCTION GRANT.

(a) GRANT.—

(1) IN GENERAL.—The Secretary is authorized to award a grant to an eligible entity for the construction of the Center in an amount not to exceed 50 percent of the cost of construction of the Center.

(2) ASSURANCES.—To be eligible for the grant, the eligible entity that is selected to receive the grant shall provide assurances that—

(A) the non-Federal share of the costs of construction is paid from non-Federal sources (which may include contributions made by States, private sources, the Navajo Nation, and the Ute Mountain Ute Tribe for planning, design, construction, furnishing, startup, and operational expenses); and

(B) the aggregate amount of non-Federal funds contributed by the States used to carry out the activities specified in subparagraph (A) will not be less than $2,000,000, of which each of the States that is party to the grant will contribute equally in cash or in kind.

(3) FUNDS FROM PRIVATE SOURCES.—A State may use funds from private sources to meet the requirements of paragraph (2)(B).

(4) FUNDS OF STATE OF ARIZONA.—The State of Arizona may apply $45,000 authorized by the State of Arizona during fiscal year 1998 for planning and $250,000 that is held in reserve by the State for construction toward the Arizona share.

(b) GRANT REQUIREMENTS.—In order to receive a grant under this Act, the eligible entity selected to receive the grant shall—

(1) submit to the Secretary a proposal that—

(A) meets all applicable—

(i) laws, including building codes and regulations; and

(ii) requirements under the memorandum of understanding described in paragraph (2); and

(B) provides such information and assurances as the Secretary may require; and

(2) enter into a memorandum of understanding with the Secretary providing—

(A) a timetable for completion of construction and opening of the Center;

(B) assurances that design, architectural, and construction contracts will be competitively awarded;

(C) specifications meeting all applicable Federal, State, and local building codes and laws;

(D) arrangements for operations and maintenance upon completion of construction;

(E) a description of the Center collections and educational programming;

(F) a plan for design of exhibits including, but not limited to, the selection of collections to be exhibited, and the providing of security, preservation, protection, environmental controls, and presentations in accordance with professional museum standards;

(G) an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to site selection and public access to the facilities; and

(H) a financing plan developed jointly by the Navajo Nation and the Ute Mountain Ute Tribe outlining the long-term management of the Center, including—

(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;

(ii) the payment of the operating costs of the Center through the assessment of fees or other income generated by the Center;

(iii) a strategy for achieving financial self-sufficiency with respect to the Center by not later than 5 years after the date of enactment of this Act; and

(iv) appropriate vendor standards and business activities at the Four Corners Monument Tribal Park.

SEC. 6. SELECTION OF GRANT RECIPIENT.

The Four Corners Heritage Council may make recommendations to the Secretary on grant proposals regarding the design of facilities at the Four Corners Monument Tribal Park.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the Department of the Interior to carry out this Act—

(1) $2,000,000 for fiscal year 2000; and

(2) $50,000 for each of fiscal years 2001 through 2005 for maintenance and operation of the Center, program development, or staffing in a manner consistent with the requirements of section 5(b).

(b) CARRYOVER.—Funds made available under subsection (a)(1) that are unexpended at the end of the fiscal year for which those funds are appropriated, may be used by the Secretary through fiscal year 2002 for the purposes for which those funds are made available.

(c) RESERVATION OF FUNDS.—The Secretary may reserve funds appropriated pursuant to this Act until a grant proposal meeting the requirements of this Act is submitted, but no later than September 30, 2001.

SEC. 8. DONATIONS.

Notwithstanding any other provision of law, for purposes of the planning, construction, and operation of the Center, the Secretary may accept, retain, and expend donations of funds, and use property or services donated, from private persons and entities or from public entities.

SEC. 9. STATUTORY CONSTRUCTION.

Nothing in this Act is intended to abrogate, modify, or impair any right or claim of the Navajo Nation or the Ute Mountain Ute Tribe, that is based on any law (including any treaty, Executive order, agreement, or Act of Congress).

Mr. SESSIONS. Mr. President, I ask unanimous consent that the committee substitute be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, as amended, 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 bill (S. 28), as amended, was read the third time and passed.

ORDERS FOR FRIDAY, SEPTEMBER 10, 1999

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until the hour of 9:30 a.m. on Friday, September 10. I further ask unanimous consent that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin morning business time with Senators speaking for up to 10 minutes each with the following exceptions: Senator DURBIN, or his designee, 9:30 to 10:30; Senator COVERDELL, 10:30 to 11:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SESSIONS. For the information of all Senators, the Senate will convene at 9:30 a.m. and will be in a period of morning business throughout the day. As for next week, it is the intention of the majority leader to complete action on the Interior appropriations bill early next week and to begin consideration of the bankruptcy reform bill as well as any available appropriations bills. As previously announced by the leader, the next series of rollcall votes will occur on Monday, September 13, at 5 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:23 p.m., adjourned until Friday, September 10, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 9, 1999:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

LINDA LEE AAKER, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A

TERM EXPIRING JANUARY 26, 2004, VICE JOHN R. SEARLE, TERM EXPIRED.

EDWARD L. AYERS, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2004, VICE PAUL A. CANTOR, TERM EXPIRED.

PEDRO G. CASTILLO, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2004, VICE BRUCE COLE, TERM EXPIRED.

PEGGY WHITMAN PRENSHAW, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2002, VICE HENRY H. HIGUERA, TERM EXPIRED.

THEODORE WILLIAM STRIGGLES, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2004, VICE THOMAS CLEVELAND HOLT, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

CAPT. RALPH D. UTLEY, 0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10 UNITED STATES CODE, SECTION 12203:

To be rear admiral

REAR ADM. (LH) CARLTON D. MOORE, 0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

CAPT. MARY P. O'DONNELL, 0000.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES INFORMATION AGENCY FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA. CLASS OF CAREER MINISTER:

C. MILLER CROUCH, OF CONNECTICUT
HARRIET LEE ELAM, OF MARYLAND

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER COUNSELOR:

ANNE M. CHERMAK, OF VIRGINIA
MARILY E. HULBERT, OF FLORIDA
WILLIAM M. MORGAN, OF CALIFORNIA
JOE B. JOHNSON, OF TEXAS
MARCELLE M. WAHBA, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT AS CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DONALD M. BISHOP, OF VIRGINIA
WILLIAM G. CROWELL, OF WASHINGTON
THOMAS F.X. HARAN, JR., OF MASSACHUSETTS
CYNTHIA FARRELL JOHNSON, OF MARYLAND
PHILLIP T. PARKERSON, OF FLORIDA
DUDLEY O'NEAL SIMS, OF FLORIDA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MARK C. LUNDI, OF MARYLAND
GARY B. PERGL, OF CALIFORNIA

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADES INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERE ADMINISTRATION.

To be captain

DONALD A. DREVES
DAVID H. PETERSON
GARY A. VAN DEN BERG
DALE E. BRETSCHNEIDER
DAVID J. TENNESEN
TED I. LILLESTOLEN
ROGER L. PARSONS
JOHN T. MOAKLEY
JOHN D. WILDER
MARK P. KOEHN
NICHOLAS E. PERUGINI
DEAN L. SMEHIL

To be commander

PETER J. CELONE
RUSSELL E. BRAINARD
SUSAN D. MCKAY
STEVEN R. BARNUM
JON E. RIX
PAUL D. MOEN
JAMES R. MORRIS
JOANNE F. FLANDERS

To be lieutenant commander

JAMES R. MEIGS
DAVID O. NEANDER
THOMAS E. STRONG
RICHARD A. FLETCHER
MICHAEL S. DEVANY
SCOTT S. STOLZ
ANDREA M. HRUSOVSKY
DOUGLAS R. SCHLEIGER
JULIA N. NEANDER

To be lieutenant

JEFFREY C. HAGAN
JOHN K. LONGENECKER
DEBORA R. BARR
MICHAEL L. HOPKINS
JULIE V. HELMERS
ERIC W. BERKOWITZ
JON D. SWALLOW
WILLIAM T. COBB III
JOSEPH A. PICA
KEITH W. ROBERTS
JONATHAN G. WENDLAND
PHILIP G. HALL
WILLIAM R. ODELL
BRIAN W. PARKER
JOHN T. CASKEY
TODD A. HAUPT
CECILE R. DANIELS
RUSSELL C. JONES
Alexandra R. Von Saunder
Lawrence T. Krepp
James M. Crocker
George J. Konoval
Carl E. Newman
Shepard M. Smith
Todd A. Bridgeman
Nathan L. Hill
Robert A. Kamphaus
Eric W. Ort
Edward J. Van Den Ameele
MARK A. WETZLER

To be lieutenant (junior grade)

GREGORY G. GLOVER
SCOTT M. SIROIS
PAULENE O. ROBERTS

To be ensign

SARAH L. SCHERER
ARTHUR J. STARK
DAVID J. ZEZULA
ANGIE J. VENTURATO
MICHAEL F. ELLIS
GRETCHEN A. IMAHORI
ELIZABETH I. JONES
GEORGE M. MILLER
KEVIN J. SLOVER
NANCY L. ASH
BRADLEY H. FRITZLER
DANIEL K. KARLSON
MARC S. MOSER
JASON A. APPLER
HOLLY A. DEHART
FRANK K. DREFLAK
BRIAN A. GOODWIN
JENNIFER J. HICKEY
ANGELIKA G. MESSER
KRISTIE J. TWINING
KEVIN V. WERNER

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DANIEL JAMES III, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL OF THE UNITED STATES AIR FORCE AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8037:

To be major general

BRIG. GEN. THOMAS J. FISCUS, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JERRY D. WILLOUGHBY, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. HAROLD A. CROSS, 0000.
BRIG. GEN. PAUL J. SULLIVAN, 0000.

To be brigadier general

COL. DWAYNE A. ALONS, 0000.
COL. RICHARD W. ASH, 0000.
COL. GEORGE J. CANNELOS, 0000.
COL. JAMES E. CUNNINGHAM, 0000.
COL. MYRON N. DOBASHI, 0000.
COL. JUAN A. GARCIA, 0000.
COL. JOHN J. HARTNETT, 0000.
COL. STEVEN R. MCCAMY, 0000.
COL. ROGER C. NAFZIGER, 0000.
COL. GEORGE B. PATRICK, III, 0000.
COL. MARTHA T. RAINVILLE, 0000.
COL. SAMUEL M. SHIVER, 0000.
COL. ROBERT W. SULLIVAN, 0000.
COL. GARY H. WILFONG, 0000.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PETER J. GRAVETT, 0000.
BRIG. GEN. WALTER J. PUDLOWSKI, JR., 0000.
BRIG. GEN. FREDERIC J. RAYMOND, 0000.

To be brigadier general

COL. LEWIS E. BROWN, 0000.
COL. DAN M. COLGLAZIER, 0000.
COL. JAMES A. COZINE, 0000.
COL. DAVID C. GODWIN, 0000.
COL. CARL N. GRANT, 0000.
COL. HERMAN G. KIRVEN, JR., 0000.
COL. ROBERTO MARRERO-CORLETTO, 0000.
COL. WILLIAM J. MARSHALL, III, 0000.
COL. TERRILL MOFFETT, 0000.
COL. HAROLD J. NEVIN, JR., 0000.
COL. JEFFREY L. PIERSON, 0000.
COL. RONALD S. STOKES, 0000.
COL. GREGORY J. VADNAIS, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JOSEPH W. DYER, JR., 0000.

EXTENSIONS OF REMARKS

HONORING THE LATE JOAQUIN V.E. MANIBUSAN, SR.

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. UNDERWOOD. Mr. Speaker, the island of Guam mourns the passing of one of its most respected and loved public servants. The Honorable Joaquin V.E. Manibusan, Sr., a man who served as the island's traffic and small claims court judge for 21 years, was called to his eternal rest on August 29, 1999, at the age of 78. He leaves behind his wife, Alejandrina, and his children, Marilyn, Joaquin, Jr., and Geraldine. With a sense of great loss, I pay tribute to this distinguished local leader.

The Manibusan name is deeply embedded in the island of Guam's judicial system. Judge Manibusan's father, Judge Jose C. Manibusan, served in the Island Court from 1935 to 1960. His son, the Honorable Joaquin V.E. Manibusan, Jr., currently serves as judge in the Superior Court of Guam.

Judge Joaquin V.E. Manibusan, Sr. was born on March 23, 1921, in the city of Hagåtña. After his graduation from George Washington High School in 1940, he pursued legal studies through correspondence. Judge Manibusan's government service record predates World War II. From 1941 until the outbreak of the war, he worked for the Civil Affairs Department at the Naval Air Station, Agana. Upon the island's liberation in 1944, he was again hired by the Civil Affairs Department to work at the Anigua Refugee Camp.

The judge first worked for the island's court system as a law clerk for the Island Court in 1944 and was promoted to senior clerk in 1948. Later that year, he was appointed Deputy Clerk of the Island Court. In 1969, the Guam Legislature confirmed his appointment as Judge of the Police Court of Guam. Upon the creation of the Superior Court of Guam, Judge Manibusan was sworn in as a judge in the court—assigned exclusively to the traffic division. The following year, he was reappointed to the Superior Court of Guam's traffic division. In 1982, the people of Guam expressed support for his legal contributions when he was retained as a judge of the Superior Court through a mandate from the island's voters. He retired from the bench on March 4, 1995.

Judge Manibusan's community involvement went above and beyond his duties in the courtroom. Throughout his life, he actively participated in inter-governmental and community functions. He was a delegate to the Guam Constitutional Convention of 1969 and he was named chairman of the Guam Judicial Center's grand opening in 1991. He was a member of the Holy Name Society as well as a charter member of the Sinajana Civil Improvement Club. On top of this, he was also actively involved in Christmas seal drives and in Guam's sports, particularly baseball.

During his tenure on the bench, Judge Manibusan is remembered for his dignity, fairness and compassion. His service of more than fifty years to the people of Guam has earned him a place in our hearts. He leaves a legacy of service and devotion to the island of Guam. May his commitment to the island's judiciary and to the people of Guam forever inspire us.

100TH ANNIVERSARY OF THE NAPA SOLANO BUILDING TRADES COUNCIL

HON. GEORGE MILLER

OF CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, my colleague, Mr. THOMPSON of California, and I rise today to recognize the Napa Solano Building Trades Council as this organization celebrates its 100th anniversary of service to the men and women engaged in the building trades in Northern California.

One hundred years ago in September, 1899, the first trade and labor council in Napa and Solano Counties was formed when eleven tradesmen representing five local unions met in the Mechanics Hall in Vallejo to form the Trades and Labor Council of Vallejo, CA.

The unions represented at that historic meeting were the Boilermakers Local 148, Carpenters Local 180, Machinist Lodge 252, Shipwrights Local 1068, the Pipe Fitters Union, and the Iron Molders Local 164.

The original officers of the Council, President Richard Caverly of the Boilermakers, Vice President N.B. Grace of the Carpenters, Secretary John Davidson of the Shipwrights, Treasurer William Brownlie of the Shipwrights, and Sergeant-at-Arms G.E. Smith of the Carpenters will always be known as the union leaders who started the official labor movement in Solano and Napa Counties.

A Charter was granted to the fledgling organization by the American Federation of Labor and signed by President Samuel Gompers on October 9, 1899, making it one of the oldest labor councils in the State of California.

The Trade and Labor Council flourished and the original membership increased rapidly. The member unions formed their own councils as well as the Solano Building and Construction Trades Council, the Solano Central Labor Council and the Mare Island Navy Yard Metal Trades Council.

Mr. Speaker, it is appropriate that we acknowledge and honor today this pioneering labor organization and the men and women in the building trades in Napa and Solano Counties. These men and women of labor have made an immeasurable difference in the lives of working families.

IN RECOGNITION OF THE 30TH ANNIVERSARY OF THE DRUG ABUSE ALTERNATIVES CENTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. WOOLSEY. Mr. Speaker, my colleague, Mr. THOMPSON of California, and I rise today to recognize the Drug Abuse Alternatives Center, a private nonprofit organization in Sonoma County, California that has been providing drug abuse counseling, education, and rehabilitation to local residents for thirty years.

The organization began operation on September 18, 1969 as the Sonoma County Drug Abuse Advisory Council with a staff of five people who recognized that there was an unmet need in Sonoma County for drug education and counseling.

It expanded into rehabilitation and treatment when it merged with Turning Point, a residential treatment facility.

In 1988, the name of the organization was changed to the Drug Abuse Alternatives Center.

In 1992, the organization began providing services in Lake County for pregnant and parenting women and in 1993 opened the Lake County Transition house of the perinatal program.

Today the Drug Abuse Alternatives Center provides perinatal day treatment, outpatient treatment, family and individual counseling, awareness and choices training for students at the Santa Rosa secondary schools, HIV and Hepatitis C education outreach, support groups for parents and teens. It also operates Bay Area Recovery Services, the Turning Point residential treatment center, and the Redwood Empire Addictions Program for methadone maintenance and detoxification.

The Drug Abuse Alternatives Center also collaborates with the Sonoma County Health Services Department, the Sonoma County Sheriff's Department and the Sonoma County Courts to operate the very successful Drug Court program that makes it possible for nonviolent offenders to get needed drug treatment and counseling. It also works with the Sonoma County Office of Education to operate a Clean and Sober high school program for teens who are in recovery.

Mr. Speaker, it is appropriate that we recognize today the tremendous work of the Drug Abuse Alternatives Center in helping to combat the epidemic of drug abuse in this country.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

LEGISLATION TO BAN OIL AND GAS DRILLING IN MOSQUITO CREEK LAKE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to prohibit oil and gas drilling in Mosquito Creek Lake in Cortland, Ohio. The lake is in the 17th Congressional District of Ohio which I am privileged to represent.

For the past several years I have tried to work with the U.S. Department of Interior's Bureau of Land Management to address the legitimate concerns of local residents about the potential environmental and health impacts of oil and gas drilling on Mosquito Creek Lake. Unfortunately, a satisfactory arrangement could not be met. BLM is in the process of allowing slant drilling on the lake.

Last year I carefully reviewed BLM's environmental assessment which included proposed safety procedures to contain leaks, spills and overflows. After considering these proposals, I felt compelled to join many of my constituents in opposition to drilling on private land around the lake. I remain adamantly opposed to any drilling. At this juncture, the only way to stop the drilling is legislative action. That's why I am introducing this bill.

My legislation would bar any person from any drilling activity, including slant or directional drilling, to extract oil or gas from lands beneath Mosquito Creek Lake in Cortland, Ohio. Under the Traficant bill, the U.S. Attorney General has the authority to file suit in U.S. District Court to enforce this prohibition.

While tests have shown evidence of oil and gas deposits below the lake, the levels are not high enough to justify drilling, in my opinion. The potential benefits of extracting oil and gas from beneath Mosquito Creek Lake do not outweigh the potential damage that could be done to the environment, water quality and overall quality of life for area residents. That's the bottom line.

I intend to do everything possible to have this legislation enacted into law this year.

H.R. —

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

SECTION 1. PROHIBITION.

After the enactment of this Act no person may commence any drilling activity (including any slant or directional drilling) to extract oil or gas from lands beneath waters under the jurisdiction of the United States in Mosquito Creek Lake in Cortland, Ohio. The Attorney General of the United States may bring an action in the appropriate United States district court to enforce the prohibition contained in this section.

CELEBRATING THE 125TH ANNIVERSARY OF THE ARRIVAL OF THE MENNONITES IN AMERICA

HON. JERRY MORAN

OF KANSAS

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. MORAN of Kansas. Mr. Speaker, I rise today with the gentleman from South Dakota, Mr. THUNE, to commemorate the 125th Anniversary of the arrival of the Mennonites in the United States.

To do so, I would like to read from a poem written by my constituent, Mrs. Gladys Graber Goering of Hutchinson, Kansas:

''A HYMN OF HERITAGE''

Sing a song of deep gratitude
To our God, Who by His grace,
Led a people through centuries
To this special time and place.
Glad hosannas to you belong,
Joy of the Lord, our strength and song.

Tell the prairies' welcoming call
Soil rich to the farmer's hand,
Grasses and sky and spacious fields
Beckoned families to the land,
Promised them freedom to pursue
The peaceful life which once they knew.

Simple homes built on the broad plain,
Church and school as their domain,
Mennonites soon felt richly blest,
Stretching borders east to west,
Children and children's children grown
Claimed the new land as their own.

One-room schoolhouse and ABC's
Played a part in wisdom's call.
Stumbling now with a language strange,
Students soon embraced it all.
Learning continued through the years
Pointing the way to new careers.

Caring families eased the way
Through the stresses of each day
Dust and storm, depression and fears,
Conscience and war, conflicts and tears,
As generations moved along,
Anchored safe in families strong.

Sing a song of our heritage,
Home and church and values true,
Faith enduring, foundation firm,
Building blocks on which we grew.
God of the ages, help us, pray,
Increase the good gifts of today.

The accomplishments of the Mennonite community, in Kansas and South Dakota and in America are many. What continues to endure is the strength of their communities and of the values that they share.

In a world that is rapidly changing, where information is shared around the globe instantly, and where too often, faith is an antiquated notion, the Mennonite community has retained its belief in service to the global community, peaceful resolution to conflict, and faith in God. From Moundridge, Kansas to Freeman, South Dakota, Mennonites have gone above and beyond the call of duty to serve people in need.

Today, farmers are still growing the Turkey Red Winter Wheat that the Mennonites brought with them 125 years ago. Midwestern states like Kansas and South Dakota make up the ''Bread Basket of the World'' and our farmers produce more wheat than any other states. The gentleman from South Dakota and I are grateful that so many Mennonites chose Moundridge and Freeman as their homes and helped to shape our great states.

It is an honor to commemorate this anniversary.

THE PASSING OF JUDGE PAUL J. DRISCOLL OF NORWICH, CT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GEJDENSON. Mr. Speaker, I rise today with great sorrow to memorialize Superior Court Judge Paul J. Driscoll of Norwich, Connecticut. Judge Driscoll was a person of unequaled integrity, intelligence and fairness underscored by an almost limitless amount of humility.

Judge Driscoll was born in Norwich, Connecticut on May 14, 1909 and attended local public schools. He earned undergraduate and law degrees from Georgetown University. During World War II, he served in China as a member of the Judge Advocate General corps attaining the rank of Major.

Following the war, Judge Driscoll returned to Connecticut and began a career in public service which spanned four decades. He served as a member of the Board of Education in Norwich and as a trustee of Norwich Hospital. He also was a member of the Board of Trustees of the University of Connecticut. In 1966, he was appointed to the Superior Court of Connecticut. In this capacity, Judge Driscoll presided over a wide array of cases with fairness, keen intelligence and great command of the law. Following his retirement in 1979, Judge Driscoll continued to play a role in mediating disputes as a State Referee.

Paul Driscoll also played a number of important roles in the Democratic Party in Connecticut. He served as Democratic Town Chairman in Norwich for many years. He was also a member of the Democratic State Central Committee. In these roles, he worked hard on behalf of working men and women.

Mr. Speaker, Judge Paul Driscoll was an exemplary public servant and a great American. His memory will endure through his many meaningful contributions to virtually every aspect of life in southeastern Connecticut.

IN HONOR OF NEW JERSEY'S PUERTO RICAN HERITAGE STATEWIDE COMMITTEE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize New Jersey's Puerto Rican Heritage Statewide Committee for their efforts to stimulate cultural pride and diversity in Newark, New Jersey.

The Puerto Rican Heritage Statewide Committee is dedicated to strengthening and enhancing the quality of life for many Hispanic residents in the State of New Jersey. From raising money for scholarships to renovating community centers such as La Casa Puerto Rico Cultural Center, the PRHSC has continued to be a driving force to improve the community.

Armed with a vision to promote Puerto Rican culture through pride and unity, the

PRHSC began its annual parade 37 years ago in Newark. Starting out with just a few local organizations marching down Broad Street in Newark, the parade has grown to more than 100 groups marching in a two hour televised event. In addition, a feast, ''Fiestas Patronales,'' the largest of its kind attracting more than 150,000 people, was added to the festivities seven years ago at Branch Brook Park.

Through the years, the parade has expanded the scope to applaud the achievements of other Hispanic communities such as Dominicans, Ecuadorians, Colombians, Peruvians, and Uruguayans.

In addition, the parade and PRHSC have helped to create a forum in which the Hispanic community and the business community can join and work together to spread the message of unity. As we approach the 21st Century, PRHSC has spearheaded the effort to encourage businesses and leaders to invest in, and appeal to, the still largely untapped Hispanic community.

For its commitment to the Puerto Rican and larger Hispanic communities, I ask my colleagues to join me in congratulating New Jersey's Puerto Rican Heritage Statewide Committee. Its tireless efforts have truly made a difference and continue to better the people of the State.

HAROLD LEWIS (PONT) FREEL—ONE OF THE THOUSAND POINTS OF LIGHT AND A GREAT AMERICAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. McINNIS. Mr. Speaker, Harold Lewis Freel, known by everyone as ''Pont'' was a great man who will be greatly missed. The second in a family with eight children, he quit school in the 10th grade to pick corn to help his family survive. During the ''dust bowl'', when he was 17, his family moved to Moffat, Colorado. The family arrived in the San Luis Valley in a pickup truck which is still on the property today. From this humble beginning, Point achieved much by hard work and dedication to the values that have made the United States of America a great country.

During World War II, Pont was a Tech Sergeant in the Army Air Corps, flying thirty-eight missions in a B–17. He was shot down on March 16, 1944 over Yugoslavia and was held by the Germans as a prisoner of war for fourteen months. General Patton, riding aboard a tank, freed him in the final days of the war. After the war, he worked feeding cattle for others, and worked construction to get his own start in the ranching business. Hard work and ''stubbornness'' helped Pont survive the trials of life. When he died, he had a ranch, which encompassed 5,300 deeded acres and he ran 500 head of cattle. There was no horse he couldn't ride, no job too big and no person lacked value.

Pont had four biological children, two stepchildren and many others that called his ranch home. His home was always open to children who needed a place to live and to learn how to live. Sometimes they came for the summer, but stayed for many years. His hand and home was always open to those in need.

Pont believed in service to his country, community, to all children and to schools. Although he had only a 10th grade education, he recognized the value of an education for the youth of this country. He served on the Moffat and Mountain Valley School Boards for a total of twenty-six years. Pont was elected County Commissioner of Saguache County at the age of 67 and served for four years, using his knowledge of big equipment to concentrate on the roads of this large rural county in the heart of the Rocky Mountains.

He was a model of American ideals for his community and young people everywhere, embodying patriotism, strength, gentleness and service throughout his lifetime. With his passing, a great American has disappeared from our midst. One of the thousand points of light has gone out, but his memory lives on in those who were privilege to have known him.

T–38 AVIONICS UPGRADE PROGRAM

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. HAYWORTH. Mr. Speaker, I would like to bring the T–38 Avionics Upgrade Program (AUP) to the attention of my colleagues and the American people. The T–38 program is an essential aircraft system for training Air Force pilots. Recently, during OPERATION ALLIED FORCES, we became acutely aware of the critical shortage of pilots in the Air Force and the other services. The T–38 AUP is a key asset in helping the Air Force to reduce this pilot shortage. I am pleased to report that, following some early hardware-software developmental problems, this week the Air Force gave the go-ahead for Low Rate Initial Production for the T–38 AUP.

Earlier this month, the House Appropriations Committee recommended substantial reductions in production funding for the T–38 AUP for both fiscal year 1999 and fiscal year 2000. The rationale was to give more time for development and testing to correct hardware and software deficiencies and to meet the ''fly before buy'' criteria established by the Air Force. This action will delay the program by a year or more and consequently delay the delivery of state-of-the-art advanced training aircraft to the Air Force.

The T–38 AUP is an Air Force modernization program to update obsolete avionics, controls, and cockpit displays in 509 T–38 trainer aircraft. it also provides 36 new ground-based trainers that reflect the new T–38 cockpits, and provides logistics support at six Air Force bases around the country. I am proud of the work that is being done in my district at Williams Gateway Airport to provide a modernized trainer for America's future fighter and bomber pilots.

Over the past year, the Williams Gateway team has been hard at work to bring the T–38 trainer up to the level necessary to produce pilots who are ready to step into our current fighters and bombers. However, as stated in the House Appropriations Committee report language, hardware and software problems discovered during developmental flight testing at Edwards Air Force Base caused the Air Force to decide on March 10, 1999 to delay the program for correction and flight testing of the discrepancies.

With the tremendous efforts of the Air Force and the T–38 contractor team, all critical hardware and software problems discovered during flight testing have been fixed and the following flights were successful flights. All flight testing was completed at Edwards on July 9, 1999. This entire corrective process, typical of a development phase, took less than four months. The Air Force has thoroughly reviewed the entire process, determined that the ''fly before buy'' criteria have been met, and on July 26, 1999 approved initial low-rate production of the T–38 AUP. There is no longer any reason to further delay the program. I do not think that this information about the rapid correction of problems was available to the House Appropriations Committee prior to the House vote to reduce funding earlier this month.

Full fiscal year 1999 and 2000 production funding is required to keep the T–38 AUP on schedule. First aircraft deliveries are required at Moody Air Force Base in Georgia by August of next year. Delaying the T–38 AUP program will have a significant effect on pilot training and will increase overall program costs and operations and maintenance costs associated with the older versions of the T–38 aircraft.

Air Force pilot training and retention is a national security issue. The T–38 AUP is a critical vehicle in the process of helping the Air Force improve its pilot situation. In addition to being a low cost trainer, the T–38 AUP will provide the configurations in avionics and cockpit design the pilots need to train. By slipping this program out a year, we will be forcing America's finest new fighter and bomber pilots to use an aircraft with 1950's and 1960's cockpit technology.

Funding reductions this year would unnecessarily delay the T–38 development efforts by a year or more, delay needed upgrades for critical Air Force pilot training needs, and increase fiscal year 2000 research and development costs by millions and program production costs by tens of millions. Additionally, if the program is delayed, operations and maintenance costs will increase by millions annually because of parts shortages and other difficulties associated with maintaining he older T–38 aircraft with the high failure rates of their obsolete avionics components. Finally, the delay will result in loss of some of the valuable workforce experience that has been hard-won during the development phase of the program.

Mr. Speaker, as we enter the new millennium, we would be doing a disservice to our future pilots by training them in aircraft with 1960's and 1970's technology. With full funding of $85.7 million for the T–38 AUP program, the Boeing Company and the Air Force will ensure that our future pilots will have state-of-the-art avionics to begin their training.

COMMEMORATING THE OPENING OF THE KEY WEST MUSEUM OF ART AND HISTORY

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today in recognition of a very important event. On August 28, 1999, Key West's historic 108-year-

old Custom House opened its doors as the Key West Museum of Art and History, restored and operated by the Key West Art and Historical Society. One of Florida's architectural treasures, the Customs House will now serve as both a showcase for regional, national, and international fine art collections, and a repository of artifacts relating to the history and culture of the Florida Keys.

Originally completed in 1891 on the historic port waterfront of the island city, the Custom House was used as a center-piece of federal authority. Occupied at various times by the collector of customs, federal court, and postal and lighthouse services, the building has a long history of supporting the city's maritime-based economy. While Key West was the largest city and port in Florida, the Customs House became the center for taxation regulation and immigration.

It is crucial to note the importance of the Customs House at the national level, as well as at the state and local level. Beginning in 1898, during the Spanish-American War, this historic building housed civil service and naval activities. At one time, 104 naval vessels worked out of the port dominated by the Customs House. This occupation continued until 1976 when the Navy had to close its Key West sea base. Based on its extensive history, the Customs House is listed in the National Register of Historic Places, and it is truly one of the most important architectural treasures in the state of Florida today.

Now, after a restoration effort which took nine years and cost approximately $8 million, Key West's historic building is home to the Key West Museum of Art and History. Original woodwork, plaster, flooring, stone, brickwork, and fixtures have been preserved or carefully reproduced to make the revitalized Custom House both architecturally faithful. With this restoration process came the challenge of locating historically accurate materials and craftsmen with knowledge of century-old building techniques. This formidable challenge could not have been met without the aid of the Monroe County Tourist Development Council, various state agencies, individuals, foundations and corporations. Indeed, the entire Florida community and nation at large owe a debt of gratitude to all who gave the monetary support to this undertaking.

The Key West Art and Historical Society endows the new museum with excellent educational programs, services, and exhibitions, for children and adults alike. Housing a state of the art interactive public archive and research facility, the Key West Art and Historical Society develops programs in conjunction with the Monroe County Public Schools' curriculum, providing educational opportunities to over 8,000 Monroe County students, as well as thousands of other visiting school children and tourists.

For the ''Community Opening'' of the Key West Art and History Museum, the historical exhibition Remember the Maine returned to Key West and was installed in the USS Maine Room on the second floor of the museum. This is a fitting and historic placement for this exhibit, because of the building's prominent naval history. The first traveling art exhibit is scheduled to open on September 22, thus achieving the Society's goals of national recognition and acclaim.

Mr. Speaker, I commend the hard work and dedication that has gone into the Key West Museum of Art and History. As the Museum officially opens its doors to the public, the Customs House is once again the site of a historical moment for the State of Florida, as well as the nation at large. On this joyous occasion, I would like to congratulate all those who have contributed to this important endeavor, and extend my best wishes for all success in the future.

THE RETIREMENT OF REAR ADMIRAL DONALD E. HICKMAN SUPPLY CORPS, U.S. NAVY

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GOODLING. Mr. Speaker, it is with the utmost respect that we honor the career of Rear Admiral Donald E. Hickman as a distinguished officer and gentleman of the U.S. Navy. Because of his constant devotion to his countrymen, we salute him.

Admiral Hickman embodies many of the values cherished by the Navy—integrity, honor, and tradition. He instills these values into all the sailors around him. His reputation as a reliable and upstanding officer made him a pillar of the Naval and civilian community alike. Rear Admiral Hickman's accomplishments demonstrate his strength of character and adherence to the Navy ethos.

Joining the Navy in 1962, then Ensign Hickman was quick to learn the charge and purpose needed to become a successful officer. As a lieutenant and then lieutenant commander on the U.S.S. *Independence,* he served as supply support officer with great distinction. Later in 1980, he was promoted to commander aboard the U.S.S. *Forrestal* as supply officer and then promoted to captain in 1984 while at the Aviation Supply Office in Philadelphia. Promotion to rear admiral (lower half) came in 1991 as he was elevated to Executive Director of Supply Operations at the Defense Logistics Agency (DLA). His advancement to rear admiral (upper half) came in 1995 as Director of the Office of the Chief of Naval Operations.

As he ascended to the top brass of the Navy, Rear Admiral Hickman garnered many commendations that further substantiated his stellar career. They include the Defense Superior Service Medal, the Navy Commendation Medal, two Legion of Merit Awards and four medals for Meritorious Service.

Rear Admiral Hickman provided our Navy with more than supplies and ordnance. He provided leadership and counsel to those who had the pleasure of being his acquaintance. It is with great regret that we see such a friend and patriot leave the military at a time when leadership is so important. Best of luck to you, Admiral Hickman, in your retirement.

TRIBUTE TO PAULINE BARCLAY

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to Pauline ''Polly'' Barclay, who is retiring after a distinguished 44-year career as an elementary school teacher in the Pacoima-Lake View Terrace area. Mrs. Barclay's commitment to education and her rapport with students of all races and backgrounds is legendary throughout the Northeast San Fernando Valley. She nurtured a love of learning in hundreds of children through the years and she is—to her colleagues and students—an outstanding example of the best our public schools have to offer.

Mrs. Barclay came to Pacoima in 1956, when she took a job at Vaughn Street School. She spent 4 years at Vaughn, and then a decade at Fillmore Street School, also located in Pacoima. Her next position was at Fenton Avenue School in the adjoining community of Lake View Terrace. She spend 23 years at Fenton Avenue, and then an additional 5 years at Fenton Avenue Charter School. This past year Mrs. Barclay taught at Coldwater Canyon Elementary School in North Hollywood.

Mrs. Barclay has often observed that ''teachers must provide our children with a strong sense of values and respect for others, while providing them with the education and skills necessary to succeed.'' As her many honors and awards attest, Mrs. Barclay put this philosophy into practice in the classroom. In 1975, she was recognized by the Los Angeles Unified School District's Office of Urban Affairs School-Community Relations for outstanding contributions in improving relations between schools and the community. Ten years later, she was named Pioneer of the Year by the Pacoima Community Coordinating Council.

Mrs. Barclay has traveled extensively, and has made a point of sharing her experiences with fascinated students over the years. The many countries she has visited include Botswana, Yemen, Iran, Egypt, Cuba and Venezuela. I strongly suspect that Mrs. Barclay will be adding to this list during her retirement.

I ask my colleagues to join me in saluting Pauline Barclay, whose devotion to her students and her passion for life inspire us all. I wish all the best to her and her husband, Dave, children, Steve and Danielle, daughter-in-law, Darna, and grandchildren, Candace, Chloe and Sean.

IN HONOR OF INFINEUM'S LINDEN TECHNOLOGY CENTER FOR BEING NAMED AN OSHA VPP STAR SITE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Infineum's Linden Technology Center for being awarded the star site status by the Occupational Safety and Health Administration under its Voluntary Protection Program.

A distinguished petroleum additives company, Infineum has continued to lead the way in employee health and safety. It has been an active force, committed to improving the quality of life for its employees and for the residents of the City of Linden and the State of New Jersey.

Because of its dedication to achieving the utmost in safety regulations for its employees,

Infineum's Linden Technology Center's program is one of the most comprehensive safety programs in the country. In fact, Infineum has voluntarily set the highest standards for safety and health at its facilities around the world.

The OSHA Star, one of the highest honors awarded by the department, hails businesses that not only comply with OSHA's strict health and safety guidelines but also strive to surpass them through additional self-imposed restrictions. This year, the Linden Technology Center has achieved this level of excellence and is recognized as an OSHA star site.

For its continued efforts in, and dedication to, occupational safety, I ask my colleagues to join me in congratulating Infineum's Linden Technology Center, its management team, and all of its employees on being named an OSHA star site.

TRIBUTE TO DOROTHY NEILSEN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize a truly incredible woman. For the last two years, Dorothy Neilsen has embodied a true spirit of charity. In 1997, she began to use her vacation time from her job in Aspen, Colorado, to visit Cimpulung, Romania. These were not, however, pleasure trips. She went to give any assistance that she could offer to the eight to eighteen month old infants and children who had been orphaned by the tragedies occurring in their country. Before she left, Dorothy also spent months of her spare time collecting donations of clothing, toys, and medicines.

Though she had to endure difficult living conditions, Dorothy was not daunted. She continued to work with the children and many of them blossomed in her care. She was dubbed ''the angel'' of the orphans by the agency that arranged her volunteer position. Dorothy also began to teach the workers at the orphanage about the positive effects that direct interaction, such as hugging and play, had on the children.

On her second month long trip to Romania she continued to work to better the lives of these children. She also caught typhoid fever which caused her to spend several weeks in bed recovering upon her return to the United States. However, even this did not deter her from planning a third trip to Romania. This trip, like the first two, were successes both for Dorothy and the children she went to help.

Mr. Speaker, few people are as selfless and giving as Dorothy Neilsen. She has volunteered a great deal of both her time and energy to children who have very little else in their lives. She has given hope to children in what would seem to be a hopeless situation. She has shown herself to be part of a rare breed. I feel that, as her fellow citizens, we own her a great debt of gratitude.

MICROENTERPRISES AROUND THE WORLD

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. LEE. Mr. Speaker, I rise to laud the success of Microenterprises Around the World and in the United States as incorporated in H.R. 413, The PRIME ACT

In the last decade, microenterprise development has changed the way that we think about the alleviation of poverty. Before our encounter with microenterprise, far too many of us were mired in the belief of the intractability of poverty and the similar impression that the poor are little able to help themselves. With respect to small business and financial services especially, some allowed themselves to fall prey to the misconception that, with so many other concerns to which to tend, it certainly would not be possible for the poor to save or to appropriately access financial services, much less to start and run their own businesses.

Thanks to the stunning successes of microenterprise around the world, these myths have been exploded. Today, millions of low-income people around the globe have taken a little bit of capital and used it as a springboard to transform their lives and those of their families. Women especially have used microenterprise to change their lives for the better.

The lesson of all of this is that the poor, like everyone, have the desire to build and to grow, but that their access to the same services and advantages that many of us take for granted is extremely limited. Again, it is not a lack of desire, but a lack of access that has damaged the lives of low-income people around the world. When given the opportunity and similar access, the results are clear. Microenterprise has been a stunning success indeed.

Armed with numerous success stories from around the world, we now have an opportunity to apply them at home as well. This spring the Banking Committee heard testimony from microentrepreneurs, from researchers, and from those working in the field. The message was simple and clear. Microenterprise can, and does, work in the United States as well.

However, we also heard a clarion call for different services and support. Foremost among them was the deep conviction among those in the field of business training and providing technical assistance. Particularly for very low-income entrepreneurs, this training and technical assistance is the vital ingredient that can mean the difference between success and failure, between economic security and a fear of what the next day might bring, between food on the table for the children and another night of hunger.

But the field of microenterprise needs our support. We also learned in the hearings that this money for critical business training and financial technical assistance is very difficult to come by. H.R. 413, the Program for Investment in Microentrepreneurs, would appropriate money to provide this assistance to those hard-working individuals who are most in need of it. This Congress is in a position to give the field a much-needed boost. And all indications are that there are many here in the House of Representatives who want very much to do this. But H.R. 413 is a modest bill and with so much work to do over the next month, I worry that it will get lost in the fray of all that remains to be done.

And so I implore my colleagues today. Let us not allow modest, but absolutely important legislation like H.R. 413 be forgotten as we proceed in this Congress. Let us work together to pass H.R. 413 this year, and to provide immediate funding for it. This is an investment with returns, but only if we take the time to capitalize on it.

HUMAN RIGHTS IN KAZAKHSTAN

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to share my thoughts on a serious human rights issue. On July 16, 1999, the Congressional Human Rights Caucus held a hearing on the human rights situation in Kazakhstan. I attended the hearing and was moved by the testimony of witnesses before the Caucus. I would like to take this opportunity to share the following remarks, which I made at the hearing, with all of my colleagues.

The Congressional Human Rights Caucus is deeply concerned about the human rights situation in Kazakhstan and has called this briefing today to take a closer look at recent developments.

I am chairing this briefing on behalf of my colleagues, the Honorable TOM LANTOS of California and the Honorable JOHN PORTER of Illinois, the co-chairs and founders of the Human Rights Caucus. Both men are not able to attend this morning but that should not be taken as any indication that they do not take this matter seriously. The Caucus has for more than two decades been the leading voice in the United States Congress on the protection of human rights, civil liberties and basic freedom around the world. No one is exempt from our scrutiny or our concern.

Kazakhstan is a former Soviet Republic that held great promise early in this decade for moving toward democracy and a free market economy. But there has been a steady and alarming deterioration in recent years.

On January 10, 1999, President Nazarbayev was elected to serve a new seven-year term in elections considered by international standards to be seriously flawed. The United States Government and European Union both rejected those elections as illegitimate and refused to recognize the outcome. The Constitution, adopted in 1995 in a referendum marred by irregularities, permits the President to rule by decree and it cannot be changed or amended without the President's consent. Therefore both the executive and judicial branches are under the control of the President.

Government Officials routinely harass and intimidate political opponents. According to the State Department's Country Reports on Human Rights Practices 1998, ''Members of the security forces often beat or otherwise abused detainees, and prison conditions remained harsh. There were allegations of arbitrary arrest and detention, and prolonged detention is a problem. . . The Interior Ministry reported in September that 1,290 prisoners, or

more than 1 percent of all prisoners had died since the beginning of the year of disease, mostly tuberculosis, aggravated by harsh prison conditions and inadequate medical treatment. Estimates by human rights monitors are not substantially different from government figures.''

We are pleased to have with us today as our leadoff witness Mr. Akezhan Kazhegeldin, Chairman of the National Republican Party of Kazakhstan. He is leading the fight for democracy in his country at a great personal risk to himself and his family. Other witnesses are with us here today were arrested, harassed and paid with their health and well being for their desire to tell the truth. Tell the truth to the people of Kazakhstan and to us.

The Nazarbayev regime has employed authoritarian methods to threaten and silence the witnesses who will testify today. For example, the brave Mrs. Savostina, is a veteran of Joseph Stalin's Gulag. Instead of receiving an award from the post-Communist government of her country, the Kazakhstani authorities have arrested her several times.

On June 16 of this year a criminal investigation was initiated against Mr. Kazhegeldin and his wife for filing his 1997 income taxes late even though they had been paid in full at least nine months earlier. They were paid late only due to a mistake of his Kazakhstani attorney and accountant, but nothing was said about any criminal charges last fall when Mr. Kazhegeldin was in Kazakhstan, nothing until the surprise charges were filed just last month.

Now the Nazarbayev regime has gone even farther in its abuse of the rule of law and is taking advantage of the legal system—which it controls—to persecute Mr. Kazhegeldin. The head of the Kazakhstani tax service, who happens to be Mr. Nazarbayev's son-in-law; the head of the internal KGB of Kazakhstan, another relative of the President, and the Chairman of the Supreme Court, a close personal friend of Mr. Nazarbayev, have written to Belgian police to initiate harassing investigations. This is an unacceptable way to treat an opposition leader.

I wrote to Secretary of State Albright recently to express my concern for the well being of Mr. Kazhegeldin and this latest attempt by the Nazarbayev regime to silence his voice of democracy.

The U.S. Department of State wrote to me on July 9, that ''we had made it clear to the highest levels of Kazakhstan's government that harassment of opposition figures is not acceptable.''

I would like to read into the record another portion of that response to my letter to the Secretary of State.

''A fundamental component of U.S. policy in Kazakhstan is promotion of democracy and human rights. Local and parliamentary elections expected this fall will again test Kazakhstan's democracy and observance of fundamental human rights. We remain intensively engaged with the Kazakhstani government on democracy issues. Our message has been consistent and clear: long-term stability depends on actions now to build democracy and foster greater respect for fundamental human rights principles, including Kazakhstan's commitment of the OSCE. We have specifically urged the government to bring its legislation on elections, non-governmental organizations (NGOs) and the media into accordance with international standards; schedule elections far enough in advance to give parties and candidates adequate time to prepare effective campaigns; register new parties and NGOs promptly in order to endure broad participation in the elections, including by candidates and groups critical of the government; and broaden the central and local election commissions to include non-governmental representatives.''

Prior to the January presidential elections, Vice President GORE phoned President Nazarbayev and demanded that Mr. Kazhegeldin be allowed to run for the presidency in the elections earlier this year. Unfortunately, Mr. Nazarbayev totally ignored the request of the Vice President of the United States.

The Nazarbayev government is determined to silence the voice of any viable opposition from being heard within Kazkhstan. It talks about democracy while it continues its autocratic and repressive conduct. No democracy, especially the United States government and this Congress, should tolerate such conduct.

A TRIBUTE TO LUCILLE EVELYN HOOPER

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mrs. NAPOLITANO. Mr. Speaker, it is with deepest sympathy that I pay a special tribute to my constituent Lucille Evelyn Hooper, who passed away in Whittier, California on Tuesday, September 7, 1999.

Lucille was the mother of my dear friend Robert John Hooper, who is a dedicated teacher and Democratic Party activist and leader in my 34th Congressional District.

Lucille Evelyn Hooper was born in Los Angeles, California on July 26, 1921. She was raised in Alhambra, California where she attended local schools, Alhambra High School and Western Business College.

Lucille was employed by the Southern Pacific Railroad for twenty years. She was a lifelong member of several service clubs, including the assistance League and P.E.O. Lucille's hobbies were travel and fashion.

A dedicated wife and mother, Lucille is survived by her husband Jack Hooper, daughter Andrey Lynn Baugh, son-in-law Steve Lee Baugh, son Robert John Hooper, daughter-in-law Mary Catherine Hooper, and granddaughter Olivia Holland Hooper.

Lucille Evelyn Hooper bravely battled cancer for over five years, from June 1994 until her death. Her friends and family will miss her greatly and to them I extend my sincerest heartfelt sympathy and pray that they will receive God's comforting graces in abundance.

IN HONOR OF THE 38TH ANNUAL JERSEY CITY PUERTO RICAN DAY PARADE AND BANQUET

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the 38th Annual Jersey City Puerto Rican Day Parade and Banquet for their efforts to stimulate cultural pride and diversity in Jersey City, New Jersey.

Armed with a vision to promote Puerto Rican culture through pride and unity, the Puerto Rican Day Parade began its annual parade 38 years ago in Jersey City—the oldest such parade in the State of New Jersey.

Starting out with just a few local organizations, both the parade and the message of cultural diversity which it emphasizes has grown tremendously. This year, the city is expecting more than 70,000 spectators at the event on Sunday, August 22nd, which starts at Lincoln Park in Jersey City.

The Jersey City Puerto Rican Day Parade has continued to be a success, year after year, because of the dedication and tireless efforts of the Parade Committee Members. This year's members are: Hiram Cardonia, President; Antonio Torres, Vice President; Enid Rivera, Executive Secretary; Lourdes Arroyo, Corresponding Secretary; Evelyn Rodriguez, Treasurer; Grimilda Sanchez, Pageant Coordinator; Octavia Sanchez, Pageant Coordinator; Iris Tirado, Pageant Coordinator; Mariano Vega, Banquet Coordinator; Nidia Davila-Colon, Banquet Coordinator; Hiram Cardona; Annie Estrada; Helen Vargas; Elizabeth Morales; Hector Garcia; Roberto Valentin; Manay Matta; and Miguel Acosta.

At the Banquet on Friday, August 20, 1999, which is being held in the Casino in Lincoln Park, the Parade Committee will be honoring some outstanding and truly noteworthy members of Jersey City's Puerto Rican community for all of their contributions to the city. Those honorees are: Rafael Bou, Grand Marshal; Hector Rodriguez, Puerto Rican Man of the Year; Lourdes Arroyo, Puerto Rican Woman of the Year; Grimilda Sanchez, Local Godmother; William Estremera, Local Godfather; Frank Lorenzo, Police Officer of the Year; Yomo Toro, Padrino International; Roberto Nunez, Fireman of the Year; Nellie Tanco, Madrina International; Captain George Bueno, Fire Officer of the Year; Jose Cotty, Paramedic of the Year; and Orlando Cuervas, Puerto Rican Artist of the Year.

For its commitment to the Puerto Rican community and the city of Jersey City, I ask my colleagues to join me in congratulating the Puerto Rican community in Jersey City, all of the committee members who contributed to the event, and all of this year's honorees. Its remarkable efforts in promoting cultural diversity and unity have truly bettered the entire city.

SILVERTON 1999 CITIZEN OF THE YEAR

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize an exceptional woman. Patty Dailey was named Silverton's Citizen of the Year in an awards ceremony that took place June 16th. Born and raised in Silverton, Patty became the type of citizen that every community needs and hopes for. The award program began in the 1980s and the selection committee consists of recipients from previous years. The award is given out annually and recognizes dedication to community

development, volunteerism, and overall good citizenship.

Patty exemplifies all of these attributes. She has always taken the time to involve herself in community events and projects. Her role, however, was usually one that took place behind the scenes. Patty Dailey never bothered to seek recognition for the aid that she provided. She even hosts the weekly dinner for the area's senior citizens. Recently, when 23 Mexican nationals were being held awaiting deportation, Patty provided them all with home cooked dinners. She has also been known to hire part-time help, not because she needed the help, but because a young person needed the job.

Patty has also been active in events for local schools and her church. She has helped with many school fundraising events, including the A Theater Group spaghetti dinner, which benefitted a scholarship program for Silverton's graduating seniors. At Saint Patrick's church, where she is an active member, she participates in the Altar Society and is a leader in fundraising and organization for their annual Christmas bazaar.

It is obvious why Patty Dailey was chosen as the 1999 Citizen of the Year. I think that we all owe her a debt of gratitude for her service and dedication to the community. If we had more citizens like her, I am certain that we would live in a very harmonious place.

INTRODUCTION OF A CONCURRENT RESOLUTION OUTLINING A VISION TO SHAPE CONGRESSIONAL INFORMATION TECHNOLOGY POLICY INTO THE NEXT CENTURY

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to announce the introduction of a concurrent resolution which recognizes the critical role played by the information technology sector and electronic commerce in the United States economy. On behalf of my colleagues, Representatives DREIER, GOODLATTE, DOOLEY, JIM MORAN, DUNN, ESHOO, and ADAM SMITH, I am setting forth principles that we hope will shape congressional information technology and electronic commerce policies that will ensure United States' continued worldwide dominance and competitiveness in the Information Technology Revolution.

The United States is the world leader in the innovation and production of information technological goods and services. Information technology was responsible for 6.1 percent of the U.S. gross domestic product in 1996. In 1997, U.S. businesses took in $804 billion or 80 percent of worldwide information technology revenues. Information technology has spurred economic growth in the form of new goods, new services, new jobs, and new capital. Since 1993, the U.S. high technology industry has added over 1 million jobs to the U.S. economy, such that the industry now employs nearly 5 percent of the U.S. private sector workforce as of 1998.

Similarly, Internet growth has outstripped earlier predictions. The number of Americans with access to the Internet has increased nearly 900 percent since early 1993. There were an estimated 148 million Internet users worldwide at the end of 1998, with approximately 81 million users in the U.S. alone by early 1999. One estimate places the dollar volume of business-to-business electronic commerce in 1998 at $27.4 billion. The projected volume for 1999 is $64.8 billion. Those numbers are expected to quadruple in the next two years alone.

Like other pivotal moments in human history, the Information Technology Revolution is transforming the tools and ideas that affect the way individuals communicate and think both privately and commercially. The American experience alone is replete with illustrations of new technologies generating faster economic growth. As the information technology industry continues its phenomenal expansion, the Federal Government needs to ensure that it plays an enabling—and not an inhibiting—role in supporting the movement of industry and people into the Information Age.

It is critical that policy makers recognize that the information technology industry and electronic commerce have become thriving forces in our economy because of the simple fact that they have largely been left alone to develop and grow according to the demands of free market processes. Our hope is that this resolution will encourage lawmakers to consider the holistic effect of individual legislative initiatives that are directly or indirectly aimed at information technology and electronic commerce. For this reason, I look forward to working with my colleagues on both sides of the aisle to achieve passage of this legislation.

TRIBUTE TO BRIGADIER GENERAL JAMES H. BAKER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. SKELTON. Mr. Speaker, today I wish to recognize the outstanding achievement of Brigadier General James H. Baker, who will retire from the Missouri Air National Guard on September 17, 1999, after 37 years of extraordinary service to our nation.

Brigadier General Baker is originally from Knoxville, Tennessee, and graduated from Florida State University in 1962. In November 1962, Brigadier General Baker enlisted in the Air Force and was commissioned a second lieutenant in February 1963. After graduating from Air Weapons Controller School in 1963, he was assigned to the 728th Tactical Control Squadron at Ft. Bragg, where he performed extensive temporary assignments in both Thailand and the Republic of Vietnam. Brigadier General Baker was then selected to become the Operations Officer of the 729th Tactical Control Squadron at Eglin AFB, where he tested and implemented the concept of a forward Air Control Post and deployed to the Dominican Republic.

In July 1965, Brigadier General Baker returned to the United States and served as Operations Training Officer at the 727th Tactical Control Squadron at Walker AFB, New Mexico, where he was augmented as a regular officer in the USAF. Brigadier General Baker then served as an advisor to the Nationalist Chinese Tactical Control Center at Taipel Air Station, Taiwan, in August 1966. He returned to the United States as a Captain and was assigned as Assistant Professor Aerospace Studies at the University of Mississippi, where he taught Military History, Military Management, Leadership and Air Force Organization, and served as Commandant of Cadets.

In September 1971, Brigadier General Baker was assigned to the Command Advisory Function (for special projects), 314th Air Division in Osan AG, Korea. Later that year, he also was selected to command a remote radar site at Kang Nung AB, Korea. When he returned to the United States, Brigadier General Baker assumed the position of Director of Operations for the 727th Tactical Control Squadron, and later became Chief, Standardization and Evaluation for the 602nd Tactical Air Control Wing at Bergstrom AFB, Texas, until his resignation from the regular Air Force in May 1976.

In June 1976, Brigadier General Baker joined the Missouri Air National Guard as both the Air Technician and Military Commander of the 157th Tactical Control Flight. While at Jefferson Barracks Air National Guard Base, Brigadier General Baker assumed the positions of Base Commander, Air Technician Commander, 157th Tactical Control Group Commander, and Executive Support Staff Officer. He became the Assistant Adjutant General for Air and was promoted to Brigadier General in January 1996.

Mr. Speaker, Brigadier General Baker has dedicated his life to our nation. He has served our nation with great honor and distinction. I know the Members of the House will join me in offering congratulations to Brigadier General Baker and his family—his wife Kathryn, his daughters, Kimberly, Sarah, and Susan, and his sons Bret and Sam; and I wish them all the best in the years ahead.

RECOGNIZING THE BRAZOSPORT REHABCARE CENTER AND NATIONAL REHABILITATION AWARENESS WEEK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. PAUL. Mr. Speaker, I would like to take this opportunity to recognize and join with the Brazosport RehabCare Center in Lake Jackson, Texas, in observing and celebrating National Rehabilitation Awareness week beginning September 12 through September 18, 1999.

The Brazosport RehabCare Center opened its doors on December 31, 1992. Construction was completed at the end of April, 1993, for a total of 14 acute rehabilitation beds.

The Brazosport RehabCare Center is located in Brazosport Memorial Hospital in Lake Jackson, Texas. The primary service areas include the cities of Lake Jackson, Clute, Freeport, Angleton, Danbury and Brazoria. This service area has a combined population of approximately 95,000. The secondary service area includes the cities of Sweeny, West Columbia and Old Ocean with a population of approximately 16,000. The RehabCare Center has also attracted patients from Bay City and Alvin.

Comprehensive impatient rehabilitation services are provided to individuals with orthopedic, neurological and other medical conditions of recent onset or regression. These patients have experienced a loss of function in activities of daily living, mobility, cognition or communication. Types of patients admitted into the Brazosport RehabCare Center may include those with a diagnosis of stroke, spinal cord injury or dysfunction, brain injury, amputation, multiple trauma, hip fracture or joint replacement, arthritis, congenial deformity, burns or other progressive neuralgic syndromes such as Parkinson's Disease, Multiple Sclerosis and Gullian Barre.

The services Brazosport RehabCare Center provides include rehabilitation medicine, rehabilitation nursing, physical therapy, occupational therapy, speech/language pathology, social work, psychology and recreational activities. In addition, prosthetics/orthodics, vocational rehabilitation, audiology and driver education are provided when necessary through affiliate agreements with external organizations. The goal of each service is to maximize the individual's potential in the restoration of function or adjustment by integrating with other services.

By addressing the multiple effects that disability has on the patient and family and by integrating the combined resources of patient, family and interdisciplinary rehabilitation team, comprehensive rehabilitation programming can maximize the abilities and esteem of the patient and family and foster a healthy re-integration into the community. At the Brazosport RehabCare Center, patient outcomes are exceptionally positive. Eighty-six percent of their patients are able to return home and lead an independent lifestyle.

I am proud and honored to have the Brazosport RehabCare rehabilitation facilities at Brazosport Memorial Hospital, Lake Jackson, Texas. Please join me in recognizing the Brazosport RehabCare Center for its outstanding services and remarkable accomplishments as we celebrate National Rehabilitation Awareness week.

A THANK YOU TO ROY SHELTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize Roy Shelton. Being a police officer was always a dream for him and, after 17 years, he is retiring from his dream job. He has been an asset to the Montezuma County Jail and Cortez, Colorado as a whole. He has shown himself to be a man who is always willing to go the extra mile.

After graduating from Hollywood High in Los Angeles, Roy was drafted into the Army. He spent two years in active duty and received an honorable discharge. He married his sweetheart, Ruth, in 1953. They have been married for 46 years and have one son and three grandchildren. His family is a source of constant delight.

Roy moved to Colorado in 1979 and built a log cabin in the beautiful countryside of Dolores, Colorado. He began working for the Montezuma County Sheriff's Office soon after moving there. At this time he also began attending the police academy in Delta, Colorado. After successful completion of his academy work he went to work for the Montezuma County Jail.

During his time there he put forth the extra effort that makes the difference between a good employee and a great one. He always arrived early and put in the extra effort that resulted in everyone counting on him. At Roy's retirement, his official title was ''detentions sergeant'' but he was more than that. He was an asset who will be greatly missed in his office by all who work with him and, indeed, all who ever have worked with him. We all owe Roy Shelton a thank you for his service to the community.

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

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

The House in Committee of the Whole House on the State of the Union 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:

Mr. KUCINICH. Mr. Chairman, the Kucinich-Ros Lehtinen amendment would provide valuable and needed protection to state and local laws made vulnerable by NAFTA and the GATT Uruguay Round to assault by foreign corporations, investors and nations.

However, some domestic opponents of the Kucinich-Ros Lehtinen amendment argue that it is not necessary since it would protect laws that the commerce clause of the Constitution would prohibit.

In response to this argument, I would inform our critics that most of the state and local laws that are endangered by NAFTA and WTO are local economic development and public safety laws and have nothing to do with the commerce clause of the Constitution.

For instance, the amendment would protect Kentucky's small-business set-aside law, which the European Union has said is WTO illegal.

The amendment would also protect New Jersey's ''buy local'' requirements for state procurement, which the European Union has said is WTO illegal.

Also, the amendment would protect California's ban on a poisonous gasoline additive, which a Canadian company has challenged on the grounds that it is NAFTA illegal.

Some domestic opponents claim that the Kucinich-Ros Lehtinen amendment ''prohibits the federal government from challenging any state or local law on the grounds that it violates treaty obligations'' and would, therefore, put the United States in violation of treaties.

First of all, there is some confusion implicit in this objection to the amendment about the legal status of NAFTA and the WTO. Neither NAFTA nor the Uruguay Round of the GATT is a treaty. Neither received two-thirds vote of the other body, as the Constitution requires for treaties. They are Congressional-Executive agreements, not treaties.

Moving on to the question of preemption, in fact, the amendment is very narrowly crafted to protect state and local laws from preemption only by NAFTA and WTO bureaucrats. The state and local governments need the protection provided by the amendment since NAFTA and the WTO pose unique problems for them that treaties do not.

For instance, human rights and environmental treaties do not preempt state law. Congress has always made clear when implementing human rights treaties and environmental treaties that they are not to be construed as preempting state law.

But state and local law did not receive such protection under NAFTA and WTO. While the NAFTA and WTO implementing legislation clearly state that they do not preempt federal law, they do subject state law to direct preemption under trade rules.

The amendment does not limit Congress from preempting state and local law for any reason Congress chooses. It only limits the Department of Justice from using the courts to enforce a WTO-bureaucrat decision against a state or local law.

Therefore, Congress can pass the Kucinich-Ros Lehtinen amendment and the U.S. will still be in full compliance with all treaties.

Domestic opponents also claim that there is process for federal-state consultation to decide whether state law should be preempted under trade agreements, and so far no state laws have been struck down as violations of trade rules.

In response to this objection, I would remind critics that the consultation process does not give the states, or Congress, any control over the decision of whether to preempt state law. Instead the implementing legislation for both NAFTA and the WTO give the President the sole authority to decide whether to ask the federal courts to strike down state laws as a violation of trade rules.

No state laws have been struck down yet because the challenges to state law have been filed recently and the trade panels have not yet assessed damages against the United States based upon the state laws.

If you need to see realized the predictable consequences of the far-reaching and unprecedented rights given to foreign investors, corporations and nations by the NAFTA and WTO (at the expense of state and local governments), wait until the trade panels start awarding damages against the U.S. based upon state laws—$970 million in damages requested based on California's MBTE ban, $750 million asked by Loewen for Mississippi Jury award, and $40 million sought by a Canadian company that doesn't like Massachusetts state sovereign immunity statute.

Mr. Chairman, I hope that this helps to clarify the facts about the Kucinich-Ros Lehtinen amendment.

SAN DIEGO URBAN LEAGUE EQUAL OPPORTUNITY AWARD: REVEREND GEORGE WALKER SMITH

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. FILNER. Mr. Speaker, I rise today to pay respect and recognition to Reverend

George Walker Smith, who tonight will be honored at the San Diego Urban League's Annual Equal Opportunity Awards Dinner. Reverend Smith is the 1999 recipient of the League's Equity Opportunity Award.

Reverend Smith is a man who has distinguished himself throughout the years by his unselfish service. During his 42 years as a pastor in San Diego, he has been active not only in his parish, but in the greater community. His influence is felt not only in the religious sphere, but in education policy and political activity. He was one of KNSD Channel 39's ''List of 39'', a series featuring prominent and effective San Diegans. In 1998, San Diego Magazine profiled Reverend Smith as one of the 50 San Diegans who have had a major impact in shaping the city over the past 50 years.

The third of eleven children of the late Amanda and Will Smith, he early on faced a situation in his home town where schooling was not provided beyond junior high school for African-Americans. This segregated education forced him to attend a boarding school supported by missions of the Presbyterian Church.

An outstanding academic record as class valedictorian and his participation in extra-curricular activities and sports earned him a scholarship to Knoxville College. Upon graduation, he entered Pittsburgh Theological Seminary to pursue his goal of becoming a minister. He received his Master of Divinity degree in 1956 and set out to eradicate the economic and educational injustice he had experienced. His motivation to provide a quality education to all children stems from his own early experiences, which made it difficult for him to receive the education that he deserved. He determined that should not happen to another child!

Coming to San Diego shortly after receiving his Divinity degree, he became the founder of the Golden Hills United Presbyterian Church. This congregation merged with the Brooklyn Heights Church in 1981 and became the Christ United Presbyterian Church of San Diego, one of the most respected congregations in the San Diego Presbytery.

Almost immediately, he also became involved in the educational system in San Diego. His accomplishments include his election in 1963 to the San Diego Board of Education—San Diego's first African-American public official, his service as President of the Council of Great City Schools, and as President of the National School Boards Association.

During his 16 years on the School Board, he literally changed the color of the administrative and teaching staffs—bringing the advantage of diversity to the nation's 6th largest school district.

He also served on many state and national commissions and on the National Advisory Commission for Juvenile Justice and Delinquency Prevention and the White House Conference on Children and Youth.

He has received many honors and awards, attesting to his contributions and the high regard in which he is held, including San Diego's Outstanding Young Clergyman, Phi Delta Kappa Lay Citizen Award, Gentleman of Distinction of the Women's Guild, Temple Emanuel, and Distinguished Alumni of Pittsburgh Theological Seminary. He was endorsed by the Presbytery of San Diego for the moderator of the General Assembly, the first time a San Diego Presbyterian had been so honored.

He is married to Irene Hightower Smith, and they are the parents of three children, Anthony, Carolyn and Joyce and the grandparents of five grandchildren, Taj, D'maj, Shani, Wayman, and Noni.

I am pleased to take this opportunity to sincerely thank Reverend George Walker Smith on the occasion of his recognition by the San Diego Urban League and to acknowledge his idealism and dedication to providing a quality education for all children and to making his community a better place for all of its citizens.

CONGRATULATIONS TO JOHN P. HUSTON

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. SKELTON. Mr. Speaker, it has come to my attention that John P. Huston, chairman of Wood & Huston Bank in Marshall, Missouri, was inducted into the 50-Year Club of the Missouri Bankers Association.

Huston began working full time for Wood & Huston Bank of Marshall after he graduated from the University of Missouri-Columbia in 1949. Huston is also an Army Veteran, having served our country in the Korean War. He is currently chairman of Wood & Huston Bank and president of Wood & Huston Bancorporation, Inc.

Huston is one of eight bankers who were honored at the Missouri Bankers Association's annual convention this summer.

I wish to extend my congratulations to Mr. Huston for his most deserved induction into the 50-Year Club of the Missouri Bankers Association. He has truly served his community and country with great dedication. I wish him well in the days head and am proud to recognize his achievements today.

RECOGNIZING THE BRAZOSPORT REHABCARE CENTER AND NATIONAL REHABILITATION AWARENESS WEEK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. PAUL. Mr. Speaker, I would like to take this opportunity to recognize and join with the Brazosport RehabCare Center in Lake Jackson, Texas, in observing and celebrating National Rehabilitation Awareness week beginning September 12 through September 18, 1999.

The Brazosport RehabCare Center opened its doors on December 31, 1992. Construction was completed at the end of April, 1993, for a total of 14 acute rehabilitation beds.

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Comprehensive inpatient rehabilitation services are provided to individuals with orthopedic, neurological and other medical conditions of recent onset or regression. These patients have experienced a loss of function in activities of daily living, mobility, cognition or communication. Types of patients admitted into the Brazosport RehabCare Center may include those with a diagnosis of stroke, spinal cord injury or dysfunction, brain injury, amputation, multiple trauma, hip fracture or joint replacement, arthritis, congenial deformity, burns or other progressive neuralgic syndromes such as Parkinson's Disease, Multiple Sclerosis and Gullian Barre.

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By addressing the multiple effects that disability has on the patient and family and by integrating the combined resources of patient, family and interdisciplinary rehabilitation team, comprehensive rehabilitation programming can maximize the abilities and esteem of the patient and family and foster a healthy re-integration into the community. At the Brazosport RehabCare Center, patient outcomes are exceptionally positive. Eighty-six percent of their patients are able to return home and lead an independent lifestyle.

I am proud and honored to have the Brazosport RehabCare rehabilitation facilities at Brazosport Memorial Hospital, Lake Jackson, Texas. Please join me in recognizing the Brazosport RehabCare Center for its outstanding services and remarkable accomplishments as we celebrate National Rehabilitation Awareness week.

TRIBUTE TO CHARLES F.C. RUFF—AN OUTSTANDING ATTORNEY AND PUBLIC SERVANT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to Charles F.C. Ruff, who left his position as White House Counsel earlier this summer. His exemplary record merits the commendation and thanks of all Americans who admire his commitment to justice and public service.

While most Americans recognize Charles Ruff from his key role in the Senate impeachment trial earlier this year, his brilliant career in public service began over three decades ago. A graduate of Swarthmore College and Columbia University Law School, Ruff accepted a position with the Organized Crime

and Racketeering Section of the Justice Department in 1967. His commitment to representing the public interest was complemented by his solid legal skills, and during the 1970's Ruff rapidly became one of the most highly-regarded and influential attorneys in Washington. As the Special Prosecutor for the Watergate Special Prosecution Force, he effectively tried and convicted those members of President Nixon's administration who broke our nation's laws and violated the public trust.

In recognition of his numerous achievements, President Jimmy Carter appointed Charles Ruff to a senior position in the Department of Justice and later appointed him to the position of United States Attorney for the District of Columbia. In this latter post, Ruff supervised cases against two Members of Congress in the Abscam bribery case, as well as the government's prosecution of John W. Hinckley, Jr., the attempted assassin of President Ronald Reagan.

Charles Ruff turned to the private practice of law in 1982 and achieved extraordinary professional success as a partner with the Washington, D.C., law firm of Covington & Burling. Entering the private sector, however, not erode his desire to utilize his talents for the public good. In 1995 Ruff left private legal practice to accept a position at a far more modest annual salary, as Corporation Counsel for the District of Columbia. His two years in this post earned him the admiration of his peers, as well as the notice of another attorney, who happened to reside at 1600 Pennsylvania Avenue.

In early 1997, Charles Ruff accepted President Bill Clinton's invitation to serve as White House Counsel. His duties during the past two and a half years have proven as diverse as they have been complex, ranging form policing White House ethics to providing the President with sound advice on critical constitutional issues. Mr. Ruff has handled these responsibilities with unequaled skill, impressing colleagues and White House observes with this attention to duty and his unshakeable integrity.

Earlier this year, Ruff led the President's successful defense against impeachment charges in the United States Senate. An island of cool-headed statesmanship in the midst of political charges and countercharges, Ruff received plaudits from allies and opponents alike for his well reasoned and respectful arguments. As the Washington Post (June 10, 1999) noted after the trail: ''Ruff was widely respected by both Democrats and Republicans in Congress as a lawyer who doggedly defended his client but didn't engage in personal attacks or media ploys.''

When he appointed Charles Ruff to the position of White House Counsel, President Clinton explained his choice in very precise terms. ''The job of Counsel to the President requires an individual with a rare combination of intelligence, judgement, knowledge, experience, stature and legal skill. That is a perfect description of Charles Ruff.''

Mr. Speaker, I could not agree more. I invite my colleagues to join me in commending Charles Ruff for his outstanding contributions to our nation and to the American people.

WILDERNESS ACT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. VENTO. Mr. Speaker, I rise today to celebrate the 35th anniversary of the Wilderness Act. The Wilderness Act plays a critical role in establishing common sense values and land use ethic for the management and protection of America's most scenic and ecologically diverse lands. Wilderness, as defined by the Act, is an area ''where man himself is a visitor who does not remain,'' where the land ''appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable.'' After 7 years of hearings and debate, and 66 rewrites, President Johnson signed the Wilderness Act and formally codified the mantle piece of United States environmental legislation into law.

The Wilderness Act established 9.1 million acres of wilderness in our National Forests, and in its 35 year legacy, Congress added an additional 95 million acres to the Wilderness Preservation System. Although I am here to celebrate and commend Congress for its role in protecting our nation's land, the Wilderness Preservation System is far from complete and the land is far from being fully protected.

Threats to the preservation of our wilderness system exist in many forms, but they all have the same effect on our wild lands—the degradation and ultimate downward spiral of entire ecosystems. These threats exist in our national forests where valuable tracts of land are sought as much for their beauty as for their timber, in our lands to the West where the water that breaths life into diverse ecosystems is being diverted away for agricultural purposes, in our deserts where the chirp of a cricket is drowned out from the scream of jet engines overhead, or where mining threatens to degrade critically important lands adjacent to Congressionally mandated wilderness preserves. These are all very real and very dangerous threats facing our wilderness system—threats that Congress has the power to stop.

Unfortunately, Congress does not have the will to put an end to these threats. In fact, since the 104th Congress, only 20,000 acres of land at Opal Creek, Oregon have been added to the Wilderness Preservation System. To put this in perspective, the Reagan Administration alone added 15 million acres to the wilderness system. In the face of growing public sentiment and outcry for more greenspace and wildlands, Congress must push forward an agenda that all of America can support—protection and expansion of America's Wilderness Preservation System.

The American public no longer sees land as an opportunity for expansion and exploitation. All too often now, people seek nature as a release and haven from the rigors and stress of everyday life. We are about to embark on a historic journey to a new millennium and a new way of thinking. It is time that Congress breath new life into Wilderness Preservation System and expand on its already diverse portfolio. America is defined as much by its melting pot of people and cultures as it is by its diverse landscapes, many of which are unique to this nation alone. It is time for Congress to push forward a wilderness agenda and teach our children a land use ethic that will protect the land and its creatures for generations to come.

AMY ISAACS: THIRTY YEARS OF DEDICATED SERVICE TO PROGRESSIVE IDEALS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. FILNER. Mr. Speaker, I rise today to honor Amy Isaacs on her 30th anniversary with Americans for Democratic Action—the nation's oldest independent liberal organization that has worked tirelessly to improve American society. Her contribution to ADA has been enormous!

She began her career as an intern in 1969 and moved through the ranks as Director of Organization, Executive Assistant to the Director, Deputy National Director—and she has served as the National Director for the past ten years.

Her fellow staff members at ADA, unanimously agree on Army's most admirable quality: humility. In spite of all she has done and all she has accomplished, she would never admit to her critical role in setting and pursuing the ideals and agenda of ADA. She is a dedicated servant to these ideals and, thus, to ADA. She has seen the organization through both good times and bad, and she has never thought of giving up the fight.

Amy and her fellow ADA members are dedicated to a better world with rising standards of living for all, to basic human rights at home and abroad, to the end of all forms of discrimination, and to a more equitable distribution of our resources.

These values are just as relevant today as when ADA was founded over 50 years ago. And such policy goals as the increase in the minimum wage, preservation of Medicare, universal and quality health care, comprehensive campaign finance reform, a safe and healthy environment, full access to a quality education owe much to Amy Isaacs and her fellow members of ADA.

Amy's commitment equals that of ADA's founders: Eleanor Roosevelt, John Kenneth Galbraith, Walter Reuther, David Dubinsky, Arthur Schlesinger, Jr., Reinhold Niebuhr, and Hubert Humphrey. Because I had the opportunity to work for Senator Humphrey as a Congressional Fellow in the 1970s, I learned from him, first-hand, about the importance of the role of ADA and the importance of the work of its members and of Amy Isaacs.

In addition to her work at ADA, Amy has worked at Planned Parenthood Federation of America and in political campaigns. She has spent time abroad, as a student at the University of Cologne in Germany, as a delegate to the Young Leaders Conference for the American Council on Germany, and as a member of a bi-partisan observer delegation to the Liberal International Party Congress in Stockholm, Sweden.

A graduate of American University in Washington, D.C., Amy also earned an M.A. certificate in International Administration from the School for International Training in Brattlesboro, Vermont.

I am pleased to take this opportunity to recognize and sincerely thank Amy Isaacs on the

30th anniversary of her service to ADA. What keeps her going is her idealism and dedication to the basic principle that government has a positive role to play in promoting individual liberty and economic justice.

HONORING THE ACCOMPLISHMENTS OF HOLLY LANE

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GORDON. Mr. Speaker, I rise today to recognize Ms. Holly Lane's selection to be the 1999 Miss Tennessee American Preteen. The 13-year-old Algood resident will represent the state in national competition in Orlando, Florida, in November.

Holly, the daughter of Bobby and Sarah Lane, is a talented eighth-grade student at Avery Trace Middle School in Cookeville where she is a member of the cheerleading squad, the girl's golf team and the TV staff. She is also a very active member of the 4–H Club where she has competed in and won many public-speaking contests.

I congratulate Holly for her many accomplishments and wish her the best of luck when she travels to Orlando in November. Holly is an exceptional young lady who will represent the state well in the upcoming national contest.

BIOMASS RESEARCH AND DEVELOPMENT ACT OF 1999

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Biomass Research and Development Act of 1999, a bill intended to expand research and development programs in the use of biomass—crop residues and other organic sources—in the production of energy, fuels, and other products.

I am pleased that the gentleman from New York, Mr. BOEHLERT, and the gentleman from Minnesota, Mr. MINGE, are joining me as original cosponsors of this bill.

By coordinating research efforts and providing research grants to promote biomass conversion techniques, this bill will accelerate our efforts to explore and develop these technologies and integrate existing biomass R&D efforts.

''Biomass'' encompasses plants, trimmings, and other wastes that can be used to make energy. Increased biomass use has the potential to provide economic, national energy security, environmental and public health benefits, reducing our reliance on fossil fuels, cutting greenhouse gas emissions, and creating jobs. Some estimates suggest that if the U.S. were to triple its use of bioenergy and biobased products in the next decade (currently only 3 percent of our energy sources come from biomass), we would generate as much as $20 billion a year in new income for farmers and rural communities.

As awareness of these potential benefits has increased, there is growing agreement on the need for cross-cutting and integrated approaches in our efforts to foster the development of the U.S. biomass industry. My bill would help lower the cost of research and development for this industry, encourage the evaluation of new energy crops, and accelerate the development of advanced biomass technologies to produce a variety of energy-related products and reduce our reliance on fossil fuels.

Specifically, the bill would: set up an integrated program of R&D activities related to the conversion of biomass into biobased products; authorize funding for research to evaluate the potential energy, economic, environmental, and social impacts of biobased production systems; authorize an interagency board to promote closer coordination and cooperation among federal agencies' research and development programs and other activities related to biobased products; authorize the creation of an advisory committee to provide input to federal biomass research and development programs from non-governmental groups with expertise and interest in biomass utilization; authorize additional federal resources for competitively-awarded grants, contracts, and other financial assistance—preferably to consortia—for research, development, and demonstration with respect to biobased products.

Biomass resources are an important domestic and renewable source of energy. This bill would boost efforts to utilize them to their full potential, ensuring a clean, sustainable, and secure energy supply for our nation's future. I look forward to working with the bill's cosponsors and other Members of the House to move forward with this important initiative.

IN HONOR OF THE 65TH ANNIVERSARY OF THE AMERICAN LEGION POST 451 OF ROCKY RIVER, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor and congratulate the Henry J. Morgan Post 451, American Legion of Rocky River, Ohio on its 65th charter anniversary. The Post will mark its anniversary with a dinner on September 11, 1999. I am honored to have been asked to attend and participate in this event.

The Post traces its roots back to September 11, 1934 when the organization became officially chartered. The following year the Post joined efforts with the Alcorn Camp of United Spanish War Veterans and launched a program to decorate the graves of veterans with flowers and flags. Delegates from the Post continued this tradition of cooperation among veterans associations by forming a Joint Veterans Council for the City of Lakewood and its vicinity in 1936.

During WWII, the Post was active in promoting a flag program and displaying flags throughout the community. Members showed their continuing patriotism by serving as Auxiliary Police, Boy Scout leaders and organizing the Rocky River High School Cadet Drill Corps. Following the war, activities were held in conjunction with other veterans organizations to benefit the Marine Hospital. In addition, recreational activities such as legion baseball and bowling teams were coordinated for veterans.

Currently the Post has 300 members and continues to grow and attract new members through its active participation in community projects. Post 451 has always placed greater emphasis on community service, especially in the areas of youth and veterans. The group currently works with local school systems on flag education, the Americanism test, and the Legion Oratorial Contest. In addition, the post sponsors high school students to attend Boys State in Columbus, Ohio, where they learn about government.

The organization supports the academic achievement of local students and is in its 5th year of sponsoring a $10,000 scholarship program for Rocky River High School, awarding the top 100 students with a $100 scholarship. The Legion is also active in the Gifts for Yanks program, which provides Christmas gifts to patients in veterans hospitals.

Mr. Speaker, I salute the members of the Rocky River Post No. 451 for bravely serving their country and continuing to serve their community.

HONORING SIGURD OLSON

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. VENTO. Mr. Speaker, as we celebrate the 35th anniversary of the Wilderness Act today, I think it is equally fitting to honor the centennial birth of Sigurd Olson—one of America's true modern conservationists and a man who called Minnesota his home.

Sig's long list of outstanding accomplishments include advising former Senator Humphrey and Wilderness Society Executive Director Howard Zahniser on the introduction of the first Wilderness Bill in 1956, serving on the Department of Interior's Advisory Board on National Parks, Historical Sites, Buildings and Monuments, and receiving national acclaim as writer and environmentalist. In addition, he received numerous awards and honors from the Wilderness Society, the Sierra Club, and the Izaak Walton League. Although he became involved in many conservation issues nationally, his true love lay in the Boundary Waters Canoe Area Wilderness (BWCA), and his tireless efforts to protect its natural beauty and true wilderness character. It was through his efforts to halt the use of float planes and secure appropriations for the Forest Service to purchase resorts and in-holdings within the BWCA that brought him to the forefront of a burgeoning national conservation scene in 1947.

Sig was a true environmentalist and realized the importance that wild areas hold for all of us, both physically and spiritually. His ideals and attitudes are increasingly becoming a rare quality in the political world. Although there are those of us who strive to adhere to these ideals, it takes a majority in Congress to implement them. It is time that we set aside this political partisanship and listen to those who elected us—the American people, 88% of which feel that many of our country's special places may be lost forever unless they are protected.

Congress must revive the tradition of protecting America's wild places. We need to look back at forgotten ideals and move forward

with an agenda that will protect increasingly fragmented wildlands. In the end, no one more eloquently pleaded a case for wilderness preservation that Sig when he spoke before the citizens of Ely, Minnesota who sought to motorize the BWCA. Sig said, ''Some places should be preserved from development or exploitation for they satisfy a human need for solace, belonging, and perspective. In the end we turn to nature in a frenzied chaotic world, there to find silence—oneness—wholeness—spiritual release.'' It is time we work together and make his wilderness vision a reality.

GENENTECH, INC.—SETTING THE EXAMPLE AS ONE OF AMERICA'S BEST COMPANIES FOR WORKING MOTHERS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. LANTOS. Mr. Speaker, Genentech, Inc. of South San Francisco, California, is known around the world for its leadership in the field of biotechnology. Throughout the past two decades this innovative company has shattered barrier after barrier, using revolutionary science to develop and manufacture biotech products that have saved an untold number of lives. Genentech created the first pharmaceutical based on DNA technology (recombinant human insulin) and was the first company to bring a bioengineered medicine from research to the market (a recombinant human growth hormone). Its medicines have provided immense benefits to individuals suffering from breast cancer, non-Hodgkins lymphoma, cystic fibrosis, and a wide range of other diseases. With this record of groundbreaking success, Genentech has richly earned its international reputation for excellence.

The twenty-first century character of this outstanding company, however, extends well beyond its innovative products. Genentech's biotechnology leadership is mirrored in its devotion to corporate citizenship and to the welfare of its employees. Recognition of this commitment is found in the October 1999 issue of Working Mother magazine, which named Genentech one of the ''100 Best Companies for Working Mothers.'' This is the ninth time Genentech has made this impressive list.

Chairman and Chief Executive Officer, Arthur D. Levinson, Ph.D., clearly expresses the corporate philosophy which resulted in Working Mother's commendation: ''At Genentech, we believe that creating a work environment that is responsive to our employees' needs is one of our most important priorities.'' This creed is epitomized by the company's Second Generation program, one of America's largest corporate-sponsored, on-site child care facilities. Operated by Bright Horizons Family Solutions and accredited by the National Association for the Education of Young Children, Second Generation attends to the needs of Genentech employees' sons and daughters with dedication and warmth. It provides hundreds of youthful participants (aged 6 weeks to 6 years of age) with quality care, developmental activities, play curriculum, daily activity reports and parental support.

Mr. Speaker, Second Generation's forward-thinking approach is only one of the benefits for which Working Mother cited Genentech. The company offers important family-friendly benefits such as paid maternity leave for new moms, paid sabbaticals, and an employee concierge service. Genentech's willingness to invest in the well-being of its employees is truly extraordinary, and I am proud to have such a fine corporation in my congressional district.

Genentech's corporate citizenship betters the lives of Peninsula communities and our country as well as its employees in many ways, in addition to its efforts to help working moms. Under Dr. Levinson's guidance, this fine company has repeatedly demonstrated that innovative growth and compassionate concern for employees can flourish together. Genentech has established uninsured patients' programs to enable underprivileged Americans to obtain every one of its marketed products, supplying more than $200 million worth of medications since the program was created. To help our nation's youth better understand the latest scientific advances, Genentech developed the Access Excellence web site to aid biology teachers and their students.

Mr. Speaker, I ask my colleagues to join me in commending Genentech, Inc., on its outstanding benefits for working mothers and for its exceptional record of service to its community.

LIBERTY DAY

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. TANCREDO. Mr. Speaker, I rise to call to the House's attention an event—actually, a celebration—which is expanding across the country. The celebration is Liberty Day, which honors the Declaration of Independence and the U.S. Constitution. Liberty Day was begun by the Colorado Lions and now represents a collaborative project among service clubs. It is totally nonpartisan and supported by all political parties in my state, has been unanimously endorsed by the state legislature, teachers, the state board of education and many others. Booklets containing copies of the Constitution and the Declaration of Independence are printed with private donations, and are distributed to school kids by elected officials who visit classes and speak about the importance of the founding documents.

Earlier this year, I visited West Middle School in Greenwood Village, Colorado to mark Liberty Day in Colorado. Liberty Day Colorado is officially celebrated on March 16th, the birthday of James Madison. I believe that every student in America should take at least one day to study these documents, learning how these documents give us such remarkable rights and responsibilities as citizens.

I would like to submit the following six proclamations into the RECORD. They were issued by Governor Bill Owens of Colorado; Governor Jim Geringer of Wyoming; Governor Gray Davis of California; the Colorado State Legislature; the Colorado State Board of Education; and the Colorado Federation of Teachers.

I believe that our founding documents are essential to understanding what it means to be an American. The ideas embodied in these historical documents, so unprecedented at the time of the Founders, continue to make our country unique in the world today.

I urge members to take advantage of the opportunity to start Liberty Day in their state. For information, please contact Andy McKean at the Liberty Day Colorado Information Clearinghouse at 3600 E. 48th Avenue, Denver, Colorado 80216; (phone) 303–333–3434; (fax) 303–339–1011; or (e-mail) LibertyDay@aol.com.

COLORADO HONORARY PROCLAMATION

Whereas, we as Americans enjoy our liberties through the documents that our founding fathers created, those being known as the Declaration of Independence and the U.S. Constitution with its Bill of Rights; and

Whereas, James Madison wrote the Virginia Plan, the model and the basis of discussion for the forming of a new constitution, in the constitutional convention of 1787, which new constitution established our new form of government, replacing the Articles of Confederation; and

Whereas, James Madison wrote many of the newspaper articles which outlined the reasons that the states should endorse the new constitution. These articles became known as the Federalist Papers. James Madison served in the U.S. House of Representatives from 1789 until 1797 during which time he introduced into Congress the Bill of Rights; and

Whereas, James Madison was President of the United States from 1809 until 1817; and Tuesday, March 16, 1999 is the 243rd anniversary of the birth of James Madison;

Now Therefore, I, Bill Owens, Governor of the State of Colorado, do hereby proclaim March 16, 1999, as Liberty Day in the State of Colorado.

Given under my hand and the Executive Seal of the State of Colorado, this sixteenth day of February, 1999—Bill Owens, Governor.

WYOMING GOVERNOR'S PROCLAMATION

We, as Americans, enjoy our liberties which are preserved by the documents that our founding fathers created, namely the Declaration of Independence and the United States Constitution with its Bill of Rights.

James Madison was a contributing author of the Virginia Plan, the model and the basis of discussion for the forming of a new constitution, in the Constitutional Convention of 1787. The new constitution established our new form of government, replacing the Articles of Confederation.

James Madison kept written records of the Debates in the Federal Convention of 1787, which * * * and compromises finally produced the Constitution of the United States.

Such records were not made public until the last signer died, who was James Madison. His wife, Dolly Madison, sold the records to the United States government, and they were published around 1840.

These articles became known as the Federalist Papers, and were co-written with Alexander Hamilton and John Jay and still stand as some of the best arguments for our form of government, a representative republic.

James Madison served in the United States House of Representatives from 1769 until 1797, during which time he introduced into Congress the Bill of Rights, which was ratified by the States in 1791.

James Madison was Secretary of State from 1801 until 1809, and President of the United States from 1809 until 1817.

For these significant reasons, I, Jim Geringer, Governor of the State of Wyoming, do hereby honor and proclaim Tuesday, March 16, 1999, as ''Liberty Day'' in Wyoming

and that the month of March, 1999 be proclaimed Liberty Month in Wyoming in celebration and recognition of the 249th anniversary of the birth of James Madison.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affirmed this 24th day of February, 1999.

CALIFORNIA GOVERNOR'S PROCLAMATION

Whereas, we as Americans enjoy our liberties through the documents that our founding fathers created, those being known as the Declaration of Independence and the United States Constitution with its Bill of Rights; and

Whereas, James Madison had considerable influence in the creating of the United States Constitution, in that he wrote the Virginia Plan, which served as the model and basis for discussion for the forming of that new constitution which has so preserved our liberties in this country; and

Whereas, James Madison wrote many of the articles (which became known as the ''Federal Papers'') that persuaded the inhabitants of this new country to endorse and accept the United States Constitution; and

Whereas, James Madison served in the first House of Representatives under the new government (from 1789 to 1797), during which time he introduced the Bill of Rights into Congress, for the full protection and preservation of our liberties; and

Whereas, James Madison was President of the United States from 1809 until 1817; and March 16, 2000 is the 249th anniversary of the birth of James Madison;

Now therefore, I, Gray Davis, Governor of the State of California, do hereby proclaim March 16, 2000 as Liberty Day, in the State of California.

SENATE JOINT RESOLUTION 99–016 CONCERNING THE RECOGNITION OF LIBERTY DAY AND LIBERTY MONTH IN COLORADO

Whereas, We as Americans enjoy our liberties as a result of the documents that our founding fathers created, those documents being the Declaration of Independence and the United States Constitution with its Bill of Rights; and

Whereas, James Madison was a contributing author of the Virginia Plan, the model and the basis of discussion for the forming of a new constitution in the constitutional convention of 1787, which new constitution established our new form of government, replacing the Articles of Confederation; and

Whereas, James Madison kept written records of the Debates in the Federal Convention of 1787, which debates and compromises finally produced the Constitution of the United States; and

Whereas, Such records were not made public until the last signer died, who was James Madison, and his wife, Dolley Madison, sold the records to the United States government, and they were published around 1840, and

Whereas, James Madison wrote many of the newspaper articles which outlined the reasons that the states should endorse the new constitution; and

Whereas, These articles became known as the Federalist Papers, and were co-written with Alexander Hamilton and John Jay and still stand as some of the best arguments for our form of government, a representative republic; and

Whereas, James Madison served in the United States House of Representatives from 1789 until 1797, during which time he introduced into Congress the Bill of Rights, which was ratified by the states in 1791; and

Whereas, James Madison was Secretary of State from 1801 until 1809, and president of the United States from 1809 until 1817; and

Whereas, Tuesday, March 16, 1999, is the 248th anniversary of the birth of James Madison; now, therefore,

Be It Resolved by the Senate of the Sixty-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

That, Tuesday, March 16, 1999, be proclaimed Liberty Day Colorado and that the month of March 1999 be proclaimed Liberty Month Colorado.

COLORADO STATE BOARD OF EDUCATION RESOLUTION TO SUPPORT LIBERTY DAY AND LIBERTY MONTH IN COLORADO

Whereas, We as Americans enjoy our liberties through the documents that our founding fathers created, those being known as the Declaration of Independence and the United States Constitution with its Bill of Rights; and

Whereas, James Madison was a contributing author of the Virginia Plan, the model and the basis of discussion for the forming of a new constitution, in the constitutional convention of 1787, which new constitution established our new form of government replacing the Articles of Confederation; and

Whereas, James Madison kept written records of the Debates in the Federal Convention of 1787, which debates and compromises finally produced the Constitution of the United States; and

Whereas, Such records were not made public until the last signer died, who was James Madison, and his wife, Dolly Madison, sold the records of the United States government, and they were published around 1840; and

Whereas, James Madison wrote many of the newspaper articles which outlined the reasons that the states should endorse the new constitution; and

Whereas, These articles became known as the Federalist Papers, and were co-written with Alexander Hamilton and John Jay and still stand as some of the best arguments for our form of government, a representative republic; and

Whereas, James Madison served in the United States House of Representatives from 1789 until 1797, during which time he introduced into Congress the Bill of Rights, which was ratified by the states in 1791; and

Whereas, James Madison was Secretary of State from 1801 until 1809, and president of the United States from 1809 until 1817; and

Whereas, Tuesday, March 16, 1999 is the 248th anniversary of the birth of James Madison;

Be it *Resolved,* That the Colorado State Board of Education proclaim Tuesday, March 16, 1999 Liberty Day Colorado, and that month of March 1999 be proclaimed Liberty Month Colorado.

COLORADO FEDERATION OF TEACHERS, SCHOOL, HEALTH, AND PUBLIC EMPLOYEES EXECUTIVE BOARD RESOLUTION REGARDING LIBERTY DAY COLORADO, MARCH 16, 1999

Whereas the members of the Executive Board of the Colorado Federation of Teachers, School, Health and Public Employees supports all efforts to provide or supplement meaningful education experiences for students in the area of our democratic republic, its structure, function, and history, and

Whereas, Liberty Day Colorado is a statewide, non-partisan celebration of the Declaration of Independence and the Constitution of the United States of America conducted on the 16th of March, James Madison's birthday, each year, and

Whereas, Colorado students across the state benefit from Liberty Day Colorado through direct instruction and interaction with guest speakers;

Therefore, be it *Resolved,* That the Executive Board of the Colorado Federation of Teachers, School, Health and Public Employees unanimously voices its support for Liberty Day Colorado to be celebrated on Tuesday, March 16, 1999, and

Be it further *Resolved,* That this celebration be made known to our members and their participation encouraged.

PHASING OUT THE DEATH TAX

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. DUNN. Mr. Speaker, one of the most important objectives of this Congress is the elimination of the federal estate tax, or death tax.

It is unfair to tax people because the head of a family dies and leaves a family business or other asset to his or her children. We should reward savings, investment, and hard work. We must be fair in our tax system.

Throughout my tenure in Congress, I have focused on phasing out the onerous death tax. Despite the efforts of individuals working a lifetime in building a business, the federal government can take more than half of these savings upon the death of the owner.

The publication ''Investor's Business Daily'' (August 19, 1999) ran an excellent article entitled ''Time to Chop Down the Death Tax?'' I commend it to the attention of my colleagues as it outlines the problems the federal estate tax causes.

TIME TO CHOP DOWN THE DEATH TAX?

IT LEAVES MANY HEIRS HANGING WITH SUDDEN DEBT

(By Peter Clearly)

Chester Thigpen's wealth is in his land. Thigpen, an 87-year-old grandson of slaves, has spent his entire life building an 850-acre tree farm in Montrose, Miss. He'd like to leave the farm to his family.

There's one problem: Thigpen's farm would be assessed at a value much higher than the $650,000 exemption allowed by the federal estate tax. When he dies, his family will face a hefty tax bill.

That's why they're unhappy with President Clinton's threat to veto the tax-cut plan passed by Congress. The GOP-backed plan would phase out the estate tax, also known as the death tax, over the next 10 years.

If Clinton vetoes the bill, Thigpen's heirs say they won't have enough cash to pay the tax. They aren't sure what they'll do.

Critics of the estate tax cite cases like the Thigpens' to argue that the estate tax has little value. It accounts for only 1% of federal revenue. And it causes heartache for lots of folks like Chester Thigpen.

They've spent their lives building a legacy for their families, only to face the prospect that the Internal Revenue Service will force their dreams to die with them.

The estate tax does have its fans. Some vocal backers, like the lobbying group Citizens for Tax Justice, say the Thigpen family's story isn't typical—only one of 20 farmers leave a taxable estate. Nonfarm family businesses are only a small part of the people and businesses subject to the tax.

Citizens for Tax Justice also notes that only the wealthiest 1.4% of Americans pay the estate tax. The tax's progressive nature is reason enough to keep it.

Gary Robbins, an economist with the Institute for Policy Innovation, counters that even if you take CTJ's figures at face value, the death tax is discriminatory.

''Only about 1% of Americans are subject to the death tax, but according to CTJ's numbers, you are twice as likely (as that) to be forced to pay the tax if you are a farmer and three times as likely if you own a small business,'' Robbins said.

Robbins also notes that farmers and small-business owners are usually asset rich and cash poor. That makes the death tax a toucher burden on those who must pay it.

For many, he argues, the only way to settle the estate tax obligation to the IRS is to sell off assets or land—parts of the businesses that are critical to keep those family operations viable.

A law that forces people to sell their farms and businesses when a family member dies: How did we get to this point?

In the early 1900s, politicians became concerned about the growing concentration of money in a few families. Lawmakers called for a ''progressive tax'' on rich families to prevent them from passing down their wealth from one generation to the next.

In 1916, the estate tax was enacted; it was meant to fund national emergencies. Then in 1924, Congress passed the first gift tax, after people started giving away their estates so their heirs could avoid paying the estate tax.

From 1932 to 1941, as part of the New Deal, estate tax rates were raised to help pay for the new spending programs. At that time, estate taxes reached records, accounting for as much as 9.7% of federal tax revenue.

Here's how the estate tax is now assessed:

Estates valued up to $10 million pay taxes on a graduated scale: rates range from 37% to 55%. The first $650,000 is exempt—and not indexed for inflation.

Estates valued between $10 million and $21 million are taxed at a 55% rate, plus a 5% surcharge. As the value of an estate approaches $21 million, the surcharge effectively phases out the $650,000 exemption.

Estates values at more than $21 million face a tax rate of 55% with no exemption.

The 60 Plus Association, a lobbying group whose rallying cry is ''dying should not be a taxable event,'' says the estate tax is an ineffective way to raise money.

''Federal revenue raised from death taxes as a percentage of total revenue has been on a steady decline since 1940,'' said Jim Martin, president of 60 Plus.

''The death tax now brings in about 1% of total federal revenue, and it costs the government 65 cents for every dollar raised for enforcement and compliance costs,'' he said.

''Taxes are a necessary evil, but a tax should have some sort of socially redeeming value.'' Martin added. ''The death tax just sets up an industry of lawyers, accountants and insurance brokers to help people protect their after-tax assets.''

Some lawyers counter that the estate tax is really voluntary. It's paid by people who can't afford legal or accounting services or who don't realize the IRS will consider them rich at the time they inherit estates.

''That's just what the American people want to hear—hire more lawyers so you can keep out of trouble,'' said Rep. Jennifer Dunn, R–Wash., one of the estate tax's most forceful opponents.

''The cost of compliance is extraordinarily high for the death tax.'' Dunn said. ''For the amount of money that is raised by the Federal Government, an equal amount is spent on hiring CPAs, lawyers and so forth. . . . This is money that should be spent much more wisely, and would be, if families did not have to spend so much money on compliance.''

House Majority Leader Dick Armey, R–Texas, agrees.

''I've seen time and time again sons and daughters whose grief has been ameliorated by the thought of keeping their parents' legacy alive,'' he said. ''And when that family is forced to sell off Mom and Dad's business that they spent their entire life building to meet the needs of the tax man, you can hardly call that voluntary or just.''

GOP pollster Kellyanne Fitzpatrick says most people think the estate tax is unfair—even though it hits mainly people the IRS considers wealthy.

In a poll she did for 60 Plus, 77% considered the tax unfair. The tax was unpopular among many groups. For example, 86% of women age 18 to 34 who don't have kids said the tax is unfair; so did 84% of 55- to 64-year olds, 82% of Protestants and 82% of Republican women.

''You don't have to be directly affected by (the tax's) unfairness or unjustness to oppose it.'' Fitzpatrick added.

Getting rid of the estate tax could have an unintended consequence: protecting the environment.

Dunn says some environmental groups are warming to the notion of repealing the estate tax.

Those who oppose suburban sprawl complain that many family farmers who have to pay estate taxes must sell at least part of their land, often to developers who may not be as friendly to the environment.

That brings us back to tree farmer Chester Thigpen. He has spent more than 55 years building his family business. He has won a number of awards for his sound environmental stewardship.

In 1995, Thigpen was named Mississippi Tree Farmer of the Year. The next year, he was National Tree Farmer of the Year. He received that award for his exceptional management practices, including reforestation, taking care of his timberland and maintaining wildlife habitat.

In addition, in 1998 the National Arbor Day Foundation gave Thigpen its Good Steward award.

''He (Thigpen) is commended for a lifetime of agricultural and forestry work, as exemplified in his conversion of 850 depleted acres of soil into a lush area of tree farms,'' said an Arbor Day Foundation press release.

If Clinton vetoes the GOP's tax plan and leaves the estate tax in place, the Thigpen family may not be able to maintain that sound stewardship after Chester dies. Family members say they may be forced to clear-cut several stands of timber and sell the lumber just to pay the estate tax.

As they say, money, especially when it's meant to pay the tax collector, doesn't grow on trees.

TAXING DEATH—TOP MARGINAL ESTATE TAX RATES

Country	Rate (Percent)
Japan	70
U.S.	55
Taiwan	50
South Korea	45
France, Great Britain	40
Germany, Sweden	30
Belgium	28.5
Netherlands	27
Chile, Italy	25
Denmark, Hong Kong	15
Singapore	10
Poland	7
Brazil	6
Argentina, Australia, Canada, China, India, Indonesia, Mexico	0

Source: American Council for Capital Formation.

TO HONOR THE THIRTEEN FIREFIGHTERS WHO LOST THEIR LIVES IN THE BOWEN-MERRILL FIRE

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. CARSON. Mr. Speaker, I rise today to pay tribute to the 13 dedicated Indianapolis Fire Department firefighters who lost their lives while bravely and courageously battling a horrific fire at the Bowen-Merrill book house.

The fire started at 3:08 PM on St. Patrick's Day, March 17, 1890. Shortly after the fire began, great streams of fire could be seen shooting from the bookstore located at 16–18 West Washington Street in downtown Indianapolis. To keep the fire from spreading to valuable properties located on Meridian and Illinois Streets, a monumental effort was made to contain the fire.

Eighty-six firefighters battled the giant blaze. Thirteen firefighters lost their lives when the roof to the building collapsed. Posthumously, tributes were extended to: Thomas Black, John Burkhart, Andrew Cherry, George Faulkner, Ulysses Glazier, George Glenn, Albert Hoffman, William Jones, David Lowry, B.F. Plummer, Epsy Stormer, Anthony Voltz, and Henry Woodruff.

On August 13, 1999, the Indianapolis Fire Department paid tribute to their fallen comrades. The clouds rolling through the skies of downtown Indianapolis purposely seemed to keep clear of the area directly above the tribute ceremony. There is no doubt that the 13 fallen heroes had a clear view of the tremendous respect and appreciation that our community has for their sacrifice.

As we approach the twilight of the 20th Century it is abundantly clear that their faithful commitment to duty exemplifies the spirit of the men and women of the Indianapolis Fire Department who heroically serve our community.

Mr. Speaker, it is fitting as we prepare to cross the threshold of the 21st Century that we remember and honor those who selflessly lost their lives at the end of the 19th Century.

TWO FIREFIGHTERS PROVIDE EXEMPLARY SERVICE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GILMAN. Mr. Speaker, I rise to commend two of my constituents, William Herman and Evan DeVries. Mr. Herman and Mr. DeVries are both volunteer firefighters with over fifty years of service in Rockland County.

William Herman began his firematic career by serving in the Federal Fire Service at Camp Shanks in Orangeburg during the Second World War and as a member of the Hook and Ladder Company in Pearl River.

After the War, he joined the Excelsior Fire Engine Company, where he has now served for more than fifty years. He has served as Lieutenant and Captain in Excelsior, and answered more than 8,000 fire calls for assistance from his fellow citizens in his half century career.

William Herman was also the first fire instructor for the county of Rockland, one of the founders of the modern Fire Training Center in Pomona, and a constant advocate for education for firefighters. In his career as an instructor, William Herman has taught more than 10,000 firefighters, and has himself taken more than 5,000 hours of training, to keep himself fully aware of changes in the fire service and fire technology.

At 85 years of age, he is still active in service as an instructor, and as a member of the excelsior Engine Company.

Evan DeVries, now in his seventy first year, has served for fifty years as a volunteer firefighter in the Nyack and Pearl River Fire Departments. After serving as chief in the Pearl River Fire Department from 1974 to 1976, he is an active driver with the Excelsior Fire Engine Company, responding weekly to the hundreds of alarms the company handles every year.

Mr. Speaker, in a day and age when community service is so much out of vogue in some quarters, the example of volunteer fireman, William Herman and Evan DeVries, should be commended. Their century of service to the people of Rockland County and to my Congressional District should be appropriately noted by this Congress.

PERSONAL EXPLANATION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. ORTIZ. Mr. Speaker, on rollcall No. 389, I was present and voted, but my vote was not recorded correctly. Had my vote been recorded correctly, I would have voted ''yea.''

TRIBUTE TO RALPH CONSELYEA

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. LEVIN. Mr. Speaker, during our summer recess, a City which I am proud to represent and in which I live, Royal Oak, lost one of its greatest and proudest sons, Ralph Conselyea.

His business activities were centered there. So was his sense of community and they merged to benefit all of the citizens of Royal Oak. Its downtown is today so vital that often forgotten is its days of difficulties in the 60's and 70's. In those days, Ralph Conselyea whipped into action and joined in the purchase and renovation of key properties.

His good works spread beyond downtown into every corner of the City—through the Lions Club, the Goodfellows and many other groups.

Ralph Conselyea for decades was considered ''Mr. Royal Oak.''

He was always willing to respond to requests for information and advice, and I was among the many who benefitted from his wisdom and kindly spirit.

As we reconvene, it is fitting that we promptly take formal note of the lost felt by so many and to express sincerest condolences to his wife and the entire Conselyea family.

HONORING THE RETIREMENT OF FRED DEARBORN, CIVILIAN EXECUTIVE ASSISTANT, U.S. ARMY ROCK ISLAND ARSENAL

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. EVANS. Mr. Speaker, I rise today to honor the exemplary public service of Mr. Fred Dearborn, who is retiring after serving over 15 years as the Civilian Executive Assistant at the Rock Island Arsenal. As a tireless champion of the Arsenal and its dedicated workforce, Fred deserves the praise that comes with a job that has been well done.

Fred Dearborn is one of the finest public servants I have had the pleasure to work with. He is truly a credit to the U.S. Army and its hardworking civilian employees.

Fred's career in the Army has spanned over 30 years. From his days as an engineer at the Red River Army Depot to becoming the Civilian Executive Assistant at the Arsenal, he has become recognized as one of the best in the business. He is also widely known as being one of the nicest and most honest people in the Army community. These are attributes that in my mind truly sum up Fred as a person. They also reveal why he has become a recognized leader at the Arsenal, in the Army and in the Quad Cities.

These leadership skills were greatly needed over the last two decades as the arsenal went through rapidly changing times. Fred served as the Civilian Executive during the military buildup of the early 80's through the drawdown of our Armed Forces during the last decade. Through his stewardship during these dramatic ups and downs, the Rock Island Arsenal became synonymous with quality and efficient work. Fred should take great pride in his role in helping to establish the Arsenal as perhaps the greatest armaments manufacturing facility in the world. Many of the numerous awards and citations recognizing the Arsenal as one of the premier facilities in the U.S. Army would not have become a reality without his hard work and foresight. Without a doubt, his work has made it a better place.

Fred's contributions to the Arsenal, our community and to the Nation's defense are immeasurable. I am glad that I had his wise council during my service on the House Armed Services Committee. He truly has a knack for making the most complicated and technical issues understandable to a layman as well as the ability to see how the bigger trends in our national security policy affect the arsenal. Without his expertise and his vision, my job in promoting the arsenal and its workforce in Congress would have been much tougher.

Fred's dedication to the Rock Island Arsenal has been an inspiration to those of us who believe in the value of public service. I know that he will be missed by all of those who have had the pleasure of working with him.

While Fred will be retiring, I know that he will still be involved in our efforts to maintain the Rock Island Arsenal and its irreplaceable capabilities. He has chosen to remain in the Quad Cities with his wife Cheri for their hard-earned break. I hope that I will still be able to turn to him for advice in our fight to maintain the best facility in the U.S. Army.

I wish Fred and his family the very best on his retirement.

HONORING KSEE 24 HISPANIC-AMERICAN HERITAGE MONTH HONOREES

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to the Hon. Jane Cardoza, Pilar De La Cruz, Gabriel Escalera, Frank C. Franco, and Dr. Cecilio Orozco for being selected as the 1999 Portraits of Success program honorees by KSEE 24 and Companies that Care. In celebration of Hispanic-American Heritage Month for September, these five leaders were honored for their unique contributions to the betterment of their community.

KSEE 24 and Companies that Care launched the 1999 Portraits of Success program to honor five distinguished local leaders in celebration of Hispanic-American Heritage month. Currently in its fifth year, this special project combines specially produced public service announcements, a five-part news series, plus an awards luncheon to publicly recognize the unique contributions of the Hon. Jane Cardoza, Pilar de la Cruz, Gabriel Escalera, Frank C. Franco and Dr. Cecilio Orozco.

Since graduating from law school of 1981, Judge Cardoza started her law career in the Fresno County District Attorney's office, proceeding to the offices of the Fresno City Attorney and State Attorney General, Fresno County Municipal Court and now is the Presiding Judge of Family Law for the Fresno County Superior Court. She is active in the San Joaquin College of Law Board of Trustees, the Fresno Metropolitan Museum Board of Trustees, Fresno Metropolitan Rotary, Fresno City College Puente Project Mentoring Program and Domestic Violence Roundtable.

Pilar de la Cruz began her nursing career in 1969 at Fresno Community Hospital and has moved up the corporate ladder to become vice-president of Education Development at Fresno Community. She has been instrumental in the development of the Jefferson Job Institute, a program to provide training for parents of school children for entry-level jobs in hospital settings. Ms. De la Cruz was named 1998 Volunteer of the Year by the American Heart Association and 1997 RN of the Year by the Central Valley Coalition of Nursing Organizations. She received the Latina Beyond Boundaries Award in Healthcare for 1998.

Gabriel Escalera has been in the field of education for 27 years, as principal of Alta Sierra Intermediate School for five years and is the principal of Gateway High School. His college major was physical education; played football for San Diego State and was an athletic director and coached football and wrestling for 12 years. Mr. Escalera is president of the Fresno chapter of the Association of Mexican-American Educators and is also president of the Fresno chapter of ACSA. He is a member of the Latino Educational Issues Roundtable and numerous professional and service organizations.

Mr. Franco is Business Development Manager for the Fresno County Economic Opportunities Commission and has been with the

Commission for 16 years. He is Chairperson of the Board of the Metropolitan Flood Control District which is instrumental in developing new parks, is past president and board member of Central California Hispanic Chamber of Commerce. Mr. Franco enjoys working for the benefit of children and serves as a board member of Genesis, Inc., a group home for girls that also provides substance abuse counseling for women.

Dr. Orozco is Professor Emeritus at CSUF's School of Education. In 1980 in Utah he discovered the origins of the Nahuatl people, the ancestors of the Anasazi and Aztecs, and has repeatedly visited the sites. One of his proudest accomplishments was proposing the name of Miguel Hidalgo Elementary School which was the first school in Fresno to be named for a Hispanic, and this effort was partially responsible for his receiving the National Association for Bilingual Education's ''Pioneer In Bilingual Education Medal'' in 1997. Dr. Orozco published a book explaining the details of the Sun Stone of the Mexicas and the Aztec Calendar and in 1998 published (in Spanish) the essence of his research on the work of Lic. Alfonso Rivas Salmon which dealt with the origins of the Nahuatl people.

Mr. Speaker, I want to recognize the contributions of Judge Jane Cardoza, Pilar De La Cruz, RN, Gabriel Escalera, Frank C. Franco, and Dr. Cecilio Orozco for the month of September, Hispanic-American Heritage Month. These honorees will be recognized at a luncheon on September 13, 1999. I urge my colleagues to join me in wishing these honorees many more years of continued success.

HONORING LARRY KATZ ON HIS RETIREMENT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. CARDIN. Mr. Speaker, I rise today to laud the life and accomplishments of my constituent and friend, Lawrence M. Katz, who retires today as a partner at the Baltimore law firm of Piper and Marbury.

Larry and I met at University of Maryland Law School where he distinguished himself as Articles Editor of the Maryland Law Review. After graduating from Maryland, Larry went on to complete an LL.M. degree in Taxation at New York University.

Experienced in all areas of federal income taxation, Larry has taught and advised me personally and professionally. While Larry serves on the Tax Advisory Committee of the American Law Institute, he also finds time to advise me as part of my constituent Tax Advisory Committee that meets a couple of times a year to hear about what Congress is proposing and to advise me about the virtues and possible pitfalls of these decisions. I can always count on him for a concise explanation of how the tax laws work, as well as straightforward, common sense advice on how, in a rational world, they should work.

Larry's knowledge and expertise in the law is exceeded only by the remarkable range of his curiosity, interest, exceptional good judgment. His fascination with the workings of the political system, and the Congress in particular, has significant consequences for me as his representative and his friend. Larry regularly shares with me articles he has read—from various tax journals—on matters of tax policy from the most arcane aspects of partnerships law to the need for comprehensive reform of our federal tax system. His questions and comments on the latest legislative and political actions demonstrate an acute understanding of Washington—I am sure it is this understanding which has kept him quite happily in Baltimore all these years.

I have been fortunate to have the benefit of Larry's legal counsel for the past thirty years. Even when Myrna and I vacation with Larry and his wife, Ann, down in Long Boat Key, I can count on Larry to bring his files with him—that way he gets to bill me and vacation with me at the same time. Before Myrna and I make vacation plans, we check with Larry, who serves as our amateur travel agent and photographer. Before we plant anything in our garden, we consult our resident horticulturist. Before we make any investment decisions, we check with our special financial adviser.

Larry Katz is listed in The Best Lawyers in America, a designation he richly deserves. I am grateful to know first-hand that if they publish The Best Friends in America, he has earned the right to be listed in the first chapter. As he retires, I thank Larry Katz for being a trusted adviser and friend and to congratulate him on a job well done.

CLEVELAND CLINIC CHILDREN'S HOSPITAL FOR REHABILITATION

HON. STEVE C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. LATOURETTE. Mr. Speaker, it is with great pride that I announce the renaming of Health Hill Hospital for Children to the Cleveland Clinic Children's Hospital for Rehabilitation.

Since 1998, Health Hill Hospital for Children has been part of the Cleveland Clinic Health System. Devoted entirely to pediatric development, Health Hill has one of the largest teams of pediatric therapists in the nation. In addition to being one of the world's preeminent medical research and educational facilities, the Cleveland Clinic Health System is northeast Ohio's foremost provider of comprehensive medical and rehabilitative services to children requiring long-term treatment. Not only does the hospital's pediatric staff provide excellent care to critically ill and disabled children, but they do so in a comforting and caring environment that eases the children's fears and worries.

The primary goal for Health Hill is to create a more independent lifestyle for these children and their families. For example, by providing unique programs, like the Day Hospital Program, children can receive daily intensive therapy without having to be hospitalized. Day Hospital patients receive therapy, nursing and medical care, yet are able to return home to their families each evening and weekend. Providing patients with the opportunity to maintain their routines and home lives is so important in making a sick child feel as ''normal'' as possible. The hospital serves children with a variety of illnesses, ranging from spinal cord and head injuries, respiratory problems, feeding disorders, and burns to chronic or congenital medical conditions.

Mr. Speaker, Health Hill Hospital has proven to be more than just a ''hospital.'' Their commitment to providing the highest standards of medical services for special needs children is why they continue to be a shining example of one of the best children's specialty hospitals. Cleveland Clinic Children's Hospital for Rehabilitation is affiliated with the renowned Cleveland Clinic Foundation, ranked among the ten best hospitals in the nation by U.S. News and World Report's annual guide to ''America's Best Hospitals.'' It is exciting to see the resources of this prestigious hospital devoted to the care of children.

Again, I am honored to announce the Cleveland Clinic Children's Hospital for Rehabilitation's new designation, and commend the Foundation's outstanding achievements throughout the past 78 years.

JACK LASKOWSKI: A TRUE LEADER WILL BE DEARLY MISSED

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. BARCIA. Mr. Speaker, on August 8, 1999, friends, family and brothers and sisters of the United Auto Workers lost a great man with the passing of Jack Laskowski. For more than 40 years, he worked in the automotive industry from his first days at General Motors Powertrain in Bay City to his more recent position as a Vice President for the UAW, and the lead negotiator with DaimlerChrysler.

It has been my privilege to know Jack Laskowski. As my mentor, he helped me to truly understand the importance of staying connected with the people we represent. As a friend, he has helped me and so many others understand that anything worth having is worth fighting for as a matter of principle. He carried that attitude throughout everything he did.

A UAW Member since 1958, Jack was elected to Local 362's bargaining committee in 1965. The Committee was headed by his father, Walter ''Bullet'' Laskowski, who himself was the Local's first chairman and participated in the 1936 strike at the plant that led to the formation of the Local. Jack was also interested in politics and served a term as a City Commissioner of Bay City from 1968 through 1971. In 1982, Jack was named regional director and, in 1992, he was elected as the Director of UAW Region 1D. He was then elected Vice President of the United Auto Workers at its 31st Constitutional Convention in 1995.

Jack Laskowski had a tremendous ability to understand and appreciate the problems that people face in their every day lives. Whether it was the need for a better wage, safer working conditions, or helping his union brothers and sisters deal with the needs of their children, Jack Laskowski could always be counted on to be part of the solution.

Those of us in public office in Michigan knew how important and vital help from Jack Laskowski could be. He looked at politics as an important extension of his efforts to help make life better for his union brothers and sisters. Some things the company and union could do. Other things needed help from the government. It was part of his life's work to

make sure that government knew what Jack's brothers and sisters needed.

Jack could not have achieved these great accomplishments without the support of his loving family and is survived by his wife Sally, and his sons Greg, Tim and Mike.

Mr. Speaker, throughout our lives we may be fortunate to meet precious few people who make a real difference, and who deserve to be admired. For me, Jack Laskowski was such a man. Jack may no longer be with us, but the glories of his work will continue to benefit workers for years to come. I ask you and all of our colleagues to join me in honoring this wonderful gentleman, and in offering our condolences to this family following their loss of this true leader.

RECOGNIZING THE ''SUITING UP FOR SUCCESS'' PROJECT FOR STUDENTS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize the Suiting Up for Success project, which is a professional attire drive that benefits successful Fresno City College welfare-to-work students. The kick-off event will be on September 21, 1999.

In 1998, management consultant and human resource specialist, Sue McCombs of McCombs & Associates created ''Suiting Up for Success'', in response to the Central San Joaquin Valley communities double digit unemployment rates. ''Suiting Up for Success'' is a professional attire drive that benefits successful Fresno City College welfare-to-work students that has approximately 1,000 students enrolled. Last year, 3,000 suits were collected. The 1999 goal is to collect 5,000 suits. All Fresno area business professionals are challenged to donate unwanted men's and women's suits, blouses, skirts, men's shirts, slacks and ties. Business attire collected is made available through a ''professional closet'' operated and maintained by Welfare-to-Work Students. The only beneficiaries of the ''Suiting Up for Success'' campaign are successful Fresno City College Welfare Reform students (graduates).

The project goals are to increase awareness of the welfare reform initiative and it's impact on business owners. To provide our employees the opportunity to support and participate in the local welfare reform initiative. And to support and encourage current Fresno City College welfare program participants.

Mr. Speaker, it is my pleasure to recognize the ''Suiting Up for Success'' project, as they reach out to students who are less fortunate to have professional attire. I urge my colleagues to join me in wishing ''Suiting Up for Success'' many more years of continued success.

HONORING MTSU FOOTBALL'S ADVANCEMENT TO DIVISION 1–A STATUS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GORDON. Mr. Speaker, I rise today to recognize the Middle Tennessee State University football team's advancement into Division 1–A play, which officially took place on September 1. The move is one the university, its faculty and staff, its students, its alumni, and the entire MTSU community can relish.

The Blue Raiders football program has put 17 players into the National Football League. The program has also produced 20 All-American players and 14 Ohio Valley Conference ''Players of the Year.''

MTSU football reached a number of milestones while competing as a Division 1–AA team in the Ohio Valley Conference. The team drew a school and OVC record 27,568 fans for the 1998 home opener against Tennessee State University. It ranked fourth in attendance nationally in Division 1–AA in 1998. And the university has a new football stadium that can handle nearly 31,000 fans to usher in its Division 1–A play. Coach ''Boots'' Donnelly also ended a stellar career (136–81–1) with MTSU at the conclusion of the 1998 season.

As a Division 1–AA football team, MTSU finished in the top 10 of the national polls on 10 different occasions, taking the Number 1 final ranking in 1985 and 1990. And under legendary coach Charles ''Bubber'' Murphy, the MTSU Blue Raiders football team participated in the 1956 Refrigerator Bowl, the 1960 and 1961 Tangerine bowls, and the 1964 Grantland Rice Bowl.

I congratulate the university's move into the highly competitive Division 1–A football arena and wish each and every player, coach and fan good luck in this debut season.

HONORING THOMAS J. D'ALESANDRO III

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. CARDIN. Mr. Speaker, earlier this year, Loyola College in Baltimore took the occasion to honor one of its most distinguished sons, and one of Baltimore's most distinguished citizens. On May 18, Loyola presented its President's Medal for 1999 to Thomas J. D'Alesandro III.

Baltimore has a rich and proud political history, full of leaders who have served our community with distinction. It is no small honor, then, to be designated as the ''First Political Family of Baltimore.'' Yet the D'Alesandro's would certainly be at the top of any list of nominees.

Tommy D'Alesandro, Jr., the father of Tommy III served as Mayor of Baltimore, and later was elected to this House. His wife Nancy was a political force in her own right, and a major player in Democratic politics in the city.

When it came time for the next generation to step up, they did so with energy and dedication. Tommy was elected to the City Council, served as its president, and then was elected Mayor of Baltimore. During his time of leadership in city government, Baltimore, like most major cities across the country, went through trying times as the civil rights movement expanded.

The major civil rights legislation of the mid-60s, including the Civil Rights Act of 1964 and the Voting Rights Act of 1965 represented an earthquake in American politics, and nowhere was this more true than in our great urban centers. Municipal leaders across the country faced challenges that required courage and a firm adherence to principles of democratic government.

As Mayor and as president of the city council, Tommy D'Alesandro showed himself to be up to the task. He shepherded Baltimore's own Civil Rights Act through the city council. In this action, as in so many of his decisions in public life, he was guided by the moral principles that were instilled in him during his years studying under the Jesuits at Loyola College.

Mr. Speaker, any discussion of the political accomplishments of the D'Alesandro family would be sadly incomplete without an accounting of the family's spread across the continent. As a son of Baltimore, I am proud to note that the D'Alesandro family's talent for leadership, which we have long come to appreciate in our city, are now well known on the West Coast. I am speaking, of course, of our distinguished colleague from the San Francisco Bay area.

Nancy Pelosi, my good friend, who represents California's Eighth Congressional District, is the sister of Tommy D'Alesandro. In her commitment to human rights and democracy around the world, and her fierce adherence to the values of working class Americans, she shows the same approach to politics that served her brother and her father so well in Baltimore. It is truly the case that the ''D'Alesandro Way''—the ''Baltimore Way''—has undergone a successful transplant in northern California.

In honoring Tommy D'Alesandro III with the President's Medal, Loyola College bestowed a great and well-deserved honor on a great son of a great Baltimore political family. The text that accompanied the presentation of the President's Medal cited Tommy D'Alesandro for ''his historic contributions to civic life in Baltimore, for the integrity and conviction of his principles, and for his life lived by the highest ideals of service to humankind.'' The words are true, and the honor is richly deserved. I am truly pleased to take this opportunity to join in offering my heart-felt congratulations to Tommy and to the entire D'Alesandro family.

CONGRATULATIONS ON GERMAN-AMERICAN DAY

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. HASTERT. Mr. Speaker, German-American Day will be celebrated on October 6, 1999 with festivities all over the nation.

German-American Day honors all Americans of German descent and their contributions to the life and culture of the United States and October 6, 1999 once again calls

attention to this vital ethnic group and its continuing work and efforts in support of the democratic principles of this country and its commitment to the improvement of the quality of life in the United States.

The first German immigrants arrived at Penn's landing in Philadelphia in 1683. They had been invited to come to the New World by the William Penn, and arrived under the leadership of Daniel Pastorius, to settle in Germantown in Pennsylvania. They proved indeed to be valuable assets to their new homeland. The achievements of German immigrants are legion. Famous names like Carl Schurz, Baron von Steuben, Levy Strauss, John Jacob Astor, Peter Zenger, and more recently Albert Einstein and Henry Kissinger are testimony of Germany-American industriousness, loyalty and contributions.

Congratulations to all Americans of German descent on this important day.

RECOGNITION OF THE ALEXANDER MACOMB CITIZEN OF THE YEAR AWARD

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. BONIOR. Mr. Speaker, today I rise to recognize the March of Dimes 1999 Alexander Macomb Citizens of the year. Beginning in 1984, a group of leading Macomb county citizens instituted the ''Alexander Macomb Citizen of the Year'' award. The award was named after General Alexander Macomb, the county's namesake, who was a hero of the War of 1812, repelling a superior invading force at Lake Plattsburgh, NY, which kept the United States borders intact. Since the inception of the award, over $500,000 has been generated for the Macomb County March of Dimes.

The Alexander Macomb Award is presented annually to deserving individuals who have demonstrated outstanding contributions and commitment to improving the quality of life in his/her community, the county and the State of Michigan. One of the three to be honored is attorney, mother and community activist Deborah O'Brian, Esq. Mrs. O'Brian has been active in the city of St. Clair Shores through her local parade committee, the Miss St. Clair Shores Scholarship Pageant, and the Little Miss St. Clair Shores Pageant. She helped plan, raise funds for, the cohost the St. Clair Shores Cops for Kids Telethon, which raised more than $35,000 in support of kids 12 and under. Mrs. O'Brian participated in the Prosecutor in School Program of the 40th District Court in 1998–1999 and is involved with the Kiwanis Club's ''Say No to Drugs'' program. In addition to her civic commitments, she uses her legal expertise to help others through the Macomb County Bar Association Pro Bono Services.

I am proud to join the March of Dimes in honoring Mrs. Deborah O'Brian, as a Macomb County Citizen of the year.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT. 2000

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2684) making appropriations for the Department of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes,

Ms. DELAURO. Mr. Chairman, as the daughter of a veteran, I rise in support of the Filner amendment to increase veteran's medical care by $1.1 billion.

This amendment would designate these funds as emergency—making it possible to provide vital health care to hundreds of thousands of veterans without cutting any other essential programs.

This amendment is about national priorities—if the bill passes without this amendment, our veterans will truly find their lives, and their health, in real states of emergency. We must do what's right.

Our nation owes our veterans a tremendous debt. These courageous men and women sacrificed everything—whether in World War I, World War II, Korea, Vietnam, or the Gulf War—to ensure the freedom and opportunity that we so often take for granted. It is our responsibility to repay our veterans for the tremendous burdens that they bore and the sacrifices that they made to ensure peace and freedom for this country.

I urge my colleagues to fulfill our commitments to our veterans. Vote for $1.1 billion in emergency funds for veterans' medical care. Vote for the Filner amendment. Do what is right.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. MCDERMOTT. Mr. Speaker, I was absent and unable to vote due to my recovery from heart surgery on August 5, 1999.

August 5, 1999:

I would have voted in favor of the Hall amendment to H.R. 2670 (rollcall No. 380).

I would have voted against the Bass amendment to H.R. 2670 (rollcall No. 381).

I would have voted in favor of the G. Miller amendment to H.R. 2760 (rollcall No. 382).

I would have voted against the Hayworth amendment to H.R. 2760 (rollcall No. 383).

I would have voted in favor of the Tauzin amendment to H.R. 2760 (rollcall No. 384).

I would have voted against the Kucinich amendment to H.R. 2670 (rollcall No. 385).

I would have voted in favor of the motion to recommit H.R. 2670 with instructions (rollcall No. 386).

I would have voted against passage of H.R. 2670 (rollcall No. 387).

I would have voted against ordering the previous question for consideration of H.R. 2684 (rollcall No. 388).

I would have voted in favor of agreeing to the Conference Report on Legislative Branch Appropriations Act (rollcall No. 389).

TRIBUTE TO CAMP ARROWHEAD

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. BLUNT. Mr. Speaker, I rise today on behalf of myself and my colleague, Mr. IKE SKELTON, to pay tribute on the 75th anniversary of the founding of the oldest continuously operating Boy Scout Camp west of the Mississippi River. Camp Arrowhead, located east of Marshfield, Missouri, was begun the summer of 1924, just 14 years after Scouting came to America and only 8 years after this body, the Congress of the United States, chartered the Boy Scouts of America.

I know my colleagues join with me in commending the vision of men like area Scout Executive Allen C. Foster, and organizations such as the Springfield Rotary Club, the Marshfield Merchants Club and the Commercial Club of Springfield which played key roles in the creation of this camp. I doubt those leaders in 1924 could envision microwave ovens, color televisions, the Internet, or jet aircraft, but they could envision a place where dedicated volunteers would help boys grow into young men with character and a commitment to community. And they knew how to translate their vision into reality.

Over 75 summers, tens of thousand of campers have carried out the traditions of Camp Arrowhead where boys developed into leaders, and adults returned to encourage other young scouts to grow as they had been encouraged by others. The impact of Camp Arrowhead is found in friendships, skills and character among a broad range of people in the Ozarks and around the world.

Camp Arrowhead as we see it today with 600 acres of facilities serving the needs of 1,500 scouts and adults each summer could not exist without the continued active support of Scouters and supporters of Scouting around the area. The countless hours of service and dedication by hundreds of volunteers each year ensure that this camp will continue its mission for years to come.

''Do Your Best'' is more than just the Scout Motto. For those who have attended Camp Arrowhead, it is the moving force behind why they come as scouts, why they lead as adults, and why they serve as volunteers.

From the Seventh Congressional District and from this Congress, I offer this commendation to all of those involved for a job well done for the past 75 years with a heartfelt hope that their efforts will continue for at least another 75.

MARKING THE 45TH ANNIVERSARY OF THE COMMISSIONING OF THE ''U.S.S. NAUTILUS''

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. GEJDENSON. Mr. Speaker, I rise today to mark the 45th Anniversary of a wonder of the modern world—the *U.S.S. Nautilus* (SSN571). The *Nautilus* was the world's first nuclear submarine and its creation revolutionized the Navy forever.

Tonight, in my district, citizens will gather by the *Nautilus,* moored now at the Submarine Force Museum in Groton, CT, to mark the 45th Anniversary of the commissioning of this magnificent ship. I am pleased to join them in this effort.

The story of the *Nautilus* actually begins much earlier than September 1954. Beginning with the development of modern submarines in the early part of this century, the Navy had struggled with the problems of prolonged submersion of submarines. The idea of using nuclear power was revolutionary. It promised the ability to stay underwater almost indefinitely. Not only would duration underwater be dramatically increased, but the increase in power would mean that submarines would be able to travel at much higher speeds—up to 20 knots. This combination of factors would mean that submarines would be able to travel all the world's oceans.

When the Navy decided to go ahead with the project, it turned to the incomparable skills of the craftsmen and designers at Electric Boat. Following the keel laying in June 1952, these dedicated employees worked extraordinarily long hours and pushed themselves to complete their task. By January 1954, the *Nautilus* was completed, christened and prepared for testing at the shipyard. Finally, in September 1954, 45 years ago this month, the Navy commissioned its first nuclear submarine. The *Nautilus* made its mark by obliterating previous submarine records for speed, time and distance traveled while submerged. By the time of its first refueling, it had traveled over 62,000 miles. In 1957, it became the first submarine to travel below the polar ice caps. On August 3, 1958 the *Nautilus* made history as the first ship to reach the North Pole.

The *Nautilus* was the first of a long and prestigious line of nuclear submarines that have played a vital role in safeguarding our national security over the decades that followed. Ballistic missile submarines changed the face of strategic stability during the Cold War. Attack submarines kept fleets safe and our shipping secure. Specially modified submarines carried out critical intelligence and special operations missions. Now, we are on the verge of deploying the next generation of submarines, one that once again will be empowered with unprecedented capabilities.

Now I stand here, ten years after the Cold War, in the Capitol of the only superpower on Earth. The *Nautilus,* the ships that followed and the great Americans who built and sailed them have made this possible. On this anniversary, we honor more than a piece of machinery. We honor all that it represents ingenuity, hard work, courage and patriotism.

RECOGNITION OF THE ALEXANDER MACOMB CITIZEN OF THE YEAR AWARD

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. BONIOR. Mr. Speaker, today I rise to recognize the March of Dimes 1999 Alexander Macomb Citizens of the year. Beginning in 1984, a group of leading Macomb county citizens instituted the ''Alexander Macomb Citizen of the Year'' award. The award was named after General Alexander Macomb, the county's namesake, who was a hero of the War of 1812, repelling a superior invading force at Lake Plattsburgh, NY, which kept the United States borders intact. Since the inception of the award, more than $500,000 has been generated for the Macomb County March of Dimes.

The Alexander Macomb Citizens of the Year Award is presented annually to deserving individuals who have demonstrated outstanding contributions and commitment to improving the quality of life in his/her community, the county and the State of Michigan. One of the three to be honored is retired Macomb County Sheriff's Department Inspector Ronald Lupo. Inspector Lupo is a recognized community leader who has put his life on the line on many occasions for the citizens of Macomb County. After serving in Vietnam and as a member of the U.S. Army elite precision honor guard squad, Inspector Lupo joined the Macomb County Sheriff's Department. During his 30 years with the Sheriffs Department, he handled some of the most difficult duties associated with police work, including hostage negotiations. As a Grand Jury Investigator his work resulted in 17 narcotics raids and returned 50 indictments. For 11 years, Inspector Lupo served as commander of the department's investigative and administrative services divisions. He served as the county's first youth officer and helped create the first youth bureau and the first school liaison program in Macomb County. In 1984, Michigan Governor James Blanchard appointed Inspector Lupo to serve as a member of the Michigan Committee on Juvenile Justice.

I am proud to join the General Alexander Macomb Chapter of the March of Dimes in honoring one of its founders and 13-year board member, Inspector Ronald Lupo as a Macomb County Citizen of the Year.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT. AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2684) making appropriations for the Department of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes:

Ms. DeLAURO. Mr. Chairman, as the daughter of a World War II veteran, I rise in support of the Filner amendment to add $6 million in emergency spending to help solve the benefit claim problems that have plagued our veterans.

This amendment would provide funds to hire an additional 250 employees to reduce the growing backlog and waiting time for adjudication of benefit claims. Designation of these funds as emergency would make it possible to efficiently get vital health care of hundreds of thousands of veterans without cutting other essential programs.

This amendment is about national priorities. Our veterans must not be left grapping with illnesses, unpaid bills, and looming expenses because their claims are tied up in red tape.

Our nation owes our veterans a tremendous debt. These courageous men and women sacrificed everything—whether in World War I, World War II, Korea, Vietnam, or the Gulf War—to ensure the freedom and opportunity that we so often take for granted. We must repay our veterans for the tremendous burdens that they bore and the sacrifices that they made to bring us peace and prosperity.

I urge my colleagues to fulfill our commitments to our veterans. Vote for $6 million in emergency funds to reduce the backlog of veterans' benefit claims. Vote for the Filner amendment.

ESTATE TAXES

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. McDERMOTT. Mr. Speaker, the issue regarding the Federal estate tax, and the role it should play in our Federal tax structure, is one of the most important that Congress will face when it considers tax legislation this fall. Those who have attached the estate tax as unfair to small business and as being very expensive to administer, have, to a very great extent, distorted the record.

The important characteristic to recall about the estate tax is that it impacts less than 3 percent of U.S. taxpayers and to repeal this tax, as many have urged, would be tantamount to granting a tax cut to those in that economic strata. I would hope that my colleagues would see such a result as not justifiable considering our more important national priorities.

Professor Meade Emory of the University of Washington in Seattle has been active and articulate in meeting the criticisms of the estate tax and in pointing out that it is an equitable source of revenue which has a proper place in our Nation's necessary tax structure. Mr. Speaker, I submit his op-ed piece, which appeared in the Seattle Times on July 28, 1999, to be inserted and made a part of the RECORD.

[From the Seattle Times, July 28, 1999]

CORRECTING THE RECORD ON THE ESTATE TAX

(By Meade Emory)

Pause to reflect as to what the reaction would be if the wealthiest 3 percent of the taxpayers clamored that they were desperately in need of a tax cut. Quite naturally, one would not expect this privileged

group to get very far, but their narrow cause has been furthered by a slick strategy of mobilizing a vast cross-section of the American public which is not even subject to the tax the tax-cutters seek to eliminate.

How can this be done, you ask? By instilling fear, by sleight-of-hand and by concealing the real facts, those seeking the cut have been able to enlist a huge portion of the taxpaying public in their selfish objective. This, dear friends, is the scenario that has brought us to where we are in the vigorous debate over the future of the federal estate tax.

By relabeling the estate tax the ''death tax'' (thereby maximizing all that term conjures up) and sweeping under the rug the crucial fact that the tax is only imposed on a small number of the wealthiest Americans (slightly over 1 percent of those who die each year), and then only to the extent the deceased person's assets exceed $1 million ($2 million for a married couple), a far larger-than-deserved army of supporters has been duped into lining up for the elimination of a tax that doesn't even affect them. In doing this, those opposing the estate tax have trotted out numerous fallacies to stir many to emotional highs. This misinformation must be scrutinized.

The estate tax can go since it raises such a small amount of revenue. This may be true if approaching 2 percent of total federal tax revenue is small. The fact is, though, just this month, due to the huge jump in wealth in this country, Treasury estimators had to increase the estate tax annual revenue estimate for next year from $27 billion to $31.4 billion. This puts the spot-light on the ever-widening and societally damaging economic gap between rich and poor, and the tax's larger share of revenue is going to make it politically and fiscally harder to obtain outright repeal.

Wealth has already been taxed. Since most of the wealth subject to the estate tax represents appreciation in value of assets like stock, securities, real estate and collectibles, which has not been, nor will it ever be, subject to income tax, this claim simply is not so. Because property owned by a decedent receives a new tax basis for income-tax purposes, the estate tax represents the last and only chance to tax that otherwise untaxed gain. Why should gain, generated by the huge stock market and real-estate boom and enjoyed by the wealthiest among us, escape any kind of taxation whatsoever?

Rates are unreasonably high. True, the top statutory estate-tax rate is 55 percent (reached on property in the estate in excess of $3 million), but through sharp planning (primarily by using illusory minority and fractional interest discounts) the effective rate paid by the most well-to-do can be cut to less than half that. However, as income-tax rates are relatively flat (compared to what they were), more than one-third of the tax system's progressivity is attributable to the estate tax. Since those subject to the estate tax are those who benefit the most from the stable society that helped them prosper, there should be a place for a tax that measures the amount of taxation by the taxpayer's ability to pay and the estate tax, impacting only the very wealthiest, is designed to do that.

Cost of administration. The foes of the estate tax fallaciously trumpet that the cost to administer the estate tax exceeds the revenue it raises. A broad reading of the term ''administration costs,'' would seem to include (1) IRS administration costs, (2) taxpayer planning costs, and (3) taxpayer compliance costs. At most, only 2 percent of the total IRS budget of about $8 billion, or about $150 million, is spent by it on all aspects of the estate tax. Regarding planning for the tax, using what taxpayers actually pay to plan estates (e.g., from $2,500 for estates less than $2 million to $50,000 for estates over $40 million) the total of taxpayer planning costs, even assuming they may go through the process twice due to changes in the law, is less than $1 billion. As to compliance, much of estate administration (e.g., listing of assets, accomplishing their transfer to heirs, etc.) would still be done even in an estate-tax-free world. Even if a generous number is used per estate in this regard, the total cost of all administration (public and private) does not exceed 7 percent of the $30 billion revenue brought in by the estate tax.

Assets have to be sold to pay the tax. A great deal of the rhetoric on this issue revolves around the lack of liquidity to pay the estate tax and the related threat that businesses may have to be sold to pay the tax. Certainly, in large estates, sales will be necessary to pay the estate tax (note, at no income tax cost!). Most often, however, the assets sold are non-business financial assets (e.g., widely held stock or liquid real estate). In reality, the major need for liquidity arises not because the estate holds business property but, rather, because of the need to compensate, with a fair share, those heirs not wishing to stay in the business.

Further, the business in the estate is frequently sold simply because the heirs, having developed their own careers, have no desire to slave in their parents' vineyard. Most estate planners say they never see a forced sale of a business to pay the estate tax. However, since this point is really the only legitimate point opponents to the tax have raised, current scrutiny of the tax should include possible changes in the law designed to eliminate ''fire-sale'' business dispositions compelled to pay the IRS.

Obviously, few have a deep yearning to pay taxes. Equally obvious, all parts of our tax system can be improved. We cannot deny, however, Justice Holmes' statement that ''Taxes are the price we pay for civilized society.'' The burden of those taxes should, though, be allocated rationally among our citizens, with those having the largest ability to pay assuming the greater responsibility. The estate-tax exemptions (presently on schedule to soon reach $1 million, $2 million for a married couple) are designed to exempt small and even mid-sized estates from the tax altogether, thus focusing the estate tax's impact on those with the most wealth available to pass to their heirs at death. Increasing those exemption levels to exempt even more middle-range estates may, indeed, be appropriate as more wealth is accumulated by the ''near'' rich. However, not only would gutting the entire estate tax knock a huge hole in federal revenues (hereby preventing the enactment of other tax cuts, such as fixing the marriage-tax penalty, designed for the far less affluent) it would be an unconscionable and unjustified boon to the very, very rich, something neither they nor this country needs.

COMMUNITY BANK OF THE BAY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Ms. LEE. Mr. Speaker, I rise to recognize the significance of the establishment of the Community Bank of the Bay in the East Bay of San Francisco in the 9th Congressional District of California. Community Bank of the Bay came into existence three years ago, today, through the vision of its founding Board of Directors and many community supporters.

Community Bank of the Bay is to be recognized for several reasons: it is the first formally chartered community development bank in the State of California, and was the third such Bank in the United States.

Community Bank of the Bay was also the first bank to be authorized as a Community Development Financial Institution (CDFI) by both the United States Treasury Department and the State of California.

Community Bank of the Bay is also to be recognized, and valued because it is committed to being an equal lending bank as well as an equal employment opportunity institution. Through my constituents, I have learned that the bank, and Mr. McDaniel, the President and Chief Executive Officer, take a personal interest in reaching out to ethnic minority borrowers, of both business and multi-family loans, who have been denied loans by larger banks. The bank goes to the prospective borrower, rather than sitting in marble halls waiting to intimidate a novice entrepreneur.

Over 70% of the Bank's borrowers are located in Oakland. Over 60% of the Bank's small business loans are to entrepreneurs who have never borrowed from a bank before. The Bank has developed a highly successful lending program with no losses to date and focuses on helping its customers succeed.

It pleases me that good service to the community is recognized by the community in terms of patronage: today, the Community Bank of the Bay has grown to $34 million in assets with over $28 million in deposits.

The primary focus for the Bank lending remains small businesses, non-profits and multi-family housing providers in low-to-moderate income census tracts.

Mr. Speaker, I am very proud of the vision and the performance of this wonderful bank which serves an underserved community, and yet waxes strong; grows in assets and deposits, meets its payroll and sinks its ever-stronger and deeper roots into a grateful community.

On behalf of my constituents, I want to congratulate the Community Bank of the Bay on its third anniversary and look forward to celebrating many more.

RECOGNITION OF THE ALEXANDER MACOMB CITIZEN OF THE YEAR AWARD

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. BONIOR. Mr. Speaker, today I rise to recognize the March of Dimes 1999 Alexander Macomb Citizens of the year. Beginning in 1984, a group of leading Macomb County citizens instituted the ''Alexander Macomb Citizen of the Year'' award. The award was named after Gen. Alexander Macomb, the country's namesake, who was a hero of the War of 1812, repelling a superior invading force at Lake Plattsburgh, NY, which kept the United States borders intact. Since the inception of the award, more than $500,000 has been generated for the Macomb County County March of Dimes.

The Alexander Macomb Award is presented annually to deserving individuals who have demonstrated outstanding contributions and commitment to improving the quality of life in

his/her community, the county and the State of Michigan. This year, three honorees were chosen, including a Family of the Year. This year's family honoree is the Zuccaro family. Albert and Lillian Zuccaro, and their sons Dino, Alan, Rick, and Mark have established several successful business in Macomb county. Mr. Zuccaro and his sons now own and operate Café Zuccaro, Wolverine Banquet Center, Zuccaro's Country Kitchen, and Zuccaro's Holiday House.

The Zuccaro family has actively supported several worthwhile organizations in Macomb County, including the Mount Clemens Rotary Club, the Salvation Army, the Macomb County Chamber of Commerce, and the Special Olympics. They donate to homeless shelters around Macomb, as well as safe houses for abused women and children.

I am proud to join the March of Dimes in acknowledging the wonderful tradition of community service that the Zuccaro family has started and continues within Macomb County.

YUMA CROSSING NATIONAL HERITAGE AREA

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PASTOR. Mr. Speaker, more than 60 years before the European settlement in Jamestown, Virginia and more than 80 years before the Pilgrims landed at Plymouth Rock, Francisco Vasquez de Coronado marched across southeastern Arizona in search of the fabled Seven Cities of Gold. To supply Coronado's expedition, Captain Hernando de Alarcon commanded three ships through the Gulf of California into the mount of the Colorado River.

Spanish explorer Hernando de Alarcon became the first European to venture into what is now the southwest portion of the United States just below the confluence of Colorado and Gila Rivers. There they made use of a geological formation in the Lower Colorado consisting of two massive granite outcroppings, known to us as the Yuma Crossing. Alarcon's voyage is the first European discovery of the Colorado River, and the Crossing became a natural bridge which played an important role in the western settlement of the United States.

Father Eusebio Francisco Kino mapped supply routes to California through the Yuma Crossing, a route that would be used in many expeditions and by many colonists. Using the knowledge pioneered by Father Kino, Captain Juan Bautisma de Anza led more than 200 settlers and herds of livestock across the treacherous Colorado River using the Yuma Crossing. Once across, Anza traveled westward across the desert to San Gabriel then turned north and established the town of San Francisco in 1776.

Kit Carson traveled the Yuma Crossing as he carried dispatches between California and New Mexico to report on the United States' successful military conquest of California in the war with Mexico in 1846. It was during the War with Mexico that Lt. Col. Phillip St. George Cooke used the Yuma Crossing to establish the Gila Trail, a passageway used by California's gold seekers, pioneers, ranchers, farmers and military.

Yuma Crossing became a strategic military location following the Mexican War. Settlers and the Quechan Indians fought for the rights to hold ferry operations across the Colorado. In 1852, Fort Yuma was established to keep the peace between settlers and the Quechans.

In addition to its strategic military importance, Yuma became a major port town and transportation hub. Steamboats were used to freight supplies, as were stagecoach and camel caravan. But as Yuma grew, more sophisticated modes of transportation were demanded, the outgrowth of which resulted in the development of the Southern Pacific railroad. With the establishment of the Southern Pacific, Yuma established itself as a major connecting point in the westward expansion of our country.

Today, the City of Yuma has a population of 60,000 residents, and it ranks behind Phoenix and Tucson in population. Aside from its rich history, it is endowed with unique ecological resources. With its rare combination of arid desert landscape, rugged mountains and river wetlands, the natural environment of the area is fascinating. it is the uniqueness of this mix of desert, riparian and aquatic habitats that have brought the citizens of the City of Yuma and Yuma County to seek to designate Yuma Crossing as a National Heritage Area, the first to seek such a designation west of the Mississippi.

Designating Yuma Crossing as a National Heritage Area will help preserve Yuma's early heritage and highlight Yuma Crossing's importance to opening the American West to exploration and settlement. The designation will also serve to preserve and protect its vital wildlife habitats and wetlands areas. Yuma Crossing is a vital link in our nation's heritage, and it is for these reasons that I am proud to introduce legislation that proposes to designate Yuma Crossing as a National Heritage Area. I urge my colleagues to support my legislation to preserve an important part in the history of the Wild West.

VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. TALENT. Mr. Speaker, over the years, the Nation has recognized the debt owed to citizens who serve in defense of our Constitution and the American ideals of free speech, personal liberty, and free enterprise. H.R. 1568 builds on the best examples of this public policy from our Nation's history. From the beginning of the Republic, when the Continental Congress provided land grants to Revolutionary War veterans, we have helped veterans with self-employment and self-sufficiency. 150 years later, the 1944 Servicemen's Readjustment Act, or ''G.I. Bill of Rights of World War II'' provided loan guarantees for returning World War II, and later Korean War, veterans. In the ten years following, the Federal Government provided over 280,000 small business and farm loans to veterans to help include them in the post-war boom and use their talents to propel that boom.

Unfortunately, the Nation's efforts on behalf of veterans have diminished drastically in the intervening 45 years. Over the years, the interests of veterans, particularly the service-disabled, have fallen on infertile ground. While specifically included as a priority of the SBA at its creation, the Office of Veterans Affairs and the needs of veterans have been diminished systematically at the SBA. Elimination of the direct loan program for veterans in fiscal year 1995, at then Administrator Phil Lader's request, resulted in serious diminution of financial assistance for veterans. Total loan dollars dropped from $22 million dollars in loans in 1993 to $10.8 million in 1998. Likewise, training and counseling for veterans dropped from 38,775 total counseling sessions for veterans in 1993 to 29,821 sessions in 1998.

Such neglect, Mr. Speaker, would turn many people away from faith in government. However, as former British Prime Minister Margaret Thatcher might say, veterans are not for turning. In November 1998, the SBA Veterans' Affairs Task Force for Entrepreneurship filed its report. The Task Force examined all SBA programs, including business development, education and training, financial assistance, government contracting, and advocacy to determine ways to improve SBA's ability to assist veterans. The Task Force identified ''high priority'' recommendations. These included:

Legislation to allow guaranteed loans to veterans with certified service-connected disabilities or who were POWs;

A program of comprehensive outreach to assist disabled veterans, including business training and management assistance, employment and relocation counseling, and dissemination of information on veterans benefits and veterans entitlements as required by Title VII;

A company designed to address veterans' issues regarding small business; and

Regulations that include service-disabled veteran-owned businesses as a ''socially and economically disadvantaged business group'' to be solicited for all federal contracts and subcontracts in a documented outreach program.

The Veterans Entrepreneurship and Small Business Development Act of 1999 (H.R. 1568), implements the SBA Veterans' Affairs Task Force's ''high priority'' recommendations.

First, the Task Force recommended guaranteed loan opportunities. H.R. 1568 makes veterans eligible for funds under the microloan, DELTA Loan and State Development Company programs. For example, H.R. 1568 makes veterans eligible for assistance under the SBA's microloan program which provides small loans, i.e., under $25,000, to people seeking initial financing for small business start-up or expansion. Furthermore, H.R. 1568 requires the Small Business Administration to establish a system for loan deferrals for small business owners called up for active duty. It also requires the SBA to make economic injury disaster loans available to self-employed individuals who are called to active duty for the National Guard and reserves. These loan opportunities enable veterans to access capital markets currently available to women, low-income, minority entrepreneurs, and other business owners possessing the capability to operate successful business concerns.

Second, the Task Force identified an outreach program to assist disabled veterans in business training and management assistance, employment and relocation counseling, and dissemination of information on veterans benefits and entitlements as a priority.

H.R. 1568 amends the Small Business Development Act to require the Secretary of Veterans' Affairs, the Administrator of the Small Business Administration and the small business development center associations to train all veterans, including disabled veterans, in business training and management assistance, procurement opportunities, and other business areas. It also establishes an Office of Veterans Business Development and the position of Associate Administrator for Veterans Business Development at the Small Business Administration. This position will be responsible for the formulation, execution, and promotion of programs to provide assistance for small businesses owned and controlled by veterans. Currently, SBA has at least ten Associate Administrators. A minimum of four are required by law, and the titles of only two are specified.

Third, the Task Force urged a veterans' company to address veterans' small business issues. The Veterans Entrepreneurship and Small Business Development Act of 1999 creates the National Veterans Business Development Corporation (NVBDC), the bill's crown jewel. This Corporation will coordinate private and public resources from Federal organizations—for example the Small Business Administration and the Department of Veterans Affairs—to establish and maintain a network of information and assistance centers for use by veterans and the public. Furthermore, NVBDC will have the power to raise and disburse funds, establish initiatives, and award grants in furtherance of its goal of establishing a cohesive assistance and information network for veteran owned business. This is important as H.R. 1568 requires the NVBDC to become self-sustaining by eliminating the Corporation's minimal Federal funding in four years. Finally, the NVBDC will also establish an advisory board on professional certification to work on the problems service members with military technical face in transitioning into the private sector workforce. The board will be composed of representatives of professional certification organizations, such as the Coalition for Professional Certification and veterans organizations such as the American Legion. In addition, NVBDC's board of directors shall invite representatives of the Armed Services and the Department of Labor to participate.

Fourth, the Task Force sought a regulation classifying veteran-owned businesses as a "socially and economically disadvantaged business group." Rather than a regulation, H.R. 1568 affords veteran-owned small businesses an opportunity to compete on the same level with small business concerns owned and controlled by socially and economically disadvantaged individuals. This requires that loan making decisions shall be resolved in favor of the prospective borrower and requires SBA to establish a three-percent goal for contracting with small business concerns owned and controlled by service-disabled veterans.

Mr. Speaker, we all recognize our Armed Forces safeguard our freedoms and liberty at great sacrifice to themselves. Our veterans liberated Europe and the Pacific in the 1940s, stopped the spread of communism in the 1950's, 1960, and 1970s, and freed oppressed peoples in the 1980s and 1990s. These public servants willingly worked for the United States government. H.R. 1568, the Veterans Entrepreneurship and Small Business Development Act of 1999, makes government work for them. It provides them the opportunity to enjoy the fruits of their labor and the blessings of liberty which they secured.

Mr. Speaker, I attach hereto a section-by-section analysis and urge my colleagues to support H.R. 1568.

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE.

Designates the bill as the "Veterans Entrepreneurship and Small Business Development Act of 1999".

SECTION 2. TABLE OF CONTENTS.

TITLE I—GENERAL PROVISIONS

SECTION 101. FINDINGS.

This section describes Congressional findings regarding the sacrifices and efforts of veterans and their value to the American economy as small business owners.

SECTION 102. PURPOSE.

Describes the purpose of the Act, to encourage the SBA and other agencies to implement further efforts to assist veterans, particularly service-disabled veterans in the formation and growth of small businesses.

SECTION 103. DEFINITIONS.

Establishes definitions of veteran owned and service-disabled veteran owned small business concerns. The term "service-disabled veterans" is based on the definition in Title 38 of the US Code.

TITLE II—VETERANS BUSINESS DEVELOPMENT

SECTION 201. OFFICE OF VETERANS BUSINESS DEVELOPMENT.

Establishes an Office of Veterans Business Development and the position of Associate Administrator for Veterans Business Development at the Small Business Administration. this position will be responsible for the formulation, execution, and promotion of programs to provide assistance for small businesses owned and controlled by veterans. There are currently at least ten Associate Administrators at the SBA. A minimum of four are required by law, and the titles of only two are specified.

SECTION 202. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

This section establishes a federally chartered corporation, the National Veterans Business Development Corporation, for the purpose of guiding and monitoring public and private sector initiatives to assist the Nation's veterans in their efforts to form and grow small businesses. The most significant single purpose of the corporation will be to work with the public and private sectors to establish an independent nationwide network of business assistance and information centers for veterans. The Corporation will managed by a Board of Directors appointed in a bipartisan fashion by the President based on recommendations from the Congress. It will have the power to raise and disburse funds, establish initiatives, and award grants in furtherance of its goal of establishing a cohesive assistance and information network for veteran owned business.

The NVBDC will also establish an advisory board on professional certification to work on the problems service members with military technical training face in transitioning into the private sector workforce. The board will be composed of representatives of professional certification organizations, such as the Coalition for Professional Certification and veterans organizations such as the American Legion. In addition, the Board of Directors of the NVBDC shall invite representatives of the Armed Services and the Department of Labor to participate.

While they will have no mandate to change or enforce regulations, the Committee hopes that the military and private sector will work in a cooperative fashion to satisfy both the Armed Services training requirements and the public sector's need for standard certification and provide transitioning servicemembers with an easy entrance to civilian life.

To start the NVBDC it will have an initial authorization of $2 million in the first year and $4 million in the second and third years, dropping back to $2 million in the fourth and final year. After the fourth year the Corporation will be self funded from private donations and no longer be eligible for federal funds. The Committee has already received testimony in support of private funding of the NVDBC and fully expects the Corporation to be self supporting within four years.

SECTION 203. ADVISORY COMMITTEE ON VETERANS AFFAIRS.

Establishes an eight member committee to provide independent advice and policy recommendations to the SBA, Congress, and the President. The committee will conduct hearings, collect information from federal agencies, develop, monitor and promote programs to aid veteran's business development, and issue an annual report to the Congress. The Committee will terminate on September 30, 2004 and its responsibilities will devolve onto the National Veterans Business Development Corporation.

TITLE III—TECHNICAL ASSISTANCE

SECTION 301. SCORE PROGRAM.

This section requires the Service Corps of Retired Executives (SCORE) and the SBA to establish a program for directing management and technical assistance to veteran-owned small business and veterans wishing to establish small business concerns. SCORE provides advice and technical assistance to small businesses free of charge through a nationwide network of volunteers.

SECTION 302. ENTREPRENEURIAL ASSISTANCE.

This section requires the Small Business Development Center (SBDC) system and the SBA to establish a program for outreach and assistance to veterans and veteran-owned small businesses. SBDC's provide free management and technical assistance to small business owners through over 900 sites located at colleges and universities nationwide.

SECTION 303. MILITARY RESERVISTS TECHNICAL ASSISTANCE.

Establishes a program of technical and managerial assistance, through the SBA, for military reservists who are self-employed or are small business owners and are called to active military duty. Requires the SBA to enhance its publicity of such assistance for the duration of Operation "Allied Force".

TITLE IV—FINANCIAL ASSISTANCE

SECTION 401. GENERAL BUSINESS LOANS.

Includes service-disabled veterans with handicapped individuals in provisions requiring that loan making decisions shall be resolved in favor of the prospective borrower. H.R. 1568 also clarifies that this provision applies only to guaranteed loans and makes no requirement that the SBA reinstitute the direct programs eliminated in the Administration budget submission in 1995. According to the Administration's testimony on June 23, 1999 such a result was not desired by the SBA. Therefore, an amendment was offered to specify and reinforce the Administration's opposition to those programs.

SECTION 402. ASSISTANCE TO ACTIVE DUTY MILITARY RESERVISTS.

Requires the SBA to establish a system for loan deferrals for small business owners called up for active duty. Also requires the SBA to make economic injury disaster loans available to self-employed individuals who are called to active duty for the National Guard and Reserves.

SECTION 403. MICROLOAN PROGRAM.

Makes veterans eligible for assistance under the SBA's microloan program which provides small loans (under $25,000) to people seeking initial financing for small business start-up or expansion.

SECTION 404. DELTA LOAN PROGRAM.

Includes veteran owned small businesses in the eligibility categories for assistance under the DELTA loan program at the SBA.

SECTION 405. STATE DEVELOPMENT COMPANY PROGRAM.

Includes the formation and creation of veteran-owned small business in the public policy goals sought in the 504 loan program for construction and long-term equipment loans.

TITLE V—PROCUREMENT

SECTION 501. SUBCONTRACTING.

Requires the inclusion of small business concerns owned and controlled by veterans in the mandatory subcontracting clause in all government contracts that establishes subcontracting plans.

SECTION 502. PROCUREMENT ASSISTANCE.

This section requires the SBA to establish a five percent goal for contracting with small business concerns owned and controlled by service disabled veterans.

TITLE VI—REPORTS AND DATA

SECTION 601. REPORTING REQUIREMENTS.

Requires the heads of each federal agency to report to the Small Business Administration concerning contracting with veteran owned and service-disabled veteran owned small businesses.

SECTION 602. REPORT ON SMALL BUSINESS AND COMPETITION.

Requires the SBA to include information on small business concerns owned by veterans and service disabled veterans in the annual report on small business participation and opportunities in federal procurement.

SECTION 603. ANNUAL REPORT.

This section requires the Administrator to submit an annual report to Congress on the needs of veteran owned small business and the progress of programs designed to aid and promote veterans small business ownership. The Administrator shall also provide statistical information on veterans participation in SBA programs.

SECTION 604. INFORMATION COLLECTION.

Requires the collection of procurement data on veterans and service-disabled veteran owned small businesses, and collection of information on the procurement practices of each federal agency. All such information is to be made available to any small business concern requesting it. The information is also to be distributed to federal procurement officers. Also requires the SBA and VA to work to establish a database on veteran owned small business concerns.

TITLE VII—MISCELLANEOUS PROVISIONS

SECTION 701. ADMINISTRATOR'S ORDER.

Requires the administrator to strengthen and reissue the order implementing the provisions of PL93–237 which requires the SBA to fully include veterans in all the programs, purposes and activities of the agency.

SECTION 702. OFFICE OF ADVOCACY.

Requires the Chief Counsel for Advocacy of the US Small Business Administration to include an evaluation of the efforts of the federal government to assist veteran owned small business concerns as one of his primary functions. The Chief Counsel is also required to provide statistical information on veterans utilization of federal programs. Also requires the Chief Counsel to make recommendations to the Administrator of the SBA and Congress on programs and efforts to assist veteran owned small business concerns.

SECTION 703. FIXED ASSET SMALL BUSINESS LOANS.

Requires the Government Accounting Office to conduct a study of the feasibility of using the VA home ownership loan program as a source of fixed asset financing for veteran-owned small businesses.

PERSONAL EXPLANATION

HON. DAN MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. MILLER of Florida. Mr. Speaker, I rise today to insert in the RECORD that I inadvertently voted ''yes'' on rollcall 392 on September 8, 1999. I intended to vote ''no'' on this Roemer amendment to H.R. 2684 to stop funding for the international space station.

I believe this is an important NASA project. I have supported the space station in the past and have voted against Mr. ROEMER's previous amendments to kill the space station.

IN HONOR OF THE LATE MAX KLEIN

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the memory of Max Klein, a volunteer and community leader who will be greatly missed by the South Florida community.

After spending a large portion of his life in New York as a highly successful newsreel editor, Max Klein and his wife Anne retired to South Florida where they took up residence in Lauderhill. Max soon plunged himself into the community in the hopes of improving the lives of his new neighbors and friends. Attending local government meetings on a regular basis, Max became totally immersed in the South Florida community. He contributed his time to various political campaigns and judicial battles, for Max truly believed that one man could make a difference. He was undoubtedly successful at getting his voice heard on all levels of government. As Commissioner Ilene Lieberman, former Mayor of Lauderhill and current County Commission Chairwoman, recently noted, ''Max was a very special person. . . . He definitely made a difference in the community.''

In addition to his outstanding activism, Max Klein distinguished himself through his extraordinary devotion to volunteerism. Soon after moving to Lauderhill, Max became involved at his local library, teaching gifted children how to write creatively. This involvement soon led him to become involved with the Pompano Beach Middle School as well. In honor of this tremendous devotion to volunteerism, Max was elected to the Dr. Nan S. Hutchison Broward Senior Hall of Fame.

In summary, Max's extraordinary devotion to the community around him is truly a rarity in this age, and he will be sorely missed by the Lauderhill community, as well as by the South Florida community at large. Max Klein was an extraordinary human being who went above and beyond what he needed to be, because of his sincere desire to help his fellow man. We will all miss Max, but we are lucky to have so many memories of his life and work.

IN HONOR OF NORTHEAST OHIO'S DESIGNATION AS THE 74TH CLEAN CITIES REGION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Northeast Ohio's designation as the 74th Clean Cities region under the U.S. Department of Energy's Clean Cities Program.

Clean Cities is a national partnership formed to increase the use of clean-running alternative fuel vehicles. The Northeast Ohio Clean Cities designation encompasses Cuyahoga, Lorain, Medina, Summit, Portage, Geauga, Lake, and Ashtabula Counties in Northeast Ohio. The Northeast Ohio Clean Cities program is driven by The Northeast Ohio Clean Fuels Coalition, a group of dedicated people and organizations led by the Earth Day Coalition, a long-time leader in environmental protection for Northeast Ohio.

On Tuesday, September 14, 1999, U.S. Energy Secretary Bill Richardson will formally designate Northeast Ohio as the 74th Clean Cities region in a ceremony to be held at the Great Lakes Science Center on Cleveland's Waterfront. The Northeast Ohio region joins other partners recognized by the U.S. Department of Energy, including Pittsburgh, Cincinnati, and Chicago.

Northeast Ohio, a region historically known as a pioneer in the automobile industry, has more recently become a leader in the production and use of electric and alternative fuel vehicles. The Greater Cleveland Regional Transit Authority helped pioneer the use of alternative fuels in its fleet. Northeast Ohio is home to the NASA Glenn Research Center, an organization pioneering the future of hybrid engine technologies. Furthermore, the Northeast Ohio Clean Fuels Coalition was formed to promote alternative fueling stations and alternative fuel vehicles to regionally facilitate the development of a nationally viable alternative fuels industry. Achieving Clean Cities is a significant next phase in Northeast Ohio's commitment to alternative fuels and alternative fuel vehicles. This designation is an important step to achieving more local awareness and acceptance of alternative fuel vehicles that will, in turn, draw greater support for legislation that will enhance the alternative fuels marketplace.

As the 74th Clean Cities region, the Northeast Ohio Clean Fuels Coalition will seek to facilitate alternative fuel vehicle production, conversion, and use, expand fueling availability, create new jobs and commercial opportunities, advance objectives outlined in the Clean Air Act Amendments of 1990 and the Energy Policy Act of 1992, increase public awareness of alternative fuel benefits, and provide greater fuel choices in the Northeast Ohio area.

I am pleased to welcome Secretary Richardson to the Northeast Ohio area where I am certain he will be impressed by the commitment of the dedicated individuals who are working to make Greater Cleveland a more environmentally and economically sustainable

place to live and work. It is an honor to recognize the Department of Energy's Clean Cities program and the Northeast Ohio Clean Fuels Coalition on the floor of the U.S. House of Representatives.

IN TRIBUTE TO DR. ALEXANDER GONZALEZ, PRESIDENT OF CALIFORNIA STATE UNIVERSITY SAN MARCOS

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. CUNNINGHAM. Mr. Speaker, I was honored on Sept. 1, 1999, to take part in the first inauguration ceremony of the California State University San Marcos, and to listen closely to the remarks of its energetic President Alexander Gonzalez.

The CSUSM campus represents a way station on the road to the American Dream for thousands of people of North San Diego County today and for tens and hundreds of thousands of people in Southern California tomorrow. While San Marcos until recently could claim to be the newest Cal State campus, like the community where it is located, it is growing and maturing. And now, in its tenth anniversary year, Cal State San Marcos is the sole four-year public university in one of the most rapidly growing regions of the country. And it is North County's only federal depository library.

And it is becoming truly great.

You can see its new greatness with new buildings arising on campus, new housing in the works, and a new outdoor facility for track and field. Even the long-overdue replacement of the Twin Oaks Valley Road interchange is under way, serving this campus and the surrounding community.

But its true greatness is more difficult to view on first glance. It is less evident in its buildings than in its people—in the legacies established by the late State Senator Bill Craven and its first president Bill Stacy, and in the person of its current President, Alexander Gonzalez.

Cal State San Marcos is on the front lines of training a new generation of quality teachers for our schools. it is instructing this generation and the next about the tremendous new opportunities available in science and technology, and in commerce and entrepreneurship. It is doing this for an increasingly diverse population of young people and adults, many of whom are the first in their families ever to obtain a college education.

For the vision of President Gonzalez is for men and women to gain at his campus the tools they need to achieve and, in the case of the many teachers that this campus trains, to pass that tremendous dream on to others.

North County's community future will be built upon the CSUSM campus, upon its people, upon its students and alumni, and upon President Gonzalez. With the work done there, the people of the community I represent will be better citizens, and a stronger community, making a brighter future.

I am honored to insert into the permanent RECORD of the Congress of the United States the remarks delivered by President Gonzalez on Inauguration Day, and commend them to my colleagues and the public.

INAUGURAL ADDRESS

(September 1, 1999)

Dr. Alexander Gonzalez

Mr. Chairman, members of the Board of Trustees, Chancellor Reed, students, faculty, staff, honored alumni, and distinguished friends of CSU San Marcos—

I accept this presidential insignia and the responsibilities it represents with a profound sense of optimism and my total commitment to building this young University's next decade of excellence.

When I arrived in 1997 as interim president, I promised to give 100% of my effort to the challenges the university faced. I knew I would keep that promise. But it became quickly apparent that the faculty and staff, as well as the citizens of North San Diego County and the greater Southern California region we serve, were prepared to match my effort with an equal effort of their own. To all of you—partners in building this University—thank you for the vote of confidence that led to the honor of my assuming the presidency of CSU San Marcos.

A typical inaugural speech might emphasize the present state of the University and a vision of its future. However, many of you have heard that speech from me, just last week in my convocation address. So, given the current challenges of higher education, today I would prefer to share some of my thoughts about the role of a university president within that context.

In doing so, I can take advantage of the unusual circumstances of this inauguration, one that comes more than two full years past my initial appointment as interim President, to reflect upon what I have discovered through attempting to provide leadership at this young institution.

As Mayor Smith mentioned, the motto of the city is ''Valley of Discovery''. The phrase comes from the discovery of the valley, named by Spanish soldiers chasing horse thieves on St. Mark's Day, April 25, 1797.

The Spanish soldiers came looking for horses, but discovered instead a fertile valley, a land of great beauty, indeed, a great discovery. Fifty years later, Major Gustavus French Merriam came here from Topeka, Kansas looking for farmland. He homesteaded 160 acres in north Twin Oaks Valley—just the other side of the clogged highway overpass you might have taken to get here. Unlike the Spanish soldiers, he discovered exactly what he was looking for. And he began to create—literally—a land of wine and honey amidst the Twin Oaks.

Of course, these discoveries were not new. Before either 'discovery' Native American people already lived here and some still live here today. They had inhabited this terrain for centuries. Similarly, university leadership, even in a rapidly growing valley that many new inhabitants are just now discovering, is not necessarily about staking out new territory. In many instances, the problems of leading a university remain the same as in the past. One challenge of a presidency is to bring a fresh perspective to the cyclical problems that universities face. As Hungarian scientist Albert Szent-Gyorgyl wrote, ''Discovery consists of seeing what everybody has seen and thinking what nobody has thought.''

Ironically, CSU San Marcos frequently has used language that implies no history at all, as if the external and internal forces governing universities had never existed. The first brochure about the campus referred to it as built ''from scratch'', and the first catalog talked about building ''from the ground up''. But the historians among us know that there is no ground zero; our present always contains our past. We know that events and circumstances occur within frameworks of meaning, of time, of geography, of culture.

CSU San Marcos exists within the particular histories of higher education institutions in the state of California and the United States. In fact, the young university soon became bound within the constraints of tradition, from the CSU system and from each individual's past perspective of what had worked or failed at the last university where each had been. So, history and tradition already govern this new enterprise. University leadership requires, in part, rediscovering the same problems that we have had all along, but encouraging the entire campus community to contribute new solutions.

The process of leadership has always been multi- and not unidimensional. Yet, since coming to San Marcos two years ago, I have also dwelled in the land of discovery, facing new challenges of public higher education and new ways of thinking about leadership. And while I have confronted novel situations, perhaps the greatest challenge that I have discovered at San Marcos is the fact that the bounds of tradition present the greatest barrier to discovery and creativity. The traditions that guide us can also thwart our attempts to break from the usual and push beyond the limits of convention.

We need to bring new perspectives towards meeting these challenges, a point of view based on student achievement and student success. Traditional structures, traditional measurements, traditional calendars won't do the job.

Neither will a traditional presidency. In the fall '98 issue of THE PRESIDENCY, Stan Ikenberry asks his readers: ''Where are the giants? Where are the Conants, the Kerrs, the Gilmans, and the Hesbergs?''

I do not believe that we will find a new leadership for higher education by revisiting the past, invoking the good old days when the towering figure of President overshadowed the university campus. The gentlemen Presidents just mentioned—and it goes without saying that educational leadership was the province of a few gentlemen—were ''larger than life'' public philosophers. They were men—always men—convinced of their destiny to lead not only their institutions, but also the nation. They followed the tradition of millenia, the ''great man'' as leader.

Times have changed. We seek new ways to meet old challenges, but also innovative ways to respond to the new realities of student needs. We have learned that no one leader can create a new university; no one individual can assure that the university succeeds. Instead of a ''cult'' of leadership wrapped around one individual, we should evolve into a culture of leadership. We need to utilize leadership throughout our organization, not solely in the Office of the President. This model doesn't imply that everyone becomes an administrator, multiplying our layers of bureaucracy. It does mean that everyone takes responsibility for solving problems, and whenever possible, doesn't simply pass our students to another office, another professor, or to another university. And I believe that we—teachers, faculty members, and even the university president—are uniquely able to utilize such a model of grassroots or distributive leadership.

How will we do that? In a culture of leadership, leadership will be understood as an interdisciplinary endeavor. We will incorporate both the disciplines we have set about to master in our chosen fields as well as the culture in which we reside, that we will never master, only negotiate. This is the kind of leadership teachers already understand very well. And what is a teacher? A teacher is a guide, who both facilitates discussion and listens, who teaches by example, and learns by teaching. John F. Kennedy

stated, ''Leadership and learning are indispensable to each other.'' Despite the decades since his comment, we are not yet accustomed to thinking of interactive guidance as leadership. Perhaps the times and challenges are ready for us to do so.

Let me give an example of this sort of teaching and learning leadership. In the book, Sacred Hoops, Coach Phil Jackson talked about his work with Michael Jordan. With such a gifted athlete, no coach could do much traditional ''coaching'' to improve Jordan's basketball skills. Instead, Coach Jackson focused his efforts with Jordan on making him a leader of the team. Within five years of joining the league, Jordan began to see his role not just as stealing balls and scoring points, but as a leader-teacher whose job was to help raise the level of play of every other player on the team.

I see the job of university president as a leader teacher. That kind of leadership requires a few things of us. First, we must have teachable points of view. Of course, we need to have views on how the world operates and how to get things done, but this is never sufficient. We also need to invest the time and effort to make those points of view teachable to others. We need to think about our experiences, draw lessons from what we know, and figure out how to share those lessons with others.

Second, we need a serious commitment to teaching, to make it a top priority in everything we do. I learned this best through my mentor, Elliot Aronson, who is known primarily for his work as a researcher. But Elliot knows it is his mentors and students who teach him and inform his understanding of the world. It is his own serious commitment to teaching that has produced a new generation of great researchers. I am certain that he knew of the wise counsel of the great scientist, Linnacus, who recommended this practice centuries ago. ''A professor can never better distinguish himself in his work than by encouraging a clever pupil, for the true discoverers are among us, as comets among the stars.''

In his classic book on social psychology, The Social Animal, Dr. Aronson writes that, in order to grow, we must learn from our own mistakes. But if we are intent on reducing dissonance and finding comfort, we will not admit to our mistakes. Instead, we will sweep them under the rug, or worse still, we will turn them into virtues. He concludes by saying, (quote) ''The memoirs of former presidents are full of these kind of self-serving, self-justifying statements . . .'' (unquote)

That will not be the case for this President, nor this campus. Together, I trust that we will seek to foster a culture of leadership that is, above all, about learning. This culture is also about people, not person. I challenge each of us as leaders to become teacher learners. We are not only part of a culture of leadership—we are the culture itself. We are attracted to institutions like CSU San Marcos—faculty to teach, students to learn, presidents to help this process—because of values we find here or values we wish to bring here. New to this Valley of Discovery, I have learned that we must inculcate the value of shared leadership, of the leader as teacher learner, or we surely will not meet our collective challenge.

Soldiers came to this Valley searching for something they had lost, and they discovered a beauty that they had not known existed. The first homesteader found promise and developed a land of wine and honey. What is it we have come here to do? What have we yet to discover among the Twin Oaks?

Let me finish today by telling you the beginning of the story. The Spanish soldiers who arrived did not know the old indian legends about the land that they discovered. Overlooking our valley to the south is a mountain the Indians called Wee-la-me. It was here on that mountain, the legends said, that the indian Wind-Spirit brought the first students, Native Americans, to teach them together before they were divided into tribes. The most important lesson on the mountain, Wee-la-me, was learning the beauty of the Spirit, duty towards each other, and songs of love, of battle, and of death.

Change was not a good thing for those first settlers of the region. The legend says only that ''the good spirits left them.'' But perhaps, through thinking again of our duty to each other, part of that good spirit may return to us. The duty of President, as I've tried to suggest, is not paternal. It is not about running the campus, nor supervising, and certainly not about dictating change. Our duties towards each other revolve around leading each other towards discovery, towards teaching and learning. The primary job of the University President is to foster that discovery, growth, and change, to ensure that we fulfill our duty to each other.

Honored guests, dear friends and colleagues, thank you again for the confidence you have placed in me. Let us continue to lead each other towards discovery.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2684) making appropriations for the Department 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, and for other purposes:

Ms. PELOSI. Mr. Chairman, I urge my colleagues to support Representative FILNER's amendment to provide $35.2 million for health care benefits for Filipino world War II veterans who were excluded from benefits by the Rescissions Acts of 1946. These veterans have service-connected disability benefits and currently live in the United States.

This is an issue of importance to the Filipino community both in San Francisco and around the nation. As I have testified before at previous House Committee hearings, one can not over emphasize the crucial role Filipinos played in the war. It is clear that the Philippines played a vital role in the outcome of the second world war. Countless Americans and Filipinos sacrificed their lives for their democratic beliefs. Historians credit the battle for the liberation of the Philippine Islands as the beginning of allied victory in the war. The courageous efforts of Filipino soldiers, scouts and guerrillas were central to allied victory in the Philippines, and therefore in the Pacific theater. Now in their time of need, they deserve our support.

In 1941, President Roosevelt, by way of an executive order, brought the Commonwealth Army of the Philippines under the command of the U.S. Armed Forces and in 1945, soldiers known as new or special scouts came under U.S. military command. Because U.S. law at the time dictated that any person serving actively in the military and not dishonorably discharged would be considered a veteran for benefit purposes, these Filipinos would have been eligible for full veterans benefits. However, shortly after World War II ended, Congress passed the Rescission Act of 1946, which revoked the full benefits eligibility of these soldiers, even though other Filipino soldiers who they fought side by side with, eventually became eligible. This Rescission Act is a scar on the historical record of the United States. In a time of war, we asked for and received the commitment of these Filipino soldiers to serve under U.S. authority. We should honor their military service on America's behalf.

While I appreciate the complexity of our federal budget and the benefits issue, it should be clear that this is a moral issue and an equity issue. I hope you will support giving these Filipino veterans the benefits that they deserve and support Representative FILNER's amendment.

TRIBUTE TO A GIRL SCOUT GOLD AWARD RECIPIENT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I would like to salute an outstanding young woman who has been honored with the Girl Scout Gold Award by Farthest North Girl Scout Council in Fairbanks, Alaska. She is: Alisa Pierson.

She is being honored for earning the highest achievement award in United States Girl Scouting. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning and personal development. The award can be earned by young women aged fourteen through seventeen, or in grades nine through twelve.

Girl Scouts of the United States of America, an organization serving over 2.5 million girls, has awarded more than 20,000 Girl Scout Gold Awards to Senior Girl Scouts since the inception of the Gold Award program in 1980. To receive the award, a Girl Scout must earn four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award and the Girl Scout Challenge Pin, as well as design and implement a Girl Scout Award project. A plan for fulfilling these requirements is created by the Senior Girl Scout and is carried out through close cooperation between the Girl Scout and an adult Girl Scout volunteer.

As a member of the Farthest North Girl Scout Council, Alisa Pierson began working on her Gold Award Project during the summer of 1997. Alisa developed her time management and communication skills and then used them in the community by organizing and arranging a picnic at Alaskaland, an outdoor park in Fairbanks, for the residents of Denali Center, an organization that caters to senior citizens with special needs. She also volunteered her time at Fairbanks Community Hospital where she performed data entry for the

Bio Medical Maintenance department. As a result of her accomplishments, Alisa developed greater leadership, organizational and planning skills. Her thoughtfulness also contributed widely to Fairbanks and it's surrounding communities. I believe that Alisa should receive the public recognition due to her for these significant services to her community and her country.

IN TRIBUTE TO M.L. ''LIN'' KOESTER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. GALLEGLY. Mr. Speaker, I rise to honor my good friend M.L. ''Lin'' Koester, who will retire tomorrow as the Chief Administrative Officer for the County of Ventura, California.

Lin is one of those exceptional administrators whose special talent is recognizing, and motivating, talent in others. Many of those who worked for him during his 16-year tenure as City Manager of the City of Simi Valley, California, are now city managers in cities across California and the West. It would not be an exaggeration to say he has had a positive influence on elected officials as well. I had the pleasure of serving with him during my entire time on the Simi Valley City Council, including two terms as the city's first elected mayor.

I moved on, as did many others who worked with Lin. Others who served on the Simi Valley City Council during Lin's tenure have gone on to the Ventura County Board of Supervisors, the California Assembly and the California Senate.

Lin is a quiet administrator who would be the last to tout his own accomplishments. His accomplishments are many.

In Simi Valley, Lin earned a reputation as a fiscally responsible manager who kept the city in the black during economically trying times while still providing essential services to residents. With an engineer's eye for details and a discipline born from a stint as a U.S. Navy submarine officer, Lin steered the council through the financing of a new City Hall, the Senior Center, a DMV office and a Cultural Arts Center. Lin was also among those instrumental in the decision to build the Ronald Reagan Presidential Library in Simi Valley.

The Ventura County Board of Supervisors was wise to hire Lin as their CAO in 1995. During his tenure, he eliminated a projected General Fund imbalance, consolidated the Human Resources Department and Chief Administrative Office, and revamped the annual budget process. In addition, he initiated a county-wide technology upgrade and policy guidelines.

Lin is a modest man and an effective and efficient administrator. But, above all, it is his loyalty as a friend that I treasure most.

Mr. Speaker, I know my colleagues will join me in recognizing M.L. ''Lin'' Koester for his decades of dedicated service and in wishing him and his family Godspeed in his retirement.

AN ACCURATE ASSESSMENT OF FOREIGN POLICY

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DIAZ-BALART. Mr. Speaker, I rise today to commend to you the article written by Mr. Frank Calzon, entitled ''Foreign Policy: Words as powerful as actions.'' Mr. Calzon is the executive director of the Center for a Free Cuba in Washington, D.C. and is a tireless fighter for democratic causes. I encourage my colleagues to benefit from his excellent article.

FOREIGN POLICY: WORDS AS POWERFUL AS ACTIONS

(By Frank Calzon)

''Sticks and stones will break your bones, but words will never hurt you'' is fine advice for the young, but it will never cut mustard in foreign policy. History is full of tragedies that could have been prevented, but for the thoughtlessness of a policy pronouncement.

Children's rhymes were the last thing on the mind of Secretary of State Dean Acheson when, preoccupied with Stalin's expansion into Central Europe, he spoke at the National Press Club in Washington on Jan. 12, 1950. In the speech, which had been approved by the White House, Acheson outlined America's ''defense perimeter'' in the Pacific, clearly leaving out the Korean peninsula. Five months later, Kim II Sung's armies, confident that Washington wouldn't intervene, invaded South Korea. Thus began the Korean War, a conflict in which thousands of Americans lost their lives.

Acheson's blunder came to mind recently while reading a July 7 article in The New York Times in which an unidentified Clinton-administration official talked about ''a conscious decision in this administration to do what need to be done.'' The Times ominously explained that to mean ''American officials say they are now determined to go forward [with their commitment to relaxing U.S. sanctions against Fidel Castro's regime] even if Mr. Castro responds by cracking down on dissent.''

Ironically, the statement coincides with a reappraisal of Canada's longstanding policy of ''constructive engagement'' with Havana. Despite tourism, trade and foreign aid, Castro remains oblivious to Canada's pleadings on behalf of human rights. Canada's most influential media have called for a tougher stand vis a vis Castro, and a not-so-subtle message to that effect was delivered recently. The new Cuban ambassador presented credentials in Ottawa in an elegant room in which almost all of the chairs set up for official guests were empty.

The new U.S. policy—assuming the report is accurate—is at odds with Americans humanitarian impulse. It could have serious consequences for U.S. policy in the Americas because President Clinton's hemispheric policy is predicated on support for democracy, human rights and the rule of law.

One can only wonder what the consequences would have been had the United States told Moscow that, regardless of its mistreatment of human-rights dissidents, Washington cooperation would remain on track. Or what might have been Poland's fate had the United States signaled to Gen. Wojciech Jaruzelski that it was all right for him to crack down on dissents. Instead, to its credit, the Reagan administration imposed trade sanctions on Warsaw when it tried to crack down on Solidarity.

Years earlier Jimmy Carter had electrified the world with his call for worldwide respect for human rights. Due both to its source and its content, the idea that greater repression in Cuba will not impact U.S. policy undermines Clinton's publicly stated views and Secretary of State Madeline Albright's repeated and principled efforts to mobilize international support for the victims of Castro's repression.

Like Kim II Sung almost 50 years ago, Castro will interpret the statements attributed to the Clinton administration as a green light for whatever steps he takes. Also, foreign governments that would rather not confront Castro's rhetoric (at the United Nations in Geneva, Cuban diplomats labeled those concerned about human rights in Cuba ''lackeys'' of the United States) now will find it even easier to turn to deaf ear to the Cuban people's cries for help.

Is it really in America's national interest to broadcast such fickleness to our enemies, repeating Acheson's error? It certainly is not. However, this is exactly what is occurring when senior Clinton-administration officials tell Castro that U.S. policy will not be affected by a crackdown on Cuba's courageous and beleaguered opposition.

How can the Clinton administration claim that it cares about the Cuban people's fate while erasing whatever remaining uncertainty Castro may have about America's intentions? How many ways are there to spell disaster? Several weeks have passed, but it is not too late for the President to order an investigation and reaffirm his commitment to supporting the Cuban people's aspirations for freedom.

HONORING THE 300TH ANNIVERSARY OF THE VILLAGE OF CAHOKIA

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. COSTELLO. Mr. Speaker, I rise today in honor of the 300th Anniversary of the Village of Cahokia.

As we near the end of this millennium, I ask my colleagues to join me in celebrating the history of the small towns within all of our districts. Throughout this year, Cahokia, a village in my district, continues to celebrate its tricentennial anniversary, with reflection on its vital place in American history.

The Village of Cahokia derives its name, which means ''Wild Geese,'' from the Cahokia Indian tribe. While the Cahokian tribe continues to provide a vital, unique character to the region, in 1699, the diversity of the community was further strengthened with Cahokia's founding by missionary priests from the Seminary of Quebec.

As the 18th century progressed, this community also became the principal commercial center in the Midwest. Specializing in the trade of Indian goods and fur, Cahokia's economic development thrived. This served as the impetus for prompting the expansion of agriculture as a viable livelihood, which was so necessary to feed the rapidly growing community of settlers.

The Village of Cahokia also took pride in its role in winning a battle of the American Revolution. Captain Joseph Bowman and George Rogers Clark negotiated peace agreements in Cahokia at Fort Bowman with neighboring tribes of the Illini Confederation, and then launched an attack on British-occupied Vincennes. Both their soldiers and ammunition

were primarily supplied by the residents of Cahokia.

Cahokia has long been recognized as a significant force in Illinois politics. In the 18th and 19th centuries, the Cahokia Courthouse served as an important center of activity in the Northwest. At one point it was both the judicial and administrative center for a massive area which rose up to the borders of Canada.

Today, I am honored to represent Cahokia, which has embraced its heritage of both Native-American history, as well as the influx of French and other ethnicities, spurred by westward expansion. This close community of churches, civic groups, and businesses inspires us to remember the legacy of our forefathers, while also celebrating the future.

Mr. Speaker, I ask my colleagues to join me in recognizing the Village of Cahokia in commemoration of its 300th Anniversary.

HONORING PIANO LEGEND JOHNNIE JOHNSON

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. CONYERS. Mr. Speaker, I rise on behalf of the Congressional Black Caucus to honor one of the most influential musicians in American history, Mr. Johnnie Clyde Johnson.

Johnnie was born the son of a coal miner in Fairmont, West Virginia, on July 8, 1924. He began playing the piano at the age of 5, on a second-hand upright his mother had purchased as a decoration. Unable to afford lessons, Johnnie practices and absorbed the sounds of big band jazz and swing, barrelhouse boogie and country western that he heard on the radio. His heroes were the piano players: Count Basie, Art Tatum, Earl Hines, Pete Johnson and Meade Lux Lewis. Johnnie studied each man's repertoire, mixing and matching until he found his own unique style.

In 1943, with the War in full tilt, Johnnie enlisted in the Marines and became one of the first 1,500 black soldiers in this branch of service. He later had an opportunity to join the company band—The Barracudas—an elite group made up of some of the finest jazz musicians in the world, including members of Count Basie's, Lionel Hampton's and Glenn Miller's bands. It was a dream come true to play alongside his radio idols at U.S.O. shows, and by the time he returned home in 1946, Johnnie had decided to make music his life.

Over the next few years, Johnnie honed his craft studying under the masters. After hearing T-Bone Walker in a Detroit club, he decided to move to Chicago, where the post-War blues scene was at it's height. Befriending and sitting in with legends like Muddy Waters, Memphis Slim and Little Walter sharpened Johnnie's skills. When he finally settled down in St. Louis in March of 1952, he formed a band—The Johnnie Johnson Trio—and soon thereafter procured a regular gig at one of the biggest night spots in town—the Cosmopolitan Club.

Then fate stepped in. On New Year's Eve of 1952, Johnnie's saxophonist fell ill and was unable to make the show. Desperate for a replacement, Johnnie hired a fledgling guitarist named Chuck Berry to fill in for the night. Although he had only been playing professionally for six months, Berry had a gift for performance and a way with words that caught the attention of audiences. Johnnie decided to keep him on as a singer/guitarist, and for the next two years, The Johnnie Johnson Trio rocked the Cosmopolitan every weekend.

In 1955, while still performing as The Johnnie Johnson Trio, Johnnie, Chuck Berry and Ebby Hardy traveled to Chicago and, along with Chess studio stalwart Willie Dixon, recorded ''Maybellene'' for Chess Records. The record was a hit and quickly reached number five on the charts. It was then that Berry approached his partner about taking over the band. Confident of Berry's business acumen, and yearning simply to ply his craft—the piano—Johnnie entrusted Berry with his band. And so it was that Johnnie became the silent partner in the first writing/performing team in the history of rock and roll. Together, with Johnnie's musical inspiration and Berry's gift of poetry, they collaborated over the course of the next 20 years to create the songs that defined the genre, including ''Roll Over Beethoven,'' ''School Days,'' ''Back in the U.S.A.,'' ''Rock and Roll Music'' and ''Sweet Little Sixteen'' among many, many others. In fact, the song that may consider the ''national anthem'' of rock and roll—''Johnny B. Goode''—was a tribute written by Berry to his musical partner and collaborator—Johnnie Johnson.

Johnnie and Berry performed and recorded together through the 1970s. However, as Berry's popularity grew, and he began traveling internationally, Johnnie elected to stay home in St. Louis. During this time, Johnnie also recorded with the legendary Albert King, for whom he contributed a great number of musical arrangements. But through it all—the birth of rock and roll with Chuck Berry and the inspired recordings with Albert King, Johnnie toiled largely unrecognized by the public.

That is, until 1986, when Rolling Stones guitarist Keith Richards sought out Johnnie for the documentary Hail! Hail! Rock 'n' Roll. Richards observed that many of Chuck Berry's songs were written in piano keys and that without Johnnie's melodies, the most influential songs in rock and roll history would be ''just a lot of words on paper.'' Moreover, Johnnie's performance during the film left no doubts as to his unequaled prowess at the keyboard.

Since the film, Johnnie has begun to receive the public acclaim he so justly deserves. Widely recognized by the industry as the world's greatest living blues pianist, he has released six solo albums and contributed his considerable talent to recordings by John Lee Hooker, Eric Clapton, Buddy Guy, Bo Diddley and the late Jimmy Rogers.

Johnnie Johnson has suffered for his art. Yet, through it all, he has never lost the gentle, self-effacing demeanor that causes everyone he meets to love him. He has no bitterness, no regrets. Equally at home playing in front of thousands, or in a tiny club with a local band, Johnnie plays for the sake of playing. ''All I want to do is play my piano,'' he says. ''I'm just glad that I have the chance to make people happy.'' I am honored, Mr. Speaker, to present to the 106th Congress, a man who has never lost touch with what it means to be a musician—the Father of Rock and Roll, Mr. Johnnie Johnson.

JERRY BUTKIEWICZ, 1999 LABOR LEADER OF THE YEAR

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. FILNER. Mr. Speaker, I rise today to recognize my friend Jerry Butkiewicz as he is honored at the September 11, 1999, John S. Lyons Memorial Banquet as the 1999 Labor Leader of the Year Award.

As the Secretary-Treasurer of the San Diego-Imperial Counties Labor Council, Jerry Butkiewicz has achieved an outstanding record of contributions on behalf of working women and men.

Mr. Butkiewicz began his involvement in the labor movement while working for the United States Postal Service in Arizona where he was elected Shop Steward and then President of the local American Postal Workers Union (APWU). He continued his involvement when he relocated to California and was promptly elected President of the Oceanside, California APWU Local.

Soon after, he was appointed the Labor Liaison to the United Way of San Diego County. In 1996, he was the unanimous choice to serve as the Secretary-Treasurer of the San Diego-Imperial Counties Labor Council. In this role, he has worked hard for the cause of working families and has given union members reasons to be proud of their union membership.

Mr. Butkiewicz has also been very active in his community and has served on the Boards of the United Way, the Neighborhood House Association, the Economic Development Board of San Diego County and the Labor Advisory Committee of Kaiser Permanente. He has also committed his time and energies to the San Diego Food Bank, Youth Baseball, and Pop Warner Football.

His leadership exemplifies the high values, standards, and principles exemplified by the late John S. Lyons.

My congratulations go to Jerry Butkiewicz for these significant contributions. I can personally attest to Jerry's dedication and commitment and believe him to be highly deserving of the 1999 Johns Labor Leader of the Year Award.

FEDERAL LANDS IMPROVEMENT ACT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DUNCAN. Mr. Speaker, the Bureau of Land Management [BLM] has 264 million acres that it manages for the federal government. None of this land is national park or national forest land.

The BLM has identified three million acres that it would like to sell, because it is not environmentally significant, surrounded by private land, difficult to manage, or isolated.

Today, I have introduced the Federal Lands Improvement Act which will allow the sale of this land, with proceeds to go; one-third to the counties where the land is located for schools and other needs; one-third to the national

debt; and one-third back to the BLM for environmental restoration projects on its remaining land.

As I have already stated, this bill would not sell any national parks or wilderness areas. It only proposed to sell lands that have already been identified for disposal by the BLM.

Currently, the federal government owns 30 percent of all the land in the United States. This is roughly 650 million acres. In comparison, the State of Tennessee is only 26 million acres total.

It only makes sense that the federal government consolidate its holdings so that it can better manage those areas which are truly environmentally sensitive.

I hope my colleagues will join me by cosponsoring this legislation so that we can take a step forward in protecting our federal lands.

A CHANGE OF COMMAND AT THE DEFENSE INTELLIGENCE AGENCY

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DIXON. Mr. Speaker, on July 27, Lieutenant General Patrick M. Hughes relinquished command of the Defense Intelligence Agency (DIA). A few days later, General Hughes retired, ending 24 years of distinguished service with the Army.

General Hughes began his career as a combat medic and, after receiving his commission, served in the infantry. Observing first hand in battle in Vietnam how soldiers under fire need reliable and timely intelligence, and the terrible consequences if they do not receive it, he transferred to military intelligence. For the rest of his career General Hughes worked to ensure that intelligence was responsive to the needs of those Americans asked to take the biggest risk in times of conflict.

As Director of the Defense Intelligence Agency, General Hughes presided over three and one-half years of constant challenges for military intelligence. Supporting U.S. forces in combat in the skies over Iraq and Kosovo, ensuring that the Defense HUMINT Service was on a sound footing, and trying to provide enough trained analysts to make sense out of the vast amount of information collected by intelligence systems, were but a few of the issues with which he had to deal. General Hughes turned over to his successor an agency well positioned for the future, and one with a role in the intelligence community better defined than it has been for some time.

General Hughes has a gift for directness that served him well in his dealings with the Intelligence Committee. His candor and judgment were highly respected, and the depth of his military experience gave him a perspective that was extremely valuable to the committee. His many contributions to the nation, not just in his last assignment, but throughout this military career, are greatly appreciated.

Mr. Speaker, General Hughes' selflessness in the service of the country is a fine example for others to emulate. He had a career of distinction and it should be a source of great pride for himself and his family.

A SALUTE TO HANK JONES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. CONYERS. Mr. Speaker, as the dean of the Congressional Black Caucus, I rise to salute the lifetime achievements of pianist Hank Jones. The eldest of the three illustrious ''Jones Brothers,'' including trumpeter Thad and drummer Elvin, Hank Jones was born in Pontiac, Michigan in 1918. Hank Jones played in territory bands around Michigan and Ohio while a teenager, and in 1944 he moved to New York to play with Oran ''Hot Lips'' Page's combo at the Onyx Club on 52nd Street. He was the first of the great Detroit pianists (including Tommy Flanagan, Barry Harris and Roland Hanna) to emerge as a major talent on the New York jazz scene after World War II.

During the remainder of the 40s, Hank Jones had stints with John Kirby, Howard McGhee, Coleman Hawkins, Andy Kirk and Billy Eckstine. Influenced by Fats Waller, Teddy Wilson, and Art Tatum, Jones' style was also open to the emerging bebop style and his playing was flexible enough to fit into many genres.

He was on several Jazz at the Philharmonic tours (starting in 1947), worked as accompanist for Ella Fitzgerald (1948–53) and recorded with Charlie Parker. In the 1950s Jones performed with Artie Shaw, Benny Goodman, Lester Young, Cannonball Adderley and many others. He was on the staff of CBS during 1959–1976, performing with the network's orchestra on a variety of shows, but always remained active in jazz as an independent artist. In the late '70s Jones was the pianist in the Broadway musical ''Ain't Misbehavin'' and he recorded with a pickup unit dubbed the Great Jazz Trio which at various times included Ron Carter, Buster Williams or Eddie Gomez on bass and Tony Williams, Al Foster or Jimmy Cobb on drums.

Hank Jones is widely regarded as a masterful piano player, known especially for his sensitivity and musical intelligence. His lasting success lies in his ability to assimilate different styles, while retaining his own identity and temperament. He can be heard on thousands of recordings, both as a leader and an accompanist. He has also performed in numerous clubs worldwide. Having reached the age of 81, Hank Jones is still booking dates for his trio, which includes George Mraz on bass, and Dennis Mackrel on drums.

Among the many labels that Hank Jones has recorded for as a leader are Verve, Savoy, Epic, Golden Crest, Capitol, Argo, ABC-Paramount, Impulse, Concord, East Wind, Muse, Galaxy, Black & Blue, MPS, Inner City and Chiaroscuro.

TIMOTHY GALLOWAY, 1999 JOHNS DISTINGUISHED SERVICE AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. FILNER. Mr. Speaker, I rise today to recognize Timothy Galloway as he is honored at the September 11, 1999 John S. Lyons Memorial Banquet for his contributions to the labor movement, his community and his State.

Timothy Galloway's role in the labor movement began in 1976 when he began his second career working for the United States Postal Service repairing optical scanners and computers. He joined the American Postal Workers Union (APWU) and quickly became involved in union operations becoming an Alternate Steward. Eventually, Mr. Galloway was elected Secretary of the Local's Executive Board and then Executive Vice President. His efforts in video work for the Postal Service prompted his promotion to a Regional position and the creation of a Video Department for the Western Region of the Postal Service.

In 1985, Mr. Galloway became Assistant Director of the United Way's Department of Labor Participation. He has continued to give his time, talent and expertise to help working men and women in times of hardship. His commitment extends to the non-labor community as well, and he is involved with numerous organizations. He was a Member of the San Diego Food Bank Operating Board and serves as a Member of the Neighborhood House Association, the Federal Emergency Management Agency and the Emergency Resource Group. Additionally, Mr. Galloway has dedicated eleven years coaching Little League and Bobby Sox Baseball.

Timothy Galloway exemplifies the high values, standards and principles of the late John S. Lyons and is truly deserving of the 1999 Johns Distinguished Service Award.

RECOGNIZING THE BRAZOSPORT REHABCARE CENTER AND NATIONAL REHABILITATION AWARENESS WEEK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PAUL. Mr. Speaker, I would like to take this opportunity to recognize and join with the Brazosport RehabCare Center in Lake Jackson, Texas in observing and celebrating National Rehabilitation Awareness Week beginning September 12 through September 18, 1999.

The Brazosport RehabCare Center opened its doors on December 31, 1992. Construction was completed at the end of April 1993, for a total of 14 acute rehabilitation beds.

The Brazosport RehabCare center is located in Brazosport Memorial Hospital in Lake Jackson, Texas. The primary service areas include the cities of Lake Jackson, Clute, Freeport, Angleton, Danbury and Brazoria. This service area has a combined population of approximately 95,000. The secondary service area includes the cities of Sweeny, West Columbia and Old Ocean with a population of approximately 16,000. The RehabCare Center has also attracted patients from Bay City and Alvin.

Comprehensive inpatient rehabilitation services are provided to individuals with orthopedic, neurological and other medical conditions of recent onset or regression. These patients have experienced a loss of function in activities of daily living, mobility, cognition or communication. Types of patients admitted into the Brazosport RehabCare Center may include those with a diagnosis of stroke, spinal

cord injury or dysfunction, brain injury, amputation, multiple trauma, hip fracture or joint replacement, arthritis, congenial deformity, burns or other progressive neuralgic syndromes such as Parkinson's disease, multiple sclerosis and Gullian Barre.

The services Brazosport RehabCare Center provides include rehabilitation medicine, rehabilitation nursing, physical therapy, occupational therapy, speech/language pathology, social work, psychology and recreational activities. in addition, prosthetics/orthodics, vocational rehabilitation, audiology and driver education are provided when necessary through affiliate agreements with external organizations. The goal of each service is to maximize the individual's potential in the restoration of function or adjustment by integrating with other services.

By addressing the multiple effects that disability has on the patient and family and by integrating the combined resources of patient, family and interdisciplinary rehabilitation team, comprehensive rehabilitation programming can maximize the abilities and esteem of the patient and family and foster a healthy re-integration into the community. At the Brazosport RehabCare Center, patient outcomes are exceptionally positive. Eighty-six percent of their patients are able to return home and lead an independent lifestyle.

I am proud and honored to have the Brazosport RehabCare rehabilitation facilities at Brazosport Memorial Hospital, Lake Jackson, Texas. Please join me in recognizing the Brazosport RehabCare Center for its outstanding services and remarkable accomplishments as we celebrate National Rehabilitation Awareness Week.

EAST TIMOR

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. FARR of California. Mr. Speaker, the independence vote in East Timor was encouraging to supporters of democracy. With more than 90 percent of the population turning out for the vote, it is a level of participation that Americans should aspire to emulate. Having taken advantage of the opportunity for democracy, the East Timorese have voted overwhelmingly for independence from Indonesia. However, the outbreak in violence following the vote is tragic. Unfortunately, pro-Indonesia militia have chosen to ignore the will of the majority and attack anyone believed to support independence.

The need for action has never been more evident than in past weeks as East Timorese, international observers, journalists, and U.N. workers have been harassed and killed by paramilitaries opposed to independence.

The Indonesian government must stop the militia rampages, gain control over those factions of the military supporting the militia, and establish order and peace in East Timor. It is their duty to the East Timorese, to whom the Indonesian government made a commitment, to provide a safe and democratic vote. And now, following the vote, it is their duty to provide for the safety of everyone in East Timor, especially those who voted their conscience.

Mr. Speaker, the American people want peace in East Timor and they understand the importance of an immediate end to the violence. American citizens have been involved in East Timor as human rights observers and U.N. election workers for some time now. One of my constituents, Pamela Sexton, is in East Timor now and I had the privilege to meet with her a few months ago to discuss her work and the up-coming vote. Her dedication was inspiring—if only the Indonesian government would show such desire for peace and democracy.

I encourage my colleagues to contact the President and impress upon him the desire of the American people to see peace restored in East Timor. It is extremely important that we continue to put pressure on the Indonesians to establish peace.

STANLEY GRABARA, 1999 JOHNS FELLOWSHIP AWARDEE

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. FILNER. Mr. Speaker, I rise today to recognize Stanley Grabara as he is honored at the September 11, 1999 John S. Lyons Memorial Banquet for his contributions to the labor movement, his community and to the nation.

Unlike previous awardees, Stanley Grabara professional career is not within the labor movement. However, his hard work and respectful cooperation with labor has earned him a special place in San Diego's Labor Community. Mr. Grabara came to San Diego to operate a new terminal facility in National City for the Pasha Group. He was wisely aware that for Pasha to succeed in this new facility, a skilled and dedicated work force would be required. He promptly formed a working partnership with Teamster Local 36 to hire the necessary workers. This is a relationship that has blossomed as a result of Mr. Grabara's efforts.

Mr. Grabara is also involved in the larger San Diego Community. He has served as the chairman of the Port of San Diego Maritime Trade Development Committee and serves now as a member of the Port Tenants Association, the Greater San Diego Chamber of Commerce, and the National City Chamber of Commerce. He is also a member of the Board of Christmas in April and is involved in the Toys for Tots program and the Boys and Girls Club of National City. He also serves as a Trustee of the San Diego Teamsters and Employers Trust Fund and he was recently elected to the Board of Directors of the World Trade Center of San Diego.

Stanley Grabara exemplifies the high values, standards and principles of the late John S. Lyons, and is truly deserving of the 1999 Johns Fellowship Award.

ON THE RETIREMENT OF JACK G. DOWNING AS THE DEPUTY DIRECTOR FOR OPERATIONS AT THE CIA

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DIXON. Mr. Speaker, the conduct of espionage activities by the CIA is a challenging enterprise under the best of circumstances, and under certain circumstances can be extraordinarily dangerous. When conducted well by officers of skill and courage, these activities make great contributions to the national security of the United States.

For the past two years, the CIA's clandestine service, the Directorate of Operations (DO), was led by a person of exceptional ability, Jack Downing. At the end of July, Mr. Downing completed a thirty year career with ''the outfit,'' as he refers to the CIA, and retired—for the second time. Nothing more needs to be said about Mr. Downing's patriotism and sense of duty than that he was willing to come out of retirement in 1997, at the personal request of the Director of Central Intelligence, to lead the Directorate of Operations. He has concentrated on developing a strategic plan for the DO, recruiting new officers with the skills the DO will need in the next century, improving their training, and addressing those factors which detract from their morale. In short, he has begun the rebuilding of the clandestine service and, while the fruits of his labor will not be seen fully for some time, it is already clear that the DO is operating with a clearer sense of purpose.

Prior to his first retirement, Mr. Downing had served in some of the most sensitive and important of the CIA's overseas posts. He was regarded as a first rate case officer and a leader who inspired the dedication and loyalty of those who worked for him. His ''second career'' with the CIA has only embellished that reputation.

Mr. Speaker, public service is frequently, and unfortunately, denigrated. Jack Downing's accomplishments—in the Marine Corps and the CIA—are evidence of both the importance and the value of distinguished public service. He has given much to our country and we should be grateful. I wish Mr. Downing and his family continued success in the years ahead.

NORTH AMERICAN WETLANDS COUNCIL EXPANSION ACT OF 1999

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DINGELL. Mr. Speaker, today I am introducing legislation to make a modest improvement to a conservation law, which has successfully saved wetlands throughout the United States, Canada, and Mexico. The North American Wetlands Conservation Act was signed into law in 1989 in response to the finding that more than half of the original wetlands in the United States have been lost during the past two centuries. Congress also recognizes that that protection of migratory birds and their habitats required long-term planning and coordination to meet our treaty obligations to conserve these precious species.

The purpose of NAWCA is to encourage partnerships among public and nonpublic interests to protect, enhance, restore and manage wetlands for migratory birds and other fish and wildlife in North America. NAWCA has been a tremendous success, funding 629 projects between 1991 and 1999, helping to restore, enhance or help approximately 34 million acres across our continent. Most impressive has been the ratio of partner-to-government contributions, which has been about $2.50 for every public dollar invested.

Last year, while Congress worked to reauthorize NAWCA, a debate emerged concerning the role of the North American Wetlands Conservation Council and its membership. In discussions and correspondence with the U.S. Fish and Wildlife Service and stakeholder groups, I came away with a clear message: everyone involves fully supports a growing NAWCA program. What was less clear was finding an appropriate means to foster continued non-governmental participation in, and contributions to, the quantitative and qualitative successes of the program.

The Fish and Wildlife Service informed me that it sought to ensure more diversity on the Council. For this reason, it indicated that the Secretary would not reappoint two organizations that have contributed mightily to NAWCA's success. Ultimately, one group chose to leave the Council and another chose to continue to seek reappointment, which I understand has been recently completed. I am hoping to receive written confirmation of this reappointment very shortly.

Mr. Speaker, I believe that the most effective means to diversify and expand the effectiveness of the Council is to provide the Secretary with new authority to appoint two additional Council members under Sec. 4(a)(1)(D) of the North American Wetlands Conservation Act. These appointments would give the Service the ability to include additional charitable and non-profit organizations from among many which actively participate in the development of NAWCA projects. Quite simply, this simple bill would allow a highly successful law to expand its reach, and I hope for its swift passage this year.

EAST TIMOR

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. BENTSEN. Mr. Speaker, today I am offering legislation to address the troubling events that have been unfolding recently in East Timor. On August 30, 1999, the people of East Timor voted by 78 percent for independence from Indonesia, which invaded the former Portuguese colony in 1975. Since the election, which drew more than 98 percent of the territory's registered voters, militia groups backed by sections of the Indonesian military and police have engaged in widespread killings, arsons, and forced evacuations against the citizens of East Timor. These groups have forcibly transported tens of thousands of East Timor residents across the Indonesian border and intimated foreign journalists, aid workers and election advisers into fleeing the territory.

On Tuesday, Indonesia declared martial law in the territory, but the declaration has made little difference. Relief agencies have estimated that up to 200,000 people in East Timor have fled to refugee camps in other parts of Indonesia, while thousands more have sought refuge wherever they could. Among those who fled was Roman Catholic Bishop Ximenes Belo, a Nobel Peace Prize winner, who was forced to flee to Australia after his home was viciously burned to ground by militia members. Yesterday, The United Nations announced it will be withdrawing most of its representatives in the East Timor province in order to protect the lives of these emissaries. In addition, many of the foreign journalists in East Timor have also decided that they must evacuate in order to protect their lives. This deteriorating situation is a very serious matter which we must address. This campaign of killing, arson and forced evacuation has been clearly orchestrated by elements of the Indonesian military in a brutal attempt to devastate East Timor. The response by the Indonesian security forces, which represent the Indonesian government, has been wholly inadequate and stunningly indifferent, as these security forces have done nothing to stop the violence committed by the militia forces.

The backlash against the citizens of East Timor is an indication of a serious leadership crisis in Indonesia. It is important that, at this critical juncture, the response from the United States is both forceful and meaningful. The legislation I am introducing today would direct the U.S. representative to the International Monetary Fund and the World Bank to oppose any new monetary assistance to Indonesia including any additional tranches under the 1998 IMF/G–7 package until such time as the President certifies that the crisis in East Timor has been resolved.

As a long-time supporter of U.S. participation in the International Monetary Fund and the 1998 IMF/G–7 response to the Asian economic crisis, I do not believe the U.S. can continue to support assistance to a regime which has exhibited, at best, indifference to armed militia violence and slaughter following the East Timor plebiscite, and at worst complicity in the organized terror. However, I believe that this action is necessary to ensure that the Indonesian government take all necessary action to end this terror against East Timor's citizens. My legislation would apply not only to any future loans from the IMF and World Bank to Indonesia, but it would also require that the United States oppose additional extensions under existing loans. As a result, the United States representative to the IMF would oppose the next $2 billion tranch of the existing $12 billion IMF loan facility. My legislation would also require the United States Executive Director at the IMF to veto any future loans to Indonesia until the President certifies that the crisis in East Timor has been resolved.

It is also my understanding the IMF was scheduled to send a mission to Indonesia this week, but that it has been delayed in order to protect the safety of IMF employees. While IMF's concern for its employees safety is laudable, more must be done by way of response to this situation. I believe that we must discontinue these loans in order to convince the Indonesian government that its campaign of terror against the East Timorese will have dire consequences. My legislation would permit the IMF to restart these loans once the President of the United States has certified that the violence and human rights violations in East Timor have ended.

My legislation would also require our representatives to the World Bank to oppose any current or future loans to Indonesia. Last year, as part of the 1998 IMF/G–7 financial assistance package, the World Bank pledged to provide $5.9 billion in aid to Indonesia. The World Bank is scheduled to release $475 million of the $1.375 billion outstanding loans during this fourth quarter of this year. My legislation would require the U.S. to oppose this disbursement until the Indonesia government has acted to peacefully resolve the situation in East Timor.

As you know, Mr. Speaker, the United States helped to negotiate a $49 billion restructuring program for Indonesia last year. I was very supportive of this package and believe that we should assist foreign countries on their paths of economic recovery. However, recent actions in Indonesia have forced me to reconsider my support for these financial assistance loans. I believe that it is highly regrettable that we must take this action, but the government of Indonesia has brought this upon themselves.

Let me also say that while most other nations in the region have experienced an economic rebound due in no small part to the IMF/G–7 participation, Indonesia has continued to lag behind as a result of its weak government structure. I do not believe a suspension of the IMF/G–7 package would pose the same contagious economic elements we experienced in January 1998, nor do I believe the U.S. should continue to support such a regime until such time as it can guarantee the safety of its own people.

I urge my colleagues to support this legislation and to support the efforts of the United States to end the violence and human rights abuses occurring in East Timor.

A SALUTE TO MARILYN BERGMAN

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. CONYERS. Mr. Speaker, as the Board of Directors of the American Society of Composers, Authors and Publishers (ASCAP) prepares to meet here in Washington, DC, I wish to call to the attention of all Members of Congress the many accomplishments of its President and Chairman of the Board, Marilyn Bergman.

ASCAP, the organization Ms. Bergman now leads, is a membership association of over 80,000 composers, songwriters, lyricists and music publishers. ASCAP's function is to protect the rights of its members by licensing and paying royalties for the public performances of their copyrighted works.

Marilyn Bergman is the first woman to be elected to ASCAP's Board of Directors. She brings to the leadership of ASCAP the unique experience of a creator, being herself an award-winning lyricist along with her husband, Alan Bergman. Among her many awards and honors, she has received three Academy Awards, three Emmy Awards, two Grammy Awards and one Cable Ace Award.

In collaboration with her husband, Alan, Marilyn won Oscars in 1968, 1973 and 1984 for the songs, ''The Windmills of Your Mind,'' ''The Way We Were,'' and for the score for Yentl. Since their first Oscar nomination in 1968, they have been nominated sixteen times—for such songs as ''It Might Be You'' from Tootsie, ''How Do You Keep The Music Playing?'' from Best Friends, ''Papa, Can You Hear Me?'' and ''The Way He Makes Me Feel'' from Yentl and ''What Are You Doing the Rest of Your Life?'' from The Happy Ending. In 1996 they were nominated for both a

Golden Globe and an Academy Award for their song ''Moonlight,'' performed by Sting, from Sydney Pollack film, Sabrina.

''The Windmills of Your Mind'' and ''The Way We Were'' also received Golden Globe awards and ''The Way We Were'' earned two Grammys. The three Emmys are for ''Sybil,'' ''Queen of the Stardust Ballroom'' and ''Ordinary Miracles.'' Among their principal collaborators are Michel Legrand, Marvin Hamlisch, Dave Grusin, Henry Mancini, Johnny Mandel, John Williams, Quincy Jones and James Newton Howard.

Marilyn was inducted into the Songwriters Hall of Fame in 1980, and was a recipient of the Crystal Award from Women in Film in 1986. In 1995 she received a National Academy of Songwriters Lifetime Achievement Award. In 1996 Marilyn received the first Fiorello Lifetime Achievement Award from New York's LaGuardia High School of Music and Art and Performing Arts. In 1997, the Songwriters Hall of Fame honored Marilyn with their Johnny Mercer Award.

Marilyn is a member of the Executive Committee of the Music Branch of the Academy of Motion Picture Arts and Sciences, a member of the National Academy of Songwriters and the Nashville Songwriters Association. Marilyn was the only creator to serve on the Advisory Council to the National Information Infrastructure (NII). She is a founder of the Hollywood Women's Political Committee and serves on the Board of Directors of the Streisand Foundation.

Ms. Bergman served two terms (1994–1998) in a leadership capacity on behalf of songwriters on the world stage as President of CISAC, the International Confederation of Performing Right Societies. In 1996 she received France's highest cultural honor, Commander of the Order of Arts and Letters medal. In June of this year, she received a cultural Medal of Honor from SGAE, the Spanish performing rights organization.

Ms. Bergman was a music major at New York's High School of Music and Art, going on to study Psychology and English at New York University. She has received Honorary Doctorate Degrees from Berklee College of Music in Boston Trinity College in Hartford, Conn.

100TH ANNIVERSARY OF THE DANVILLE, ILLINOIS CHAMBER OF COMMERCE

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. EWING. Mr. Speaker, I rise today in recognition of the 100th Anniversary of the Danville, Illinois Chamber of Commerce.

As a former director of the Chamber of Commerce in Pontiac, Illinois, I have a personal connection to the great contribution that Chambers' of Commerce make in communities of all sizes throughout our country. As the elected representative for Vermilion county, I have personally worked with and witnessed the Danville Chamber's commitment to the community, both through civic involvement and the cultivation of business opportunities.

The Danville Area Chamber of Commerce was founded on March 22, 1899 and has been the cornerstone of the greater Danville business community ever since—and their work is clearly evident. During this past recess period I was in Danville, and I witnessed first hand the recent improvements in the downtown area. New small businesses are opening and there is a new sense of hope and opportunity as the downtown area undergoes a revitalization. This is, in large part, a result of the work undertaken by the Danville Area Chamber of Commerce.

But Mr. Speaker, their efforts go far beyond cultivating new businesses. The Danville Area Chamber of Commerce is building a sturdy foundation for the next century. Through their ''Leadership Danville'' initiative, the Chamber successfully nutures and equips today's business employees to become tomorrow's area leaders.

So on the occasion of their 100th Anniversary, I offer my sincerest thanks and appreciation to the Danville Area Chamber of Commerce. And as we enter the next millennium, I also offer my best wishes for their continued success and good deeds as they enter their second century of service to Central Illinois.

TRIBUTE TO HARTFORD ARCHBISHOP DANIEL A. CRONIN

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. MALONEY. Mr. Speaker, I bring to the attention of the American public and the United States House of Representatives an upcoming celebration in Connecticut's Fifth Congressional District that commemorates the 31st anniversary of the consecration as a Bishop of now Hartford Archbishop Daniel A. Cronin. This celebration will be held during Sunday mass at Our Lady of Lourdes Church in Waterbury, Connecticut on Sunday September 12, 1999.

Archbishop Cronin was born in Newton, Massachusetts on November 14, 1927. Since that time, he has dedicated his life to religious service around the World. He attended the St. John Seminary in Brighton, Massachusetts and the North American College in Rome, Italy before being ordained a priest on December 20, 1952 in Rome. Archbishop Cronin later received a Licentiate and a Doctorate in Sacred Theology from the Gregorian University also in Rome.

The Archbishop has also served as Attache to the Apostolic Internunciature in Ethiopia and to the Secretariat of State in Vatican City in 1957 and 1961 respectively. In 1962, he was named Papal Chamberlain and given the title of Monsignor. By 1968, Archbishop Cronin had returned to the United States and was named Titular Bishop of Egnatia and Auxiliary Bishop of Boston. On September 12, 1968, he was consecrated Bishop at the Holy Cross Cathedral in Boston, Massachusetts.

On October 30, 1970, the Archbishop was named the fifth Bishop of the Fall River Diocese in Massachusetts. Shortly thereafter, Archbishop Cronin was installed at St. Mary of the Assumption Cathedral, also in Fall River. In 1991, 23 years after first being consecrated a Bishop, he was named the eleventh Bishop and the third Archbishop of the Hartford Archdiocese in Connecticut. In 1992, he received the Pallium from Pope John Paul II at St. Peter's Basilica in Vatican City.

Mr. Speaker, Archbishop Daniel Cronin epitomizes the dedication and moral example we all strive to emulate. He has been a source of strength to individuals and communities throughout his life in religious service. He is a beacon for us all as we go forward into the challenges of the future.

On behalf of the Fifth Congressional District and the United States House of Representatives, I express deep appreciation to Archbishop Daniel A. Cronin for his dedication and steadfast service to all those he has touched throughout his vocation, and wish him many more years of exemplary service and leadership.

PRIME ACT

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. McCOLLUM. Mr. Speaker, I rise today to emphasize my support for funding for the Program for Investment in Microentrepreneurs, the PRIME Act, H.R. 413, and my hope that funding will be made available for this worthy bill. The PRIME Act provides money for training and technical assistance for low-income entrepreneurs, complementing the Small Business Administrations' Microloan program, which provides loan capital and assistance in accessing capital.

This spring the Banking Committee held hearings on the PRIME Act and heard first hand from microentrepreneurs, microenterprise researchers, and representatives of community based microenterprise organizations. Their message was clear. Microenterprise development is an effective tool for economic development and poverty alleviation. Training is absolutely critical to the sustainability and success of microenterprises owned and operated by very low-income entrepreneurs. Better yet, providing motivated individuals with business training is akin to teaching someone how to fish, instead of giving them fish. With a little education and training, very low-income microentrepreneurs can build and sustain their businesses, and in doing so, contribute to the economic life of a family, community, and ultimately our nation as a whole.

I am convinced that microenterprise development has an important role to play in the diversification of our economic base as well as in the advancement of our working-poor population. But I also recognize that microenterprise development requires a modest public investment—particularly in the area of training and technical assistance for low-income entrepreneurs. I believe it is a prudent and wise investment.

The PRIME Act, H.R. 413 has passed through both the Banking Committee and the Small Business Committee with enormous support, and was able to garner 110 cosponsors before passing out of Committee. Clearly, there is a strong desire within Congress to see H.R. 413 made into law this year. As a member of the Banking Committee, and a cosponsor, I will work to see that this happens, and I encourage my colleagues to join me in this effort.

A TRIBUTE TO HERB FISCHER, GARDENER TO GENERATIONS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of Herbert L. Fischer, who celebrated his 80th birthday today—still working every day as the well-respected owner of Flowerland Nursery in San Bernardino and as a volunteer in a myriad of community organizations.

Herb opened Flowerland in 1947 with his wife, Mary L. Fischer, and has been at the store every day except Thanksgiving, Christmas and New Year's Day. Sought out by three generations of gardeners for his sage advice, Herb says he can't take a day off because his customers are all his friends, as well. He's recognized as one of the longest-serving licensed landscape architects still practicing in California.

He and Mary both served as state presidents of the California Association of Nurserymen, and his community involvement includes serving as president of the National Orange Show, and lifelong involvement in the Future Farmers of America, Boy Scouts, San Bernardino Chamber of Commerce, Calvary Baptist Church, and many school programs.

During his 52 years of business, Herb has hosted thousands of school children in field trips to Flowerland, and has given out thousands of tree seedlings to youngsters to celebrate Arbor Day. His son, Herb Fischer Jr., is San Bernardino County Superintendent of Schools.

Mr. Speaker, I ask you and our colleagues to join me in recognizing the tremendous contributions of a man who has brought decades of natural beauty to his community and wonder to the lives of generations of children.

TRIBUTE TO DR. DOROTHY N. FRANK

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Dr. Dorothy N. Frank, who is retiring after nine years of dedicated service as president of Kirtland Community College in Roscommon, MI.

Dr. Frank began her distinguished career at Kirtland Community College in 1990 after serving as vice president for instructional services at Victor Valley Community College in California. Her impressive credentials include a master's and a bachelor's degree in biology, and a Ph.D. in educational policy studies from Vanderbilt University.

While at Kirtland, Dr. Frank was instrumental in the creation of community programs that helped enrich the lives of children of all ages. These programs included cultural events, a volunteer center, a summer camp for fourth grade MEAP passers, technical training for high school students, and a summer creative writing institute.

Her dedication to community colleges and her own community is evident in her work. In addition to her Kirtland duties, Dr. Frank was president of the Michigan Community College Association for the 1996–1997 academic year. She also serves on several local boards and committees.

I would like to commend Dr. Frank for her service to her students and congratulate her on her retirement on September 30, 1999.

Dr. Frank's contribution to education and the community makes her an outstanding role model and a respected professional in her field. On behalf of the residents of the 4th Congressional District of Michigan, I am honored to recognize Dr. Frank and her professional accomplishments. I wish her good fortune for the future.

PRESIDENT SHOULD SIGN FINANCIAL FREEDOM ACT

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PACKARD. Mr. Speaker, I would like to emphatically urge President Clinton to sign the Financial Freedom Act into law when it reaches his desk. After hearing from my constituents over the August recess. I am convinced that America's hard working taxpayers do want tax relief. America's families today face staggering levels of taxation. Over the next 10 years, the average family will pay $5,307 more in taxes than the government needs to operate. The Financial Freedom Act of 1999 will shift money, power and resources out of Washington and back to America's families.

The Financial Freedom Act offers meaningful tax relief for every taxpayer by lowering income tax rates across-the board. It also reduces the Marriage Tax Penalty, repeals the Death-Tax, cuts the capital gains tax rate, expands Education Savings Accounts and increases private pension coverage. Additionally, the legislation expands access to affordable health care by increasing consumer choice and allows families without employer-paid coverage to deduct 100% of health insurance and long-term care premiums. Finally, the Financial Freedom Act leaves more than $2 trillion for Social Security and Debt Reduction.

Mr. Speaker, I trust the American people to spend their own hard-earned dollars as they see fit. The President doesn't think families can make the right spending decisions for themselves and their children. I disagree. The truth is, it is not Washington's money to spend in the first place. The President should help give it back by signing the Financial Freedom Act into law.

TRIBUTE TO GEORGE AND IRENE BAUER

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to George and Irene Bauer, who will be celebrating their fiftieth wedding anniversary on September 11, of this year. George and Irene are formerly of Chicago, IL, but now reside in Scottsdale, AZ. George is the son of Jerry (deceased) and Wallis Bauer, who at 94 years of age, lives in Phoenix, AZ. Irene is the daughter of Michael and Tecla Wazecha (deceased). George and Irene have two wonderful children; their son Mark lives in Scottsdale and the daughter Christine, resides in Eldorado, IL, my hometown.

George served his country valiantly during World War II in the U.S. Navy and helped to build the first naval hospital in Guam. When he returned home from the war he met his future wife Irene, who was working for Peabody Coal Company. Since retiring from Martlett Importers of Canada, George had been keeping himself busy. Keeping in tradition with his life long affinity for sports, which in his younger days led to him being drafted by two major league baseball teams, he now play on a softball team, coaches, and he has won World Series rings. Irene enjoys aerobics and going bowling.

Mr. Speaker, the marriage of George and Irene Bauer is a truly wonderful example of the strong family values reflected through an enduring commitment to each other that helps ensure the tradition in this country of strong, loving and dedicated families. Again, I would like to take this opportunity to wish George and Irene a wonderful fiftieth anniversary, wish them God's speed, and encourage all my colleagues to join me in doing so.

CELEBRATING A CENTURY OF MANUFACTURING IN BAY CITY

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. BARCIA. Mr. Speaker, for the past 100 years GM Powertrain has been an anchor for the families in my hometown of Bay City, Michigan by providing stability and economic security. For generations, plant managers and members of United Auto Workers Local 362 have worked together to create a unique partnership. It is this relationship that in many ways makes Bay City a model for communities all across the United States.

Since the dawn of this century, the company and the community have worked together in the transportation industry to provide high quality vehicles for our community, state and nation. Initially a successful producer of bicycles, the factory expanded to the newly burgeoning automotive industry. By 1909, nearly 500 employees were producing parts for the legendary Packard and Studebaker. And by 1912, the National Truck Company was producing the chain-driven Natco Truck. In 1916, Mr. William C. Durant bought the plant and began production of the four-cylinder engine, introduced by Chevrolet. It was at this juncture in the company's history that an important milestone was achieved, not only for the families of Bay City, but for families everywhere. This was the organization of one of the oldest UAW locals in the country, Local 362, which remains greatly influential today.

In 1937, UAW Local 362 received its official charter, and shortly thereafter, pay for many of the employees rose to about one dollar per hour. And thus the remarkable relationship between the two entities—the union and the

company; the working men and women and their employer—was off to an auspicious beginning. Today, that relationship is renowned across our nation for pioneering the concept of the ''living agreement''.

This unique relationship between labor and management is truly an incredible success story. In 1986, GM Powertrain-Bay City and UAW Local 362 agreed to resolve disputes as they came about, rather than letting these disputes fester until a designated negotiating period. This ''living agreement'' has strengthened the ties between the two entities and most importantly, has resulted in a better standard of living for all of the families in Bay County.

Mr. Speaker, I am pleased to add my voice to those who speak with pride about GM Powertrain-Bay City and its centennial of civic achievement and contribution. GM Powertrain would not be the pillar of our community that it is today without generations of dedicated individuals including the current Plant Manager Bill Bowen, and the current Local UAW 362 President Louis Roth. I urge you and our esteemed colleagues to join me in applauding General Motors Powertrain and its 100 successful years.

GOOD LUCK AND CONGRATULATIONS TO ROBERT A. GLACEL

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. EDWARDS. Mr. Speaker, today I rise to congratulate Brigadier General Robert A. Glacel on a distinguished military career and wish him the very best on his retirement. I hope Members will join with me to thank General Glacel for his contributions to our Army and our country.

General Glacel is a consummate professional whose performance in over three decades of service, in peace and in war, has personified those traits of courage, competency and commitment that our nation has come to expect from its Army officers.

Robert Glacel entered service after graduating from the United States Military Academy and being commissioned as a second lieutenant in 1969. He served as a forward observer, artillery liaison officer and assistant executive officer in the 3rd of the 319th Field Artillery battalion in Vietnam. There he received the Bronze Star Medal for his valor. He immediately assumed command of an artillery batter in Germany in 1971, followed by successful command of a division artillery platoon and as the division artillery intelligence officer.

After earning two masters degrees from MIT, Cambridge, Massachusetts, General Glacel instructed and was an assistant professor at West Point in the Engineering Department. He also earned his MBA while tenured there. After the West Point assignment, he returned to the field and served as the Operations Officer and Executive Officer for the 1st of the 37th Field Artillery battalion in Fort Richardson, Alaska. With a stint at the Pentagon as an Operations Research/Systems Analyst in between, General Glacel was then selected to command the 1st Battalion, 4th Field Artillery, 3rd Brigade, 2nd Infantry Division in Korea from 1987 through 1989.

After attendance at the Industrial College of the Armed Forces, General Glacel returned to the Pentagon as a Military Political Planner in 1990 with the Joint Chiefs of Staff. He became the Chief of the Conventional Forces in Europe (CFE) Branch, and was the lead negotiator in the historic CFE Treaty process and was a mainstay on the United States planning teams in Washington and Brussels, Belgium. He was also a major contributor to the new European security structure.

General Glacel was then selected by the Army to command the 7th Infantry Division (Light) Artillery Commander out of Fort Ord, California. Following his successful command, he served as the Executive Officer to the Under Secretary of the Army. In this role, he ably provided guidance and direction to the Army staff, and served as liaison between the Under Secretary, the Office of the Secretary of Defense, Office of the Joint Chiefs of Staff and assistant secretaries and Army Staff. He demonstrated diplomacy, decision making, leadership and perseverance.

General Glacel was then selected to serve as the Chief of the Requirements and Programs Branch for the Commander, SHAPE. He was the SHAPE commander's subject matter expert for the Defense Planning Process across the whole of the Allied Command Europe.

His most recent assignment put the general at the head of the Test and Experimentation Command (TEXCOM) at Fort Hood, Texas, which is in my congressional district. He quickly gained credibility with senior Army leadership through the data collection effort for the Division Warfighting Experiment (DAWE), making TEXCOM the Army's data collector of choice for all future experiments associated with the digitized division and corps design through the Force XXI process.

On a personal note, I am grateful to call Robert Glacel a close, personal friend. He is a role model for all of us: a man of integrity, decency, and compassion.

Let me also say that every accolade to Robert Glacel must also be considered a tribute to his family, his wife of 30 years, Barbara, and his three lovely daughters, Ashley, Sarah and Jennifer. As a wife and mother, Barbara has been a true partner in all of Robert's accomplishments. Robert and Barbara have made their community and our country a better place in which to live. They have touched so many lives, through their consideration and sincere caring.

Robert Glacel's career reflects a deep commitment to our nation, which has been characterized by dedicated, selfless service, love for soldiers and a commitment to excellence. I offer my heartfelt appreciation for a job well done over the past thirty years and best wishes for continued success, to a great soldier and defender of freedom. I ask Members to join me in wishing Robert, Barbara and their three daughters every success and happiness in the future.

INTRODUCTION OF THE UNITED STATES LIFE-SAVINGS SERVICE HERITAGE ACT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PALLONE. Mr. Speaker, today I introduce the United States Life-Saving Service Heritage Act, legislation to celebrate one of the most inspiring periods in America's maritime history. This legislation would establish a comprehensive program to inventory, evaluate, document, and assist efforts to restore and preserve surviving historic lifesaving stations. I am pleased that my Jersey Shore colleague Representative FRANK LOBIONDO has joined me in this effort.

The history of lifesaving in the United States dates back to 1785, when the Massachusetts Humane Society began building huts along the Massachusetts coast to aid shipwreck victims. These huts were later fitted with surfboats, beachcarts, and other lifesaving equipment. Beginning in 1847, the Federal government recognized the importance and necessity of lifesaving efforts when Congress provided a series of appropriations to establish lifesaving stations equipped to render assistance to shipwrecked mariners and their passengers. These stations were first established along the Atlantic coast with the assistance of Representative William Newell, who during the 31st and 39th Congresses represented some of the same areas of New Jersey that I represent today. Representative Newell's efforts contributed to the establishment of a network of lifesaving stations along the Jersey Shore from Sandy Hook to Cape May. In 1871, Congress approved the first appropriation for the Federal government to employ crews of lifesavers. On June 18, 1878, the ''Act to Organize the Life-Saving Service'' was enacted. In 1915 the Life Saving Service merged with the Revenue Cutter Service to form the Coast Guard. At that time, there were over 275 lifesaving stations to aid shipwreck victims on the Atlantic, Pacific, Gulf, and Great Lakes coasts.

The volunteer and professional lifesaving personnel who staffed these stations risked life and limb to prevent shipwreck casualties. Winslow Homer immortalized these great heroes of the American coast in this painting The Life Line. Walt Whitman celebrated their inspiring actions in the following excerpt of his poem Patrolling Barnegat—

Through cutting swirl and spray watchful and firm advancing,
(That in the distance! Is that a wreck? Is the red signal flaring?)
Slush and sand of the beach tireless till daylight wending,
Steadily, slowly, through horse roar never remitting,
Along the midnight edge by those milk-white combs careering,
A group of dim, weird forms, struggling, the night confronting,
That savage trinity warily watching.

An outstanding example of this period survives today in my district. The historic Monmouth Beach lifesaving station, established in 1895, is a Duluth style station designed by the architect George Tolman. In 1880, every member of the station's crew was awarded a gold lifesaving medal for rescuing victims of two shipwrecks on the same evening. Earlier this year, this historic structure was slated for demolition to make way for a new parking lot for beachgoers. Fortunately, the entire community came together to save this important structure. However, much work needs to be done to preserve the station's history and the inspiring stories of those who served there.

It is not certain exactly how many stations like the one in Monmouth Beach remain. Many surviving historic lifesaving stations are of rare

architectural significance, yet they are unfortunately threatened by harsh coastal environments, rapid economic development in the coastal zone, neglect, and lack of resource for their preservation. The heroic actions of America's lifesavers deserve greater recognition, and their contributions to America's maritime and architectural history should be celebrated.

That is why I have proposed the United States Life-Saving Service Heritage Act. This legislation would provide the resources necessary to inventory, document, and evaluate surviving lifesaving stations. It would also provide grant funding to assist efforts to protect and preserve these maritime treasures.

The United States Life-Saving Service Heritage Act would authorize the National Park Service, through its National Maritime Initiative, to inventory, document, and evaluate surviving historic lifesaving stations. These activities would be conducted in cooperation with the U.S. Life-Saving Service Heritage Association, a Massachusetts based non-profit educational organization that works to protect and preserve America's lifesaving heritage. This inventory, documentation, and evaluation would be similar in nature to a study completed by the Park Service in 1994, on historic lighthouses. Under this legislation, the Park Service would serve as a clearinghouse of information on lifesaving station preservation efforts, which would greatly assist public and private efforts to protect these historic structures and the maritime heritage that they embody.

Mr. Speaker, I urge my colleagues to support this legislation to celebrate one of the most heroic and inspiring periods in America's maritime history.

H.R. —

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 ''United States Life-Saving Service Heritage Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The United States has a long tradition of heroic efforts to rescue those in peril on the sea.

(2) Legislation providing appropriations to the Secretary of the Treasury for ''surf boats, rockets, carronades, and other necessary apparatus for the better preservation of life and property from shipwrecks on the coast of New Jersey, between Sandy Hook and Little Egg Harbor'' was approved August 14, 1848 (9 Stat. 322), and was subsequently extended to support volunteer lifesaving efforts on the coast of New Jersey between Little Egg Harbor and Cape May, and in other States and territories.

(3) Legislation providing appropriations to the Secretary of the Treasury ''for the purpose of more effectively securing life and property on the coast of New Jersey and Long Island ... and to employ crews of experienced surfmen at such stations'' was approved April 20, 1871 (17 Stat. 12).

(4) The Life-Saving Service was reorganized by the Congress by enactment of the Act entitled ''An Act to organize the Life-Saving-Service'', approved June 18, 1878 (chapter 265; 20 Stat. 163).

(5) America's lifesaving stations and boats were staffed by brave volunteer and professional lifesavers, who risked life and limb to rescue shipwrecked passengers and crews.

(6) Many surviving Life-Saving Service stations are of rare architectural significance, yet these historic stations are threatened by harsh coastal environments, rapid economic development in the coastal zone, neglect, and lack of resources for their preservation.

(7) The heroic actions of Life-Saving Service personnel deserve greater recognition, and their contributions to America's maritime and architectural history should be celebrated through a comprehensive preservation program and greater opportunities for the public's education about the heritage of the Life-Saving Service and related private and public organizations.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to establish a program to inventory, evaluate, document, and assist in efforts to restore and preserve surviving lifesaving stations and other structures and artifacts dedicated to our forefathers' lifesaving efforts.

SEC. 3. UNITED STATES LIFE-SAVING SERVICE STATION PRESERVATION PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior, through the National Maritime Initiative of the National Park Service, shall establish a program in accordance with this section to inventory, evaluate, document, and assist efforts to restore and preserve surviving United States Life-Saving Service stations.

(b) INVENTORY, DOCUMENTATION, AND EVALUATION.—The Secretary, in cooperation with the U.S. Life-Saving Service Heritage Association, shall—

(1) survey coastal regions of the United States to identify and prepare an inventory of surviving historic lifesaving stations, boats, and other significant lifesaving equipment;

(2) document the designs of significant existing structures and lifesaving boats for inclusion in the Historic American Building Survey/Historic American Engineering Record Collection in the Library of Congress; and

(3) evaluate historic lifesaving stations, including—

(A) assessing the historic significance, integrity, and condition of surviving historic lifesaving stations;

(B) making recommendations for outstanding examples of historic lifesaving stations that should be listed on the National Register of Historic Places, or designated as National Historic Landmarks; and

(C) making recommendations for outstanding examples of lifesaving boats to be included in the Historic American Engineering Record Collection.

(c) TECHNICAL ASSISTANCE, EDUCATIONAL MATERIALS, RESEARCH AIDS, AND OTHER INFORMATION.—The Secretary shall—

(1) serve as a clearinghouse of information for persons interested in restoring and preserving historic lifesaving stations, their boats, and related lifesaving equipment; and

(2) make available to the public, including through the Internet, educational materials, research aids, guides, bibliographies, and other information regarding the Life-Saving Service, Revenue Cutter Service, and related organizations that provided humanitarian assistance to shipwrecked mariners and their passengers, including—

(A) information on the history and development of the Life-Saving Service, the Revenue Cutter Service, predecessor private and State lifesaving organizations such as the Humane Society of the Commonwealth of Massachusetts, and early Coast Guard lifesaving and lifeboat stations;

(B) technical descriptions of lifesaving boats, line-guns, life cars, and beachcarts;

(C) the inventory, documentation, and evaluation prepared under subsection (b);

(D) guidance and technical assistance in the listing of historic lifesaving and lifeboat stations on the National Register of Historic Places, or their designation as National Historic Landmarks; and

(E) guidance and technical assistance in the listing of historic lifesaving boats in the Historic American Engineering Record Collection.

(d) GRANTS.—

(1) IN GENERAL.—The Secretary, subject to the availability of appropriations, shall make grants to coordinate and assist in the restoration and preservation of historic lifesaving stations, historic lifesaving boats, and other significant lifesaving artifacts.

(2) COST SHARE.—The Federal share of the cost of an activity carried out with financial assistance under this subsection shall not exceed 75 percent of the total cost of the activity.

(e) DEFINITIONS.—In this section:

(1) HISTORIC LIFESAVING STATION.—The term ''historic lifesaving station'' means any land, structure, equipment, or other physical artifact or facility formerly under the jurisdiction or control of the Life-Saving Service or any earlier private or State organizations, including lifesaving and lifeboat stations, sailors' refuges, shipwreck survivors' cache sites, boats, and beachcarts.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the National Maritime Initiative of the National Park Service.

(3) U.S. LIFE-SAVING SERVICE HERITAGE ASSOCIATION.—The term ''U.S. Life-Saving Service Heritage Association'' means the national nonprofit educational organization by that name established under the laws of the Commonwealth of Massachusetts for the purposes and objectives of meeting and preserving America's lifesaving heritage.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary—

(1) for use in making grants under subsection (d), $5,000,000 for each of fiscal years 2000 through 2004; and

(2) for carrying out the other provisions of this section $500,000 for each of fiscal years 2000 through 2004.

TRIBUTE TO FRANK GARRISON ON HIS RETIREMENT FROM THE AFL–CIO

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. DINGELL. Mr. Speaker, I rise today to honor and congratulate a friend and colleague who has given much to the state of Michigan, to the labor movement and to Michigan politics. Frank D. Garrison is a former autoworker who became a lobbyist for the United Auto Workers (UAW) before being chosen to lead the AFL–CIO in Michigan. And by the way, his middle name is Delano, named after one of our greatest Presidents Franklin Delano Roosevelt.

He is a working man who has devoted himself to the working man and woman. Frank Garrison believes strongly in fighting for the little guy, addressing the concerns of the people who have the least. A consummate public servant, he devoted his career to making working conditions in Michigan and the United States better for working families. He is a strong believer in public education and universal health care, and has worked tirelessly so that the world is a better place for everyone.

Frank's first experience with the unions came as a young man working at the Saginaw

Steering Gear plant in Saginaw, Michigan. He became a member of UAW Local 699. Drafted into the Army in 1953, he served his country for two years. Upon returning to his job in Saginaw, he actively pursued leadership posts within the UAW. During those first few years he served as alternate committeeman, committeeman, shop committeeman, local union vice-president and financial secretary.

He was appointed as a UAW international representative in 1972 for region 1D and assigned to the UAW Education Department and the Michigan UAW Community Action program (CAP). He was serving as CAP coordinator for Region 1D when he joined the Michigan UAW–CAP legislative office in Lansing, Michigan as a lobbyist in January 1976. That July, he became legislative director for the UAW.

In 1982, Frank was appointed executive director of Michigan UAW–CAP, a position he held for four years until he was elected president of the Michigan State AFL–CIO on December 12, 1986.

Mr. Speaker, I ask that all of my colleagues salute Frank and his leadership, hard work and caring heart. He has devoted much of his life to others and in some way I know he will continue to be involved. He is a dear friend who has always worked to make the world a better place for everyone. I wish him the best in his retirement: many peaceful days fishing, golfing and spending time with his lovely wife Dora, his daughters and grandchildren. He has worked hard and deserves the best in his retirement. Frank, best of luck to you.

FAMILY FRIENDLY TELEVISION PROGRAMMING

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PORTMAN. Mr. Speaker, I rise today along with my distinguished colleague from Massachusetts, Representative MARKEY to introduce a concurrent resolution which recognizes the importance of family friendly television programming, and the contributions that the Family Friendly Programming Forum is undertaking to make this goal a reality.

Recent events have caused a national debate on child development and the influences of our popular culture on our children. In particular, we cannot overlook the role that television plays in shaping the attitudes and outlook of our nation's young people. Studies show that, each week, the average child will watch 22–28 hours of television, which is more time he or she will spend on any activity other than sleeping.

Television is not only a powerful influence, it is too often a negative one. While parents have the final responsibility for regulating their children's viewing habits, the simple fact remains that the number of family-friendly programs available—particularly during prime time—has been steadily decreasing.

Thirty-three of our country's largest companies have recognized this unmet need in the marketplace. And they have joined together to establish the Family Friendly Programming Forum.

The argument is often made that family-friendly programs don't draw big ratings, advertisers won't support them and, therefore, networks cannot afford to carry them. One of the goals of the Forum is to change this perception. The major advertisers who are members of the Forum are taking a number of specific steps to encourage more family-friendly programs, including a new annual awards program the first of which is being held in California today. The Forum is also establishing a development fund for family-friendly scripts, a television scholarship program and a public awareness campaign to promote viewing options for families.

Mr. Speaker, family-friendly programming does not mean dull shows. Successful programming over the years, including such television classics as ''The Cosby Show'' and ''Home Improvement,'' demonstrate that entertaining programming can be produced that is appropriate for the entire family. There is a market for good family-friendly programming. The advertising community represented on the Forum should be commended for working proactively to improve the content and quality of programming for America's families.

Our families deserve more viewing choices and options. As a Member of Congress and as a parent, I commend the Family Friendly Programming Forum for working to provide more suitable programming for all Americans.

CONGRATULATIONS TO MR. AND MRS. JIM SCRIVNER ON THEIR 50TH ANNIVERSARY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. SKELTON. Mr. Speaker, let me take this opportunity to congratulate my friends Honey and Jim Scrivner on their 50th wedding anniversary.

Honey and Jim Scrivner were married September 3, 1949, in the United Methodist Church in Versailles, MO. The Scrivners have served as model citizens of Versailles, dedicating their lives to the betterment of their community.

Jim and Honey have owned and operated Scrivner-Morrow Funeral Homes in Versailles, MO, for 47 years. In addition to the undertaking business, in 1978, Jim Scrivner was elected Mayor of Versailles and served three consecutive terms. During his tenure as Mayor, Scrivner made great industrial improvements to Versailles, including constructing a new sewage treatment plant and sewage lines. He also implemented street upgrading, city park improvements, and housing projects for low-income and elderly persons. In addition, Honey and Jim ran a 24-hour volunteer ambulance service from their house for over 30 years, and helped countless people within Morgan County. Together, the Scrivners have saved lives, delivered babies, and rushed the injured and sick to area clinics and hospitals.

The Scrivners have been involved in many community activities. Jim has been a dedicated member of the Lion's Club for many years, and he volunteers once a week at a hospital in Jefferson City. A very active member of the ABWA, Honey has chaired many fundraising projects that benefit girls scholarships. The Scrivners are also involved with the United Methodist Church of Versailles.

Not only have the Scrivner's been outstanding citizens in their community, but they are also loving parents and grandparents as well. They have three daughters, Mona, Sherry, and Jamie; and two granddaughters, Carrie Jo and Hannah Kaye.

Mr. Speaker, the Scrivners have selflessly devoted their lives to help many people and improve their community. They are truly role models. I know the Members of the House will join me in extending our heartfelt congratulations to the Scrivners for their 50th wedding anniversary. I wish them the very best in all the days ahead.

CONGRATULATIONS, TOM O'HARA

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. PAYNE. Mr. Speaker, I would like my colleagues here in the House of Representatives to join me in honoring a very special person whom I am proud to call a friend, Mr. Tom O'Hara, as he celebrates 30 years of service with the New Jersey-based Prudential Insurance Company of America. As a former executive at Prudential myself, I am very gratified that a person of Tom's caliber has rendered so many years of service to the company.

After graduating from Mount Saint Mary's College, Tom received his law degree from Georgetown Law School. First joining Prudential in 1969 as a tax lawyer, Tom's extraordinary interpersonal skills, exceptional problem solving ability and reputation as a ''doer'' led to his advancement to the position he holds today, Vice President in the Law Department of the company's Washington, DC office. Tom has served as President of the Business-Government Relations Council, Chairman of the Business Roundtable Washington Steering Committee and as Chairman of the American Council of Life Insurance's Legislative Strategy Committee.

An active member of his community who has contributed his time and talents to many worthy causes, Tom serves on the Board of Trustees of Mount Saint Mary's College, on the Board of Trustees of the United States Capitol Historical Society, and on the Board of Directors of Wolf Trap Associates. Tom and his wife Patti have four children. His close-knit family embodies the virtues of strength, compassion, faith and concern for others. In memory of their late daughter, Tom and his wife generously established the Kelly O'Hara Scholarship Fund to help deserving young people attain a college education.

A person who enjoys the outdoors, especially the shore, Tom has been a runner and is now a golf enthusiast. He is also an avid sports fan, and because I am a graduate of Seton Hall University, we enjoy a friendly rivalry as we root for opposing teams at sporting events such as the Seton Hall/Georgetown or Giants/Redskins game.

Mr. Speaker, the completion of 30 years of service is indeed a remarkable achievement based on hard work, loyalty and tenacity. As Tom marks this milestone, I know my colleagues join me in congratulating him for a job done and wishing him all the best in the future.

IN RECOGNITION OF THE METROPOLITAN JEWISH GERIATRIC CENTER

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mr. NADLER. Mr. Speaker, in 1907, a group of women in the Brownsville/East New York section of Brooklyn, concerned about the health and well-being of their elderly neighbors, joined together to organize the Brooklyn Ladies Hebrew Home for the Aged.

In 1913, the name of the institution was changed to the Brooklyn Hebrew Home for the Aged, and a year later the first Home for the Aged opened and the first residents were admitted. The total capacity, 70 residents.

Concurrent with the increased demand for services, the Home grew steadily over the years until, in 1968, it became an affiliated agency of the Federation of Jewish Philanthropies and was formally renamed Metropolitan Jewish Geriatric Center (MJGC).

To more precisely convey its mission, MJGC is now known as the Metropolitan Jewish Geriatric Foundation—an organization that provides financial support for the 36 participating agencies and programs of Metropolitan Jewish Health System (MJHS).

Collectively, MJHS agencies and programs serve the health care needs of more than 20,000 chronically ill people. MJHS is acknowledged to be the premiere integrated health care delivery system serving the Greater New York Metropolitan Area.

The Adult Day Health Center; the Phyllis and Lee Coffey Boro Park Primary Care Center; the Hospice of Greater New York; the Jewish Hospice; Caregivers; the Center for Rehabilitation and Transitional Care; Elderplan, a Social/Health Maintenance Organization; and the Institute for Applied Gerontology, which is engaged in research, education, and service, are but a few of the programs and services in the MJHS consortium.

And while MJHS applies its knowledge and experience toward serving patients of all ages, it has not lost sight of the mission of its founders nearly a century ago.

The Phillip and Dora Brenner Pavilion in Boro Park and Shorefront Jewish Geriatric Center Weinberg Pavilion in Coney Island together provide comprehensive health care, social-support and recreational and cultural services and programs for some 1,000 residents and patients. Both are part of the ''continuum of care'' that is the hallmark of Metropolitan Jewish Health System.

On September 7th, at the Waldorf-Astoria, the Metropolitan Jewish Geriatric Foundation held its Annual Gala Dinner, an event that celebrated 92 years of service to the community, and paid a well-deserved tribute to Mark L. Goldstein, immediate past chairman of MJHS and a distinguished community leader. The event also honored Arletha Andrews, Herman Frazier, Pastor Roman, Murray Scherer, Willie Simpkins, and Gene Simpkins, each of whom has given dedicated service as an employee of an MJHS participating agency for 35 years or more.

MJHS excels not only in the quality and scope of its care programs; it is recognized also for its vision, its innovative spirit, and the skill, the dedication and the compassion of all those involved in meeting patients' health care needs.

If past is prologue, I am confident that MJHS will continue to burnish its leadership role, with the support of MJGF, record even more impressive accomplishments in the service of the community in the new millennium.

CONGRATULATING THE TEAM FROM KAHUKU HIGH & INTERMEDIATE SCHOOL ON ITS PERFORMANCE AT THE WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION 1999 NATIONAL FINALS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I take this opportunity to congratulate the team of students from Kahuku High & Intermediate School of Kahuku, Hawaii, on their participation in the We the People . . . The Citizen and the Constitution national finals held in Washington, DC, May 1–3, 1999.

The team members—Syreeta Ho, Sarah Lautaha, Alvin Law, Tanya Ludlow, Kimberlee Maeda, Matthew Marler, Lea Minton, Kaitlin Palmer, Jessica, Preece, Siulia Purcell, Darren Salomons, Kimberly Smith, Bruce Walker, and Nadine Zettl—competed against 50 other classes from throughout the nation and demonstrated a remarkable understanding of the fundamental ideals and values of American constitutional government.

The We the People . . . The Citizen and the Constitution competition simulates a congressional hearing on an issue requiring application of constitutional principles. Students must succinctly present their positions and then answer unscripted questions.

The Kahuku High & Intermediate School team won at the Congressional District level and the State level before making it to the national finals. I join the people of Hawaii in expressing my pride in their impressive achievement.

HONORING THE RETIREMENT OF CARL J. LATONA

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

Ms. STABENOW. Mr. Speaker, today Carl J. Latona will retire after 25 years of outstanding leadership and commitment to improving the community through his work with Highfields. During those years, Carl Latona has touched the lives of countless young people and their families—encouraging, advising, inspiring and serving as a role model.

As President and Chief Executive Officer of Highfields, Inc., he was actively involved not only in the administration of the many excellent services offered by Highfields, but also program development, fundraising and public policy in the field of child welfare. He has been a tireless advocate for youth and always could be counted on to speak about the importance of prevention. He has served on countless committees and boards and continues to give his time to many community efforts.

Carl Latona persevered with his message of caring for youth despite roadblocks along the way. When one door closed, he would look for other doors until he found an opening. I have the utmost respect for his commitment to youth and his belief that any person can turn their life around with the proper support and caring attitude. He has always been an excellent resource whenever I have made public policy decisions on issues involving youth.

I would like to thank Mr. Latona personally for his contribution to improving this community and offering support to families in need. It is largely through Mr. Latona's vision and direction that Highfields has grown, constantly developing innovative new ways to reach out to young people through schools, the community and when necessary the courts.

On behalf of Michigan families, I thank Carl for his commitment to the community and his service to so many important family organizations. His courage, vision and friendship mean a great deal to me and many others in Michigan

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10657–S10711

Measures Introduced: Three bills and one resolution were introduced, as follows: S. 1571–1573, and S. Res. 180. **Page S10694**

Measures Reported: Reports were made as follows:

H.R. 974, to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, with an amendment in the nature of a substitute. (S. Rept. No. 106–154) **Page S10694**

Measures Passed:

Four Corners Interpretive Center Act: Senate passed S. 28, to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, after agreeing to a committee amendment in the nature of a substitute. **Pages S10709–10**

Department of the Interior Appropriations: Senate continued consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, taking action on the following amendments proposed thereto: **Pages S10658–85**

Adopted:

By 54 yeas to 44 nays (Vote No. 265), Bond (for Lott) Amendment No. 1621, to provide funds to assess the potential hydrologic and biological impact of lead and zinc mining in the Mark Twain National Forest of Southern Missouri. **Pages S10658–59**

Rejected:

By 45 yeas to 52 nays (Vote No. 266), Robb Amendment No. 1583, to strike section 329, provisions that would overturn recent decisions handed down by the 11th circuit corporation and federal district court in Washington State dealing with national forests. **Pages S10659–61**

Torricelli Amendment No. 1571, to prohibit the use of funds made available by this Act to authorize, permit, administer, or promote the use of any jawed leghold trap or neck snare in any unit of the National Wildlife Refuge System. (By 64 yeas to 32 nays (Vote No. 268), Senate tabled the amendment.) **Pages S10665–75**

Durbin Amendment No. 1591, to require the Bureau of Land Management to establish a schedule for completion of processing of expiring grazing permits and leases. (By 58 yeas to 37 nays (Vote No. 269), Senate tabled the amendment.) **Pages S10675–84**

Pending:

Gorton Amendment No. 1359, of a technical nature. **Page S10658**

Hutchison Amendment No. 1603, to prohibit the use of funds for the purpose of issuing a notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000. (By 2 yeas to 96 nays (Vote No. 267), Senate failed to table the amendment.) **Pages S10661–65**

Transportation Appropriations: Senate resumed consideration of the motion to proceed to the consideration of H.R. 2084, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000. **Pages S10657–58**

During consideration of this measure today, Senate also took the following action:

By 49 yeas to 49 nays (Vote No. 264), 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 proceed to the consideration of the bill. **Pages S10657–58**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Convention (No. 176) Concerning Safety and Health in Mines (Treaty Doc. No. 106–8).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. **Page S10709**

Nominations Received: Senate received the following nominations:

Linda Lee Aaker, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2004.

Edward L. Ayers, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2004.

Pedro G. Castillo, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2004.

Peggy Whitman Prenshaw, of Louisiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2002.

Theodore William Striggles, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2004.

19 Air Force nominations in the rank of general.

16 Army nominations in the rank of general.

3 Coast Guard nominations in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Foreign Service and National Oceanic and Atmospheric Administration.

Pages S10710–11

Measures Placed on Calendar: **Page S10692**

Communications: **Page S10692**

Petitions: **Pages S10692–94**

Statements on Introduced Bills: **Pages S10694–S10706**

Additional Cosponsors: **Pages S10706–08**

Authority for Committees: **Pages S10708–09**

Additional Statements: **Page S10709**

Record Votes: Six record votes were taken today. (Total—269) **Pages S10657–59, S10661, S10665, S10674–75, S10684**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:23 p.m., until 9:30 a.m., on Friday, September 10, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10710.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded hearings on the nomination of General Henry H. Shelton, USA, for reappointment as the Chairman of the Joint Chiefs of Staff and appointment to the grade of General, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nominations of Thomas B. Leary, of the District of Columbia, to be a Federal Trade Commissioner, and Gregory Rohde, of North Dakota, to be Assistant Secretary of Commerce for Communications and Information, after the nominees testified and answered questions in their own behalf. Mr. Rohde was introduced by Senators Dorgan and Conrad, and Representatives Pickering and Pomeroy.

RELIGIOUS LIBERTY PROTECTION

Committee on the Judiciary: Committee concluded hearings to examine the protection of religious liberty, focusing on the constitutionality of a religious protection measure, after receiving testimony from Douglas Laycock, University of Texas School of Law, Austin; Chai R. Feldblum, Georgetown University Law Center, and Gene C. Schaerr, Sidley and Austin, both of Washington, D.C.; and Jay S. Bybee, University of Nevada William S. Boyd School of Law, Las Vegas.

House of Representatives

Chamber Action

Bills Introduced: 19 public bills, H.R. 2820–2838; and 5 resolutions, H. Con. Res. 183–185 and H. Res. 285–286, were introduced. **Pages H8098–99**

Reports Filed: One report was filed today as follows:

H.R. 1752, to make improvements in the operation and administration of the Federal courts, amended (H. Rept. 106–312). **Page H8098**

Suspension—Clemency for Terrorists: The House agreed to suspend the rules and agreed to H. Con. Res. 180, amended, expressing the sense of Congress that the President should not have granted clemency to terrorists by a yea and nay vote of 311 yeas to 41 nays with 72 voting ''present'', Roll No. 398. **Pages H8012–20**

H. Res. 281, the rule that provided for consideration of the concurrent resolution under the suspension of the rules was agreed to by a yea and nay vote of 253 yeas to 172 nays, Roll No. 397. **Pages H8005–12**

VA/HUD Appropriations, 2000: The House passed 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 by a yea and nay vote of 235 yeas to 187 nays, Roll No. 403. The House completed general debate and considered amendments on September 8.

Pages H8020–65

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report it back promptly in a form that ensures compliance with the section 302(b) allocation using Congressional Budget Office scorekeeping conventions to avoid sequestration of billions of dollars in discretionary spending in vital Federal programs including the national defense, the National Institutes of Health, veterans medical care, and education and environmental programs, among many others by a recorded vote of 207 ayes to 215 noes, Roll No. 402. **Pages H8064–65**

Agreed to:

The Boehlert amendment that allows national estuary grants subject to the enactment of authorizing legislation; **Page H8030**

The Sanders amendment that specifies that the House supports efforts to implement improvements in health care services for veterans in rural areas;

Pages H8032–33

The Weygand amendment that expresses the sense of Congress that the executive branch should provide funeral honor details for the funerals of veterans when requested, in accordance with law; and

Pages H8050–51

The Tancredo amendment that increases the funding for state extended care facilities by $7 million (agreed to by a recorded vote of 366 ayes to 54 noes, Roll No. 401). **Pages H8052–54, H8056**

Rejected:

The Smith of Michigan amendment that sought to increase FEMA Fire Administration funding by $2.5 million (rejected by a recorded vote of 69 ayes to 354 noes, Roll No. 399); and

Pages H8031–32, H8043–44

The Hinchey amendment that sought to prohibit any funding to be used to implement or administer the Veterans Equitable Resource Allocation system (rejected by a recorded vote of 158 ayes to 266 noes, Roll No. 400). **Pages H8033–42, H8044**

Withdrawn:

The LaTourette amendment was offered, but subsequently withdrawn, that sought to allocate $67.9 million in NASA funding from the Human Space Flight programs to Science, Aeronautics and Technology programs; **Pages H8021–22**

The Jackson-Lee of Texas amendment was offered, but subsequently withdrawn, that sought to increase NASA funding by $924.6 million; **Pages H8025–28**

The Green of Wisconsin amendment was offered, but subsequently withdrawn, that sought to prohibit any funding to be used to terminate inpatient services at the Iron Mountain Department of Veterans Affairs Medical Center, Iron Mountain, Michigan or to close that facility; **Pages H8044–46**

The Kelly amendment was offered, but subsequently withdrawn, that sought to prohibit any funding to be used to close any Department of Veterans Affairs medical center; **Pages H8046–49**

The Kleczka amendment was offered, but subsequently withdrawn, that sought to prohibit any funding by the EPA to promulgate final national primary drinking water standards for Radium 226 and 228 under the Safe Drinking Water Act; and

Pages H8049–50

The Ehlers amendment was offered, but subsequently withdrawn, that sought to increase the National Science Foundation funding by $230 million.

Pages H8051–52

H. Res. 275, the rule that provided for consideration of the bill was agreed to on August 5.

District of Columbia Appropriations: The House agreed to the conference report on H.R. 2587 making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000 by a yea and nay vote of 208 yeas to 206 nays, Roll No. 404.

Pages H8066–81

Earlier, agreed that it be in order to consider the conference report; that all points of order against the conference report and against its consideration be waived; and that H. Res. 282 be laid upon the table.

Page H8066

Legislative Program: The Majority Leader announced the Legislative Program for the week of September 13. **Page H8083**

Meeting Hour—Monday, September 13: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, September 13 for morning-hour debates. **Page H8083**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business on Wednesday, September 15. **Page H8083**

Senate Messages: Message received from the Senate appears on page H8001.

Referrals: S. 1076 was referred to the Committee on Veterans' Affairs. **Page H8096**

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on page H8100.

Quorum Calls—Votes: Four yea and nay votes and four recorded votes developed during the proceedings of the House today and appear on pages H8012, H8019–20, H8043–44, H8044, H8056, H8064–65, H8065, and H8080–81. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 10:30 p.m.

Committee Meetings

HOW HEALTHY ARE THE GOVERNMENT'S MEDICARE FRAUD FIGHTERS?

Committee on Commerce: Subcommittee on Oversight and Investigations continued hearings on How Healthy Are The Government's Medicare Fraud Fighters? Testimony was heard from the following officials of the GAO: Leslie G. Aronovitz, Manager, Chicago Field Office; and Robert Hast, Acting Assistant Comptroller General; the following officials of the Department of Health and Human Services: George Grob, Deputy Inspector General, Evaluations and Inspection; and Jack Hartwig, Deputy Inspector General, Investigations; and public witnesses.

WELFARE REFORM

Committee on Education and the Workforce: Subcommittee on Postsecondary Education, Training, and Life-Long Learning held a hearing on Welfare Reform: Assessing the Progress of Work-Related Provisions. Testimony was heard from Ray Bramucci, Assistant Secretary, Employment and Training Administration, Department of Labor; Al Collins, Director, Office of Family Assistance, Administration for Children and Families, Department of Health and Human Services; Cynthia M. Fagnoni, Director, Education, Workforce and Income Security Issues, GAO; Jason Turner, Commissioner, Human Resource Administration, New York City; and public witnesses.

LAW ENFORCEMENT RETIREMENT

Committee on Government Reform: Subcommittee on Civil Service held a hearing on Law Enforcement Retirement: Who Qualifies and Why? Testimony was heard from Representatives Bryant, Davis of Virginia, Filner, Mink of Hawaii and Traficant; William E. Flynn, Associate Director, Retirement and Insurance Services, OPM; Kay Frances Dolan, Deputy Assistant Secretary, Human Resources, Department of the Treasury; John Vail, Deputy Assistant Attorney General, Management, Department of Justice; and public witnesses.

FAA AND Y2K

Committee on Government Reform: Subcommittee on Government Management, Information and Technology and the Subcommittee on Technology of the Committee on Science held a joint hearing on The FAA and Y2K: Will Air Travel Be Stopped or Be Significantly Delayed on January 1st and Beyond? Testimony was heard from the following officials of the Department of Transportation: Jane Garvey, Administrator, FAA; and Ken Mead, Inspector General; and Joel Willemssen, Director, Civil Agencies Information Systems, Accounting and Information Management Division, GAO.

IRAN NONPROLIFERATION ACT; TORTURE VICTIMS RELIEF REAUTHORIZATION ACT

Committee on International Relations: Ordered reported, as amended, H.R. 1883, Iran Nonproliferation Act of 1999.

The Committee also favorably considered and amended H.R. 2367, Torture Victims Relief Reauthorization Act of 1999, and adopted a motion urging the Chairman to request that it be considered on the Suspension Calendar.

PAIN RELIEF PROMOTION ACT

Committee on the Judiciary: Began markup of H.R. 2260, Pain Relief Promotion Act of 1999.

Will continue September 14.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported 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, Gas Hydrate Research and Development Act of 1999; H.R. 2086, amended, Networking and Information Technology Research and Development Act; and H.R. 1883, amended, Iran Nonproliferation Act of 1999.

U.S. EXPORT ASSISTANCE CENTER NETWORK

Committee on Small Business: Subcommittee on Tax, Finance, and Exports held a hearing on Measuring Improvements in the U.S. Export Assistance Center Network. Testimony was heard from Benjamin F. Nelson, Director, International Relations and Trade Issues, GAO; the following officials of the Department of Commerce: Johnnie E. Frazier, Inspector General; and Awilda R. Marquez, Assistant Secretary and Director General, Commercial Service; and Joseph S. Sachs, Director, U.S. Export Assistance Center, Long Beach, California.

HUSH-KITTED AIRCRAFT—EUROPEAN UNION'S EFFORTS TO BAN

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on European Union's Efforts to Ban Hush-Kitted Aircraft. Testimony was heard from Ambassador David L. Aaron, Under Secretary, International Trade, Department of Commerce; David Marchick, Deputy Assistant Secretary, Transportation Affairs, Department of State; David Traynham, Assistant Administrator, Policy, Planning and International Aviation, FAA, Department of Transportation; and public witnesses.

OVERSIGHT

Committee on Veterans' Affairs: Subcommittee on Benefits held an oversight hearing on Veterans' Employment Regarding Civilian Credentialing Requirements for Military Job Skills. Testimony was heard from Espiridion Borrego, Assistant Secretary, Veterans' Employment and Training, Department of Labor; the following officials of the Department of Defense: Victor Vasquez, Jr., Deputy Assistant Secretary, Personnel Support, Families and Education; Ruby B. DeMesme, Assistant Secretary, Air Force, Manpower, Reserve Affairs, Installations and Environment; Brig. Gen. Kathryn G. Frost, USA, Adjutant General, U.S. Army; Rear Adm. David L. Brewer, III, USN, Vice Chief, Naval Education and Training, U.S. Navy; and Lt. Gen. Jack W. Klimp, USMC, Deputy Chief of Staff, Manpower and Reserve Affairs, U.S. Marine Corps; Julius M. Williams, Jr., Director, Vocational Rehabilitation and Counseling Service, Veterans Benefits Administration, Department of Veterans Affairs; Rear Adm. Fred L. Ames, USCG, Assistant Commander, Human Resources, U.S. Coast Guard, Department of Transportation; a representative of a veterans organization; and public witnesses.

Joint Meetings

INDONESIA AND EAST TIMOR POLITICAL FUTURES

Joint Hearing: Senate's Committee on Foreign Relations' Subcommittee on East Asian and Pacific Affairs concluded joint hearings with the House Committee on International Relations' Subcommittee on Asia and the Pacific to examine the political futures of Indonesia and East Timor, after receiving testimony from Thomas Pickering, Under Secretary of State for Political Affairs; Paul Wolfowitz, John Hopkins University School of Advanced International Studies, Washington, D.C.; Donald K. Emmerson, Stanford University Asia/Pacific Research Center, Stanford, California; and Sidney Jones, Human Rights Watch, New York, New York.

APPROPRIATIONS—TREASURY/POSTAL SERVICE

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2490, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000.

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 10, 1999

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, September 10

Senate Chamber

Program for Friday: After the recognition of two Senators for speeches, Senate will continue to be in a period of morning business.

Also, Senate may consider S.J. Res. 33, deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, September 13

House Chamber

Program for Friday: The House is not in session.

Extensions of Remarks, as inserted in this issue

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