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No. 156

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mrs. BIGGERT).

NOTICE

If the 106th Congress, 1st Session, adjourns sine die on or before November 10, 1999, a final issue of the Congressional Record for the 106th Congress, 1st Session, will be published on November 30, 1999, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through November 29. The final issue will be dated November 30, 1999, and will be delivered on Wednesday, December 1, 1999.

If the 106th Congress does not adjourn until a later date in 1999, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Records@Reporters".

Members of the House of Representatives' statements may also be submitted electronically by e-mail or disk, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerkhouse.house.gov>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, signed manuscript. Deliver statements (and template formatted disks, in lieu of e-mail) to the Official Reporters in Room HT-60.

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By order of the Joint Committee on Printing.

WILLIAM M. THOMAS, *Chairman*.

NOTICE

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MICHAEL F. DiMARIO, *Public Printer*.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H11647

DESIGNATION OF SPEAKER PRO
TEMPORE

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

WASHINGTON, DC,
November 8, 1999.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

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 joint Resolution of the House of the following title:

H.J. Res. 54. Joint resolution granting the consent of Congress to the Missouri-Nebraska Boundary Compact.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1654. An act to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes.

H.R. 2116. An act to amend title 38, United States Code, to establish a program of extended care services for veterans and to make other improvements in health care programs of the Department of Veterans Affairs.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1654) "An Act to authorize appropriations for the National Aeronautics and Space Administration for fiscal year 2000, 2001, and 2002, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCAIN, Mr. STEVENS, Mr. FRIST, Mr. HOLLINGS, and Mr. BREAUX, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2116) "An Act to amend title 38, United States Code, to establish a program of extended care services for veterans and to make other improvements in health care programs of the Department of Veterans Affairs," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPECTER, Mr. THURMOND, and Mr. ROCKEFELLER, to be the conferees on the part of the Senate.

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

S. 791. An Act to amend the Small Business Act with respect to the women's business center program.

S. 1346. An Act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration.

S. 1418. An Act to provide for the holding of court at Natchez, Mississippi, in the same manner as court is held at Vicksburg, Mississippi, and for other purposes.

S. 1769. An Act to continue the reporting requirements of section 2519 of title 18,

United States Code, beyond December 21, 1999, and for other purposes.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

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

LIVABLE COMMUNITIES
MOVEMENT

Mr. BLUMENAUER. Madam Speaker, last week we discussed on the floor of this Chamber the impact that the livable communities movement will have on the 1999 elections, as well as the year 2000.

It was clearly a critical factor in the elections held just last week. It was my privilege this weekend to visit with hundreds of people in New Jersey which confirmed this realization that such will be the case in the year 2000, as well.

New Jersey, Madam Speaker, is the most densely populated of our States, over 8 million people in such a tiny area. I learned that part of New Jersey in the 12th Congressional District, represented by our colleague the gentleman from New Jersey (Mr. HOLT), is more densely populated than India. Yet, New Jersey is known as the Garden State. And while that may be hard for some to comprehend, it made perfect sense to me as I traveled through the beautiful New Jersey countryside.

Citizens of this State are under no illusions when it comes to the challenge they face in preserving their livability. It was my privilege to hear those challenges discussed at great length while participating in a forum sponsored by Rutgers University and The Courier Times newspaper on the future of South Jersey.

The session took place in Camden, literally in the shadows of the City of Philadelphia, and it clearly illustrated the problems and opportunities for their region. Issues of racial relations and poverty intersected with redevelopment opportunities, affordable housing with its rich history.

Several hundred citizens spent their day focusing on how to craft a vision for their community and how to implement it into action. It was truly inspirational. I look forward to following their progress in their continuing effort to shape and put in place their vision for South Jersey.

Later that day I had the opportunity to participate in a series of forums organized by our colleague the gentleman from New Jersey (Mr. HOLT). Mon-

mouth County, which is a large part of his district, will likely receive at least 10 percent of the million new people who are expected to be added to New Jersey's population over the next 20 years, over 100,000 people.

The conversation, here again, along with the depth of the commitment, was inspirational. The gentleman from New Jersey (Mr. HOLT) and his staff had organized visits with several hundred people at four different meetings. They were willing to spend a significant amount of their time on a gorgeous fall afternoon to talk indoors about the future of their communities.

People understood that it was not just enough for New Jersey to be home to the Pines Barrens and have laws on the books. There must actually be a commitment to protect and enhance the million acres of this unique treasure, which some argue is the most significant resource of its kind east of the Mississippi River.

People understood that it was not enough for New Jersey's 566 municipalities to merely be planned and zoned. Those efforts must be reinforced and related to their other partners in their region and then, in turn, harmonized with surrounding regions.

Local interests dominated by the vision of local control will fail. Local control is not meeting their needs today and will be even less effective in the future.

I carried away great optimism for the future of New Jersey, in part because of the State's bipartisan leadership:

The Republican governor, whose second inaugural theme was a livable New Jersey, has entered into an agreement with her administration and a local watchdog agency, New Jersey Future, to monitor New Jersey's executive order on sustainability. The goals and indicators are already in place with benchmarks to follow.

And with a congressional advocate like the gentleman from New Jersey (Mr. HOLT), who did not just organize an impressive series of meetings, he has empaneled his own advisory committee on growth management and the environment while here in Congress he is providing leadership on livable communities.

Livability will be on the national agenda for the year 2000 election and beyond, and it is clear to me New Jersey will be helping lead that charge.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 36 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 2 p.m.

PRAYER

The Reverend Father John Mudd, Archbishop Carroll High School, Washington, D.C., offered the following prayer:

Blessed are You, Lord God of all creation. We come before You to open this session of Congress as Your humble servants.

You are gracious and kind and merciful, and so we ask that You look on us who are Your people and answer our prayers.

Make us ever more conscious of the great blessings we share in our Nation, and help us to work together to solve the problems that threaten our well-being.

Good and gracious God, inspire our President and our leaders in Congress with a renewed vision for a better Nation and a better world where those who are weakest and the most vulnerable will be protected, and those who are strongest will act with integrity, responsibility, and generosity.

You have entrusted to us the gifts of freedom, opportunity and wealth. May we always be worthy of Your trust and use these blessings in the work for a just world where all Your children can live in peace and prosperity.

Fill us with Your spirit of wisdom and knowledge, right judgment and courage as we advance the common good, protecting human life, promoting the well-being of the family, pursuing social justice, and practicing global solidarity.

In Your holy name, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. GIBBONS 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.

WE CAN CUT WASTE

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

Mr. GIBBONS. Madam Speaker, last week, the General Accounting Office announced the results of its voluntary survey of nine, just nine Federal agencies. That survey showed that the U.S. Government lost \$19.1 billion due to fraud and clerical errors last year. Let me repeat that, \$19.1 billion of tax-

payer money was lost simply due to government errors.

Yet, some of our colleagues on the other side of the aisle still maintain that our Federal Government cannot reduce wasteful government spending by 1 percent. Really? Well, based on these findings, common sense tells us that we can reduce wasteful spending by almost \$20 billion and probably even more.

We can reduce, even eliminate, the amount wasted on costly overpayments by simply addressing the fraud and minimizing clerical errors. Wasteful spending in Washington does exist, and it needs to be stopped.

My question is this: Is it too much to expect efficiency and accountability in the Federal Government?

Madam Speaker, I yield back the billions of wasted taxpayer dollars from the hard working Americans.

NORTH KOREA IS BIGGEST RECIPIENT OF U.S. AID IN EAST ASIA

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

Mr. TRAFICANT. Madam Speaker, the biggest recipient of American aid in East Asia is not our friends the Philippines, South Korea, or East Timor. The big bucks go to a blue brutal dictator called North Korea. Unbelievable.

North Korea got \$650 million from us. Now, if that is not enough to prop up communism, not only can North Korea launch 100 missiles at America, North Korea is scheduled to get over \$1 billion in aid from our taxpayers next year, \$1 billion to North Korea. Beam me up. Who dreamed up this policy? Mao Zedong?

I yield back the fact that North Korea will not be building schools and hospitals, nor peace academies with our money.

LET LOCAL PEOPLE DECIDE NEEDS FOR CLASSROOMS

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

Mr. BALLANGER. Madam Speaker, why does the President split hairs on his 100,000 teachers? He admits we put more money into education than he does. Our money can be spent to hire teachers, to train teachers, to build classrooms and so forth. His can only hire teachers. Will they be qualified, or will they have classrooms?

California tried to cut class size and hired 30,000 teachers. But since there were few qualified persons available, they ended up with untrained teachers in crowded classrooms. Will we do the same thing? I hope not. Let us let the local people decide what their needs are.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

MUHAMMAD ALI BOXING REFORM ACT

Mr. BLILEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1832) to reform unfair and anti-competitive practices in the professional boxing industry, as amended.

The Clerk read as follows:

H.R. 1832

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Muhammad Ali Boxing Reform Act".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Professional boxing differs from other major, interstate professional sports industries in the United States in that it operates without any private sector association, league, or centralized industry organization to establish uniform and appropriate business practices and ethical standards. This has led to repeated occurrences of disreputable and coercive business practices in the boxing industry, to the detriment of professional boxers nationwide.

(2) State officials are the proper regulators of professional boxing events, and must protect the welfare of professional boxers and serve the public interest by closely supervising boxing activity in their jurisdiction. State boxing commissions do not currently receive adequate information to determine whether boxers competing in their jurisdiction are being subjected to contract terms and business practices which may violate State regulations, or are onerous and confiscatory.

(3) Promoters who engage in illegal, coercive, or unethical business practices can take advantage of the lack of equitable business standards in the sport by holding boxing events in States with weaker regulatory oversight.

(4) The sanctioning organizations which have proliferated in the boxing industry have not established credible and objective criteria to rate professional boxers, and operate with virtually no industry or public oversight. Their ratings are susceptible to manipulation, have deprived boxers of fair opportunities for advancement, and have undermined public confidence in the integrity of the sport.

(5) Open competition in the professional boxing industry has been significantly interfered with by restrictive and anticompetitive business practices of certain promoters and sanctioning bodies, to the detriment of the athletes and the ticket-buying public. Common practices of promoters and sanctioning organizations represent restraints of interstate trade in the United States.

(6) It is necessary and appropriate to establish national contracting reforms to protect

professional boxers and prevent exploitive business practices, and to require enhanced financial disclosures to State athletic commissions to improve the public oversight of the sport.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to protect the rights and welfare of professional boxers on an interstate basis by preventing certain exploitive, oppressive, and unethical business practices;

(2) to assist State boxing commissions in their efforts to provide more effective public oversight of the sport; and

(3) to promote honorable competition in professional boxing and enhance the overall integrity of the industry.

SEC. 4. PROTECTING BOXERS FROM EXPLOITATION.

The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.) is amended—

(1) by redesignating sections 9 through 15 as sections 17 through 23, respectively; and

(2) by inserting after section 8 the following new sections:

“SEC. 9. CONTRACT REQUIREMENTS.

“Within 2 years after the date of the enactment of the Muhammad Ali Boxing Reform Act, the Association of Boxing Commissions shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for minimum contractual provisions that should be included in bout agreements and boxing contracts. It is the sense of Congress that State boxing commissions should follow these ABC guidelines.

“SEC. 10. PROTECTION FROM COERCIVE CONTRACTS.

“(a) GENERAL RULE.—

“(1)(A) A contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable against any boxer to the extent that it—

“(i) is a coercive provision described in subparagraph (B) and is for a period greater than 12 months; or

“(ii) is a coercive provision described in subparagraph (B) and the other boxer under contract to the promoter came under that contract pursuant to a coercive provision described in subparagraph (B).

“(B) A coercive provision described in this subparagraph is a contract provision that grants any rights between a boxer and a promoter, or between promoters with respect to a boxer, if the boxer is required to grant such rights, or a boxer's promoter is required to grant such rights with respect to a boxer to another promoter, as a condition precedent to the boxer's participation in a professional boxing match against another boxer who is under contract to the promoter.

“(2) This subsection shall only apply to contracts entered into after the date of the enactment of the Muhammad Ali Boxing Reform Act.

“(3) No subsequent contract provision extending any rights or compensation covered in paragraph (1) shall be enforceable against a boxer if the effective date of the contract containing such provision is earlier than 3 months before the expiration of the relevant time period set forth in paragraph (1).

“(b) PROMOTIONAL RIGHTS UNDER MANDATORY BOUT CONTRACTS.—No boxing service provider may require a boxer to grant any future promotional rights as a requirement of competing in a professional boxing match that is a mandatory bout under the rules of a sanctioning organization.

“SEC. 11. SANCTIONING ORGANIZATIONS.

“(a) OBJECTIVE CRITERIA.—Within 2 years after the date of the enactment of the Muhammad Ali Boxing Reform Act, the Association of Boxing Commissions shall develop

and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for objective and consistent written criteria for the ratings of professional boxers. It is the sense of Congress that sanctioning bodies and State boxing commissions should follow these ABC guidelines.

“(b) APPEALS PROCESS.—A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until it provides the boxers with notice that the sanctioning organization shall, within 7 days after receiving a request from a boxer questioning that organization's rating of the boxer—

“(1) provide to the boxer a written explanation of the organization's criteria, its rating of the boxer, and the rationale or basis for its rating (including a response to any specific questions submitted by the boxer); and

“(2) submit a copy of its explanation to the Association of Boxing Commissions.

“(c) NOTIFICATION OF CHANGE IN RATING.—A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until, with respect to a change in the rating of a boxer previously rated by such organization in the top 10 boxers, the organization—

“(1) posts a copy, within 7 days of such change, on its Internet website or home page, if any, including an explanation of such change, for a period of not less than 30 days; and

“(2) provides a copy of the rating change and explanation to an association to which at least a majority of the State boxing commissions belong.

“(d) PUBLIC DISCLOSURE.—

“(1) FTC FILING.—A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match unless, not later than January 31 of each year, it submits to the Federal Trade Commission and to the ABC—

“(A) a complete description of the organization's ratings criteria, policies, and general sanctioning fee schedule;

“(B) the bylaws of the organization;

“(C) the appeals procedure of the organization for a boxer's rating; and

“(D) a list and business address of the organization's officials who vote on the ratings of boxers.

“(2) FORMAT; UPDATES.—A sanctioning organization shall—

“(A) provide the information required under paragraph (1) in writing, and, for any document greater than 2 pages in length, also in electronic form; and

“(B) promptly notify the Federal Trade Commission of any material change in the information submitted.

“(3) FTC TO MAKE INFORMATION AVAILABLE TO PUBLIC.—The Federal Trade Commission shall make information received under this subsection available to the public. The Commission may assess sanctioning organizations a fee to offset the costs it incurs in processing the information and making it available to the public.

“(4) INTERNET ALTERNATIVE.—In lieu of submitting the information required by paragraph (1) to the Federal Trade Commission, a sanctioning organization may provide the information to the public by maintaining a website on the Internet that—

“(A) is readily accessible by the general public using generally available search engines and does not require a password or payment of a fee for full access to all the information;

“(B) contains all the information required to be submitted to the Federal Trade Commission by paragraph (1) in an easy to search and use format; and

“(C) is updated whenever there is a material change in the information.

“SEC. 12. REQUIRED DISCLOSURES TO STATE BOXING COMMISSIONS BY SANCTIONING ORGANIZATIONS.

“A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

“(1) all charges, fees, and costs the organization will assess any boxer participating in that match;

“(2) all payments, benefits, complimentary benefits, and fees the organization will receive for its affiliation with the event, from the promoter, host of the event, and all other sources; and

“(3) such additional information as the commission may require.

“SEC. 13. REQUIRED DISCLOSURES FOR PROMOTERS.

“(a) DISCLOSURES TO THE BOXING COMMISSIONS.—A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

“(1) a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;

“(2) a statement made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and

“(3)(A) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses;

“(B) all payments, gifts, or benefits the promoter is providing to any sanctioning organization affiliated with the event; and

“(C) any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

“(b) DISCLOSURES TO THE BOXER.—A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxer it promotes—

“(1) the amounts of any compensation or consideration that a promoter has contracted to receive from such match;

“(2) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses; and

“(3) any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

“(c) INFORMATION TO BE AVAILABLE TO STATE ATTORNEY GENERAL.—A promoter shall make information required to be disclosed under this section available to the chief law enforcement officer of the State in which the match is to be held upon request of such officer.

“SEC. 14. REQUIRED DISCLOSURES FOR JUDGES AND REFEREES.

“A judge or referee shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of all consideration, including reimbursement for expenses, that

will be received from any source for participation in the match.

SEC. 15. CONFIDENTIALITY.

“(a) IN GENERAL.—Neither a boxing commission or an Attorney General may disclose to the public any matter furnished by a promoter under section 13 except to the extent required in a legal, administrative, or judicial proceeding.

“(b) EFFECT OF CONTRARY STATE LAW.—If a State law governing a boxing commission requires that information that would be furnished by a promoter under section 13 shall be made public, then a promoter is not required to file such information with such State if the promoter files such information with the ABC.

SEC. 16. JUDGES AND REFEREES.

“No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held.”.

SEC. 5. CONFLICT OF INTEREST.

Section 17 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6308) (as redesignated by section 4 of this Act) is amended—

(1) in the first sentence by striking “No member” and inserting “(a) REGULATORY PERSONNEL.—No member”; and

(2) by adding at the end the following:

“(b) FIREWALL BETWEEN PROMOTERS AND MANAGERS.—

“(1) IN GENERAL.—It is unlawful for—

“(A) a promoter to have a direct or indirect financial interest in the management of a boxer; or

“(B) a manager—

“(i) to have a direct or indirect financial interest in the promotion of a boxer; or

“(ii) to be employed by or receive compensation or other benefits from a promoter, except for amounts received as consideration under the manager’s contract with the boxer.

“(2) EXCEPTIONS.—Paragraph (1)—

“(A) does not prohibit a boxer from acting as his own promoter or manager; and

“(B) only applies to boxers participating in a boxing match of 10 rounds or more.

“(c) SANCTIONING ORGANIZATIONS.—

“(1) PROHIBITION ON RECEIPTS.—Except as provided in paragraph (2), no officer or employee of a sanctioning organization may receive any compensation, gift, or benefit, directly or indirectly, from a promoter, boxer, or manager.

“(2) EXCEPTIONS.—Paragraph (1) does not apply to—

“(A) the receipt of payment by a promoter, boxer, or manager of a sanctioning organization’s published fee for sanctioning a professional boxing match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission; or

“(B) the receipt of a gift or benefit of de minimis value.”.

SEC. 6. ENFORCEMENT.

Subsection (b) of section 18 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6309) (as redesignated by section 4 of this Act) is amended—

(1) in paragraph (1) by inserting a comma and “other than section 9(b), 10, 11, 12, 13, 14, or 16,” after “this Act”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

“(2) VIOLATION OF ANTIEXPLOITATION, SANCTIONING ORGANIZATION, OR DISCLOSURE PROVISIONS.—Any person who knowingly violates any provision of section 9(b), 10, 11, 12, 13, 14, or 16 of this Act shall, upon conviction, be

imprisoned for not more than 1 year or fined not more than—

“(A) \$100,000; and

“(B) if a violation occurs in connection with a professional boxing match the gross revenues for which exceed \$2,000,000, an additional amount which bears the same ratio to \$100,000 as the amount of such revenues compared to \$2,000,000, or both.”; and

(4) in paragraph (3) (as redesignated by paragraph 2 of this subsection) by striking “section 9” and inserting “section 17(a)”;

and

(5) by adding at the end the following:

“(c) ACTIONS BY STATES.—Whenever the chief law enforcement officer of any State has reason to believe that a person or organization is engaging in practices which violate any requirement of this Act, the State, as parens patriae, may bring a civil action on behalf of its residents in an appropriate district court of the United States—

“(1) to enjoin the holding of any professional boxing match which the practice involves;

“(2) to enforce compliance with this Act;

“(3) to obtain the fines provided under subsection (b) or appropriate restitution; or

“(4) to obtain such other relief as the court may deem appropriate.

“(d) PRIVATE RIGHT OF ACTION.—Any boxer who suffers economic injury as a result of a violation of any provision of this Act may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.

“(e) ENFORCEMENT AGAINST FEDERAL TRADE COMMISSION, STATE ATTORNEYS GENERAL, ETC.—Nothing in this Act authorizes the enforcement of—

“(1) any provision of this Act against the Federal Trade Commission, the United States Attorney General, or the chief legal officer of any State for acting or failing to act in an official capacity;

“(2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or

“(3) section 10 against a boxer acting in his capacity as a boxer.”.

SEC. 7. ADDITIONAL AMENDMENTS.

(a) DEFINITIONS.—Section 2(a) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301(a)) is amended—

(1) in paragraph (10) by striking the period at the end and inserting “, including the Virgin Islands.”; and

(2) by adding at the end the following:

“(11) EFFECTIVE DATE OF THE CONTRACT.—The term ‘effective date of the contract’ means the day upon which a boxer becomes legally bound by the contract.

“(12) BOXING SERVICE PROVIDER.—The term ‘boxing service provider’ means a promoter, manager, sanctioning body, licensee, or matchmaker.

“(13) CONTRACT PROVISION.—The term ‘contract provision’ means any legal obligation between a boxer and a boxing service provider.

“(14) SANCTIONING ORGANIZATION.—The term ‘sanctioning organization’ means an organization that sanctions professional boxing matches in the United States—

“(A) between boxers who are residents of different States; or

“(B) that are advertised, otherwise promoted, or broadcast (including closed circuit television) in interstate commerce.

“(15) SUSPENSION.—The term ‘suspension’ includes within its meaning the revocation of a boxing license.”.

(b) STATE BOXING COMMISSION PROCEDURES.—Section 7(a)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6306(a)(2)) is amended—

(1) in subparagraph (C) by striking “or”;

(2) in subparagraph (D) by striking “documents.” at the end and inserting “documents; or”; and

(3) by adding at the end the following:

“(E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.”.

(c) RENEWAL PERIOD FOR IDENTIFICATION CARDS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305(b)(2)) is amended by striking “2 years.” and inserting “4 years.”.

(d) REVIEW OF SUSPENSIONS.—Section 7(a)(3) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6306(a)(3)) is amended by striking “boxer” and inserting “boxer, licensee, manager, matchmaker, promoter, or other boxing service provider”.

(e) ALTERNATIVE SUPERVISION.—Section 4 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6303) is amended—

(1) by striking “No person” and inserting “(a) No person”; and

(2) by inserting at the end thereof the following:

“(b) For the purpose of this Act, if no State commission is available to supervise a boxing match according to subsection (a), then—

“(1) the match may not be held unless it is supervised by an association of boxing commissions to which at least a majority of the States belong; and

“(2) any reporting or other requirement relating to a supervising commission allowed under this section shall be deemed to refer to the entity described in paragraph (1).”.

(f) HEALTH AND SAFETY DISCLOSURES.—Section 6 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305) is amended by adding at the end the following new subsection:

“(c) HEALTH AND SAFETY DISCLOSURES.—It is the sense of Congress that a boxing commission should, upon issuing an identification card to a boxer under subsection (b)(1), make a health and safety disclosure to that boxer as that commission considers appropriate. The health and safety disclosure should include the health and safety risks associated with boxing, and, in particular, the risk and frequency of brain injury and the advisability that a boxer periodically undergo medical procedures designed to detect brain injury.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BLILEY) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. BLILEY).

GENERAL LEAVE

Mr. BLILEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1832, and to insert extra-neous material on the bill.

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

There was no objection.

Mr. BLILEY. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, earlier this year, 19 bipartisan State attorneys general and numerous State boxing commissioners from across the United States asked Congress for help in cleaning up the sport of boxing. These State agencies strongly endorsed the Muhammad Ali Act, saying it was necessary legislation

to prevent exploitation of professional boxers and to curb the anticompetitive and fraudulent business practices in the sport. Congress is now giving the States and State boxing commissioners their requested assistance.

In 1996, the Committee on Commerce passed legislation establishing a uniform, nationwide system of licensing and minimum health and safety standards for boxers. This Act was a resounding success. Because of our bill, for the first time, States could keep track of and protect professional boxers with appropriate oversight and supervision. For example, when boxer Mike Tyson committed the barbaric act of biting off a portion of Evander Holyfield's ear 2 years ago, Tyson's suspension from boxing was swift and nationwide.

While the 1996 bill has been a resounding success, it was only an important first step of cleaning up the sport of boxing. Two weeks ago, the Miami Herald reported that over 30 prizefights have been fixed or tainted in the last 12 years.

Just last Thursday, a Federal grand jury issued a 32-count indictment against the president and three officials of the International Boxing Federation on charges of taking bribes from promoters and managers to manipulate rankings, as well as racketeering and money laundering. According to the Federal prosecutor, "In the IBF, rankings were bought, not earned, completely corrupting the ranking system."

The Muhammad Ali Boxing Reform Act would put an end to this corruption. It requires the establishment of objective and consistent criteria for the ratings of professional boxers. It requires disclosures of compensation received in connection with a boxing match by promoters, managers, sanctioning bodies, and judges and referees. It provides for tough new penalties for criminals who continue to try to manipulate and undermine the sport through coercion and bribes.

According to Boxing News, "The Ali Act, if enacted, would greatly clean up boxing in America." Ring Magazine calls this "well thought out" legislation that "will be a huge step toward getting rid of the bandits and parasites in the sport." ESPN says that "The Ali Act, modest in scope, can make a difference. It is a small, but significant step, and one that would cost nothing to taxpayers."

I congratulate the gentleman from Ohio (Mr. OXLEY), the chairman of the Subcommittee on Finance and Hazardous Materials, for his leadership in moving this bill forward, and I look forward to restoring honesty and integrity to this great sport.

Also, before closing, I want to acknowledge the support and assistance from the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce.

Madam Speaker, I urge all my colleagues to support this important measure.

Madam Speaker, I include the following letters for the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND THE
WORKFORCE,

Washington, DC, November 1, 1999.

Hon. TOM BLILEY,

Chairman, Committee on Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN BLILEY: I am writing regarding H.R. 1832, the Muhammad Ali Boxing Reform Act, which is within the jurisdiction of the Committee on Commerce and in addition the Committee on Education and the Workforce. The bill amends the Professional Boxing Safety Act. I have no objection to this bill being scheduled under suspension of the House Rules. The Committee on Commerce ordered the bill favorably reported on September 29, 1999.

Given the impending adjournment and since I support the reported bill, I do not intend to call a full Committee meeting to consider this bill; however, the Committee does hold an interest in preserving its jurisdiction with respect to issues raised in the bill and its jurisdictional prerogatives in future legislation. As such, Members of the Education and the Workforce would expect to be represented should the provisions of this bill be considered in a conference with the Senate.

I would appreciate the inclusion of this letter in the Report you file to accompany this bill. I thank you for your attention to this matter and look forward to swift passage of H.R. 1832.

Sincerely,

BILL GOODLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, November 2, 1999.

Hon. WILLIAM F. GOODLING,
Chairman, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR BILL: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 1832, the Muhammad Ali Boxing Reform Act.

In the past, our committees have worked cooperatively in the enactment of the Professional Boxing Safety Act, and I acknowledge your role as an additional committee of jurisdiction. I appreciate your cooperation in moving the bill to the House floor expeditiously and agree that your decision to forgo further action on the bill will not prejudice the Committee on Education and the Workforce with respect to its jurisdictional prerogatives on this or similar legislation. Further, I will support your request for conferees should this bill be the subject of a House-Senate conference. I will also insert a copy of your letter and this response in the Committee's report on the bill and the Congressional Record when H.R. 1832 is considered by the House.

Thank you again for your cooperation.

Sincerely,

TOM BLILEY,
Chairman.

Madam Speaker, I reserve the balance of my time.

Ms. DEGETTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 1832, the Muhammad Ali Boxing Reform Act.

For many years, there has been widespread concern, as the gentleman from Virginia (Chairman BLILEY) stated, about the boxing industry in the United States. Not only have scandals plagued the industry as long as I can remember, but fighters have been taken advantage of financially, and opportunities to compete for a title have not always been awarded to legitimate contenders.

As my colleagues know, Madam Speaker, almost every other major sport in the United States operates with a central body to establish appropriate business standards and effective mechanisms of self-regulation. But not boxing. Boxing exists in a world of alphabet soup organizations whose rating methodologies are as visceral as the famous Ali mirage and promoters who are as untouchable as Ali was behind the "rope-a-dope."

The purpose of the Muhammad Ali Boxing Reform Act is to increase disclosure and prevent abuses in professional boxing, specifically targeting conflicts of interest that arise for promoters.

H.R. 1832 limits contracts between boxers and promoters, ending the coercive practice of requiring long contracts for fighters to obtain particular bouts.

The bill also seeks to ensure that the manager is an independent applicant of the boxer, not an agent serving the financial interests of the promoter.

Furthermore, the sanctioning organizations would have to establish objective criteria for the rating of professional boxers and to fully disclose their bylaws, rating systems, and officials.

I firmly believe that, with these limitations, the boxing industry can take a giant step toward the 21st century and the ending of corruption.

I would like to thank the gentleman from Virginia (Chairman BLILEY) and especially the gentleman from Ohio (Chairman OXLEY) for his hard work on this legislation. Much credit is also due to Senator JOHN MCCAIN, who is the author of the Senate approved version of this bill.

In the end, the Muhammad Ali Boxing Reform Act puts abuse in the boxing industry on the ropes. By passing this important legislation, I believe that Congress will deliver the final one-two punch to boxing corruption.

Madam Speaker, I reserve the balance of my time.

□ 1415

Mr. BLILEY. Madam Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. OXLEY), the chairman of the subcommittee.

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

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

Last Thursday, the President and three other officials from the IBF, the

International Boxing Federation, were indicted. They were brought under criminal charges for operating IBF's sanctioning body as a racketeering enterprise in which fighters' rankings were routinely altered in exchange for hundreds of thousands of dollars in illicit bribes from promoters and managers. This scandal follows on the heels of an investigation by the Miami Herald revealing more than 30 fights in the past 12 years have been fixed or tainted, including at least one heavyweight championship match.

Madam Speaker, I have with me a copy of the Miami Herald, Sunday, October 31, which is titled "Fixed Fights, Down for the Count," in which the columnist, Ken Rodriguez of the Miami Herald, chronicles just how bad the situation is in boxing and how badly it needs cleaning up. And I want to cite that as an example of what we can do, working with the media, to uncover this kind of activity.

In 1996, I sponsored a bipartisan boxing reform bill which prohibited conflicts of interest for State boxing commission employees. It also established the first-ever uniformed licensing and health and safety system to protect professional boxers. This legislation was a great success and the State boxing commissions and attorneys general now have asked us to go one step further to clean up the corruption among boxing promoters, managers, and sanctioning bodies.

H.R. 1832, the Muhammad Ali Boxing Reform Act, is based on the numerous bipartisan hearings this committee has held over the past 2 decades on the need to reform the boxing industry. On June 29, 1999, our committee held a hearing, just after the controversial decision in the Holyfield-Lewis heavyweight championship fight, in which an IBF judge awarded the title to Mr. Holyfield, the IBF champion, instead of to Mr. Lewis, the WBC champion and clear apparent winner, according to some boxing commentators. In the words of one hearing witness, the decision was "highly influenced." Another witness said bluntly, "Lewis was robbed."

H.R. 1832 expands on our initial success with boxing reform, extending the conflict-of-interest prohibitions in the 1996 act to apply to other boxing entities besides State commissions. Specifically, H.R. 1832 would enact seven critical reforms:

First, bribes are prohibited for sanctioning bodies. Two, conflicts of interest are prohibited for boxing managers and promoters. Three, boxers are protected from coercive contracts. Four, new strong disclosure requirements are created for promoters, sanctioning bodies, judges, and referees to reduce corruption. Fifth, boxing judges and referees are required to be approved by the State commissions. Sixth, unsportsmanlike conduct would be added as a new category of suspendable offenses. And, seven, the State boxing commissions are encouraged to adopt

uniform rules, regulations, rating criteria, and guidelines for contracts.

These are important reforms which, according to the Congressional Budget Office, would have no significant impact on the Federal budget and would not result in any significant cost to the States. This legislation passed the Senate earlier this year. It passed our committee by a bipartisan voice vote, and has received support from the president of the Association of Boxing Commissions, International Boxing Digest, Boxing News, the editor of Ring Magazine, the World Boxing Council, and numerous promoters, managers, and boxers.

In the words of one of boxing's greatest, Muhammad Ali, "The day this bill is signed into law cannot be soon enough. I pray justice will be done and somehow, along the way, honor can be restored to this sport."

Madam Speaker, I provide for inclusion in the RECORD two letters from Muhammad Ali in support of this legislation, the most recent dated November 8, today, as well as a letter from the National Association of Attorneys General in support of this legislation.

NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL,
Washington, DC, April 28, 1999.

Hon. JOHN MCCAIN,
U.S. Senate, Chairman, Senate Commerce,
Science, and Transportation Committee,
Washington, DC.

Hon. THOMAS BLILEY,
House of Representatives, Chairman, Commerce
Committee, Washington, DC.

DEAR SENATOR MCCAIN AND REPRESENTATIVE BLILEY: We, the leadership of the National Association of Attorneys General ("NAAG") Boxing Task Force, and Attorneys General interested in industry reform, strongly endorse the Muhammad Ali Boxing Reform Act (S. 305) and fully support your efforts to improve the professional boxing industry. We believe this legislation will curb anti-competitive and fraudulent business practices and prevent blatant exploitation of professional boxers.

We are encouraged by the support S. 305 has received in the Senate, and we look forward to working with you to protect the health and safety of professional boxers and to prevent exploitation, fraud, and restraints of trade. The Muhammad Ali Act provides a practical approach to long-standing problems of fraud and restraints of trade in this industry.

The Boxing Task Force, currently comprised of 19 Attorneys General, was formally established in March 1998 after legislation was passed by both the House and Senate Commerce Committees and then subsequently by both the House and Senate. (The Professional Boxing Safety Act 15 U.S.C. §6301, et seq.). After Federal Trade Commission Chairman Robert Pitofsky's suggested that state Attorneys General review business practices in the professional boxing industry, the National Association of Attorneys General created the Boxing Task Force to examine interstate boxing practices in the United States, identify the problems therein, and recommend ways to improve the industry.

In furtherance of our common objectives, the Task Force conducted a public hearing on January 19-21, 1999, where testimony, including numerous recommendations, was received from individuals representing a cross-section of the boxing industry. Testimony

was elicited from boxing promoters on their role in the industry and on the issue of long term and exclusive contractual options. Sanctioning organizations testified about the methods utilized to rank fighters. Various experts on boxers' injuries discussed the necessity for medical clearance and the use of proper equipment and ringside safety precautions. Industry members and business leaders discussed a structured annuity and pension plan for professional boxers.

We are in the process of reviewing the testimony, and after further consultation with members of the industry, we will compile a report with our recommendations. We seek to reform certain practices within the industry, to return integrity to boxing on behalf of the athletes and the ticket-buying public, and to otherwise enhance the well-being of boxing and all associated with it.

Finally, we would like to emphasize the importance of the proposed enforcement guidelines of the Muhammad Ali Boxing Reform Act, which would permit a State, as *parens patriae*, to be a civil action on behalf of its residents in an appropriate district court of the United States for violations of the Boxing Reform Act. We believe that the authority to enjoin the holding of a professional boxing match, and to enforce compliance with the Muhammad Ali Boxing Reform Act, is necessary to ensure lawful and responsible boxing industry compliance with national reforms.

Thank you for your consideration of our views. We hope you will favorably consider the Muhammad Ali Act. We stand ready to assist you as the bill advances, so please feel free to call on us.

Sincerely yours,

Eliot Spitzer, Attorney General of New York, Chair, NAAG Boxing Task Force;
Jim Ryan, Attorney General of Illinois, Vice Chair, NAAG Boxing Task Force;
Janet Napolitano, Attorney General of Arizona; Richard Blumenthal, Attorney General of Connecticut; Bill Lockyer, Attorney General of California; Robert A. Butterworth, Attorney General of Florida; Jeffrey A. Modisett, Attorney General of Indiana; Tom Miller, Attorney General of Iowa; Richard P. Ieyoub, Attorney General of Louisiana; J. Joseph Curran, Jr., Attorney General of Maryland; Mike Moore, Attorney General of Mississippi; Jeremiah W. "Jay" Nixon, Attorney General of Missouri; Frankie Sue Del Papa, Attorney General of Nevada; Peter Verniero, Attorney General of New Jersey; W.A. Drew Edmondson, Attorney General of Oklahoma; Hardy Myers, Attorney General of Oregon; Mike Fisher, Attorney General of Pennsylvania; José A. Fuentes-Agostini, Attorney General of Puerto Rico; Mark L. Earley, Attorney General of Virginia.

GREATEST OF ALL TIME, INC.,

Berrien Springs, MI, November 8, 1999.

Hon. MICHAEL OXLEY,
Hon. ELIOT ENGEL,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES OXLEY AND ENGEL: We are pleased that "The Muhammad Ali Boxing Reform Act" (H.R. 1832) is being brought up before the full House of Representatives. We strongly support this bill which will protect boxers from exploitations and unfair treatment by unscrupulous promoters and other business interests that dominate this troubled industry. We urge all members of Congress to support this effort to make boxing a more honorable sport.

Most sincerely,

MUHAMMAD ALI.
LONNIE ALI.

MUHAMMAD ALI,

Berrien Springs, MI, June 30, 1998.

Senator JOHN MCCAIN,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR MCCAIN: Thank you for all of your effort in setting up guidelines for boxers in the ring today and for those in the future. I can't begin to express how honored I am that you would name the Boxing Reform Act after me.

After reading the summary you sent me, I can only tell you that these guidelines are long overdue. I only wish they would have been in effect when I was boxing.

Thank you for caring enough about the sport of boxing that you would help those in the ring today and in the future.

Sincerely,

MUHAMMAD ALI.

Mr. BLILEY. Madam Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Madam Speaker, during our subcommittee markup on this bill earlier this year, we asked a panel of witnesses about the judging of the Holyfield-Lewis championship unification fight that had just occurred. Two said the scoring was incompetent, two indicated that it was dishonest, and the last said Lewis was robbed. Well, we all are robbed when one of our national sports becomes tainted in such a way.

I grew up watching boxing as a child with my grandfather and my dad in the little community of Chackbay, Louisiana. I have heard of too many young fighters who have put so much into training themselves for a big fight only to suffer from what Muhammad Ali has called the "dishonest ways" of promoters.

This bill protects boxers from dishonest promoters. It prohibits coercive contracts and empowers the States to develop uniform rules and regulations governing the sport. It requires the sanctioning bodies, the referees, judges, and promoters to disclose any conflicts of interest and sources of compensation to help the States enforce their laws and protect boxers from any taint of corruption.

I want to note, as my good friend, the gentleman from Ohio (Mr. OXLEY), has done, that this legislation has the support of the president of the Association of Boxing Commissioners, Ring Magazine, International Boxing Digest, Boxing News, numerous promoters, managers, and boxers, all of who want to clean up this sport and indeed restore it to its former glory.

Last June, when we began our work in the subcommittee, we indeed promised that we would bring this reform bill to the floor of the House. I am very happy that the Committee on Commerce, with the help of the gentleman from Virginia (Mr. BLILEY) and the gentleman from Ohio (Mr. OXLEY), kept that promise and we have now delivered this bill to the floor of the House.

I also want to thank the gentleman from New York (Mr. ENGEL) for working so closely with the gentleman from Ohio on this legislation, and, of course,

the chairman and ranking member of our full Committee on Commerce for moving this bill forward. This is long overdue, and those who love the sport of boxing, as I do, and so many do in my district and across America, will hail this day as a very important day in restoring the dignity and the glory of the sport of boxing in America.

Ms. DEGETTE. Madam Speaker, I yield myself such time as I may consume in closing to acknowledge that my colleagues on the other side of the aisle did note that I am not the gentleman from New York (Mr. ENGEL), who has worked very hard on this bill.

I too would like to commend him. He is sorry he could not be here to manage the time today, but he had a family emergency and I am filling in.

This is an excellent bill, and I commend particularly the gentleman from Ohio (Mr. OXLEY) and the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Speaker, I rise in strong support of H.R. 1832, the Muhammad Ali Boxing Reform Act.

For years, there has been widespread concern about the boxing industry in the United States. Not only have scandals plagued the industry as long as I can remember, but fighters have been taken advantage of financially and opportunities to compete for a title have not always been awarded to legitimate contenders.

As you know, Madam Speaker, almost every other major sport in the United States operates with a central body to establish appropriate business standards and effective mechanisms of self-regulation. Not boxing. Boxing exists in a world of alphabet soup organizations whose rating methodologies are as ephemeral as the famous Ali "mirage" and promoters who are as untouchable as Ali was behind the "rope-a-dope."

The purpose of the Muhammad Ali Boxing Reform Act is to increase disclosure and prevent abuses in professional boxing, specifically targeting conflicts of interest that arise for promoters.

H.R. 1832 limits contracts between boxers and promoters, ending the coercive practice of requiring long contracts for fighters to obtain particular bouts.

The bill also seeks to ensure that the manager is an independent advocate of the boxer, not an agent serving the financial interest of the promoter.

Furthermore, the sanctioning organizations would have to establish objective criteria for the rating of professional boxers and fully disclose their by-laws, rating systems, and officials.

I firmly believe that with these limitations, the boxing industry can take a giant step toward the 21st century and the ending of corruption.

I would like to thank my good friend, Chairman OXLEY, for his hard work on this legislation. It has been my pleasure to serve as the lead Democratic cosponsor of his bill in the House and to cosign several dear colleagues with him.

Much credit is also due to Senator JOHN MCCAIN, author of the Senator-approved version of the bill. I would also like to call attention to Eliot Spitzer, the Attorney General of the State of New York, for his efforts to root out corruption in the boxing industry. As Chair-

man of the National Association of Attorneys General Boxing Task Force, Eliot Spitzer has helped guide Congress through the legal technicalities required for effective enforcement of new boxing regulations. His contribution and testimony before Congress will not be forgotten.

In the end, the Muhammad Ali Boxing Reform Act puts abuse in the boxing industry on the ropes. By passing this important legislation, I believe that Congress will deliver the final one, two punch to boxing corruption.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Virginia (Mr. BLILEY) that the House suspend the rules and pass the bill, H.R. 1832, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECOGNIZING GENEROUS CONTRIBUTION BY LIVING PERSONS WHO HAVE DONATED A KIDNEY TO SAVE A LIFE

Mr. BLILEY. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 94) recognizing the generous contribution made by each living person who has donated a kidney to save a life.

The Clerk read as follows:

H. RES. 94

Whereas kidneys are vital organs that clean the blood by removing wastes, and failed kidneys have lost the ability to remove these wastes;

Whereas in the United States more than 250,000 patients with kidney failure, also known as end stage renal disease (ESRD), have died since 1989;

Whereas during 1996, 283,932 patients were in treatment for ESRD, and an additional 73,091 patients began treatment for ESRD;

Whereas the most common cause of ESRD has consistently been diabetes, because the high levels of blood sugar in persons with diabetes cause the kidneys to filter too much blood and leave the kidneys, over time, unable to filter waste products;

Whereas of the patients who began treatment for ESRD in 1996, 43 percent were persons with diabetes;

Whereas ESRD can be treated with dialysis, which artificially cleans the blood but which imposes significant burdens on quality of life, or with a successful kidney transplant operation, which frees the patient from dialysis and brings about a dramatic improvement in quality of life;

Whereas in 1996 the number of kidneys transplanted in the United States was 12,238, with 25 percent of the kidneys donated from biologically related living relatives, 5 percent from spousal or other biologically unrelated living persons, and the remainder from cadavers;

Whereas from 1988 to 1997, the number of patients on the waiting list for a cadaveric

kidney transplant increased more than 150 percent, from 13,943 to more than 35,000;

Whereas the annual number of cadaveric kidneys available for transplant has increased only slightly, from 8,327 in 1994 to 8,526 in 1996, an increase of less than 100 such kidneys per year;

Whereas from 1988 to 1997, the annual number of kidneys donated by living persons rose 104 percent, from 1,812 to 3,705; and

Whereas in 1995, the 3-year survival rate for kidney recipients was 82 percent if the donor was a living parent, 85 percent if the donor was a living spouse, 81 percent if the donor was a biologically unrelated living person other than a spouse, and 70 percent if the kidney was cadaveric: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the generous contribution made by each living person who has donated a kidney to save a life; and

(2) acknowledges the advances in medical technology that have enabled living kidney transplantation to become a viable treatment option for an increasing number of patients with end stage renal disease.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BLILEY) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. BLILEY).

GENERAL LEAVE

Mr. BLILEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 94, and to insert extraneous material.

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

There was no objection.

Mr. BLILEY. Madam Speaker, I yield myself such time as I may consume, and I rise in support of H. Res. 94, a resolution recognizing the generous contribution made by each living person who has donated a kidney to save the life of another person.

Americans who donate their organs to save another's life are heroes, and I am delighted that the House of Representatives has taken the time to recognize them as such. From 1998 to 1997, the annual number of kidneys donated by living persons rose 104 percent, from 1,812 to 3,705. Even so, the number of people on dialysis while they wait for a kidney transplant has grown to some 35,000. We have to do more.

The Committee on Commerce has spent a great deal of time and effort in the last year working to develop good solutions to the difficult problem of increasing the supplies of donated organs while safeguarding the system from unintended bureaucratic interference that would dramatically harm efforts to increase donations. Many of those ideas are embodied in H.R. 2418, the Organ Procurement and Transplant Patient Network Amendments of 1999, which was reported out of my committee just 3 weeks ago.

Among the initiatives in H.R. 2418 is a program to provide living and travel expenses for those individuals who do-

nate an organ to a person requiring a transplant in another State. The committee found that there may be many willing donors who would like to save the life of another American but find themselves in financial circumstances that would make it impossible for them to take a leave of absence from their job. H.R. 2418 would ease that burden.

I am also proud to say that due to the Committee on Commerce efforts, H.R. 3075, the Medicare, Medicaid and S-CHIP Balance Budget Refinement Act of 1999, added \$200 million to pay for additional immunosuppressive drug therapy. Medicare presently only covers these drugs for 36 months. This bill takes a first step at addressing that issue and allows us to provide more coverage for needy organ transplant patients. Access to these drugs can literally make the difference between life and death.

While we in Congress continue to do what we can to safeguard the organ allocation system from bureaucratic interference, and work to address financial problems donors face as well as those recipients who needs affordable immunosuppressive drug therapy, let us remember the role that the thousands of ordinary Americans have played in the lives of their neighbors and families who have donated kidneys. We salute you for your sacrifice and your charity.

Madam Speaker, I reserve the balance of my time.

Ms. DEGETTE. Madam Speaker, I yield myself such time as I may consume.

First of all, I again want to thank my chairman, the esteemed gentleman from Virginia, for bringing this bill up, and I also want to thank my colleague, the gentleman from Washington (Mr. NETHERCUTT), for the opportunity to recognize those individuals who are willing to make a living donation of one of their kidneys. The gentleman from Washington and I are cochairs of the Congressional Diabetes Caucus, and both of us recognize that for those who care about that particular issue, kidney disease and kidney donation is a critical and important issue for us to be discussing today.

Those who donate kidneys are courageous individuals who give selflessly of themselves, literally, to save another person's life. Last year, more than 4,000 living donors gave kidneys. That was 31 percent of the transplants. Over a 10-year period, the number of kidney donations has increased by 54 percent, from 5,688 in 1988 to 8,774 in 1997. The increase in the number of living kidney donors has been even more dramatic, from 1,812 to 3,695, a doubling of living donors to relatives that received this critical gift of life.

Every year thousands of lives are saved when a family member, a friend, a coworker, or even a member of the community they do not know makes the choice to donate one of their two kidneys to someone in need. With the

need for organ transplants far outpacing the supply, we are also starting to see a new type of donation, a non-directed donation, where an individual makes a choice to donate a kidney to any patient who needs it.

An outstanding example of a non-directed live kidney donation is Joyce Roush. In September of this year, she used the donation of her kidney to a stranger as an opportunity to bring the public's attention to the possibility of making nondirected donations.

Most of us are also aware of the case where Sean Elliott, of the world champion San Antonio Spurs, needed a kidney transplant and received one from his older brother Noel Elliott.

□ 1430

According to Elliott, he would like to return to playing in the NBA this year if possible. Elliott said, "It's another obstacle I have a chance to topple."

He has also overcome two knee surgeries. "It would be a pretty awesome accomplishment," he said, "and a great statement for anyone who faces adversity. It would be inspirational to a lot of people."

While that certainly would be a tremendous inspiration to many people across the country, the example of his older brother Noel and individuals like Joyce Roush should also be an inspiration and an example for people across the country.

Unfortunately, while there has been a substantial increase in organ donations over the past decade, almost 350,000 Americans still have lost their lives to kidney failure. Moreover, the number of patients on the waiting list for a kidney transplant has increased by 174 percent, from 13,943 in 1988 to 38,270 in 1997.

The number of cadaveric kidney transplants is stagnant, so the fact that we are seeing this increase in living donors in recent years is good news to the many who suffer from kidney failure. We can perform more living donor transplants without either putting the donor or recipient in undue danger because of medical advances.

In 1995, a new type of procedure was developed that made a kidney transplant a great deal less intrusive and thus reduced the risk to the donor and cut down on the amount of recovery time.

Madam Speaker, as co-chair of the Congressional Diabetes Caucus, the gentleman from Washington (Mr. NETHERCUTT) and I have over 240 Members of the House who have signed on as members of this caucus.

We know that the most common cause of end stage renal disease has consistently been diabetes. In fact, 35 percent of the new cases of kidney failure every year and 25 percent of all cases of kidney failure come from diabetic causes. This is true because of the high levels of blood sugar people with diabetes have that cause the kidneys to filter too much blood and leave the kidneys over time unable to filter waste products.

Of those beginning ESRD treatment in 1997, just under half are people with diabetes. This is why it is so important every day that relatives, friends, and co-workers and members of the community donate kidneys both to those that they know and those they do not know.

I hope we can find ways before we cure diabetes, which is our ultimate and, by the way, our short-term goal, still, in the meantime, we need to find ways to find these kidneys.

I want to once again thank the gentleman from Washington (Mr. NETHERCUTT) for the opportunity to recognize these individuals that make living donations of a kidney and work with him to make sure that we encourage more of this in the future.

Madam Speaker, I reserve the balance of my time.

Mr. BLILEY. Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. NETHERCUTT), the principal cosponsor of the bill.

Mr. NETHERCUTT. Madam Speaker, I thank the chairman for his generosity in not only yielding me time on this resolution but his leadership on the part of the Committee on Commerce in bringing this resolution forward today.

I certainly appreciate the remarks of my colleague the gentlewoman from Colorado (Ms. DEGETTE), who has served very, very strongly as co-chair of the Diabetes Caucus. We are in this together, the two of us, notwithstanding our difference in party affiliation.

That is the great thing about the Diabetes Caucus, that it looks beyond party affiliation and seeks to find a cure for diabetes and, thus, help people who have problems with their kidneys.

So I am very grateful to my colleague from Colorado, who has worked so hard and been such a great leader in this issue, along with my chairman, certainly, from the Committee on Commerce, and other Members of this House.

I am delighted to rise in support of this resolution, my own, that I introduced with other Members that recognizes the generous contribution of living kidney donors and acknowledges the advances made in medical technology that enable living kidney transplants to be a viable treatment option.

The gentlewoman from Colorado (Ms. DEGETTE) and the gentleman from Virginia (Mr. BLILEY) spoke well of the statistical information that is out there with regard to the scope of the problem of kidney transplants and kidney disease.

In 1997, 73,000 new patients began treatment for end stage renal disease. Of those new patients, nearly half also had diabetes. I have had the opportunity to visit my hospitals in the Fifth Congressional District of Washington, one of which is Sacred Heart Medical Center. I went to the kidney dialysis department and spoke with not

only the medical people who are serving the public there but those who are undergoing kidney dialysis.

It is not pleasant. It is something that breaks our hearts for the people who are stricken with kidney disease. It is so important that we encourage people to donate kidneys to people who are living so that they can be relieved of their kidney problems. And this is one way to do that, that is having living people donate kidneys to those who are afflicted.

In 1996, over 12,000 kidneys were transplanted in the United States. About 30 percent of these organs came from living donors. Over the last 10 years, the number of patients waiting for a kidney transplant has almost tripled from 14,000 to over 40,000 people. We know that the number of living donors has increased over 100 percent.

Over the last 10 years, from 1985 to 1994, the 10-year survival rate for dialysis patients was just 10 percent. Patients who received a cadaveric kidney had a 55 percent survival rate. However, those who received a kidney from a living family member had a 75 percent chance of living an additional 10 years. If one is that recipient and if one is that donor, that is a very significant percentage increase.

Living kidney donors face the risk and pain associated with major surgery and certainly should be commended for their selflessness. Without the sacrifice of these brave people who decide to make a donation, thousands more would die of kidney failure each year.

Madam Speaker, when I first introduced this resolution, former Senator Jake Garn of Utah called me long distance to express his support for the resolution. For, you see, Senator Garn donated a kidney to his adult daughter; and she has lived very well over the last few years despite having some complications from diabetes and other diseases.

This resolution means something to people out there in the real world, people who have donated and who are waiting for a donation. So my hat is off to Senator Garn and so many others for the recognition they deserve for their commitment to their families and their self sacrifice so that other people can live.

I am one, along with the gentlewoman from Colorado (Ms. DEGETTE) and the gentleman from Virginia (Mr. BLILEY), who has been a strong supporter of medical research. The advances made in medical technology are what makes this life-saving procedure possible.

As the gentlewoman from Colorado (Ms. DEGETTE) mentioned, laparoscopic nephrectomy is a new technique for obtaining a kidney from a living donor that is less invasive and leads to shortened hospital stays and recuperation time. Advances in immuno-suppressive drugs have increased survival rates for transplant recipients. This is fantastic research that is ongoing that is continuing in the NIH through the good

work of the chairman of the Committee on Commerce and others.

As we in the Congress and the President work through this final detail on the Labor, Health and Human Services bill, an appropriations bill, I happen to be a member of that committee, it is encouraging to they that we have a mutual commitment to increase funding for biomedical research at the National Institutes of Health.

It is in the national best interests of the country and certainly the interests of every Member of this House and the other body and the President that we increase medical research but we also focus on the absolute sacrifice that is being undertaken every day by selfless people who just want to help save a life. So I urge my colleagues to support this resolution.

I thank, again, the chairman of the Committee on Commerce and the gentlewoman from Colorado (Ms. DEGETTE) for their great work in pursuing this.

Ms. DEGETTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, again, I would like to thank them for their leadership on this bill.

Mr. STARK. Madam Speaker, I rise in support of House Resolution 94, in recognition of the generous gift made by each living person who has donated a kidney to save a life. Of those approximately 63,000 Americans currently awaiting an organ transplant, almost two-thirds are in need of a kidney. Since 1989, more than 250,000 patients with kidney failure have died. However, with today's medical advances, living kidney transplantation has become a feasible treatment option for patients with end stage renal disease. Unfortunately, the number of people on the waiting list continues to grow more quickly than the number of organ donors.

Research points to a clear need for incentive programs and public education to increase organ donation. To help encourage donations and to increase the number of organs available for potential donation, I introduced legislation this Congress, H.R. 941, the "Gift of Life Congressional Medal Act of 1999." This bill would create a commemorative medal that honors organ donors and their families. We need to use every possible opportunity to increase the number of donated organs. This Act is intended to draw attention to this life-saving issue, and to send a clear message that donating one's organs is a selfless act that should receive the profound respect of our Nation. I hope Members would also consider this effort to increase donations.

In addition to increasing the number of organ donors, it is important that we ensure our nation's organ allocation system is fair. Unfortunately, the current system relies more on geography than medical urgency. As a result, organs are offered first to people in a local, regional area and only when there are no local patients available is the organ offered to sicker patients on a broader level. This means that some of the most deserving of patients will not receive an organ solely because of where they live or where they undergo treatment—which often times is a health plan's decision.

In fact, patient outcome data recently released by the Department of Health and Human Services (HHS) suggest a patient's chances of getting a new heart or liver and surviving at least a year greatly varies depending on where the patient goes for a transplant. For example, at the University of Kansas Medical Center, 89% of people waiting for liver transplants received them within a year in the mid-1990s, while at the University of Maryland in Baltimore, only 21% of patients received livers within a year. Depending on the transplant center, a patient's likelihood of dying within a year of listing for a liver transplant can range from 7% to 22%. A system that offers a level playing field to all patients no matter where they live is in everyone's best interest—medical urgency rather than geography should be the determining standard.

Today, as we recognize the generous contribution made by each living kidney donor, we here in Congress need to be consistent in our message. While we're encouraging people to serve as organ donors, we also have Members introducing legislation that would harm organ donations and would permit geography to continue to serve as a barrier to organ allocation and transplantation.

For example, the "Organ Procurement and Transplantation Network Amendments of 1999" (H.R. 2418) would remove HHS' legitimate authority to oversee the organ allocation program and would require HHS to rewrite its recently revised organ allocation regulations, while it simultaneously makes data less available to the public. If enacted, the transplant center performance data recently released by HHS would be unavailable to the public. This harmful legislation would set different allocation policies than recommended by the Institute of Medicine (IoM) and is probably unconstitutional in its delegation of power to a private contractor.

Perhaps most disturbing, H.R. 2418 would provide unreasonable protections for The United Network for Organ Sharing (UNOS), the current private contractor in charge of disturbing organs procured for transplant. A recent Forbes magazine article characterized UNOS as "the organ king: an outfit with life-and-death power over patients waiting for transplants" which has "evolved into a heavy-handed private fiefdom." This bill essentially gives UNOS a monopoly on the contract and the Forbes article provides even further evidence of the need to oppose legislation which protects this contractor.

We are also currently facing a 90-day moratorium effort in the Labor-HHS Appropriations bill and just last Friday, legislation was introduced to delay the effective date of the HHS rule. This delay of the Secretary's organ allocation rule would keep the Administration from implementing the important, new HHS regulations, strongly supported by evidence from the IoM, and would lead to hundreds more needless deaths. The HHS organ allocation regulation attempts to move to a system based on medical necessity instead of geography with medical professionals making medical decisions about the best way to allocate the limited number of donated organs. The rule incorporates comments from the IoM, transplant community, patients, and the general public to ensure the neediest patients receive organs first—regardless of where they live. Further efforts to delay this rule are only causing needless deaths.

In vetoing the DC-Labor-HHS appropriations bill last week, the President called the appropriations rider that would delay the implementation of HHS' final Organ Procurement and Transplantation rule for 90 days "a highly objectionable provision." As the President stated: the HHS rule "provides a more equitable system of treatment . . . its implementation would likely prevent the deaths of hundreds of Americans." I would hope that the President's strong opposition to the Appropriations bill's moratorium on the HHS transplant regulation will be honored by Congress.

Let's increase the number of organ donors, make our organ allocation system fair, and bring an end to all the needless deaths. And let's be consistent in our message—vote for H. Res. 94 to recognize those who so generously give the gift of life. Vote against any effort to remove or delay the Secretary's legitimate oversight authority and to give a private contractor a monopoly over the nation's organ allocation program. And support a fairer allocation system that bases transplant decisions on common medical criteria and pure professional medical opinion and medical need—not geography.

Mr. CAPUANO. Madam Speaker, I rise to commend those living persons who have given the precious gift of life through the selfless act of donating a kidney. Today I join the majority of the Members of Congress in supporting H. Res. 94, which recognizes the generous contributions of those who have made this sacrifice, and acknowledging the advances in medical technology that have made living kidney transplants a viable treatment option.

Madam Speaker, on many occasions this session, Congress has debated the costs of health care and health related research. These debates would be futile were it not for the courage of the living donors who make specialized medical services, such as kidney transplants, possible. Today, we have come together not in debate but rather in overwhelming support of those individuals that live day to day with life threatening kidney ailments as well as the families who support these individuals in their time of need. More importantly, we are here to pay homage to those ordinary heroes, whose contributions to medical science will not be measured by prominent appearances in medical journals, but whose actions will be forever recorded in the hearts and minds of the individuals to whom they have donated a kidney.

Madam Speaker, in my district, I know of numerous life-saving acts that were unselfishly committed by individuals whose courage was not realized until the idea of kidney donation was thrust upon them. With this in mind I would like to take this opportunity to acknowledge that their actions have not gone unnoticed and to thank these remarkable citizens for their contributions to their families and neighbors.

Ms. DEGETTE. Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Virginia (Mr. BLILEY) that the House suspend the rules and agree to the resolution, H. Res. 94.

The question was taken.

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

The yeas and nays were ordered.

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

EMIGRANT WILDERNESS PRESERVATION ACT OF 1999

Mr. DOOLITTLE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 359) to clarify the intent of Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance and operation of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated in that Public Law, as amended.

The Clerk read as follows:

H.R. 359

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 "Emigrant Wilderness Preservation Act of 1999".

SEC. 2. OPERATION AND MAINTENANCE OF CERTAIN WATER IMPOUNDMENT STRUCTURES IN THE EMIGRANT WILDERNESS, STANISLAUS NATIONAL FOREST, CALIFORNIA.

(a) COOPERATIVE AGREEMENT FOR MAINTENANCE AND OPERATION.—The Secretary of Agriculture shall enter into a cooperative agreement with a non-Federal entity described in subsection (c), under which the entity will retain, maintain, and operate at private expense the water impoundment structures specified in subsection (b) that are located within the boundaries of the Emigrant Wilderness in the Stanislaus National Forest, California, as designated by section 2(b) of Public Law 93-632 (88 Stat. 2154; 16 U.S.C. 1132 note).

(b) COVERED WATER IMPOUNDMENT STRUCTURES.—The cooperative agreement required by subsection (a) shall cover the water impoundment structures located at the following:

- (1) Cow Meadow Lake.
- (2) Y-Meadow Lake.
- (3) Huckleberry Lake.
- (4) Long Lake.
- (5) Lower Buck Lake.
- (6) Leighton Lake.
- (7) High Emigrant Lake.
- (8) Emigrant Meadow Lake.
- (9) Middle Emigrant Lake.
- (10) Emigrant Lake.
- (11) Snow Lake.
- (12) Bigelow Lake.

(c) ELIGIBLE ENTITY.—The following non-Federal entities are eligible to enter into the cooperative agreement under subsection (a):

- (1) A non-profit organization as defined in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).
- (2) The State of California or a political subdivision of the State.
- (3) A private individual, organization, corporation, or other legal entity.

(d) RESPONSIBILITIES OF THE SECRETARY.—

(1) MAP.—The Secretary of Agriculture shall prepare a map identifying the location, size, and type of each water impoundment structure covered by the cooperative agreement under subsection (a).

(2) TERMS AND CONDITIONS OF AGREEMENT.—The Secretary shall prescribe the terms and

conditions of the cooperative agreement, which shall set forth the rights and obligations of the Secretary and the non-Federal entity. At a minimum, the cooperative agreement shall—

(A) require the non-Federal entity to operate and maintain the water impoundment structures covered by the agreement in accordance with a plan of operations approved by the Secretary;

(B) require approval by the Secretary of all operation and maintenance activities to be conducted by the non-Federal entity;

(C) require the non-Federal entity to comply with all applicable State and Federal environmental, public health, and safety requirements; and

(D) establish enforcement standards, including termination of the cooperative agreement for noncompliance by the non-Federal entity with the terms and conditions.

(3) COMPLIANCE.—The Secretary shall ensure that the non-Federal entity remains in compliance with the terms and conditions of this section and the cooperative agreement.

(e) RESPONSIBILITIES OF THE NON-FEDERAL ENTITY.—The non-Federal entity shall be responsible for—

(1) carrying out its operation and maintenance activities with respect to the water impoundment structures covered by the cooperative agreement under subsection (a) in conformance with this section and the cooperative agreement; and

(2) the costs associated with the maintenance and operation of the structures.

(f) PROHIBITION ON USE OF MECHANIZED TRANSPORT AND MOTORIZED EQUIPMENT.—The non-Federal entity may not use mechanized transport or motorized equipment—

(1) to operate or maintain the water impoundment structures covered by the cooperative agreement under subsection (a); or

(2) to otherwise conduct activities in the Emigrant Wilderness pursuant to the cooperative agreement.

(g) EXPANSION OF AGREEMENT TO COVER ADDITIONAL STRUCTURES.—In the case of the six water impoundment structures located within the boundaries of the Emigrant Wilderness, but not specified in subsection (b), the Secretary of Agriculture may expand the scope of the cooperative agreement under subsection (a), with the consent of the State of California and the other party to the agreement, to include one or more of these structures, subject to the same terms and conditions as apply to the structures specified in subsection (b).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Agriculture \$20,000 to cover administrative costs incurred by the Secretary to comply with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in carrying out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from California (Mr. DOOLEY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Madam Speaker, this legislation, the Emigrant Wilderness Preservation Act of 1999, was designed to provide for the maintenance and operation of 18 small water empowerment structures within the Emigrant Wilderness.

Similar legislation last Congress, H.R. 1663, received overwhelming sup-

port when it was brought before this House, passing on the floor by a vote of 424 to 2. The Emigrant Wilderness's 18 check dam system was built between 1921 and 1954 through the combined efforts of the U.S. Forest Service, the California Conservation Corps., and local volunteer groups.

This system works to enhance the high elevation lake fisheries and species habitat by keeping year-round flows in the streams. Although, I feel it is imperative that all 18 dams be maintained and operated, in an effort to move this legislation and allow for the immediate preservation of the fisheries and ecosystem of this area, I have come to an agreement with my colleague the gentleman from California (Mr. MILLER).

I have submitted an amendment in the nature of a substitute that has bipartisan support decreasing the number of water empowerment structures preserved in this legislation from 18 to 12.

H.R. 359 will allow a non-Federal entity to pay the cost of maintaining and repairing these substantially unnoticeable structures by allowing the Secretary of Agriculture to enter into a cooperative agreement providing the non-Federal entity the opportunity to conduct the necessary maintenance. By providing for the continued maintenance and operation of these 12 structures, we will protect the stream flow system within the Emigrant Wilderness that for over 70 years has maintained an ecosystem of lakes, streams, and meadows upon which many species, including the great American bald eagle, depend.

If these small, unnoticeable structures are allowed to deteriorate, many of the lakes and streams will dry up during the summer and fall months, resulting in negative impacts on the ecosystem fisheries, recreation, and the area's tourism economy.

Madam speaker, I offer this amendment in the nature of a substitute as a bipartisan effort to preserve and protect the important historical research within the Emigrant Wilderness. It is my hope that we can move this bill forward with the same resounding support it had last Congress.

I ask for the support of my colleagues and urge them to vote for this legislation.

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Mr. DOOLEY of California. Madam Speaker, I yield myself such time as I may consume.

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

Mr. DOOLEY of California. Madam Speaker, I rise in support of this legislation. This bill would authorize the Forest Service to continue to maintain small water impoundment structures located within the Emigrant Wilderness Area of the Stanislaus National Forest in California. The legislation was reported unanimously by the Com-

mittee on Resources on May 5 of this year, and it has been further refined by the sponsor to reflect priorities of the California Department of Fish and Game.

The 18 small dams and weirs at issue were built earlier in this century and were in existence long before Congress designated the Emigrant Wilderness in 1974. In fact, seven other structures are eligible for the National Register of Historic Places. For many years after the wilderness was created, several structures were maintained for their recreational fisheries values by the California Department of Fish and Game.

While it is clear that Congress was well aware of the water impoundment structures when the wilderness was created in 1974, the authority for continued maintenance has been brought into question. Accordingly, the purpose of this bill is to authorize a public process, consistent with NEPA, for the Forest Service to determine the levels of necessary maintenance.

It is important to recognize that nothing in the legislation provides for any authority for motorized intrusion in the wilderness area. This is a very unique circumstance and the legislation is not intended to set a precedent for other wilderness areas.

What is contemplated under the bill is that community volunteers would offer their time and effort and perform the necessary work under the supervision and according to standards set by the Forest Service. As amended, the bill provides that the 12 structures identified by the Department of Fish and Game be considered as priorities for retention. One or more of the other six structures may also be eligible for maintenance, subject to the consent of the Forest Service and the State of California.

Madam Speaker, I also would note that the legislation has been endorsed by California Trout, Trout Unlimited, and the Backcountry Horsemen of California, whose members are interested in volunteering time to do the repairs. In closing, I want to recognize the work that the gentleman from California (Mr. DOOLITTLE) has done on this bill. I urge support for it from our colleagues.

Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 359, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to clarify the intent of Congress in Public Law 93-632 to require the Secretary of Agriculture to

continue to provide for the maintenance and operation of certain water impoundment structures that were located in the Emigrant Wilderness at the time the wilderness area was designated in that Public Law.”

A motion to reconsider was laid on the table.

RESOURCES REPORTS RESTORATION ACT

Mr. DOOLITTLE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3002) to provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas, and other natural resources-related matters, and to repeal provisions of law regarding terminated reporting requirements concerning such matters.

The Clerk read as follows:

H.R. 3002

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 “Resources Reports Restoration Act”.

SEC. 2. NATURAL RESOURCES-RELATED REPORTING REQUIREMENTS.

(a) PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66; 31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) TRANS-ALASKA PIPELINE LIABILITY FUND AUDITS.—Section 204(c)(4)(A) of Public Law 93-153 (43 U.S.C. 1653(c)(4)(A)).

(2) DIRECT REVIEW OF FINAL DECISIONS OF HIGHEST COURT OF GUAM.—Section 22B of the Act of August 1, 1950 (chapter 512; 48 U.S.C. 1424-2).

(3) DIRECT REVIEW OF FINAL DECISIONS OF HIGHEST COURT OF VIRGIN ISLANDS.—Section 23 of the Act of July 22, 1954 (chapter 558; 48 U.S.C. 1613).

(4) NATIONAL ENERGY POLICY PLAN AND RELATED REPORT.—Subsections (b) and (c) of section 801 of Public Law 95-91 (42 U.S.C. 7321).

(5) CERTIFICATION REGARDING TAKING OF CERTAIN SEA TURTLES.—Section 609(b)(2) of Public Law 101-162 (103 Stat. 1038; 16 U.S.C. 1537 note).

(6) INTERNATIONAL FISHERY CONSERVATION OR PROTECTION OF ENDANGERED OR THREATENED SPECIES.—Section 8(b) of the Act of August 27, 1954 (chapter 1018; 22 U.S.C. 1978(b)).

(7) PHOSPHATE LEASING IN OSCEOLA NATIONAL FOREST, FLORIDA.—Section 5(1) of Public Law 98-430 (98 Stat. 1666).

(8) PERTINENT PUBLIC INFORMATION RELATING TO MINERALS IN ALASKA.—Section 1011 of Public Law 96-487 (16 U.S.C. 3151).

(9) TRANSPORTATION OR UTILITY SYSTEMS WITHIN CONSERVATION SYSTEM UNITS OR ANY WILDERNESS AREA IN ALASKA.—Section 1106(b)(2) of Public Law 96-487 (16 U.S.C. 3166(b)(2)).

(10) WITHDRAWALS OF MORE THAN 5,000 ACRES OF PUBLIC LANDS IN ALASKA.—Section 1326(a) of Public Law 96-487 (16 U.S.C. 3213(a)).

(11) MINERAL EXPLORATION, DEVELOPMENT, OR EXTRACTION ON PUBLIC LANDS IN ALASKA.—Section 1502 of Public Law 96-487 (16 U.S.C. 3232).

(12) EFFECT OF EXPORT OF OIL OR GAS FROM OUTER CONTINENTAL SHELF ON RELIANCE ON IMPORTS.—Section 28(c) of the Act of August 7, 1953 (chapter 345; 43 U.S.C. 1354(c)).

(13) ACTIVITIES OF FEDERAL AGENCIES IN THE MARINE SCIENCES.—Section 7 of Public Law 89-454 (33 U.S.C. 1106(a)).

(14) PROPOSED CONSTITUTION FOR GUAM.—Section 5 of Public Law 94-584 (48 U.S.C. note prec. 1391), as it relates to the submission of a proposed constitution for Guam.

(15) CERTAIN AGREEMENTS WITH THE FEDERATED STATES OF MICRONESIA OR THE MARSHALL ISLANDS.—Paragraphs (2) and (5) of section 101(f) of Public Law 99-239 (48 U.S.C. 1901(f)(2) and (5)).

(16) DETERMINATION THAT THE GOVERNMENTS OF THE MARSHALL ISLANDS AND THE FEDERATED STATES OF MICRONESIA SHALL REFRAIN FROM ACTIONS INCOMPATIBLE WITH UNITED STATES AUTHORITY AND RESPONSIBILITY FOR SECURITY AND DEFENSE MATTERS.—Section 313 of the Compact of Free Association between the United States and the Governments of the Marshall Islands and the Federated States of Micronesia, as contained in section 201 of Public Law 99-239 (48 U.S.C. 1901 note).

(17) IMPACT OF THE COMPACT OF FREE ASSOCIATION ON UNITED STATES TERRITORIES AND COMMONWEALTHS AND ON HAWAII.—Section 104(e)(2) of Public Law 99-239 (48 U.S.C. 1904(e)(2)).

(18) LAW ENFORCEMENT ASSISTANCE AGREEMENTS BETWEEN UNITED STATES AND FEDERATED STATES OF MICRONESIA.—Section 102(a)(4) of Public Law 99-239 (48 U.S.C. 1902(a)(4)).

(19) DETERMINATION REGARDING TRANSFER OF FUNDS AVAILABLE UNDER THE COMPACT OF FREE ASSOCIATION TO THE FEDERATED STATES OF MICRONESIA AND THE MARSHALL ISLANDS TO ACCOUNTS FOR PAYMENT TO OWNERS OF SEIZED FISHING VESSELS.—Section 104(f)(3) of Public Law 99-239 (48 U.S.C. 1904(f)(3)).

(20) LAW ENFORCEMENT ASSISTANCE AGREEMENTS BETWEEN UNITED STATES AND MARSHALL ISLANDS.—Section 103(a)(4) of Public Law 99-239 (48 U.S.C. 1903(a)(4)).

(21) GOVERNING INTERNATIONAL FISHERY AGREEMENTS.—Section 203(a) of Public Law 94-265 (16 U.S.C. 1823(a)).

(22) REPORT OF THE WORK OF RIVER BASIN COMMISSIONS.—Section 204(2) of Public Law 89-80 (42 U.S.C. 1962b-3(2)).

(23) ENVIRONMENTAL QUALITY REPORT.—Section 201 of Public Law 91-190 (42 U.S.C. 4341).

(24) AGENCY COMPLIANCE WITH THE COASTAL BARRIER RESOURCES ACT.—Section 7 of the Coastal Barrier Resources Act (16 U.S.C. 3506).

(25) LIVESTOCK GRAZING IN CERTAIN DESIGNATED WILDERNESS AREAS.—Section 6(c) of Public Law 101-195 (103 Stat. 1787).

(26) REHABILITATION NEEDS OF FOREST SERVICE REGIONS DUE TO FOREST FIRE DAMAGE.—Section 202 of Public Law 101-286 (104 Stat. 174; 16 U.S.C. 551b).

(27) NATIONAL FOREST SYSTEM REFORESTATION NEEDS.—Section 3(d)(1) of Public Law 93-378 (16 U.S.C. 1601(d)(1)).

(28) DOMESTIC FOREST ECOSYSTEMS RESEARCH PROGRAM.—Section 3(c)(4) of Public Law 95-307 (16 U.S.C. 1642(c)(4)).

(29) IMPLEMENTATION OF ARCHAEOLOGICAL RESOURCES PROTECTION ACT OF 1979.—Section 10(a) of Public Law 96-55 (16 U.S.C. 470ii(a)).

(30) NATIONAL WILDERNESS PRESERVATION SYSTEM.—Section 7 of Public Law 88-577 (16 U.S.C. 1136).

(31) BOUNDARY ADJUSTMENTS, ALASKA UNITS OF WILD AND SCENIC RIVERS, NATIONAL WILDERNESS PRESERVATION, OR NATIONAL FOREST SYSTEMS.—Section 103(b) of Public Law 96-487 (16 U.S.C. 3103(b)).

(32) STATUS OF TONGASS NATIONAL FOREST, ALASKA.—Section 706(b) of Public Law 96-487 (16 U.S.C. 539e(b)).

(33) BOUNDARIES, CLASSIFICATIONS, AND DEVELOPMENT PLANS FOR WILD AND SCENIC RIVERS SYSTEM.—Section 3(b) of Public Law 90-542 (16 U.S.C. 1274(b)).

(34) DOCUMENTS RELATING TO PROPOSAL TO DESIGNATE NATIONAL MARINE SANCTUARY.—Section 304(a)(1)(C) of Public Law 92-532 (16 U.S.C. 1434(a)(1)(C)).

(35) NOTICE OF DESIGNATION OF MARINE SANCTUARY.—Section 304(b) of Public Law 92-532 (16 U.S.C. 1434(b)).

(36) NATURE, EXTENT, AND EFFECTS OF DRIFTNET FISHING IN WATERS OF NORTH PACIFIC OCEAN ON MARINE RESOURCES OF UNITED STATES.—Section 4005(a) of Public Law 100-220 (101 Stat. 1478; 16 U.S.C. 1822 note).

(37) BLUEFIN TUNA.—Section 3 of Public Law 96-339 (16 U.S.C. 971i).

(38) FAIR MARKET VALUE AT THE TIME OF THE TRANSFER OF ALL REAL AND PERSONAL PROPERTY CONVEYED ON THE PRIIBOLO ISLANDS.—Section 205(c) of Public Law 89-702 (16 U.S.C. 1165(c)).

(39) COASTAL ZONE MANAGEMENT.—Section 316 of Public Law 89-454 (16 U.S.C. 1462).

(40) ADMINISTRATION OF THE OCEAN THERMAL ENERGY CONVERSION ACT OF 1980.—Section 405 of Public Law 96-320 (42 U.S.C. 9165).

(41) COOPERATIVE PROGRAM FOR THE DEVELOPMENT OF TUNA AND OTHER LATENT FISHERY RESOURCES OF THE CENTRAL WESTERN, AND SOUTH PACIFIC OCEAN.—Section 4 of Public Law 92-444 (16 U.S.C. 758e-1a).

(42) ADMINISTRATION OF THE DEEP SEABED HARD MINERAL RESOURCES ACT.—Section 309 of Public Law 96-283 (30 U.S.C. 1469).

(43) EFFECT OF ANY INTERNATIONAL AGREEMENT GOVERNING DEEP SEABED MINING.—Section 202 of Public Law 96-283 (30 U.S.C. 1442).

(44) DECONTAMINATION EFFORTS ON PUBLIC LANDS WITHDRAWN FOR MILITARY AND DEFENSE-RELATED PURPOSES IN NEVADA AND COST ESTIMATES.—Section 7(b) of Public Law 99-606 (100 Stat. 3464).

(45) INSULAR AREAS STUDY.—Section 1406(a) of Public Law 102-486 (106 Stat. 2995).

(46) ACTIVITIES UNDER THE COAL RESEARCH ACT.—Section 7 of Public Law 86-599 (30 U.S.C. 667).

(47) AFRICAN ELEPHANT ADVISORY FUND AND STATUS OF ELEPHANT.—Section 2103 of Public Law 100-478 (102 Stat. 2317; 16 U.S.C. 4213).

(48) STATUS OF ALL MARINE MAMMAL SPECIES AND POPULATION STOCKS SUBJECT TO THE PROVISIONS OF THE MARINE MAMMAL PROTECTION ACT OF 1972.—Section 103(f) of Public Law 92-522 (16 U.S.C. 1373(f)).

(49) EXPENDITURES FOR THE CONSERVATION OF ENDANGERED OR THREATENED SPECIES.—Section 18 of Public Law 93-205 (16 U.S.C. 1544).

(50) FINAL DECISION OF ANY CLAIM CHALLENGING THE PARTITION OF JOINT RESERVATION.—Section 14(c)(1) of Public Law 100-580 (102 Stat. 2936; 25 U.S.C. 1300i-11(c)(1)).

(51) CONSERVATION PLANS FOR REFUGES ESTABLISHED, REDESIGNATED, OR EXPANDED BY ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT.—Section 304(g)(6)(D) of Public Law 96-487 (94 Stat. 2395).

(52) MANAGEMENT OF CALIFORNIA DESERT CONSERVATION AREA.—Section 601(i) of Public Law 94-579 (43 U.S.C. 1781(i)).

(53) FINANCIAL DISCLOSURES OF EMPLOYEES PERFORMING FUNCTIONS UNDER THE FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976.—Section 313(b) of Public Law 94-579 (43 U.S.C. 1743(b)).

(54) THREATENED AREAS ON REGISTRIES OF NATIONAL LANDMARKS AND NATIONAL REGISTER OF HISTORIC PLACES AND AREAS OF NATIONAL SIGNIFICANCE WITH POTENTIAL FOR INCLUSION IN THE NATIONAL PARK SYSTEM.—Section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

(55) RESULTS OF LAND ACQUISITION NEGOTIATIONS WITH KOOTZNOOWOO, INC.—Section 506(a)(9) of Public Law 96-487 (94 Stat. 2406; 104 Stat. 469).

(56) ACTIVITIES UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977.—Sections 201(f), 517(g), and 705 of Public Law 95-87 (30 U.S.C. 1211(f), 1267(g), 1295).

(57) RECEIPTS, EXPENDITURES, AND WORK OF ALL STATE MINING AND MINERAL RESOURCES RESEARCH INSTITUTES.—Section 4(c) of Public Law 98-409 (30 U.S.C. 1224(c)).

(58) OPERATIONS UNDER THE ABANDONED MINE RECLAMATION FUND.—Section 411 of Public Law 95-87 (30 U.S.C. 1241).

(59) EFFECTIVENESS OF STATE ANTHRACITE COAL MINE REGULATORY PROGRAMS.—Section 529(b) of Public Law 95-87 (30 U.S.C. 1279(b)).

(60) RESEARCH AND DEMONSTRATION PROJECTS IN ALTERNATIVE COAL MINING TECHNOLOGIES.—Section 908(d) of Public Law 95-87 (30 U.S.C. 1328(d)).

(61) AIR TRAFFIC ABOVE GRAND CANYON (2 REPORTS).—Section 3 of Public Law 100-91 (16 U.S.C. 1a-1 note) and section 134 of Public Law 102-581 (16 U.S.C. 1a-1 note).

(62) DEVELOPMENT OF FACILITIES FOR NATIONAL PARK SYSTEM.—Section 12(a) of Public Law 91-383 (16 U.S.C. 1a-7(a)).

(63) STATUS OF COMPLETION OR REVISION OF GENERAL MANAGEMENT PLANS FOR THE NATIONAL PARK SYSTEM.—Section 12(b) of Public Law 91-383 (16 U.S.C. 1a-7(b)).

(64) FEASIBILITY OR DESIRABILITY OF DESIGNATING OTHER TRAILS AS NATIONAL SCENIC OR NATIONAL HISTORIC TRAILS.—Section 5(b) of Public Law 90-543 (16 U.S.C. 1244(b)).

(65) DETERMINATION THAT A COMMEMORATIVE WORK SHOULD BE LOCATED IN AREA I, WASHINGTON, D.C.—Section 6(a) of Public Law 99-652 (40 U.S.C. 1006(a)).

(66) PROPOSED PLAN FOR DESIGNATION OF SITE TO DISPLAY COMMEMORATIVE WORK ON A TEMPORARY BASIS IN THE DISTRICT OF COLUMBIA.—Section 9 of Public Law 99-652 (40 U.S.C. 1009).

(67) OIL AND GAS LEASING, EXPLORATION, AND DEVELOPMENT ACTIVITIES ON NONNORTH SLOPE FEDERAL LANDS IN ALASKA.—Section 1008(b)(4) of Public Law 96-487 (16 U.S.C. 3148(b)(4)).

(68) IMPLEMENTATION OF THE FEDERAL OIL AND GAS ROYALTY MANAGEMENT ACT OF 1982.—Section 302 of Public Law 97-451 (30 U.S.C. 1752).

(69) DELINQUENT ROYALTY ACCOUNTS UNDER LEASES ON FEDERAL LANDS.—Section 602 of Public Law 95-372 (30 U.S.C. 237).

(70) USE OF MODIFIED OR OTHER BIDDING SYSTEM, AND TRACTS OFFERED FOR LEASE, UNDER OUTER CONTINENTAL SHELF LANDS ACT.—Section 8(a) of the Act of August 7, 1953 (chapter 345; 43 U.S.C. 1337(a)).

(71) PROPOSED OIL AND GAS LEASING PROGRAMS FOR OUTER CONTINENTAL SHELF LANDS.—Section 18(d)(2) of the Act of August 7, 1953 (chapter 345; 43 U.S.C. 1344(d)(2)).

(72) ENVIRONMENTAL EFFECTS OF ACTIVITIES UNDER THE OUTER CONTINENTAL SHELF LANDS ACT.—Section 20(e) of the Act of August 7, 1953 (chapter 345; 43 U.S.C. 1346(e)).

(73) FINANCIAL DISCLOSURES OF EMPLOYEES PERFORMING FUNCTIONS UNDER THE OUTER CONTINENTAL SHELF LANDS ACT OR THE OUTER CONTINENTAL SHELF LANDS ACT AMENDMENTS OF 1978.—Section 605(b)(2) of Public Law 95-372 (43 U.S.C. 1864(b)(2)).

(74) ESTIMATED RESERVES OF OIL AND GAS IN OUTER CONTINENTAL SHELF.—Section 606 of Public Law 95-372 (43 U.S.C. 1865).

(75) EXPENDITURES OF FUNDS RECOVERED WITH RESPECT TO DAMAGE TO NATIONAL PARK RESOURCES.—Section 4(d) of Public Law 101-337 (16 U.S.C. 19jj-3).

(76) STATUS OF NATIONWIDE GEOLOGICAL MAPPING PROGRAM.—Section 8 of Public Law 102-285 (43 U.S.C. 31g).

(77) MODIFICATION OR AMENDMENT OF LAND EXCHANGE AGREEMENT BETWEEN THE UNITED STATES AND THE GOLDBELT AND SEALASKA CORPORATIONS.—Section 506(b) of Public Law 96-487 (94 Stat. 2409).

(78) SUBSISTENCE MANAGEMENT AND USE OF PUBLIC LANDS IN ALASKA.—Section 813 of Public Law 96-487 (16 U.S.C. 3123).

(79) PROPOSED EXCLUSION OF ANY PRINCIPAL OR MAJOR USE FOR 2 OR MORE YEARS ON ANY TRACT OF PUBLIC LAND OF 100,000 ACRES OR MORE.—Section 202(e)(2) of Public Law 94-579 (43 U.S.C. 1712(e)(2)).

(80) DESIGNATION OF ANY TRACT OF PUBLIC LAND EXCEEDING 2,500 ACRES FOR SALE.—Section 203(c) of Public Law 94-579 (43 U.S.C. 1713(c)).

(81) NOTICE OF LAND WITHDRAWALS AGGREGATING 5,000 ACRES OR MORE.—Section 204(c) of Public Law 94-579 (43 U.S.C. 1714(c)).

(82) PUBLIC LANDS PROGRAM.—Section 311(a) of Public Law 94-579 (43 U.S.C. 1741(a)).

(83) FUTURE FUNDING NEEDS ON BIKINI ATOLL.—Any provision in title I of Public Law 100-446, under the heading "TERRITORIAL AND INTERNATIONAL AFFAIRS—COMPACT OF FREE ASSOCIATION" (102 Stat. 1798).

(84) PROPOSED TRANSPORTATION OR STORAGE OF SPENT NUCLEAR FUEL OR HIGH-LEVEL RADIOACTIVE WASTE ON ANY UNITED STATES TERRITORY OR POSSESSION.—Section 605 of Public Law 96-205 (48 U.S.C. 1491).

(85) UNITED STATES NONCONTIGUOUS PACIFIC AREAS POLICY.—Section 302 of Public Law 99-239 (48 U.S.C. 2002).

(86) ACTUAL OPERATIONS UNDER ADOPTED CRITERIA FOR COORDINATED LONG-RANGE OPERATION OF COLORADO RIVER RESERVOIRS.—Section 602(b) of Public Law 90-537 (43 U.S.C. 1552(b)).

(87) STUDIES ON COLORADO RIVER WATER QUALITY.—Section 206 of Public Law 93-320 (43 U.S.C. 1596).

(88) APPROVAL OF PROJECTS UNDER THE SMALL RECLAMATION PROJECTS ACT AND PROPOSALS RECEIVED.—Sections 4(c) and 10 of the Act of August 6, 1956 (43 U.S.C. 422d(c), 422j).

(89) DEFERMENTS OF PAYMENTS FOR RECLAMATION PROJECTS.—Section 17(b) of the Act of August 4, 1939 (43 U.S.C. 485b-1(b)).

(90) PROPOSED CONTRACTS FOR DRAINAGE WORKS AND MINOR CONSTRUCTION OVER \$200,000 ON FEDERAL RECLAMATION PROJECTS.—The Act of June 13, 1956 (43 U.S.C. 505).

(91) BUDGET FOR OPERATIONS FINANCED BY THE LOWER COLORADO RIVER BASIN DEVELOPMENT FUND.—Section 403(i) of Public Law 90-537 (43 U.S.C. 1543(i)).

(92) BUDGET FOR OPERATIONS FINANCED BY THE UPPER COLORADO RIVER BASIN FUND.—Section 5(g) of the Act of April 11, 1956 (43 U.S.C. 620d(g)).

(93) ANNUAL CONSUMPTIVE USE AND LOSSES OF WATER FROM THE COLORADO RIVER SYSTEM.—Section 601(b) of Public Law 90-537 (43 U.S.C. 1551(b)).

(94) FINDINGS AND TECHNICAL DATA ON DAMS REQUIRING STRUCTURAL MODIFICATION.—Section 5 of Public Law 95-578 (43 U.S.C. 509).

(95) STATUS OF REVENUES FROM AND COSTS RELATED TO THE COLORADO RIVER STORAGE PROJECT.—Section 6 of the Act of April 11, 1956 (43 U.S.C. 620e).

(96) AUDIT OF THE FINANCIAL REPORT SUBMITTED BY GOVERNOR OF GUAM.—Section 6 of Public Law 90-601 (48 U.S.C. 1428d).

(97) ACTIVITIES, VIEWS, AND RECOMMENDATIONS OF NATIONAL INDIAN GAMING COMMISSION.—Section 7(c) of Public Law 100-497 (25 U.S.C. 2706(c)).

(98) FULL AND COMPREHENSIVE REPORT ON THE DEVELOPMENT OF SOUTHERN END OF ELLIS ISLAND.—The proviso in title I of Public Law 101-512 that relates to Ellis Island (104 Stat 1923).

(99) COST OF DETAILED PERSONNEL AND EQUIPMENT FROM OTHER AGENCIES.—Section 1(2) of the Act of March 3, 1885 (16 U.S.C. 743a(c)).

(100) AUDIT OF FINANCIAL REPORT, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Section 5 of Public Law 92-257 (48 U.S.C. 1692), as such section relates to the Commonwealth of the Northern Mariana Islands.

(101) GOVERNMENTS OF THE FEDERATED STATES OF MICRONESIA AND THE MARSHALL IS-

LANDS: IMPLEMENTATION OF PLANS AND USE OF FUNDS FOR GRANT ASSISTANCE IN THE COMPACT OF FREE ASSOCIATION.—Section 211(c) of the Compact of Free Association, as set forth in section 201 of Public Law 99-239 (48 U.S.C. 1901 note).

(102) COMPREHENSIVE FINANCIAL REPORTS OF THE GOVERNOR OF GUAM.—Section 6 of the Act of August 1, 1950 (48 U.S.C. 1422).

(103) COMPREHENSIVE FINANCIAL REPORT OF THE GOVERNOR OF THE VIRGIN ISLANDS.—Section 11 of the Act of July 22, 1954 (48 U.S.C. 1591).

(104) COMPREHENSIVE FINANCIAL REPORT OF THE GOVERNOR OF AMERICAN SAMOA.—Section 501(a) of Public Law 96-205 (48 U.S.C. 1668(a)).

(105) ACTIVITIES OF THE WOLF TRAP FOUNDATION FOR THE PERFORMING ARTS.—Section 5(c)(2) of Public Law 89-671 (16 U.S.C. 284d(c)(2)).

(106) ALEUTIAN AND PRIBILOF RESTITUTION FUND FINANCIAL CONDITION AND OPERATIONS.—Section 203 of Public Law 100-383 (50 U.S.C. App. 1989c-2).

(107) DEEP SEABED REVENUE SHARING TRUST FUND.—Section 403(c)(1) of Public Law 96-283 (30 U.S.C. 1472(c)(1)).

(108) WILD AND FREE ROAMING HORSES AND BURROS ON PUBLIC LANDS.—Section 11 of Public Law 92-195 (16 U.S.C. 1340).

(109) UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE SUBMISSION OF RESULTS OF ENVIRONMENTAL AND MONITORING ACTIVITIES.—Section 1002(j)(4) of Public Law 100-688 (33 U.S.C. 1414b(j)(4)).

(110) REVIEW OF AND RECOMMENDATIONS CONCERNING THE DEFINITION OF "UNPROCESSED TIMBER".—Section 495(b) of Public Law 101-382 (104 Stat. 725).

(111) NATIONAL WILDERNESS PRESERVATION SYSTEM.—Section 7 of Public Law 88-577 (16 U.S.C. 1136).

(112) NOTICE OF INTENTION TO INTERCHANGE LANDS.—Section 1 of the Act of July 26, 1956 (16 U.S.C. 505a).

(113) REPORTS REGARDING CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA.—Section 104(b) of Public Law 95-344 (16 U.S.C. 460ii-3(b)).

(114) ANNUAL REPORT OF ADVISORY COUNCIL ON COAL RESEARCH.—Section 805(c) of Public Law 95-87 (30 U.S.C. 1315(c)).

(115) REPORTS OF ADVISORY COUNCIL ON HISTORIC PRESERVATION.—Section 202(b) of the National Historic Preservation Act (Public Law 89-665; 16 U.S.C. 470j(b)).

(116) ANNUAL REPORT OF ALASKA LAND USE COUNCIL.—Section 1201(g) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3181(g)).

(117) NATIONAL PLAN FOR RESEARCH IN MINING AND MINERAL RESOURCES.—Section 9(e) of Public Law 98-409 (30 U.S.C. 1229(e)).

(118) PREPARATION OF LEVEL B PLANS.—Section 209 of the Federal Water Pollution Control Act (33 U.S.C. 1289).

(119) REPORTS ON NATIONAL ESTUARY PROGRAM RESEARCH.—Section 320(j)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1350(j)(2)).

(120) ANNUAL REPORT OF MARINE MAMMAL COMMISSION.—Section 204 of the Marine Mammal Protection Act of 1972 (Public Law 92-522; 16 U.S.C. 1404).

(121) ANNUAL REPORT OF WETLANDS CONSERVATION PROJECTS.—Section 5(f) of the North American Wetlands Conservation Act (Public Law 101-233; 16 U.S.C. 4404).

(122) ANNUAL REPORT OF MIGRATORY BIRD CONSERVATION COMMISSION.—Section 3 of the Migratory Bird Conservation Act (16 U.S.C. 715b).

(123) REPORTS REGARDING LAND CONVEYANCE, PRINCE GEORGE'S COUNTY, MARYLAND.—Public Law 99-215 (99 Stat. 1724).

(124) ANNUAL REPORT OF PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL.—Section 4(h)(12)(A) of the Pacific

Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839b(h)(12)(A)).

(125) AUDIT OF TRANS-ALASKA PIPELINE SYSTEM.—Subsections (b)(1) and (b)(5) of section 8103 of Public Law 101-380 (104 Stat. 568; 43 U.S.C. 1651 note).

(126) ANNUAL REPORT OF NATIONAL FISH AND WILDLIFE FOUNDATION.—Section 7(b) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3706(b)).

(127) ANNUAL REPORT OF NATIONAL PARK FOUNDATION.—Section 10 of Public Law 90-209 (16 U.S.C. 19n).

(128) ANNUAL FINANCIAL REPORTS REGARDING MARSHALL ISLANDS, MICRONESIA, PALAU, AND NORTHERN MARIANA ISLANDS.—Section 5 of Public Law 92-257 (48 U.S.C. 1692).

(b) REPEAL OF CERTAIN TERMINATED REPORTING REQUIREMENTS.—

(1) AUDIT AND REPORT REGARDING GLEN CANYON DAM.—Section 1804(b)(2) of Public Law 102-575 (106 Stat. 4670) is amended by striking “and the Congress”.

(2) AUDIT OF CENTRAL UTAH PROJECT COST ALLOCATIONS.—Section 211 of Public Law 102-575 (106 Stat. 4624) is amended in the first sentence by striking “and to the Congress”.

(3) DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY FINDINGS AND CONCLUSIONS.—Section 4 of Public Law 100-573 (16 U.S.C. 640a note; 102 Stat. 2891) is amended by striking “and to each House of the Congress”.

(4) PROPOSED SETTLEMENT AGREEMENT REGARDING WESTLANDS WATER DISTRICT V. UNITED STATES, ET AL.—Section 122 of Public Law 99-190 (99 Stat. 1320) is amended by striking “until;” and all that follows through the end of the section and inserting “until April 15, 1986.”

(5) LOANS, GRANTS, ASSISTANCE PROVIDED UNDER THE SOUTHWESTERN PENNSYLVANIA HERITAGE PRESERVATION COMMISSION ACT.—Section 104(b) of Public Law 100-698 (102 Stat. 4621; 16 U.S.C. 461 note) is amended by striking all after the first sentence.

(6) PETROGLYPH NATIONAL MONUMENT; ROCK ART REPORT.—Public Law 101-313 (16 U.S.C. 431 note) is amended—

(A) in section 108—

(i) in subsection (a) (104 Stat. 275; relating to a general management plan for Petroglyph National Monument) by striking “and transmit” and all that follows through “Representatives;” and

(ii) in subsection (c) (104 Stat. 276; relating to a report regarding rock art) by striking “The Secretary shall provide” and all that follows through the end of the subsection; and

(B) in section 111 (104 Stat. 278) by striking all after the first sentence (relating to a report on the status of a Petroglyph National Monument expansion agreement).

(7) GENERAL MANAGEMENT PLAN FOR THE PECOS NATIONAL HISTORIC PARK.—Section 205 of Public Law 101-313 (16 U.S.C. 410rr-4; 104 Stat. 279) is amended by striking “and transmit” and all that follows through “Representatives;”.

(8) WEIR FARM NATIONAL HISTORIC SITE, CONNECTICUT, GENERAL MANAGEMENT PLAN.—Section 6(d) of Public Law 101-485 (104 Stat. 1172; 16 U.S.C. 461 note) is amended by striking “submit to the Committee” and all that follows through “Senate” and inserting “prepare”.

(9) REPORTS RELATING TO LOWELL NATIONAL HISTORIC PARK OR THE LOWELL PRESERVATION DISTRICT.—Public Law 95-290 is amended—

(A) in section 101(b) (16 U.S.C. 410cc-11(b)); relating to revisions of boundaries of the Lowell National Historic Park or the Lowell Preservation District) by striking the last sentence;

(B) in section 103 (16 U.S.C. 410cc-13; relating to amounts expended by Massachusetts, the City of Lowell, and other nonprofit enti-

ties), by striking subsection (d) and inserting the following new subsection:

“(d) The aggregate amount of funds made available by the Secretary to the Commission from funds appropriated under subsection (a)(2) may not exceed the amount expended by the Commonwealth of Massachusetts, the city of Lowell, and any nonprofit entity for activities in the city of Lowell consistent with the purpose of this Act since January 1, 1974.”;

(C) in section 201(b) (16 U.S.C. 410cc-21(b)); relating to a park management plan for the Lowell National Historical Park and revisions thereto—

(i) in paragraph (1) by striking “and submit to the Congress”; and

(ii) in paragraph (ii) by striking the last sentence; and

(D) in section 303 (16 U.S.C. 410cc-33) by striking subsection (e) (relating to loans, grants and technical assistance in support of the Lowell National Historical Park).

(10) DESIGNATION OF LANDS IN NEBRASKA AS A NATIONAL RECREATION AREA AND NATIONAL PARK.—Public Law 102-50 (105 Stat. 257) is amended—

(A) in section 7, by striking subsection (b); and

(B) in section 8, by striking subsection (e).

(11) PUBLIC AWARENESS PROGRAM IN CERTAIN WEST VIRGINIA COUNTIES.—Section 403 of Public Law 100-534 (102 Stat. 2707; 16 U.S.C. 1274 note) is amended by striking “By December 31, 1992,” and all that follows through the end of that sentence.

(12) LAND EXCHANGE AT CAPE COD NATIONAL SEASHORE.—Section 2(c) of Public Law 87-126 (16 U.S.C. 459b-1(c)) is amended by striking the last sentence.

(13) GAULEY RIVER NATIONAL RECREATION AREA BOUNDARY MODIFICATIONS.—Section 201 of Public Law 100-534 (16 U.S.C. 460ww) is amended by striking subsection (c).

(14) PROPOSED PURCHASE OR CONDEMNATION OF PROPERTY DESIGNATED FOR INCLUSION IN THE SLEEPING BEAR DUNES NATIONAL LAKE-SHORE, MICHIGAN.—Section 12(e) of Public Law 91-479 (16 U.S.C. 460x-11(e)) is amended in paragraph (4) by striking “The Secretary must notify the Committee” and all that follows through the end of that sentence.

(15) BOUNDARY CHANGES AT THE ICE AGE NATIONAL SCIENTIFIC RESERVE, WISCONSIN.—Section 2(c) of Public Law 88-655 (16 U.S.C. 469e(c)) is amended by striking “notice to the President of the Senate and the Speaker of the House of Representatives and”.

(16) WEST RIVER RURAL WATER SYSTEM AND LYMAN-JONES RURAL WATER TEM ENGINEERING REPORT.—Section 4(e)(2) of Public Law 100-516 (102 Stat. 2569) is amended by striking “and submitted” and all that follows through the end of the sentence and inserting a period.

(17) EVALUATION OF DESIRABILITY TO ACQUIRE CERTAIN LANDS IN NEVADA.—Section 6(c)(2) of Public Law 101-67 (103 Stat. 173) is amended in the last sentence by striking “Committee on Interior” and all that follows through “Senate, and”.

(18) CLAIMS SUBMITTED RESULTING FROM TETON DAM FAILURE.—Section 8 of Public Law 94-400 (90 Stat. 1213) is repealed.

(19) WESTLANDS WATER DISTRICT CONTRACT MODIFICATION.—Section 3 of Public Law 95-46 (91 Stat. 227) is amended by striking the last sentence.

(20) RELATION OF WATER PROJECTS TO CALIFORNIA ESTUARIES.—Section 4 of Public Law 96-375 (94 Stat. 1506) is amended by striking the second sentence.

(21) ALTERNATIVE USE OF WATER RESOURCE FACILITIES.—Section 3 of Public Law 97-273, as amended by section 12(b) of Public Law 100-516 (102 Stat. 2572), is amended by striking “, and to report” and all that follows through “recommendations”.

(22) COLORADO RIVER FLOODWAY.—Section 8 of the Colorado River Floodway Protection Act (Public Law 99-450; 100 Stat. 1134; 43 U.S.C. 1600f) is repealed.

(23) GROUNDWATER RECHARGE OF AQUIFERS.—Section 4(c) of the High Plains States Groundwater Demonstration Program Act of 1983 (Public Law 98-434; 43 U.S.C. 390g-2(c)) is amended by striking paragraph (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(24) CONDITIONS ON CONSTRUCTION OF LONGTREE DAM AND RESERVOIR.—Section 8(a)(2)(C) of Public Law 89-108, as added by section 6 of Public Law 99-294 (100 Stat. 423), is amended by striking “Secretaries” and all that follows through “above” and inserting “Secretary of State has submitted the determination required by subparagraph (B)”.

(25) REGULATION OF DWORSHAK DAM.—Section 415(a) of the Water Resources Development Act of 1990 (Public Law 101-640; 104 Stat. 4651) is amended by striking “, the Commissioner of the Bureau of Reclamation”.

(26) BOSTON HARBOR ISLANDS STUDY.—Section 501 of Public Law 102-525 (106 Stat. 3442; 16 U.S.C. 1a-5 note) is repealed.

(27) INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE.—Section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j-1) is amended by striking subsection (c) and redesignating the last sentence of subsection (b) as subsection (c).

(28) INDIAN HEALTH FACILITIES.—Section 301(c) of the Indian Health Care Improvement Act (25 U.S.C. 1631(c)) is amended by striking paragraphs (1), (2), and (3) and by striking “(4)”.

(29) INDIAN WATER AND WASTE DISPOSAL FACILITIES.—Section 302 of the Indian Health Care Improvement Act (25 U.S.C. 1632) is amended by striking subsection (g).

(30) TRIBAL MANAGEMENT OF HEALTH SERVICES.—Section 818(d)(2) of the Indian Health Care Improvement Act (25 U.S.C. 1680h(d)(2)) is amended by striking “and shall submit” and all that follows through “projects”.

(31) INDIAN MENTAL HEALTH SERVICES.—Section 209(j) of the Indian Health Care Improvement Act (25 U.S.C. 1621h(j)) is amended—

(A) in the subsection heading, by striking “ANNUAL REPORT” and inserting “METHODS TO EVALUATE STATUS OF PROGRAMS AND SERVICES; and

(B) by striking “and shall submit” and all that follows through “communities”.

(32) INDIAN HEALTH CARE DELIVERY DEMONSTRATION.—Section 307 of the Indian Health Care Improvement Act (25 U.S.C. 1637) is amended by striking subsection (h).

(33) CONTRACTOR FACILITIES ASSESSMENT.—Section 506 of Public 101-630 (104 Stat. 4566; 25 U.S.C. 1653 note) is amended by striking subsections (a) and (b).

(34) HEALTH STATUS OF URBAN INDIANS.—Section 507 of the Indian Health Care Improvement Act (25 U.S.C. 1657) is amended by striking subsection (d).

(35) INDIAN HEALTH SERVICE LOAN REPAYMENT PROGRAM.—Section 108 of the Indian Health Care Improvement Act (25 U.S.C. 1616a) is amended by striking subsection (n).

(36) HOSPICE CARE FEASIBILITY FOR INDIANS.—Section 205 of the Indian Health Care Improvement Act (25 U.S.C. 1621d) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(37) MANAGED CARE FEASIBILITY STUDY FOR INDIANS.—Section 210 of the Indian Health Care Improvement Act (25 U.S.C. 1621i) is amended—

(A) by striking “(a)”;

(B) by striking subsection (b).

(38) CONTRACT HEALTH SERVICES FOR INDIANS.—Section 219 of the Indian Health Care Improvement Act (25 U.S.C. 1621r) is amended by striking subsection (c).

(39) IMPLEMENTATION OF INDIAN HEALTH CARE IMPROVEMENT ACT.—Section 801 of the Indian Health Care Improvement Act (25 U.S.C. 1671) is amended—

(A) by inserting “(a)” before “The President”;

(B) by striking the period at the end of paragraph (3) and inserting a semicolon;

(C) by inserting “and” at the end of paragraph (4);

(D) by striking the semicolon at the end of paragraph (5) and inserting a period;

(E) by striking paragraphs (6), (7), (8), and (9); and

(F) by adding at the end the following new subsection:

“(b) Effective January 1, 2000, the annual report referred to in subsection (a) shall no longer be required. Any requirement still in effect after that date regarding the submission to the President of information for inclusion in a report under subsection (a) shall be deemed to require the submission of the information directly to Congress.”.

(40) TRIBAL SELF-GOVERNANCE PROJECTS.—Section 305 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f note) is amended by striking “Secretaries” both places it appears and inserting “Secretary of Health and Human Services”.

(41) COQUILLE INDIAN TRIBE ECONOMIC DEVELOPMENT PLAN.—Section 4(a) of Public Law 101-42 (25 U.S.C. 715b(a)) is amended—

(A) in paragraph (1), by adding “and” at the end;

(B) in paragraph (2), by striking “; and” and inserting a period; and

(C) by striking paragraph (3).

(42) PONCA TRIBE OF NEBRASKA ECONOMIC DEVELOPMENT PLAN.—Section 10(a)(3) of Public Law 101-484 (104 Stat. 1169) is amended—

(A) in paragraph (1), by adding “and” at the end;

(B) in paragraph (2), by striking “; and” and inserting a period; and

(C) by striking paragraph (3).

(43) INDIAN CHILD PROTECTION.—Section 412 of Public Law 101-630 (25 U.S.C. 3211) is repealed.

(44) NATIVE AMERICAN CULTURAL CENTER FEASIBILITY STUDY.—Section 2 of Public Law 102-196 (20 U.S.C. 80q-13 note) is repealed.

(45) NOTIFICATION OF CONSOLIDATION OF BIA SCHOOLS.—Section 1121(h)(3) of the Education Amendments of 1978 (25 U.S.C. 2001(h)(3)) is amended by striking “transmitted promptly to the Congress and”.

(46) PLAN FOR ENLARGEMENT OF A CERTAIN INDIAN RESERVATION.—Section 7(c) of Public Law 96-227 (25 U.S.C. 766(c)) is amended by striking the last sentence therein.

(47) KLAMATH TRIBE OF INDIANS ECONOMIC SELF-SUFFICIENCY PLAN.—Section 8 of Public Law 99-398 (25 U.S.C. 566f) is amended—

(A) in subsection (a)—

(i) by striking paragraph (2);

(ii) by striking “(A)”; and

(iii) by striking “(B)” and inserting “(2)”; and

(B) by striking subsection (d).

(48) OGLALA SIOUX RURAL WATER SUPPLY ENGINEERING REPORT.—Section 3(f) of Public Law 100-516 (102 Stat. 2568) is amended—

(A) by striking “until—” and all that follows through “requirements” and inserting “until the requirements”;

(B) by striking “; and” and inserting a period; and

(C) by striking paragraph (2).

(49) COMPLIANCE WITH HEALTH AND SAFETY STANDARDS IN INDIAN SCHOOLS.—Section 1125(b) of the Education Amendments of 1978 (25 U.S.C. 2005(b)) is repealed.

(50) PLAN FOR USE OF JUDGMENTS TO INDIAN TRIBES.—

(A) IN GENERAL.—Section 2(a) of Public Law 93-134 (25 U.S.C. 1402(a)) is amended by striking “and submit to Congress”.

(B) SUPPORTING DOCUMENTS.—Section 4 of Public Law 93-134 (25 U.S.C. 1404) is repealed.

(C) EFFECTIVE DATE OF PLAN.—Section 5 of Public Law 93-134 (25 U.S.C. 1405) is amended—

(i) in subsection (a)—

(I) by striking (a); and

(II) by striking “, at the end” and all that follows through the end of the subsection and inserting “upon submission of the plan to the affected tribes or groups.”; and

(ii) by striking subsections (b), (c), (d), and (e).

(51) ADJUSTMENTS OR ELIMINATIONS OF REIMBURSABLE DEBTS OF INDIANS OR INDIAN TRIBES.—The Act of July 1, 1932 (25 U.S.C. 386a; 47 Stat. 564) is amended by striking the second and third provisos therein.

(52) ACCEPTANCE OF GIFTS FOR THE BENEFIT OF INDIANS.—The Act of February 14, 1931 (25 U.S.C. 451; 46 Stat. 1106) is amended by striking “An annual report” and all that follows through “data.”.

(53) PROPOSED LEGISLATION TO RESOLVE CERTAIN INDIAN CLAIMS.—The Indian Claims Limitation Act of 1982 (Public Law 97-394; 28 U.S.C. 2415 note) is amended by striking section 6.

(54) INDIAN RESERVATION ROADS STUDY.—Section 1042 of Public Law 102-240 (Public Law 102-240; 23 U.S.C. 202 note) is amended—

(A) by striking “(a) STUDY—”; and

(B) by striking subsection (b).

(55) AMERICAN SAMOA WATER AND POWER STUDY.—Section 301 of Public Law 102-247 (106 Stat. 38) is amended—

(A) by striking “(a)”; and

(B) by striking subsection (b).

(56) SUCCESS OR FAILURE OF THE GOVERNORS OF GUAM AND THE VIRGIN ISLANDS IN MEETING GOALS AND TIMETABLES TO ELIMINATE GENERAL FUND DEFICITS BY 1987.—Section 607(c) of Public Law 96-597 (48 U.S.C. 1641 note) is repealed.

(57) RECOMMENDATION FOR DESIGNATING AS WILDERNESS CERTAIN PUBLIC LANDS PREVIOUSLY IDENTIFIED.—Section 603(b) of Public Law 94-579 (43 U.S.C. 1782(b)) is amended—

(A) by striking the first and second sentences; and

(B) by inserting “of an area referred to in subsection (a)” after “for designation”.

(C) ANNUAL FINANCIAL REPORT BY CHIEF EXECUTIVE OF THE GOVERNMENT OF THE NORTHERN MARIANA ISLANDS.—Section 5 of Public Law 92-257 (48 U.S.C. 1692) is amended to read as follows:

“SEC. 5. The chief executive of the Government of the Northern Mariana Islands shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting, within 120 days after the close of the fiscal year. The report shall include statistical data as set forth in those standards relating to the physical, economic, social and political characteristics of the government, and any other information required by the Congress. The chief executive shall also make any other reports at other times as may be required under applicable Federal laws. This section is not subject to termination under section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from California (Mr. DOOLEY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Madam Speaker, H.R. 3002 will provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas and other natural resources-related matters.

Section 3003 of the Federal Reports Elimination and Sunset Act of 1997 terminates all reports to Congress contained in House Document 103-7 as of December 21, 1999. This document lists statutorily required reports to Congress from various executive branch agencies.

The philosophy of the Federal Reports Elimination and Sunset Act is to “alleviate the paperwork burden on executive branch agencies.” Certainly the reduction of unnecessary paperwork is a worthy goal. However, some consideration must be given as to why a statute mandates a certain report and as to how this information is used by the Congress and the public. In the case of the Committee on Resources, this information greatly aids our oversight activities and the development of legislation. The reports also provide the public with valuable insight as to how Federal tax dollars are being spent.

Without action by Congress, many critical reports will be lost before the end of the year, requiring extensive amendments to underlying statutory authorities to reinstate the reports. H.R. 3002 will restore 128 reports, including implementation costs of the Endangered Species Act, notices of withdrawals of public lands, rehabilitation needs for National Forest System lands, threatened areas on the National Register of Historic Places, management plans for National Parks, proposed oil and gas leasing programs on the Outer Continental Shelf, proposals for projects under the Small Reclamation Projects Act, and audits of financial assistance provided to the insular areas of the United States.

The bill also makes technical changes to some underlying laws which authorize repealed or sunsetted reports. Time constraints preclude additional mop-up work in this area, but the committee intends to work on technical amendments in another vehicle soon.

These reports are needed for effective congressional oversight and to allow the public to see how their taxpayer dollars are being spent.

I urge support for this bill.

Madam Speaker, I reserve the balance of my time.

Mr. DOOLEY of California. Madam Speaker, I yield myself such time as I may consume.

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

Mr. DOOLEY of California. Madam Speaker, we have no objection to this

legislation. The bill would extend the existing requirements that the administration report to Congress on certain subjects of interest to the Committee on Resources. These reports would otherwise terminate in December 1999 under the Federal Reports Elimination and Sunset Act of 1995.

H.R. 3002 was not subject to a committee hearing. However, since the committee markup, the CBO has concluded that the cost of extending the 128 separate reporting requirements would be about \$1 million annually, subject to appropriated funds. And neither OMB nor the affected department or agencies have raised specific concerns about this legislation.

Accordingly, since the administration has not objected to this bill and because it does not appear to be exceedingly burdensome or expensive, we support its passage in the House.

Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 3002.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FACILITATING WATER TRANSFERS IN THE CENTRAL VALLEY PROJECT

Mr. DOOLITTLE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3077) to amend the Act that authorized construction of the San Luis Unit of the Central Valley Project, California, to facilitate water transfers in the Central Valley Project, as amended.

The Clerk read as follows:

H.R. 3077

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

SECTION 1. ELIMINATION OF RESTRICTIONS ON USE OF SAN LUIS UNIT FACILITIES FOR WATER TRANSFERS IN THE CENTRAL VALLEY PROJECT.

(a) ELIMINATION OF STATUTORY RESTRICTIONS.—Public Law 86-488 (74 Stat. 156) is amended—

(1) in section 2 by striking “and the use of the additional capacity for water service shall be limited to service outside of the Federal San Luis unit service area”; and

(2) in section 3 by adding “and” after the semicolon at the end of paragraph (h), by striking the semicolon at the end of paragraph (i) and inserting a period, and by striking paragraph (j).

(b) REQUIREMENTS FOR DELIVERY INSIDE FEDERAL SERVICE AREA.—Such Act is further amended—

(1) in section 2 by inserting “(subject to section 9)” after “a perpetual right to the use of such additional capacity”; and

(2) by adding at the end the following:

“SEC. 9. The State of California may not, under section 2, use additional capacity to

deliver water inside the Federal San Luis unit service area unless—

“(1) such delivery is managed so as to ensure that—

“(A) agricultural drainage discharges arising from use of the delivered water—

“(i) comply with any waste discharge requirements issued for such discharges; or

“(ii) if there are no such waste discharge requirements, do not cause water quality conditions in the San Joaquin River and the Sacramento-San Joaquin Delta and San Francisco Bay to be degraded or otherwise adversely affected; and

“(B) use of the delivered water for irrigation does not frustrate or interfere with efforts by the United States and the State of California to manage agricultural subsurface drainage discharges from the San Luis unit; and

“(2) such delivery is consistent with those provisions of operating agreements between the Secretary and the Department of Water Resources of the State of California that are consistent with this Act.”.

(c) AMENDMENT OF EXISTING AGREEMENTS.—The Secretary of the Interior—

(1) shall seek to amend each agreement entered into by the United States and the State of California under section 2 of Public Law 86-488 before the date of the enactment of this Act, as necessary to delete from such agreement restrictions on use of additional capacity for water service for land in the Federal San Luis unit service area that are not consistent with the amendments made by this Act; and

(2) pending such amendment, shall not enforce any such restriction.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from California (Mr. DOOLEY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Madam Speaker, Federal agricultural contractors in the Central Valley Project of California who rely on exported water supplies from the Sacramento-San Joaquin River Delta have seen substantial reductions in their Federal water supplies over the last several years, even though these last few years have been “wet” years. This reduction has been increased because of the accumulated impacts of implementation of the Endangered Species Act, the Central Valley Project Improvement Act, and the Bay Delta Accord.

This reduction in CVP export supply reliability has increased the desire of many water managers to pursue water transfers. Additionally, numerous State laws and Federal laws have been enacted in an attempt to facilitate water transfers to assist agricultural and urban water users in maintaining reliable water supplies.

The San Luis Act of 1960 prohibits the State of California from providing water service to the San Luis Unit of the Central Valley Project. The committee believes this prohibition is inconsistent with current Federal and State policies which encourage and facilitate water transfers.

H.R. 3077 amends the Act of 1960 by eliminating the restrictions on use of

San Luis Unit facilities for water transfers in the Central Valley. The gentleman from California (Mr. DOOLEY) is the author of this legislation, and in just a moment I am sure will add his explanation.

This morning we received a letter from Governor Grey Davis of California in support of H.R. 3077.

Madam Speaker, I reserve the balance of my time.

Mr. DOOLEY of California. Madam Speaker, I yield myself such time as I may consume.

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

Mr. DOOLEY of California. Madam Speaker, California's San Joaquin Valley is one of the most productive agricultural areas in the world. The lands that receive water from the San Luis Unit of the Central Valley Project are especially productive. Farmers here are highly dependent on reliable deliveries of surface water in order to sustain crop production in the valley.

But even in the best years, water supplies from the Central Valley Project are often limited. Many farmers in California now improve the reliability of their water supplies by working out water transfer arrangements with other water users so that the limited supplies can be moved around and used more efficiently. But farmers in the San Luis Unit cannot freely participate in these transfers because the San Luis Act of 1960 prohibits the State of California from providing water service to the San Luis Unit. I believe this restriction makes it unnecessarily difficult for San Luis Unit farmers to take advantage of water supplies that might otherwise be available to them. I also believe this restriction in Federal law is outdated and inappropriate. H.R. 3077, as amended, will address these problems by eliminating the restriction on delivery of water from the State of California to lands within the Federal San Luis service area.

This is significant legislation affecting water management in California. Its effect will be to allow the delivery of water from California's State Water Project to lands within the San Luis Unit. The State of California operates the State Water Project, and Governor Davis, as the gentleman from California (Mr. DOOLITTLE) cited earlier, has advised me and others that he supports enactment of H.R. 3077, as amended.

Madam Speaker, I include the Governor's letter of November 5, 1999 at this point in the RECORD.

GOVERNOR GRAY DAVIS,

Sacramento, CA, November 5, 1999.

Hon. CAL DOOLEY,
*House of Representatives,
Washington, DC.*

DEAR REPRESENTATIVE DOOLEY: I am writing to advise you of my support for H.R. 3077, which you recently introduced along with Representatives Gary Condit, George Radanovich and Bill Thomas.

As you know, H.R. 3077 would authorize water users in the San Luis Unit of the Central Valley Project (CVP) to purchase water

supplies from the State Water Project (SWP). The bill amends the San Luis Act of 1960, which prohibits water transfers between the SWP and users in the San Luis Unit of the CVP.

Given the likelihood of water shortfalls in the future, I believe that voluntary transfers will become an increasingly important water management tool to address future supply needs. Your legislation is consistent with current state and federal policies aimed at encouraging voluntary water transfers and will likely play a key role in facilitating such transfers. In addition, in furtherance of state and federal policies to encourage water transfers, it is appropriate to remove barriers that might otherwise restrict transfers between the two projects.

I also support Representative George Miller's recent amendment to H.R. 3077 that conditions the transfer of water between the SWP and the San Luis Unit on measures to prevent irrigation drainage problems or degradation of water quality. I am pleased that you and your colleagues on the House Resources Committee were able to reach agreement on this language during the recent markup session.

As the legislation moves through the House in the closing days of this year's session, please let me know if I can be of assistance.

Sincerely,

GRAY DAVIS.

An important issue raised by any proposal to provide additional supplies of irrigation water to the San Luis Unit is subsurface drainage. Discharges of subsurface agriculture drainage from the San Luis Unit contributed to the deaths of hundreds of waterfowl at the Kesterson Reservoir site in the mid 1980s, and, while farmers and water districts in the San Joaquin Valley have made great progress in recent years, drainage management in the San Luis Unit continues to be a critical and unresolved issue.

I had the opportunity to participate with Secretary Babbitt just yesterday in doing a tour of the San Luis Unit and had the chance to see some of the terrific work that the water districts are doing there in order to try to manage their drainage water.

The Committee on Resources accepted an amendment on this subject offered by the gentleman from California (Mr. GEORGE MILLER), the senior Democrat on the committee. The gentleman from California's amendment would allow the State to deliver water to the San Luis Unit only after specific requirements have been met to protect water quality.

The purpose of the Miller amendment is to ensure that irrigation water deliveries from the State Water Project to the Federal San Luis Unit service area are carefully managed and are not directed to lands that are known to contribute to agricultural drainage problems with the resultant adverse effects on water quality in the San Joaquin River, the Sacramento-San Joaquin Delta, or San Francisco Bay. I was pleased to accept the gentleman from California's amendment during the committee's consideration of H.R. 3077. Governor Davis' letter also expresses his support for this amendment.

Madam Speaker, San Luis Unit farmers are the only farmers in the State of

California who must farm under an outdated legal restriction that prevents them from supplementing their water supplies. H.R. 3077, as amended, will correct this inequity and will encourage responsible water use and cooperation among California water users.

I urge my colleagues to support the enactment of H.R. 3077, as amended.

Madam Speaker, I reserve the balance of my time.

□ 1500

Mr. DOOLITTLE. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. RADANOVICH), a cosponsor of this legislation.

Mr. RADANOVICH. Madam Speaker, I thank the gentleman from California for yielding me this time.

As a cosponsor of H.R. 3077, I want to express my support for this bill on the floor. As we all know, water is a precious commodity in the State of California and particularly in the great Central Valley. I have seen the extra mile that water users in this area have taken to conserve water. This is not enough, however, because their water supply reliability has been significantly reduced and no certainty in supply is on the horizon for California agriculture and urban water users.

The Central Valley has a long agricultural history, producing over 250 of California's crops. With its fertile soil, temperate climate, and water supply capabilities, the Central Valley produces 8 percent of the agricultural output in the United States, on less than 1 percent of our Nation's farmland. Valley farmers grow nearly half of the fresh fruits and vegetables grown in the entire Nation.

At the same time, the Central Valley is the fastest growing region in the State, placing an ever-increasing demand on its urban water requirements. While agricultural and urban water demands are often in competition with one another, neither can be provided for unless a reliable supply of water is made available. Long-term environmental and habitat restoration needs of the Central Valley ecosystem must also be addressed, squeezing still more water out of a dwindling supply. Currently, under the CVPIA, over one million acre-feet of water is provided for environmental purposes each year.

The demands for agricultural, environmental and urban water uses in the great Central Valley are endless. Since water is directly tied to the economy, any disturbance in its supply will almost certainly result in the loss of jobs and agricultural production. By the year 2020, a net loss of 2.3 million acre-feet of water is projected for agricultural use. This is unacceptable and irresponsible. The impact of such a decline would be devastating. Thus, an adequate water supply should and must be secured.

For these reasons, I am a cosponsor of H.R. 3077. This measure gives water users the ability to obtain water from

the State of California by facilitating water transfers at the San Luis Unit. Currently, the San Luis Act prohibits the State from allowing water to go through the San Luis Unit of the Central Valley Project. This will be corrected under H.R. 3077 and some of the tremendous strains on water supplies in the State will be alleviated.

Again, I support this bill and urge its passage.

Mr. DOOLEY of California. Madam Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Madam Speaker, I urge an "aye" vote and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 3077, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DOOLITTLE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 359, H.R. 3002, and H.R. 3077.

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

There was no objection.

OFFICE OF GOVERNMENT ETHICS REAUTHORIZATION ACT

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2904) to amend the Ethics in Government Act of 1978 to reauthorize funding for the Office of Government Ethics, as amended.

The Clerk read as follows:

H.R. 2904

by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. REAUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 405 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "1997 through 1999" and inserting "2000 through 2003".

(b) EFFECTIVE DATE.—This section shall take effect on October 1, 1999.

SEC. 2. AMENDMENT TO DEFINITION OF "SPECIAL GOVERNMENT EMPLOYEE".

(a) AMENDMENT TO SECTION 202(a).—Subsection (a) of section 202 of title 18, United States Code, is amended to read as follows:

"(a) For the purpose of sections 203, 205, 207, 208, 209, and 219 of this title the term 'special Government employee' shall mean—

"(1) an officer or employee as defined in subsection (c) who is retained, designated, appointed, or employed in the legislative or executive branch of the United States Government, in any independent agency of the United States, or in the government of the District of Columbia, and who, at the time of

retention, designation, appointment, or employment, is expected to perform temporary duties on a full-time or intermittent basis for not to exceed 130 days during any period of 365 consecutive days;

"(2) a part-time United States commissioner;

"(3) a part-time United States magistrate;

"(4) an independent counsel appointed under chapter 40 of title 28 and any person appointed by that independent counsel under section 594(c) of title 28;

"(5) a person serving as a part-time local representative of a Member of Congress in the Member's home district or State; and

"(6) a Reserve officer of the Armed Forces, or an officer of the National Guard of the United States, who is not otherwise an officer or employee as defined in subsection (c) and who is—

"(A) on active duty solely for training (notwithstanding section 2105(d) of title 5);

"(B) serving voluntarily for not to exceed 130 days during any period of 365 consecutive days; or

"(C) serving involuntarily."

(b) AMENDMENT TO SECTION 202(c).—Subsection (c) of 202 of title 18, United States Code, is amended to read as follows:

"(c)(1) The terms 'officer' and 'employee' in sections 203, 205, 207 through 209, and 218 of this title shall include—

"(A) an individual who is retained, designated, appointed, or employed in the United States Government or in the government of the District of Columbia to perform, with or without compensation and subject to the supervision of the President, the Vice President, a Member of Congress, a Federal judge, or an officer or employee of the United States or of the government of the District of Columbia, a Federal or District of Columbia function under authority of law or an Executive act;

"(B) a Reserve officer of the Armed Forces or an officer of the National Guard of the United States who is serving voluntarily in excess of 130 days during any period of 365 consecutive days; and

"(C) the President, the Vice President, a Member of Congress or a Federal judge, but only to the extent specified in any such section.

"(2) As used in paragraph (1), the term 'Federal or District of Columbia function' shall include, but not be limited to—

"(A) supervising, managing, directing or overseeing a Federal or District of Columbia officer or employee in the performance of such officer's or employee's official duties;

"(B) participating in the Federal or District of Columbia government's internal deliberative process, such as by providing regular advice, counsel, or recommendations to the President, the Vice President, a Member of Congress, or any other Federal or District of Columbia officer or employee, or by conducting meetings involving any of those individuals; or

"(C) obligating funds of the United States or the District of Columbia."

(c) NEW SECTION 202(f).—Section 202 of title 18, United States Code, is amended by adding at the end the following:

"(f) The terms 'officer or employee' and 'special Government employee' as used in sections 203, 205, 207 through 209, and 218, shall not include enlisted members of the Armed Forces, nor shall they include an individual who is retained, designated, or appointed without compensation specifically to act as a representative of an interest (other than a Federal or District of Columbia interest) on an advisory committee established pursuant to the Federal Advisory Committee Act or any similarly established advisory committee whose meetings are generally open to the public."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2904.

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

There was no objection.

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

Madam Speaker, H.R. 2904 accomplished the two objectives that are critically important to ensuring honesty in government and impartiality in the executive branch of government. First, it reauthorizes the Office of Government Ethics through the year 2003. Second, it amends Title XVIII of the United States Code to clarify the definition of the term "special government employee."

The Office of Government Ethics is a small agency in the executive branch. Its appropriation for fiscal year 2000 is only \$9.1 million, and there are only about 84 full-time equivalent employees in its work force. Nevertheless, it performs a vital function. The Office's mission is to ensure impartiality and integrity in the operation of the Federal Government.

The Office oversees compliance with a variety of ethics laws in the executive branch. It issues rules and regulations on matters such as conflicts of interest, post-employment restrictions, standards of conduct, and financial disclosures.

The Office also reviews financial disclosure statements of certain presidential nominees and appointees, and when necessary, recommends corrective action for violations of ethics laws.

In addition, the Office of Government Ethics trains employees in ethics, provides formal and informal guidance on the interpretation and application of various ethics laws, and evaluates the effectiveness of conflict of interest and other ethics laws.

The Subcommittee on Civil Service of the Committee on Government Reform held an oversight hearing on the Office of Government Ethics shortly before the August recess. That hearing showed that the Office has performed its duties very well. There is no question that the Office has earned reauthorization by this Congress.

It was also vitally important, Madam Speaker, that this Congress clarify section 202 of Title XVIII to make it easier to determine who is a "special government employee" and therefore, subject to conflict of interest law and financial disclosure requirements.

Special government employees are informal advisors to presidents and

other government officials. Some are compensated, some serve without pay. But in either case, if the integrity of government processes is to be protected, these advisors must be subject to the same conflict of interest laws and financial disclosure requirements as regular government employees.

This is not a new subject for the House. The need for this legislation was first brought to our attention as a result of the Travelgate hearings held by the Committee on Government Reform and Oversight during the 104th Congress.

Those hearings revealed and a subsequent report adopted by the Committee on Government Reform found that certain advisors to the President used their influence to promote their own business interests by actively encouraging the firing of career employees in the White House Travel Office. As a result, the committee's report on the Travelgate investigation recommended that this Congress amend the law to provide clear standards for determining who is a "special government employee."

The gentleman from Florida (Mr. SCARBOROUGH), who is not with us at this time, as I hope everyone in the body recognizes having suffered an injury in his home State and from which we wish him a speedy recovery, as chairman of the Subcommittee on Government Management, Information and Technology, has held two hearings on this issue. Witnesses at those hearings also testified in favor of clarifying the definition of "special government employee." Language substantially similar to section 2 of this bill was developed through those hearings.

During the 104th Congress, the House passed essentially the same language in H.R. 3452, the Presidential and Executive Office Accountability Act. Although most of that bill became Public Law 104-331, the "special government employee" language was dropped in the conference.

The need for a clearer definition remains, however. I urge all Members to seize this opportunity to promote integrity in government by passing this bill, H.R. 2904, today.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, earlier this year, the Subcommittee on Civil Service held a hearing on the Office of Government Ethics which gave the subcommittee an opportunity to establish a record of how the agency is operating. OGE's mission is not only to prevent and resolve conflicts of interest and to foster high ethical standards for Federal employees, but also to strengthen the public's confidence that the government's business is conducted with impartiality and integrity.

OGE does this by reviewing and certifying the financial disclosure forms filed by presidential nominees requiring Senate confirmation; serving as a

primary source of advice and counseling on conduct and financial disclosure issues, and by providing information on the promoting and understanding of ethical standards in executive agencies.

OGE and its staff are well regarded by the Federal agencies with whom they do business. There is no question that they do an outstanding job.

Witnesses at the hearing testified that OGE has played an essential and significant role in fostering the public's trust in the integrity of government. Therefore, I support the 4-year reauthorization of OGE and urge my colleagues to do the same.

I want to thank the gentleman from Florida (Mr. SCARBOROUGH), our subcommittee chairman, for all of his efforts, our chairman and our ranking member of the Committee on Government Reform and Oversight, and certainly the gentleman from New York (Mr. MCHUGH) for his comments today.

Madam Speaker, I yield back the balance of my time.

Mr. MCHUGH. Madam Speaker, I yield myself the balance of the time.

Again, I want to express our appreciation to the gentleman from Florida (Mr. SCARBOROUGH), who currently serves as the chairman of the Subcommittee on Civil Service, for introducing H.R. 2904 to authorize the Office of Government Ethics, and also to the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform, for his strong support of this legislation. As well, let me thank the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Subcommittee on Civil Service, and also the gentleman from California (Mr. WAXMAN), the ranking member of the Committee on Government Reform, for their combined support. Without this cooperative effort, Madam Speaker, we would not be here today.

I also want to commend the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary, and the gentleman from Florida (Mr. CANADY) of the Subcommittee on the Constitution for their cooperation in expediting consideration of this measure. I also wish to express our appreciation to the gentleman from Florida (Mr. MICA), the former chairman of the Subcommittee on Civil Service, for his strong support for clarifying the definition of "special government employee." As we recognize, Madam Speaker, these kinds of initiatives, it takes the cooperative effort of many, and we thank yet another gentleman from California (Mr. HORN) for adding the "special government employee" language to this initiative.

Madam Speaker, although language before the House differs in some minor respects from the bill reported by the Committee on Government Reform, there really is no substantive difference. Working closely with the Office of Government Ethics, we have simply clarified the bill. Promoting the

integrity of the Federal Government is critically important if our citizens are to have confidence in its operation. Nothing has made that clearer than our experience with the administration and its unprecedented reliance upon a host of informal advisors such as Harry Thomason, Paul Begala, Dick Morris, and numerous other outsiders who worked on the President's health care task force during his first term. Whether paid or unpaid, full-time or part-time, Madam Speaker, these advisors must be held to the same high ethical standards as regular government employees. Good government demands no less.

Congress has the opportunity today to ensure that existing conflict of interest laws and financial disclosure requirements deter these high-level advisors from using their role to promote their own business interests. I urge all Members to support H.R. 2904.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2904, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

□ 1515

JOSEPH ILETO POST OFFICE

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3189) to designate the United States post office located at 14071 Peyton Drive in Chino Hills, California, as the "Joseph Iletto Post Office."

The Clerk read as follows:

H.R. 3189

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

SECTION 1. JOSEPH ILETO POST OFFICE.

(a) DESIGNATION.—The United States post office located at 14071 Peyton Drive in Chino Hills, California, shall be known and designated as the "Joseph Iletto Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Joseph Iletto Post Office".

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

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

Madam Speaker, H.R. 3189 was introduced by the gentleman from California (Mr. MILLER) on November 1 of this year. This legislation designates the building of the United States Postal Service located at 1407 Peyton Drive in Chino Hills, California, as the Joseph Iletto Post Office.

This legislation honors Mr. Iletto, an employee of the United States Postal Service who was slain while on duty in a hail of bullets by a white supremacist on August 10, 1999.

According to an affidavit filed in Federal court, the gunman had, just an hour before the shooting, opened fire at a Jewish community center in Los Angeles, wounding five children and employees. While making his rounds, Mr. Iletto encountered the assassin who, according to the affidavit, thought it would be a good idea to kill a non-white person who was also a government employee as a target of opportunity.

Mr. Iletto was the oldest of five children, born and raised in the Philippines and named after St. Joseph, the patron saint of the worker. He emigrated to the United States when he was 14 years old. After completing high school, he studied at East Los Angeles College, earning an associate degree in engineering in 1983. He lived with his brother in Chino Hills, and he cared for his recently widowed mother in Monterey Park.

He worked two jobs, at ABX Filters Corporation, where he tested electronic filters for heart pacemakers, and part-time as a substitute mail carrier. He was substituting for a regular letter carrier when he was killed, at age 39. Joseph Iletto took the postal position 2 years ago because he was seeking better pay in an outside job.

Mr. Iletto was known for his goodness, his good humor, his willingness to help, and for being reliable. Joe was known to be a humble man, never wanting to be the center of attention, just wanting to blend into the crowd. His work ethic and reliability won him a Special Achievement Award from the Postal Service. He was also very competitive, and loved playing games and watching the Los Angeles Lakers and the Dodgers.

He was a skilled chess player and was ranked at the master level. The Los Angeles Times and magazines devoted to chess recognized him for his achievements in that regard. His father taught him to play that game at the age of 7.

Uniformed postal workers, in a caravan of more than 100 trucks, paid their respects to their fallen colleague. Every mail carrier in his post office attended the funeral, along with many others from the postal community. Retired mail carriers offered to deliver the mail that day so everyone who knew Joseph could attend, exemplifying the model of mail carriers everywhere, that an injury to one is an injury to all.

Madam Speaker, it is important to note that the Post Office in Chino is

near completion, and due to open early next year. It would be fitting that this body take action today on this bill, H.R. 3189, so that the naming of the post office coincides with the opening of this facility. Naming the Post Office in Chino Hills after Joseph Iletto would be an act of remembrance and honor to a person who, though he just wanted to blend into the crowd, exemplifies all the qualities that we look for in an outstanding citizen of this great Nation.

I also want to, Madam Speaker, take one moment to express our most heartfelt sympathy to the family and friends of this brave man. They share in this honor. We come to this floor many times each session and extend the privilege of a postal naming bill to presidents, to people who, in very real ways, made world history, to heroes of all kinds. Today we honor a hero of a somewhat different kind, but certainly no less a deserving individual.

I would strongly urge all of our colleagues to support this bill and to extend this honor to a very, very special man.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, as a member of the Committee on Government Reform and Oversight, I am pleased to join the gentleman from New York (Chairman MCHUGH) in the consideration of two postal naming bills, H.R. 3189, to designate the United States Post Office located at 41071 Peyton Drive in Chino Hills, California, as the Joseph Iletto Post Office, and H.R. 2307, to designate the United States Post Office located at 5 Cedar Street in Hopkinton, Massachusetts, as the Thomas J. Brown Post Office Building.

H.R. 319, introduced by the gentleman from California (Mr. GARY MILLER) on November 1, 1999, seeks to honor a fallen postal employee, Mr. Joseph Santos Iletto. My colleagues will remember that Mr. Iletto was slain on August 10, 1999, by a gunman who shot and wounded five children and employees at the North Valley Jewish Community Center in suburban Los Angeles.

Mr. Iletto was a letter carrier for the United States Postal Service. While he lived in Chino Hills, California, he worked at the Chatsworth Post Office, located at 21606 Devonshire Boulevard in Chatsworth, California.

A letter carrier for just 2 years, he was remembered by the Chatsworth Postmaster, Ramona Franco, as a good employee with a wonderful sense of humor. According to Postmaster Franco, Mr. Iletto was the recent recipient of a Special Achievement Award and recognized for his outstanding performance.

Joseph Santos Iletto was born on March 10, 1960, in Legaspi City, Philippines, and named after St. Joseph, the patron saint of workers. A Dodgers

and Lakers fan, Mr. Iletto was a master chess player who was murdered by white supremacist Buford Furrow while delivering mail on his mail route.

Joseph Santos Iletto was a fine man who loved his family and friends. My colleague, the gentleman from California (Mr. GARY MILLER), is to be commended for recognizing a man who was proud to wear the uniform of the United States Postal Service letter carrier. I would agree with the gentleman from New York (Chairman MCHUGH), it is so appropriate that we take this time to honor this postman.

The thing is that so often when we name buildings, they are not named after the people who do not normally make the front pages of the Washington Post or local papers, but this was a gentleman that so often I would take it that, like many other Post Office people, that we take for granted. They are the people who deliver our mail every day through the cold, the sleet, the wind, the sun, whatever. They are there.

I join the gentleman from New York (Chairman MCHUGH) when he says that we want the family to know of our sympathy, and we want them to know how we feel so strongly about Mr. Iletto. Here is something else that needs to be said, and it is simply this, that in naming this Post Office after this postman, hopefully when people pass that Post Office and see that name up there, they will be reminded of what postmen and postwomen do every day in making sure that our mail is delivered, and making sure that correspondence, which is the lifeblood of any kind of communications process all over the world, is taken care of and taken care of in a very excellent fashion.

To that end, it is indeed a fitting tribute to name a soon-to-be-opened postal facility in Mr. Iletto's hometown in Chino Hills, California, after its fallen son.

Madam Speaker, I yield 2 minutes to the distinguished gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Madam Speaker, I thank my colleague for yielding me the time.

Madam Speaker, I stand in strong support of the bill offered by the gentleman from California (Mr. GARY MILLER), H.R. 3189. As outlined, this bill will designate the United States Post Office in Chino Hills the Joseph Iletto Post Office.

I stand in strong support of this on a couple of bases: One, as chairperson of the Asian-Pacific American Caucus in Congress, we have a particular affinity for this particular piece of legislation which is being passed in honor of Joseph Santos Iletto, a Filipino-American postal employee murdered by white supremacist Buford O. Furrow basically for being foreign-looking.

Basically, the entire incident involving the murder of Mr. Iletto was that he looked like a foreigner. He was an Asian-American who was devoting his life to public service in the Post Office.

Certainly I would like to also associate myself with the comments about the Postal Service. My father was postmaster at one time, and my grandfather was postmaster, so we have a long tradition in our family of paying honor and tribute to people who work in the Post Office.

In this particular instance, we have what is usually a person who does not attract much attention, but he is emblematic of the many thousands of people who work for the Postal Service and who carry on their duties on a regular basis.

I want to commend the gentleman from California (Mr. GARY MILLER) on his initiative to remember Joseph Iletto, and to not let the issue go away about the circumstances of his murder and bringing recognition of that. At the same time, I want to point out that the number of hate crimes which have gone on this past year continues to increase in this country.

I think it is very important that, in Mr. Iletto's name, we continue to focus on the issue of hate crimes, of which he was himself a victim, and to continue to support hate crimes legislation. This is an opportunity for us to draw attention to it. It is an opportunity to draw attention to the service of Asian-Pacific Americans in this country.

Also, I would like to again commend the work of our colleague, the gentleman from California (Mr. GARY MILLER) in this matter.

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

Madam Speaker, I want to thank my colleague, the gentleman from Guam, for making a very significant point. That is that, unfortunately, in our country we are still seeing the results of hate crimes. Unfortunately, our friend, Mr. Iletto, died as a result of a hate crime. It is very, very sad.

It is a fact that we are hoping that by taking this moment on the part of the United States Congress to recognize this wonderful, wonderful man, we will say to all of America that we, the Congress of the United States, will not stand for that kind of conduct. As we lift him up and say to Mr. Iletto and to his family that we are grateful for his service and all that he has given us, we also say to all of those who want to wander throughout our country committing these kinds of offenses that we will not stand for it, and we will do everything in our power to stomp it out.

To that end, Madam Speaker, I would urge my colleagues to vote for this very, very important piece of legislation. I thank the chairman, the gentleman from New York (Mr. MCHUGH), the ranking member of our committee, the gentleman from Pennsylvania (Mr. FATTAH), the gentleman from California (Mr. WAXMAN), and the chairman, the gentleman from Indiana (Mr. BURTON).

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

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

Madam Speaker, let me first of all express my appreciation to the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Guam (Mr. UNDERWOOD), and all of the minority members, including, of course, the ranking member, the gentleman from California (Mr. WAXMAN), for their continued and continuous support on these kinds of measures.

□ 1530

I do think it is a very fine example as to how the majority and minority can work toward a common good and a common action.

I also want to thank the gentleman from Indiana (Mr. BURTON), the chairman of the full committee, for his continuous support in these efforts and for helping us to expedite consideration as we wind down the end of this legislative session so that we can, indeed, pay tribute to a very deserving individual.

I want to say that I certainly agree with the comments of the two previous speakers. The cause of this crime was despicable, and I think it is true as well that all Americans find hate and find the kinds of actions fueled by the hate in this instance to be unspeakably evil. And to the extent that we can make a statement against that in this forum, that is a positive thing.

But I would say that we are here today honoring an individual who fell and who was victimized and who we think would be worthy of this honor regardless of the motivations of the criminal who took his life. This is a man who has, through his life, through his roots and the way in which he has overcome, earned all of our admiration.

Madam Speaker, Mr. Iletto I think in many ways is a perfect profile for the American dream, a gentleman who works hard, someone who carries the common values that have continuously bound this Nation together through our more than two centuries of existence. And regardless of his race, his color, his religious beliefs or any other distinguishing factor is a man fully deserving of this honor today.

So with that, Madam Speaker, I offer again our deepest sympathies to Mr. Iletto's family, to his loved ones, and to those who knew him and urge that all Members support this legislation.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 3189.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3189, the bill just passed.

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

There was no objection.

THOMAS J. BROWN POST OFFICE BUILDING

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2307) to designate the building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, as the "Thomas J. Brown Post Office Building".

The Clerk read as follows:

H.R. 2307

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

SECTION 1. DESIGNATION.

(a) IN GENERAL.—The building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, shall be known and designated as the "Thomas J. Brown Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the "Thomas J. Brown Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

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

Madam Speaker, H.R. 2307 was introduced by the gentleman from Massachusetts (Mr. MCGOVERN) on June 22 of this year. This legislation designates the building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, as the Thomas J. Brown Post Office Building.

Both the relevant subcommittee and committee approved this legislation, which is cosponsored by the entire House delegation of the State of Massachusetts.

Madam Speaker, Mr. Brown is a past president of the Boston Athletic Association and former postmaster of the town of Hopkinton, which is the starting point for the Boston Marathon. Mr. Brown has been actively involved in the Boston Marathon in his capacity as president of the Boston Athletic Association.

Madam Speaker, again we are here, as we did in the first bill, although under very, very different circumstances, paying tribute to an individual who perhaps does not find his name on the front page of the Nation's newspapers or as one of the lead stories on the evening news broadcast. But,

nevertheless, we are here honoring a man who has, through his association, both with the Postal Service and with his activities and love of his community, has shown great leadership in important ways.

I would say, Madam Speaker, that Mr. Brown is a kind of testament to, again, the American way of life, to someone who is not involved in any kind of community activity for power or glory or certainly for enrichment, but rather cares about their neighbors, cares about his association with those neighbors, and works simply to make today better than yesterday and, hopefully, tomorrow a little bit better than today.

I would certainly urge all of our colleagues to support H.R. 2307 and honor this postal employee who is so actively involved in a very important part of his town's history. And I am always, as chairman of the subcommittee, particularly gratified when those postal employees, nearly 900,000 individuals who each day make this wonderful system work so well, are honored in this manner, particularly, as it does in this case, occurring in their hometown in the very facility in which they discharge those duties.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I join the gentleman from New York (Mr. MCHUGH) in his comments with regard to honoring this wonderful former postmaster. As a member of the Committee on Government Reform, I am pleased to join him in consideration of H.R. 2307.

H.R. 2307, introduced by the gentleman from Massachusetts (Mr. MCGOVERN) on June 22, 1999, seeks to honor Mr. Thomas J. Brown. Mr. Brown is the former postmaster of the town of Hopkinton, Massachusetts, and past president of the Boston Athletic Association. Hopkinton, Massachusetts, is the starting point for the Boston Marathon, and Mr. Brown has been extensively involved in this race in his capacity as president of the BAA.

Designating a post office after a former postmaster is an excellent way to honor Mr. Brown's achievement. Madam Speaker, I could go on into further detail about the numerous community activities Mr. Brown is involved in, but I would prefer to yield time to the sponsor of H.R. 2307, the gentleman from Massachusetts (Mr. MCGOVERN).

Madam Speaker, I reserve the balance of my time.

Mr. MCHUGH. Madam Speaker, I continue to reserve the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield 3½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Speaker, I thank the gentleman from Maryland (Mr. CUMMINGS) not only for his support but for yielding me this time.

Madam Speaker, I rise in support of H.R. 2307 to designate the Thomas J. Brown Post Office Building in Hopkinton, Massachusetts. I wish to thank the gentleman from New York (Chairman MCHUGH) for his support and for the support of this subcommittee in moving this bill through the Committee on Government Reform and bringing it to the House floor today.

This bill will name the Federal Post Office at 5 Cedar Street in Hopkinton, Massachusetts, after Thomas J. Brown. Mr. Brown is a long-time resident of Hopkinton, served as postmaster from 1940 to 1970, and this bill will give the brand-new Hopkinton Post Office a name in tribute to a man who has served his community with pride and dignity for over 30 years.

Mr. Brown is a World War II veteran, having served in San Francisco and Pearl Harbor in the Postal Division of the United States Navy from 1942 to 1946. He served on the Board of Governors from 1978 to 1985, and as president from 1982 to 1985 of the Boston Athletic Association. Of national importance, Mr. Brown also served as official starter of the Boston Marathon, the famous 26-mile race that starts in the town of Hopkinton, Massachusetts.

This new post office is vital to the town of Hopkinton. Roughly five times the size of the current building, this new building has an extra customer service window, 800 post office boxes and a stamp vending machine. This new post office is needed because of the rising number of new residents who have moved to Hopkinton in the past decade. These improvements will better serve all the residents of the surrounding area in honor of Mr. Brown and his dedication to his community.

The Town of Hopkinton Office of the Selectmen, the Boston Athletic Association, and the entire Massachusetts congressional delegation support this bill to honor Thomas J. Brown's community service. This is an important bill to the Town of Hopkinton and to the lives of the people Mr. Brown has touched.

Madam Speaker, I urge my colleagues to support H.R. 2307 and name the Hopkinton Post Office after Thomas J. Brown.

Madam Speaker, I would like to submit for the RECORD the following letters of support and related news articles about the new post office and the effort to name it after Mr. Brown.

TOWN OF HOPKINTON,
OFFICE OF THE SELECTMEN,
Hopkinton, MA, June 4, 1999.

Mr. GUY L. MORSE III,
*Director, Boston Athletic Association,
Boston, MA.*

DEAR GUY: The Board of Selectmen received your letter discussing the B.A.A.'s proposal that the new Hopkinton Post Office be dedicated to Tom Brown, long-time resident of the Town, Hopkinton Postmaster from 1940-1970, and official starter of the Boston Marathon for many years.

Our Board strongly supports this proposal. It would be a well-earned tribute to a man

who served this community well, over many years.

We hope your proposal will be carefully considered by Congress, and successfully implemented!

Sincerely,

MAUREEN L. DWINNELL,
Chairman.

[From the Milford Daily News, Aug. 27, 1999]

NEW POST OFFICE IN HOPKINTON

(By John B. Moore)

HOPKINTON.—With little potential for controversy, the new Hopkinton Post Office likely will open this fall and be dedicated to former postmaster and Boston Marathon honcho Thomas J. Brown.

The proposal to name the soon-to-be-opened post office, which passed out of committee earlier this month, is expected to be adopted by Congress by October, if not sooner.

"I'm so pleased this is progressing so well," said Guy Morse, president of the Boston Athletic Association and the man behind the move to dedicate the building in Brown's name.

Brown, who served as Hopkinton's postmaster from 1940-1970, now lives in Maine.

A former Hayden Rowe Street resident, he was president of the Boston Athletic Association from 1982-1985. He also served as the official starter of the marathon for a number of years.

"The bill has been marked up by the Committee on Government Reform and when they come back from recess at the beginning of September it will go to the floor," said Michael Mershon, a spokesman for U.S. Rep. James McGovern, D-3rd.

"The person I spoke to yesterday said they expect it to pass through the floor of the House no later than mid-October."

Once the measure is approved, it goes to the U.S. Senate before landing on the president's desk for his signature.

When the bill makes it to the Senate, Sen. John Kerry, D-Mass., will take the reins.

"There has been no doubt in my mind that the new post office in Hopkinton should be named after Tom Brown—someone who has served his community for years as postmaster and who has contributed so much of his time and energy to the Boston Marathon," Kerry said.

Along with McGovern and local town officials, Kerry has strongly supported naming the post office after Brown.

"What better way to honor Tom Brown than to name the post office after him right in Hopkinton, where year after year we start the Boston Marathon," Kerry said.

Morse toured the new post office earlier this week and spoke with the current postmaster about a ceremony.

"We're looking to hopefully have something in the beginning of October," Morse said.

"I'm very pleased that it looks like it might actually come about," Morse said. "I think it's a great testimony to Tom Brown that so many people got involved to make this happen."

[From the Hopkinton Town Crier, Oct. 19, 1999]

NEW POST OFFICE, AWAIT'S OFFICIAL FANFARE

(By John B. Moore)

The new post office will receive little fanfare this week.

The big celebration will likely be held in late fall when the building is officially dedicated to former resident and past Boston Marathon President Tom Brown.

"One of the reasons we're moving ahead with the opening is because the asphalt plants will probably be closed by the end of

November and we need to have the customer parking lot paved on time," said Post Master John Hester.

The future lot now sits under the old, overburdened post office resting in the shadow of the new state-of-the-art facility on Cedar Street, scheduled to open Monday.

"We'll close the old building at noon on Saturday and start moving everything over then," Hester said Thursday.

The old building will be torn down to make room for more parking spaces. Both buildings are leased to the Postal Service.

The new 13,800-square-foot post office is roughly five times the size of the current building.

"Everyone has been ready for this for a while now," Hester said. "You wouldn't believe how excited we are."

Hester is among those cheering the new opening. For one thing, he gets to move out of the old trailer parked behind the buildings that has been his office for years.

"The other post office could just about fit in this lobby," said Hester, walking inside the new facility yesterday afternoon.

Along with more office space, the new building has an extra customer service window, 800 post office boxes and a stamp vending machine, along with more parking spaces.

There is also an electronic scale inside the lobby allowing customers to weigh and stamp their packages without ever having to wait in line.

There will also be an entire wall lined with prepackaged stamps and other merchandise.

Also in for a change will be the hours of the service windows.

The old building used to open the windows from 7:30 a.m. to 5 p.m. Mondays through Fridays. They will now open an hour later.

"I did a study to determine what people were buying during different hours and what I found out is 90 percent stamps during that early hour," Hester said.

With the stamp vending machine, it made little sense to keep the window open for that hour.

The Saturday hours will be shortened, as well, with the post office opening from 8:30 a.m. to noon closing two hours early.

"We just found that the volume wasn't there and like any other businesses we need to control costs," he said.

The prime reason for the new building is the soaring number of new residents who have moved into town over the last decade. The old building is simply buckling under the strain.

"This building is set up to anticipate new growth," he said. "This is a building everyone should be proud of."

Before the building can be dedicated to Brown, U.S. legislators have to give the final OK.

Though the naming measure is routine, it takes time to filter through the House and Senate, an aide to Rep. James McGovern, D-Mass., said.

The ceremony will probably take place in November, said Bob Cannon, a spokesman for the U.S. Postal Service.

Brown, who served as Hopkinton's postmaster for 1940-1970. Now lives in Maine.

A former Hayden Rowe Street resident, he was president of the Boston Athletic Association from 1982-1985. He also served as the official starter of the Marathon for a number of years.

Mr. MCHUGH. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

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

Madam Speaker, I thank the gentleman from Massachusetts (Mr.

McGOVERN) for his statement. One of the things that he pointed out, Madam Speaker, is that Mr. Brown is also a veteran. I think so often our veterans play such significant roles while they are in the military and when they leave. And here is another example of a veteran when he left the military to go on and do some very, very significant things to help people.

The gentleman also talked about Mr. Brown being the starter, the person who started the race, and that is very significant when we think about what is happening today. He went on to talk about how this Post Office is much larger so it could serve so many more people as the town has grown.

The fact is that our honoree, Mr. Brown, was one who was there way back when, and now he has seen not only the race grow but he has seen this wonderful town grow. And so it is with great honor and privilege that I take a moment today to, number one, thank Mr. Brown for all that he has done. I also want to thank the gentleman from Massachusetts (Mr. McGOVERN) for being so sensitive to all of those people who are supporting this wonderful and very important legislation. I again thank the gentleman from New York (Mr. MCHUGH), the chairman of the Subcommittee on the Postal Service; and I thank the gentleman from Pennsylvania (Mr. FATTAH), the ranking member of that subcommittee; and of course the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN), the chairman and ranking member respectively.

Madam speaker, I yield back the balance of my time.

Mr. MCHUGH. Madam Speaker, I yield myself the balance of the remaining time.

Madam Speaker, let me associate myself with particularly the last comments by the gentleman from Maryland (Mr. CUMMINGS). Veterans of virtually any war are a very special class of people to whom those of us who enjoy the fruits of this wonderful democracy really owe more than we can ever repay. And I, too, want to thank the gentleman from Massachusetts (Mr. McGOVERN) for providing this opportunity to recognize, not only as I said earlier a 3-decade employee of the United States Postal Service, but like so many of his contemporaries, an individual whose record of service extends even beyond that of his service during World War II.

Heroes come in many different forms and walk in many different ways in this life. To the community of Hopkinton, to the Greater Boston area, and to all of those across this country who believe, as I do, that the Boston Marathon is such a special event, without question, this gentleman, Mr. Brown, is a hero. We are very, very lucky today to have this opportunity.

Madam Speaker, I too want to express my appreciation to the gentleman from Maryland (Mr. CUMMINGS) for being here today and for managing

this bill, for the continued support of the gentleman from Pennsylvania (Mr. FATTAH) as the ranking member, along with, of course, the gentleman from California (Mr. WAXMAN) as the ranking member of the full committee and the gentleman from Indiana (Mr. BURTON), chairman of the full committee, and his staff and the staff of the Subcommittee on the Postal Service for their untiring work in processing these in the way in which they should be processed: in a bipartisan cooperative manner.

Madam Speaker, I close with a final urging to all of our colleagues to support this fine bill, H.R. 2307.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2307.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2307, the bill just passed.

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

There was no objection.

□ 1545

EXPRESSING THE CONDOLENCES OF THE HOUSE OVER PAYNE STEWART'S DEATH

Mr. Miller of Florida. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 344) recognizing and honoring Payne Stewart and expressing the condolences of the House of Representatives to his family on his death and to the families of those who died with him.

The Clerk read as follows:

H. RES. 344

Whereas William Payne Stewart was born in Springfield, Missouri, on January 30, 1957;

Whereas Payne Stewart was the son of William Stewart and Bee Payne-Stewart and brother of Susan and Lora;

Whereas Payne Stewart grew up in a loving family in Springfield, Missouri, and was instilled with the strong family values of hard work, academic achievement, and good sportsmanship;

Whereas although Payne Stewart was a good athlete in football and basketball, under the mentoring of his father, he took up the game of golf, practicing and playing at Hickory Hills Country Club and growing to love the game and its history;

Whereas Payne Stewart grew proficient in the game of golf during his years at Greenwood High School and at Southern Methodist University in Texas where he earned the status of "All-American";

Whereas Payne Stewart attained two milestones in 1981, marrying Marries Theresa "Tracey" Ferguson and qualifying for his Professional Golfer's Card;

Whereas Payne Stewart donned what became his trademark knickers, long socks and cap and won his first professional golf tournament in 1982 at the Quad Cities Open in Illinois—the only professional golf tournament victory his father ever saw him win;

Whereas Payne Stewart won 11 professional golf tournaments, including the United States Open in 1991 and 1999 and the Professional Golfers' Association Championship in 1989, and was a member of the United States Ryder Cup Team 5 times, including the team that staged the greatest comeback victory in the history of the event in 1999;

Whereas in 1994, Payne Stewart was among the first athletes inducted in the Missouri Sports Hall of Fame;

Whereas Payne Stewart was never selfish with his successes, sharing generously with many charitable organizations, including giving his entire Bay Hill Classic winner's purse of \$108,000 to the Florida Hospital Golden Circle of Friends in memory of his father;

Whereas just last year Payne Stewart and his wife donated \$500,000 to the First Foundation, the fund raising arm of the First Baptist Church of Orlando, to be used for the expansion of a Christian school;

Whereas Payne Stewart always found time to be a golf teacher and mentor to children who were learning the game, returning to Springfield in late July 1999 to conduct one of many children's clinics for would-be future golf competitors;

Whereas Payne Stewart served as a role model for his Christian faith and his sport in countless public and private ways;

Whereas Payne Stewart was a loving husband to his wife Tracey, daughter Chelsea, and son Aaron;

Whereas Payne Stewart was viewed by his friends and former classmates as a fun-loving, warm, and smiling man with a joy for life, his family and his sport;

Whereas Payne Stewart transcended the game of golf as a timeless symbol of athletic talent, spirited competition, and a role model for people of all ages; and

Whereas Payne Stewart died in a tragic plane crash on October 25, 1999, along with Van Arden, Stephanie Bellegarrigue, Bruce Borland, Robert Fraley, and Michael Kling; Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and honors Payne Stewart—

(A) as one of the greatest golfers;

(B) for his many contributions to the Nation throughout his lifetime; and

(C) for transcending the game of golf and becoming a timeless symbol of athletic talent, spirited competition, and a role model as a Christian gentleman and a loving father and husband; and

(2) extends its deepest condolences to the families of Payne Stewart and the other victims in the plane crash, Van Arden, Stephanie Bellegarrigue, Bruce Borland, Robert Fraley, and Michael Kling, on their tragic loss.

SEC. 2. The Clerk of the House of Representatives shall transmit an enrolled copy of this resolution to the family of each of the victims.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MILLER).

GENERAL LEAVE

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 344.

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

There was no objection.

Mr. MILLER of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of House Resolution 344. I would like to thank the distinguished gentleman from Springfield, Missouri (Mr. BLUNT) for providing this House the opportunity to express our condolences to the family of Payne Stewart while enabling us to celebrate his life and accomplishments.

I would also like to thank the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform, who recognized the timeliness of this measure and expedited this opportunity for consideration before the House today.

This resolution has many cosponsors who welcome the opportunity to provide Payne Stewart this fitting moment of honor. Our celebration of his life is a quiet reflection of the patriotism that he displayed so proudly throughout his professional career.

During that career, Payne Stewart won 11 professional championships, three of them majors. Twice he won the United States Open. He walked the fairways wearing his trademark knickers and tam o'shanter, commonly blending a combination of colors symbolizing the nearest available National Football League team.

His many accomplishments on the golf course were the building blocks that qualified him to represent this country in international competition. His smooth swing, and controlled, steady play were vital to the United States team's dramatic come-from-behind victory in this year's Ryder Cup competition. He took great pride in wearing the red, white, and blue.

His widow and two children knew his full devotion. He took pride in his role as a husband and father, and he provided a model of spirited dedication throughout his life. We welcome this opportunity to recognize his life, and to join the many golf fans throughout the country in extending our condolences to his widow, his children, and his friends.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, Payne Stewart, who was an 11-time winner of the PGA Tour and stood eighth in the world golf rankings, died on his way to do what he loved best, died on his way to look at a field with regard to golf.

Payne Stewart was on his way to Houston for practice rounds in advance

of the Tour Championship when his plane crashed in South Dakota. Mr. Stewart died with five others, two pilots of the plane Michael King, 43, Stephanie Bellegarrigue, 27, his agents Robert Fraley and Van Ardan and Bruce Borlan, a golf course designer. As expressed by this resolution, our condolences go out to all of the families affected by this terrible crash.

Mr. Stewart, winner of the United States Open at Pinehurst, North Carolina, also played on the Ryder Cup team that won an inspiring comeback victory over Europe in September. He won the Professional Golfer's Association championship in 1989, and in 1991 captured his first U.S. Open title at Hazeltine in Minnesota, after an 18-hole playoff.

Tim Finchem, the PGA Tour Commissioner, is quoted as saying that, "Payne represented the best of golf. He was a man of great faith, a devoted, compassionate, and most energetic husband and father, and a man of tremendous generosity." Tiger Woods, upon hearing the news of Stewart's death, commented, "It is shocking; it's a tragedy. There is an enormous void and emptiness I feel right now."

That void and emptiness was felt by the 3,000 people attending Stewart's memorial service, over 100 of which were PGA Tour players and officials. At the memorial service, Paul Azinger, a close friend of Stewart's pulled a tam-o'-shanter cap over his head and rolled up his trousers to knickers length, revealing a vibrant pair of argyle socks, a poignant tribute to the distinctive sports clothing Stewart was known for wearing.

At the start of the PGA Tour Championship that Mr. Stewart was scheduled to play in, a bagpipe played the Scottish lament "Going Home". Payne Stewart once said, "I'm going to a special place when I die. But I want to be sure my life is special while I'm here."

Payne Stewart is home now, and his life here on Earth was, indeed, special.

Madam Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN), one Olympian in our United States Congress, an Olympic runner.

Mr. RYUN of Kansas. Madam Speaker, Payne Stewart's tragic death shocked the United States and the world just 2 short weeks ago. Today, the House honors him in a fitting tribute to his life.

One does not have to be a golfer to know who Payne Stewart was. While his talent and distinctive style made him stand out on the course, his love of family and love of God, involvement in his community made him stand out as a wonderful human being.

Payne Stewart's accomplishments speak for themselves. He was a member of five Ryder Cup teams, including September's winning team. He won 11 professional tournaments in the United States, including three major golf

championships. He was having his best year on the tour; and in the last golf ranking, he was ranked eighth in the world.

Just a few years ago, some golf experts began to write him off, that he was not going to be able to make it. They speculated his career was all but over after a number of years in the PGA without a lot of success. However, after winning this year's U.S. Open, which capped a 4-year return to the top of the golfing world, Payne gave insight into the real reason behind his turnaround. He spoke of a renewed faith in God that had given him inner peace and had led to a stronger family life.

Payne Stewart also gave generously of his time and money to charity causes. He was actively involved in the First Baptist Church in Orlando, Florida. The Reverend Jim Henry, who was one of his pastors, said this of Payne, "He was a wonderful Christian who had Christ in his life and somehow in his death."

He was also a good neighbor. One of his neighbors summed it up by saying, "Payne was an unbelievable person." Recent news reports said that he was even well-known among his neighborhood for fixing pancakes after his children's sleep-overs. Parents and fathers should be proud of that, and Payne was certainly a good example.

In the world of sports today, Payne Stewart was every bit of a role model. May God grant us many more Payne Stewarts. By honoring him today, we express our thanks for his example, and we offer our prayers and condolences to his family for their loss.

Mr. CUMMINGS. Madam Speaker, I yield 5 minutes to the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Madam Speaker, I want to thank the gentleman from Maryland for extending me this time to say a few words in support of this great American.

Madam Speaker, I rise today in strong support of this legislation which honors professional golfer Payne Stewart and expresses the heartfelt condolences of our Nation to Payne Stewart's family upon his tragic death. I want to commend the gentleman from Missouri (Mr. BLUNT), my good friend, for introducing this most worthy measure.

Like many around the world, I was shocked and saddened by the events of October 25, 2 weeks ago, when the Lear Jet carrying Payne Stewart became disabled and crashed. The accident reminds us of how fleeting and uncertain life can be, no matter what our status is.

Madam Speaker, although Payne Stewart has left this earthly existence, his legacy and what his life stood for will continue to live on in our memory and in the annals of sports and history.

As a hacker who loves the game of golf, and all my colleagues on this side of the aisle who also love the sport,

Madam Speaker, I fully appreciate and understand how difficult, demanding, and frustrating the sport of golf can be, especially at the rarefied levels of professional golf. Therefore, I deeply respect the tremendous achievements of Payne Stewart in winning 11 PGA tournaments in his shortened career, which include three major championships, the PGA in 1989, the U.S. Open in 1991, and the U.S. Open this year.

Winning even one major championship is considered the pinnacle of excellence and the defining moment in a professional golfer's career. It is not surprising that an athlete of Payne Stewart's brilliance earned this honor several times.

While Payne Stewart's shot-making and colorful knickers attire attracted a lot of attention, what most impressed me about Payne Stewart was the class and sportsmanship that he showed while competing. After his heart-breaking loss in the 1998 U.S. Open in the closing moments due to a bad break, a divot lie after a perfect drive in the fairway, many will remember that Mr. Stewart held his head high and refused to make excuses in response to those that accused him of choking. This year, he answered those critics by sinking the longest putt ever to win the U.S. Open.

Madam Speaker, for the past several years, I had hoped, it was like a dream to me, that perhaps someday I might have the honor and privilege of playing a round with golfer Payne Stewart. He would wear his stylistic knickers for which he is so famous for, and I would wear my Samoan lavalava, an attire that looks somewhat like a skirt, but I call it the Samoan version of the Scottish kilts that Scotsmen wear when playing golf at St. Andrews. Since the game of golf originated, it is my understanding, in Scotland, I am surprised that the great golfer Colin Montgomery does not wear his kilt when he plays golf. I suspect that Mr. Stewart would have done the same if he had lived a little longer.

In September at the Ryder Cup matches, after the competition had already been decided, Payne Stewart showed class and character again by conceding a winning putt to his opponent, Colin Montgomery, who he felt had endured vicious heckling and taunting all day from overzealous American fans. While the conceded shot ensured Payne's loss in the singles match, it was a heartfelt gesture of class by a true gentleman and a true American. The act of sportsmanship symbolized what Payne Stewart was all about, and endeared him to millions around the world.

Madam Speaker, I urge our colleagues to join us in this measure honoring Payne Stewart, a great and generous man, a man of intense religious faith, a man of deep family commitment, a champion and fierce competitor, and a loyal and patriotic son of America.

We send our condolences, deepest condolences to the family of Payne

Stewart and to the families of all those who perished with them.

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

Madam Speaker, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from Kansas (Mr. RYUN) spoke about Payne Stewart's religious faith. It is interesting to note that, after the 1998 U.S. Open, when Mr. Stewart failed to come in first, many did, in fact, accuse him of choking. But the fact is he did not choke. He just did not win.

It is interesting that, after the 1999 U.S. Open, when he did come in first, he said something that I think should become a part of the DNA of every one of us. He said, "I have got to give thanks to the Lord for giving me the ability to believe in myself. Without that peace I have in my heart, I would not be sitting here today." Those are very profound words because those are words of a true champion.

So often champions lose and have to dust themselves off, get back up, and come out the next day. What Mr. Stewart was saying is that, although I may not have come in first in 1998, I just thank God for giving me the peace to continue to believe in myself so that I can come in first in 1999.

I think that is a lesson that he leaves with all of us, for our children, and for our children's children, and for everybody who plays this wonderful sport called golf, or any other sport for that matter, that we must hope and pray that we have the peace, the simple peace, and the belief in ourselves to always come back the next day and be victorious, and even if we are not, just the idea of knowing that we still have that peace.

With that, it is a great honor that I urge all of my colleagues to support this legislation.

Madam Speaker, I yield back the balance of my time.

□ 1600

Mr. MILLER of Florida. Madam Speaker, I yield myself the balance of my time.

It is a special honor for me to be here today to present this resolution. As a Floridian, Payne Stewart lived in the Orlando area. Of course, my home is over in the Bradenton area, 100 miles away. The gentleman from Florida (Mr. MCCOLLUM) represents Payne Stewart's district and was, unfortunately, unable to be here today because of flight schedules, but did present something on the floor of the House shortly after his death.

The gentleman from Missouri (Mr. BLUNT) also wanted to be here today but, unfortunately as well, due to flight schedules, was not able to be here. He represents Springfield, Missouri, which is the original hometown of Payne Stewart, and his death was especially felt in that community.

My colleague from Maryland talked about Paul Azinger, who is one of my

constituents back in Bradenton, Florida, and just the photograph and the description of that when he gave the eulogy just conveyed the personality, the warmth, the love that his colleagues and all felt for this person.

House Resolution 344 provides a fitting commemoration of this exuberant and accomplished professional and patriot. Today, he ranks as the third leading money winner in golf history, but he is at the top of the list in terms of the character and dedication that he brought to his wonderful life.

I am proud to bring this legislation to the floor, and I ask for the full support of all Members on this resolution.

Mr. MCCOLLUM. Madam Speaker, I rise today to honor and remember one of America's true professionals and most notable golfers, Payne Stewart. On October 25, 1999, America lost a great sportsman and Central Florida lost one of its most beloved citizens. However, the memory and legacy of Payne Stewart continue to live through the contributions he made not only in the sports world, but also in the Orlando community where he lived.

He was a great golfer for many reasons—20 years in the professionals, 3 majors wins, 8 PGA tours, and 7 victories worldwide. None of us can forget that famous 15-foot birdie putt in the U.S. Open this year which gave him the great victory only a few months ago at Pinehurst—a victory that came as a result of the longest putt in the history of the U.S. Open.

But Payne Stewart was much more than a great golfer. He was a humanitarian, who held great convictions. In 1983, Payne and his family made their home in Orlando in my congressional district. I can tell my colleagues that the people of Central Florida benefited greatly from Payne's generosity and his warmth and compassion for other people.

Payne Stewart was more than just a role model to the many aspiring young athletes in our state and across the nation. He was someone who used the profile he earned on the golf course to make our community a better place. Just last month, Payne and his wife, Tracey, gave \$500,000 to the First Baptist Church of Orlando to be used in part for expansion of the Christian school on the church grounds.

Perhaps his most well-known charitable contribution came back in 1987 when he donated \$108,000, his winnings from the Bay Hill Classic tournament, to the Florida Hospital. Those funds went to the Florida Hospital Circle of Care home in Altamonte Springs for the out-of-town parents of cancer patients. He was someone who truly recognized the joy of giving and making a difference in the lives of children.

Payne was also a devoted family man, who was proud that his faith in God provided him with strength and peace. Though his love for the game of golf ran deep, his love for his family ran deeper still. He was a dedicated father and husband. On more than one occasion, Payne commented publicly that he most enjoyed being at home, being a father, making breakfast, and taking his kids to school.

I know that many Floridians will miss him deeply. Many in Central Florida will miss him, not only because of his golf career and because of his wit, but because of his charitable contributions. But a lot will miss him personally.

But I think the people who are obviously going to miss him most will be his wife, Tracey, and his two wonderful children, Chelsea and Aaron. Our hearts go out to them, to Payne's family. He was a great man, a great golfer. His life ended in tragedy, but he gave so much to so many.

Although we continue to mourn the loss of Payne Stewart and his contributions to the world of sports, his community and to his family, we are blessed to have been influenced by his enthusiasm and love for life, which none of us will soon forget. Payne Stewart is husband, father, golfer and friend who will be long remembered and long cherished.

Mr. BURTON of Indiana. Madam Speaker, Payne Stewart transcended the game of golf and will always be a timeless symbol of athletic talent, spirited competition, and a role model as a Christian gentleman.

That's why I'm proud to join my colleague from Missouri, Congressman BLUNT, in sponsoring H. Res. 344, a resolution recognizing and honoring Payne Stewart, and expressing the condolences of the House of Representatives to his family, and the families of the other victims who perished in the October 25th plane crash.

At the age of 42, and while experiencing the best year as a professional golfer in his life, U.S. Open Champion Payne Stewart, a devoted father and husband, tragically was killed in a plane crash along with Van Arden, Stephanie Bellegarrigue, Bruce Borland, Robert Fraley, and Michael Kling.

Payne Stewart, attired in plus-fours and a tam o'shanter hat was one of the most indomitable personalities in the game of golf.

He made history when he won his second U.S. Open sinking the longest putt ever to win the U.S. Open in the tournament's 105-year history.

As a member of the U.S. Ryder Cup team, he displayed his patriotism and pride for his country, and his sportsmanship in helping lead the U.S. team to victory.

Payne Stewart was more than just a role model to many aspiring athletes in the United States.

He truly recognized the joy of giving and making a difference in the lives of children.

He donated his winner's check from the 1987 Bay Hill Invitational to the Florida Hospital Circle of Friends to aid the families of cancer patients.

Just last year, Payne Stewart and his wife donated \$500,000 to the first Foundation, the fundraising arm of the First Baptist Church of Orlando, to be used for the expansion of a Christian school.

In the most recent years of his life, Payne Stewart devoted his life to his family and his faith in God.

Payne Stewart's love for America was a great credit to the game of golf and to our country.

I urge my colleagues to join me in extending the House of Representatives' deepest condolences to Payne Stewart's family, and to the families of Robert Fraley, Van Arden, Michael Kling, Stephanie Bellegarrigue, and Bruce Borland.

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from Florida

(Mr. MILLER of Florida) that the House suspend the rules and agree to the resolution, House Resolution 344.

The question was taken.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

EXPRESSING SENSE OF HOUSE THAT JOSEPH JEFFERSON "SHOELESS JOE" JACKSON BE APPROPRIATELY HONORED FOR OUTSTANDING BASEBALL ACCOMPLISHMENTS

Mr. TERRY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 269) expressing the sense of the House of Representatives that Joseph Jefferson "Shoeless Joe" Jackson should be appropriately honored for his outstanding baseball accomplishments.

The Clerk read as follows:

H. RES. 269

Whereas Joseph Jefferson "Shoeless Joe" Jackson, a native of Greenville, South Carolina, and a local legend, began his professional career and received his nickname while playing baseball for the Greenville Spinners in 1908;

Whereas "Shoeless Joe" Jackson moved to the Philadelphia Athletics for his major league debut in 1908, to Cleveland in 1910, and to the Chicago White Sox in 1915;

Whereas "Shoeless Joe" Jackson's accomplishments throughout his 13-year career in professional baseball were outstanding—he was one of only seven Major League Baseball players to ever top the coveted mark of a .400 batting average for a season, and he earned a lifetime batting average of .356, the third highest of all time;

Whereas "Shoeless Joe" Jackson's career record makes him one of our Nation's top baseball players of all time;

Whereas in 1919, the infamous "Black Sox" scandal erupted when an employee of a New York gambler allegedly bribed eight players of the Chicago White Sox, including Joseph Jefferson "Shoeless Joe" Jackson, to throw the first and second games of the 1919 World Series to the Cincinnati Reds;

Whereas in September 1920, a criminal court acquitted "Shoeless Joe" Jackson of the charge that he conspired to throw the 1919 World Series;

Whereas despite the acquittal, Judge Kenesaw Mountain Landis, baseball's first commissioner, banned "Shoeless Joe" Jackson from playing Major League Baseball for life without conducting any investigation of Jackson's alleged activities, issuing a summary punishment that fell far short of due process standards;

Whereas the evidence shows that Jackson did not deliberately misplay during the 1919 World Series in an attempt to make his team lose the World Series;

Whereas during the 1919 World Series, Jackson's play was outstanding—his batting average was .375 (the highest of any player from either team), he set a World Series record with 12 hits, he committed no errors, and he hit the only home run of the series;

Whereas because of his lifetime ban from Major League Baseball, "Shoeless Joe" Jackson has been excluded from consider-

ation for admission to the Major League Baseball Hall of Fame;

Whereas "Shoeless Joe" Jackson died in 1951, and 80 years have elapsed since the 1919 World Series scandal erupted;

Whereas recently, Major League Baseball Commissioner Bud Selig took an important first step toward restoring the reputation of "Shoeless Joe" Jackson by agreeing to investigate whether he was involved in a conspiracy to alter the outcome of the 1919 World Series and whether he should be eligible for inclusion in the Major League Baseball Hall of Fame; and

Whereas it is appropriate for Major League Baseball to remove the taint upon the memory of "Shoeless Joe" Jackson and honor his outstanding baseball accomplishments: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that Joseph Jefferson "Shoeless Joe" Jackson should be appropriately honored for his outstanding baseball accomplishments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. TERRY) and the gentleman from Maryland (Mr. CUMMINGS) will each control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. TERRY).

GENERAL LEAVE

Mr. TERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation, House Resolution 269.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 269. I would like to thank my distinguished colleagues from South Carolina, the delegation, for their interest in American baseball history and their sense of justice in attempting to restore Shoeless Joe Jackson's place that his performance on the field earned him.

I would also like to thank the chairman of the Committee on Government Reform, who recognized the timeliness of this measure and expedited this opportunity for consideration before the House today.

The resolution is presented 80 years after the World Series in which the Chicago White Sox lost to the Cincinnati Redlegs. During that series, Joe Jackson had the highest batting average on either team, set a World Series record by collecting 12 hits, including the only home run on either team, and was not charged with a single error on the field.

Shoeless Joe Jackson remains an American icon, a perennial symbol of a young man who unknowingly became involved in the intrigues that surrounded his activities. On the field, Shoeless Joe Jackson's records speak for themselves. Only Ty Cobb and Rogers Hornsby's surpassed his 356 lifetime batting average. His 13-year career with the Philadelphia Athletics and the Chicago White Sox provided a background of consistent accomplishments.

Shoeless Joe Jackson was never convicted of a crime. In fact, found not guilty. Nevertheless, when Judge Kenesaw Mountain Landis became Commissioner of Baseball, he used Shoeless Joe Jackson and his seven teammates to demonstrate the firmness of his commitment to the integrity in our national pastime. He imposed a lifetime ban from baseball where the courts could not act.

Shoeless Joe Jackson died in 1951, having endured more than 30 years the exile that baseball imposed upon him. His records remain on the books and his level of accomplishments far exceed the feats that earn today's baseball players millions of dollars.

Americans are people whose fairness can allow them to recognize these great accomplishments without in any way compromising the standards of excellence and integrity that we must demand at the highest levels of any profession. Shoeless Joe Jackson has earned a place among the immortals of the baseball world, and this resolution provides a fitting opportunity for this House to remember the accomplishments of his excellent career.

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

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

Mr. Speaker, it is interesting to hear the tales that have been spun about Shoeless Joe Jackson. Called one of the saddest figures ever to play baseball, Joe Jackson was reported to be an illiterate country boy who only knew how to play baseball.

As it turns out, Joe Jackson died a successful businessman at age 61, earning between \$50,000 to \$100,000 a year. During an interview, Jackson is quoted as saying, "All the big sports writers seemed to enjoy writing about me as an ignorant cotton-mill boy with nothing but lead where my brains ought to be. That was fine with me. I was able to fool a lot of pitchers and managers and club owners I wouldn't have been able to fool if they'd thought I was smarter."

How and why Shoeless Joe Jackson got his name is exaggerated. One day, after getting blisters from his new baseball cleats, Jackson played one game in his stocking feet. One game. Not a season and not because he could not afford to buy cleats, as is widely reported.

Then, there is the well-known refrain, "Say it ain't so, Joe," that supposedly took place after Jackson was arrested for conspiring to throw the 1919 World Series. As the story goes, a boy approached Joe and pleaded, "Say it ain't so Joe," and Joe replied, "Yes, kid, I'm afraid it is." As Jackson would later tell it, that tale is just that. There was no kid, and no arrest. Charlie Owens, a reporter with the Chicago Daily Times made the story up and published it.

What is the truth about Joe Jackson? He was a rising baseball star until he was banned from baseball for allegedly

participating in the 1919 Chicago White Sox gambling scandal. In 1921, Jackson was acquitted of all charges and left the courtroom an innocent man. However, despite three attempts by his home State of South Carolina, Joe Jackson was never reinstated.

The only interview Joe Jackson conducted regarding the Chicago White Sox scandal was in the 1949 edition of Sport Magazine. In the article, entitled "This Is the Truth," Joe Jackson maintains his innocence and states, "I have never made any request to be reinstated in baseball, and I have never made any campaign to have my name cleared in the baseball records. This is not a plea of any kind. This is just my story. I am telling it simply because it seems 30 years after the World Series, the world may want to hear what I have to say." He goes on to say, "Baseball failed to keep faith with me. When I got notice of my suspension 3 days after the 1920 season, it read that if found innocent of any wrongdoing, I would be reinstated. If found guilty, I would be banned for life. I was found innocent, and I was still banned for life." It would seem that you are innocent until proven guilty in a court of law, but not in baseball.

The South Carolina delegation recently sent a letter to baseball commissioner Alan Selig to have outfielder Joe Jackson posthumously reinstated. They have also introduced this resolution, expressing the sense of the House to appropriately honor Joseph Jefferson Jackson. I urge my colleagues to join me and the South Carolina delegation in supporting this resolution. It is time for the truth to be told.

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

Mr. TERRY. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. DEMINT), the author of this resolution.

Mr. DEMINT. Mr. Speaker, I thank both gentlemen for their wonderful remarks.

Mr. Speaker, some might ask why, with all the important issues, problems, and challenges that this Congress faces, why consider and vote on a resolution about a man who played baseball 80 years ago and who has been dead almost 50 years? Why is he important to me today and why should he deserve the attention of the American people today?

I am speaking of Joseph Jefferson Jackson, Shoeless Joe to those who are familiar with baseball. He is important because he is here today in spirit asking for justice. America has learned the hard lesson that when injustice can prevail upon one of us, it is a threat to all of us. So our consideration today is not only about injustice against one man, it is about protecting justice for everyone.

And while we believe that our efforts today will be good for baseball, America's favorite pastime, we are equally convinced that our efforts will protect the American Dream, the dream that

even the poorest American, with hard work, can end up at the top of the world.

Shoeless Joe worked his way from being a poor, illiterate mill worker, which is where he started, to becoming one of the best baseball players of all time. No one who has lived that American dream and achieved so much should be stripped of his honor and his dignity and his livelihood without due process, even without a hearing. When this can happen to one of us, it can happen to any one of us.

Mr. Speaker, I introduced House Resolution 269, along with the entire South Carolina delegation, earlier this summer. This resolution simply states that Shoeless Joe Jackson should be appropriately honored for his outstanding baseball accomplishments. This resolution has gathered broad support from both political parties. It is fitting that even in the tension of these last days in Congress that we pause and find common ground in paying tribute to a hero of our great national pastime.

While there are important issues to consider and to complete before we finish Congress' session, it is worthy of this body to take a few minutes to stand up for fairness and to right an old wrong by honoring a baseball legend. As most baseball fans know, Shoeless Joe Jackson was one of the greatest baseball players ever to play the game.

The people of my district are very familiar with Shoeless Joe, since he grew up playing baseball in the mill leagues in Greenville, and he spent the last part of his life in that city as well. While he could not read or write early, and he only learned to sign his name later in life, as has already been pointed out, Shoeless Joe was very smart, in addition to being a great baseball player. Throughout his life he never tired of teaching kids to play the game he loved. There is even a baseball park named after him in Greenville where kids play his game today. There is also a revitalization effort in a poor neighborhood in my town named in his memory to improve everyone's life there. And if anyone would like to see some of his memorabilia, we have some pictures and other information in my office.

Those unfamiliar with Shoeless Joe have heard some of the facts, but let me recount some of his amazing accomplishments. Of his hitting, Babe Ruth once said, "I decided to pick out one of the greatest hitters to watch and to study, and Jackson was good enough for me." Joe Jackson batted 408 his rookie year, a feat which has never been equaled. He has the third highest batting average of all time, behind only Ty Cobb and Roger Hornsby's 689. Over a 10-year period, he never hit below 300.

□ 1615

His fielding skills in the outfield were legendary, and his glove was named "the place where triples go to die."

Unfortunately, while these are Hall of Fame numbers, Shoeless Joe is not in the baseball Hall of Fame. His bat is there. His uniform is there. His shoes are there. But he is not. This is because, in 1920, "Shoeless" Joe was banned from playing baseball for life by the Commissioner for allegations that he took part in the infamous "Black Sox" scandal, allegedly throwing the 1919 World Series. In that Series, a group of New York gamblers bribed a number of players on the Chicago White Sox to throw the Series to Cincinnati.

When the news came out in 1920, the new Commissioner of Baseball, Commissioner Landis, acted swiftly. In a summary judgment, without an investigation, the Commissioner banned 8 players on the White Sox from ever playing Major League baseball again. "Shoeless" Joe was included in the ban.

While he insisted on his innocence all the way to his death bed, "Shoeless" Joe served out his sentence with dignity and honor and without rancor.

Recently, a number of baseball heroes, including Ted Williams, Bob Feller, and Tommy LaSorda have taken up the cause of restoring the honor of "Shoeless" Joe. This is a cause that has long been championed in "Shoeless" Joe's hometown of Greenville.

I had a chance this morning to talk with Ted Williams myself. What a thrill. He said he will continue to fight for "Shoeless" Joe until his last day, and he thanked all of us in Congress who are going to bat for Joe today.

I am not going to debate whether or not the Commissioner's verdict was the right thing to do. He made his decision and never reviewed it, despite the fact that Jackson was acquitted of participating in the fix twice, once in 1920 by a friendly Chicago jury, and once in 1924 by an impartial jury in Milwaukee.

In fact, the jurors in Milwaukee were asked in a special interrogatory whether "Shoeless" Joe had conspired or participated in the fix of the Series. The answer was an emphatic no.

I am also not going to debate if Jackson was given money. According to the story, "Shoeless" Joe's roommate, Lefty Williams, left \$5,000 for Jackson on his bed. Whatever the debate, four things are clear.

First, "Shoeless" Joe tried to give the money back before the Series started but was rebuffed.

Second, "Shoeless" Joe tried to inform the owner of the White Sox of the fix, but the owner refused to see him.

Third, "Shoeless" Joe offered to sit out the Series but was again rebuffed.

Fourth, and most notably, "Shoeless" Joe played to win. He led all players by hitting .375, and he had the only homerun in the Series. His fielding was flawless, throwing out several men at home plate. He set a World Series record with 12 hits, and he combined with Buck Weaver, the other player who was unfairly punished, for 13 hits, a record that stood for 60 years.

I have no doubt of "Shoeless" Joe's innocence. In the end, he proved his in-

nocence in the only way he could, with his bat and glove.

For my colleagues' information, Fox News did an excellent two-part review of the case just a month ago. I have a copy of the tape if anyone would like to see it.

In July, Ted Williams, Tommy LaSorda, and Bob Feller filed a petition with Commissioner Selig. That petition does not ask Major League Baseball to exonerate "Shoeless" Joe or even to endorse his candidacy in the Hall of Fame. To quote the petition: "Those issues are moot as he served a very difficult sentence over a long period. The Commissioner of Baseball is merely asked to acknowledge that 'Shoeless' Joe has fully paid his debt to society and to the game, that he satisfied the sentence of the first Commissioner with dignity and humility and without rancor. Because he has fulfilled his sentence, Baseball has no further call or jurisdiction over 'Shoeless' Joe."

I believe this petition provides Major League Baseball with a graceful and dignified way to finally let the issue rest and to let "Shoeless" Joe receive the honor he has long deserved.

Today, the Mayor of Greenville, Knox White, added his support by sending to the Commissioner a petition with 10,000 names signed from my home district, all pleading with the Commissioner to give Joe his rightful due.

The resolution which I have placed before the House today on behalf of the people in my district and baseball fans everywhere simply states that "Shoeless" Joe Jackson should be appropriately honored for his outstanding baseball accomplishments. Commissioner Selig has agreed to review the matter, and I have been following the review process carefully.

I appreciate the Commissioner's willingness to review this matter, and I understand a decision is imminent. I am absolutely confident that a fair and impartial review will result in "Shoeless" Joe finally being allowed to receive the honor he has long deserved and which he displayed throughout his life.

Mr. Speaker, on his death bed, "Shoeless" Joe said, "I am about to meet the biggest umpire of them all, and he knows I'm innocent."

Fifty years after his death and 80 years after the infamous Series, and after the most unfair judgment, it is time for Baseball to right a wrong and restore the honor of a good man.

I was born in Greenville, South Carolina, the same year "Shoeless" Joe died just about a mile from where he died. I am glad to be a small part in this process today, and I hope all of my colleagues will join me in supporting this resolution.

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

Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. DEMINT) for his comments in shedding additional light on the life of "Shoeless" Joe Jackson.

I think the thing that comes through clearly, Mr. Speaker, is that the gentleman from South Carolina (Mr.

DEMINT) and the South Carolina delegation and many others merely want to right a wrong and give someone their due.

And clearly, "Shoeless" Joe Jackson has earned, has earned, the right to be appropriately honored as the resolution states.

So I want to thank the gentleman from South Carolina (Mr. DEMINT) and I want to thank the South Carolina delegation because I think what we are attempting to do here today sends a clear message that, when we see wrong, we will do what we can to right it. It may be many, many years later, but we can bet our bottom dollar that there is someone who is looking at what we are doing and saying that they admire us for taking up the time, we can be doing a whole lot other things, but they are taking up the time to make sure that a wrong is made right.

And so, with that, I want to thank the gentleman from Indiana (Mr. BURTON), chairman of our committee, and the gentleman from California (Mr. WAXMAN), our ranking member, and I want to thank the gentleman from Nebraska (Mr. TERRY), and I want to thank certainly the gentleman from Florida (Mr. SCARBOROUGH) in his absence, the chairman of our subcommittee.

The fact is that I think that this is a very, very good resolution. I urge all of my colleagues to vote in favor of it.

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

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

Mr. Speaker, House Resolution 269 provides a fitting commemoration of his accomplishments as a professional baseball player. We applaud the stellar performance of Joseph Jefferson Jackson on the field and call upon all Americans to recognize his 13 years of excellence.

In a generous spirit, we encourage professional Baseball to provide "Shoeless" Joe Jackson the honors he fully deserves.

I ask the full support of all Members of this resolution.

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from Nebraska (Mr. TERRY) that the House suspend the rules and agree to the resolution, H. Res. 269.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 4 o'clock and 24 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

- H. Res. 94, by the yeas and nays;
- H.R. 2904, by the yeas and nays; and
- H. Res. 344, by the yeas and nays.

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

RECOGNIZING GENEROUS CONTRIBUTION BY LIVING PERSONS WHO HAVE DONATED A KIDNEY TO SAVE A LIFE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 94.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BILLEY) that the House suspend the rules and agree to the resolution, H. Res. 94, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 382, nays 0, not voting 51, as follows:

[Roll No. 574]

YEAS—382

Abercrombie	Boehlert	Clyburn
Ackerman	Boehner	Coble
Allen	Bonilla	Coburn
Andrews	Bonior	Collins
Archer	Borski	Combest
Bachus	Boswell	Condit
Baird	Boucher	Conyers
Baker	Boyd	Cooksey
Baldacci	Brady (PA)	Costello
Baldwin	Brady (TX)	Coyne
Ballenger	Brown (FL)	Cramer
Barcia	Brown (OH)	Crowley
Barr	Bryant	Cubin
Barrett (NE)	Burr	Cummings
Barrett (WI)	Burton	Cunningham
Bartlett	Buyer	Danner
Barton	Camp	Davis (FL)
Bass	Campbell	Davis (IL)
Bateman	Canady	Davis (VA)
Becerra	Cannon	Deal
Bentsen	Capps	DeFazio
Bereuter	Capuano	DeGette
Berkley	Cardin	Delahunt
Berry	Castle	DeLauro
Biggart	Chabot	DeLay
Bilbray	Chambliss	DeMint
Bilirakis	Clay	Deutsch
Bliley	Clayton	Diaz-Balart
Blumenauer	Clement	Dickey

Dicks	Klink	Reynolds
Dingell	Knollenberg	Rivers
Dixon	Kolbe	Roemer
Doggett	Kucinich	Rogan
Dooley	Kuykendall	Rogers
Doolittle	LaFalce	Rohrabacher
Doyle	LaHood	Ros-Lehtinen
Dreier	Lampson	Rothman
Duncan	Lantos	Roukema
Dunn	Larson	Roybal-Allard
Edwards	Latham	Royce
Ehlers	LaTourette	Ryan (WI)
Ehrlich	Lazio	Ryun (KS)
Emerson	Leach	Sabo
Engel	Lee	Salmon
English	Levin	Sanchez
Eshoo	Lewis (CA)	Sanders
Etheridge	Lewis (KY)	Sandlin
Evans	Linder	Sawyer
Ewing	Lipinski	Saxton
Farr	LoBiondo	Schaffer
Fattah	Loftgren	Schakowsky
Filner	Lowey	Scott
Fletcher	Lucas (KY)	Sensenbrenner
Foley	Lucas (OK)	Serrano
Forbes	Luther	Shadegg
Ford	Maloney (CT)	Shaw
Fossella	Maloney (NY)	Shays
Frank (MA)	Manzullo	Sherman
Frank (NJ)	Markey	Sherwood
Frelinghuysen	Martinez	Shimkus
Galleghy	Masara	Shows
Ganske	Matsui	Shuster
Gejdenson	McCarthy (MO)	Simpson
Gekas	McCarthy (NY)	Sisisky
Gephardt	McCollum	Skeen
Gibbons	McCrery	Skelton
Gilchrest	McDermott	Slaughter
Gilman	McGovern	Smith (MI)
Gonzalez	McHugh	Smith (NJ)
Goode	McInnis	Smith (TX)
Goodlatte	McIntosh	Smith (WA)
Goodling	McIntyre	Snyder
Gordon	McKeon	Souder
Goss	McKinney	Spence
Graham	McNulty	Spratt
Green (TX)	Meehan	Stabenow
Green (WI)	Meek (FL)	Stark
Greenwood	Metcalf	Stearns
Gutierrez	Mica	Strickland
Gutknecht	Millender-	Stump
Hall (OH)	McDonald	Stupak
Hall (TX)	Miller (FL)	Sununu
Hastings (FL)	Miller, George	Sweeney
Hastings (WA)	Minge	Talent
Hayes	Mink	Tancredo
Hayworth	Mollohan	Tanner
Hefley	Moore	Tauscher
Hill (IN)	Moran (KS)	Tauzin
Hill (MT)	Moran (VA)	Taylor (MS)
Hilleary	Morella	Taylor (NC)
Hilliard	Murtha	Terry
Hinojosa	Myrick	Thompson (CA)
Hobson	Napolitano	Thompson (MS)
Hoeffel	Nethercutt	Thornberry
Holden	Ney	Thune
Holt	Northup	Thurman
Hooley	Norwood	Toomey
Horn	Nussle	Towns
Hostettler	Oberstar	Traficant
Houghton	Obey	Turner
Hoyer	Ortiz	Udall (CO)
Hulshof	Ose	Udall (NM)
Hunter	Oxley	Upton
Hutchinson	Packard	Velazquez
Hyde	Pallone	Vento
Inslee	Pastor	Visclosky
Isakson	Paul	Vitter
Istook	Payne	Walden
Jackson (IL)	Pease	Wamp
Jackson-Lee	Pelosi	Waters
(TX)	Peterson (MN)	Watkins
Jenkins	Peterson (PA)	Watt (NC)
John	Petri	Waxman
Johnson (CT)	Phelps	Weiner
Johnson, E. B.	Pickering	Weldon (FL)
Johnson, Sam	Pickett	Weldon (PA)
Jones (NC)	Pitts	Weller
Jones (OH)	Pombo	Wexler
Kanjorski	Pomerooy	Weygand
Kaptur	Porter	Whitfield
Kasich	Portman	Wicker
Kelly	Pryce (OH)	Wilson
Kennedy	Quinn	Wolf
Kildee	Radanovich	Woolsey
Kind (WI)	Rahall	Wu
King (NY)	Rangel	Wynn
Kingston	Regula	Young (AK)
Kleczka	Reyes	Young (FL)

NOT VOTING—51

Aderholt	Gillmor	Owens
Army	Granger	Pascarell
Berman	Hansen	Price (NC)
Bishop	Herger	Ramstad
Blagojevich	Hinchev	Riley
Blunt	Hoekstra	Rodriguez
Bono	Jefferson	Rush
Callahan	Kilpatrick	Sanford
Calvert	Largent	Scarborough
Carson	Lewis (GA)	Sessions
Chenoweth-Hage	Meeks (NY)	Stenholm
Cook	Menendez	Thomas
Cox	Miller, Gary	Tiahrt
Crane	Moakley	Tierney
Everett	Nadler	Walsh
Fowler	Neal	Watts (OK)
Frost	Olver	Wise

□ 1823

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. THOMAS. Mr. Speaker, on rollcall No. 574, had I been present, I would have voted "yea."

Mrs. FOWLER. Mr. Speaker, on rollcall No. 574, I was unavoidably detained. Had I been present, I would have voted "yes."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

OFFICE OF GOVERNMENT ETHICS REAUTHORIZATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2904, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2904, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 1, not voting 46, as follows:

[Roll No. 575]

YEAS—386

Abercrombie	Bass	Borski
Ackerman	Bateman	Boswell
Allen	Becerra	Boucher
Andrews	Bentsen	Boyd
Archer	Bereuter	Brady (PA)
Bachus	Berkley	Brady (TX)
Baird	Berry	Brown (FL)
Baker	Biggart	Brown (OH)
Baldacci	Bilbray	Bryant
Baldwin	Bilirakis	Burr
Ballenger	Bishop	Burton
Barcia	Bliley	Buyer
Barr	Blumenauer	Camp
Barrett (NE)	Boehler	Campbell
Barrett (WI)	Boehner	Canady
Bartlett	Bonilla	Cannon
Barton	Bonior	Capps

Capuano Hill (MT) Moran (VA)
 Cardin Hillery Morella
 Castle Hilliard Murtha
 Chabot Hinojosa Myrick
 Chambliss Hobson Napolitano
 Clay Hoeffel Nethercutt
 Clayton Holden Ney
 Clement Holt Northup
 Clyburn Hooley Norwood
 Coble Horn Nussle
 Coburn Hostettler Oberstar
 Collins Houghton Obey
 Combest Hoyer Olver
 Condit Hulshof Ortiz
 Conyers Hunter Ortiz
 Cooksey Hutchinson Ose
 Costello Hoyer Oxley
 Coyne Inslee Packard
 Cramer Isakson Pallone
 Crowley Istook Pastor
 Cubin Jackson (IL) Payne
 Cummings Jackson-Lee Pease
 Cunningham (TX) Peterson (MN) Pelosi
 Danner Jenkins Peterson (PA)
 Davis (FL) John Petri
 Davis (IL) Johnson (CT) Phelps
 Davis (VA) Johnson, E. B. Pickering
 Deal Johnson, Sam Pickett
 DeFazio Jones (NC) Pitts
 DeGette Jones (OH) Pombo
 Delahunt Kanjorski Pomeroy
 DeLauro Kaptur Porter
 DeLay Kasich Portman
 DeMint Kelly Pryce (OH)
 Deutsch Kennedy Quinn
 Diaz-Balart Kildee Radanovich
 Dickey Kind (WI) Rahall
 Dicks King (NY) Rangel
 Dingell Kingston Regula
 Dixon Kleczka Reyes
 Doggett Klink Reynolds
 Dooley Knollenberg Rivers
 Doolittle Kolbe Roemer
 Doyle Kucinich Rogan
 Dreier Kuykendall Rogers
 Duncan LaFalce Rohrabacher
 Dunn LaHood Ros-Lehtinen
 Edwards Lampson Rothman
 Ehlers Lantos Roukema
 Ehrlich Larson Roybal-Allard
 Emerson Latham Royce
 Engel LaTourette Ryan (WI)
 English Lazio Ryan (KS)
 Eshoo Leach Sabo
 Etheridge Lee Salmon
 Evans Levin Sanchez
 Ewing Lewis (CA) Sanders
 Farr Lewis (KY) Sandlin
 Fattah Linder Sawyer
 Filner Lipinski Saxton
 Fletcher LoBiondo Schaffer
 Foley Lofgren Schakowsky
 Forbes Lowey Scott
 Ford Lucas (KY) Sensenbrenner
 Fossella Lucas (OK) Serrano
 Frank (MA) Luther Shadegg
 Franks (NJ) Maloney (CT) Shaw
 Frelinghuysen Maloney (NY) Shays
 Frost Manzullo Sherman
 Gallegly Markey Sherwood
 Ganske Ganske Martinez Shimkus
 Gejdenson Mascara Shows
 Gekas Matsui Shuster
 Gephardt McCarthy (MO) Simpson
 Gibbons McCarthy (NY) Sisisky
 Gilchrest McCollum Skeen
 Gillmor McCrery Skelton
 Gilman McDermott Slaughter
 Gonzalez McGovern Smith (MI)
 Goode McHugh Smith (NJ)
 Goodlatte McInnis Smith (TX)
 Goodling McIntosh Smith (WA)
 Gordon McIntyre Snyder
 Goss McKeon Souder
 Graham McKinney Spence
 Green (TX) McNulty Spratt
 Green (WI) Meehan Stabenow
 Greenwood Meek (FL) Stark
 Gutierrez Metcalf Stearns
 Gutknecht Mica Strickland
 Hall (OH) Millender Stump
 Hall (TX) McDonald Stupak
 Hastings (FL) Miller (FL) Sununu
 Hastings (WA) Miller, George Sweeney
 Hayes Minge Talent
 Hayworth Mink Tancredo
 Hefley Mollohan Tanner
 Herger Moore Tauscher
 Hill (IN) Moran (KS) Tauzin

Taylor (MS) Upton Weller
 Taylor (NC) Velazquez Wexler
 Terry Vento Weygand
 Thompson (CA) Visclosky Whitfield
 Thompson (MS) Vitter Wicker
 Thornberry Walden Wilson
 Thune Wamp Wolf
 Thurman Waters Woolsey
 Toomey Watkins Wu
 Towns Watt (NC) Wynn
 Traficant Waxman Young (AK)
 Turner Weiner Young (FL)
 Udall (CO) Weldon (FL)
 Udall (NM) Weldon (PA)

NAYS—1

Paul
 NOT VOTING—46

Aderholt Hansen Ramstad
 Arney Hinchey Riley
 Berman Hoekstra Rodriguez
 Blagojevich Jefferson Rush
 Blunt Kilpatrick Sanford
 Bono Largent Scarborough
 Callahan Lewis (GA) Sessions
 Calvert Meeks (NY) Stenholm
 Carson Menendez Thomas
 Chenoweth-Hage Miller, Gary Tiahrt
 Cook Moakley Tierney
 Cox Nadler Walsh
 Crane Neal Watts (OK)
 Everett Owens Wise
 Fowler Pascrell
 Granger Price (NC)

□ 1832

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend the Ethics in Government Act of 1978 to reauthorize funding for the Office of Government Ethics, and to clarify the definition of a 'special Government employee' under title 18, United States Code."

A motion to reconsider was laid on the table.

Stated for:

Mr. THOMAS. Mr. Speaker, on rollcall No. 575, had I been present, I would have voted "yea."

Mrs. FOWLER. Mr. Speaker, on rollcall No. 575, I was unavoidably detained. Had I been present, I would have voted "yes."

EXPRESSING THE CONDOLENCES OF HOUSE OVER PAYNE STEWART'S DEATH

The SPEAKER pro tempore (Mr. GIBBONS). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 344.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 344, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 0, not voting 44, as follows:

[Roll No. 576]

YEAS—389

Abercrombie Dreier Knollenberg
 Ackerman Duncan Kolbe
 Aderholt Dunn Kucinich
 Allen Edwards Kuykendall
 Andrews Ehlers LaFalce
 Archer Ehrlich LaHood
 Bachus Emerson Lampson
 Baird Engel Lantos
 Baker English Larson
 Baldacci Eshoo Latham
 Baldwin Etheridge LaTourette
 Ballenger Evans Lazio
 Barcia Everett Leach
 Barr Ewing Lee
 Barrett (NE) Farr Levin
 Barrett (WI) Fattah Lewis (CA)
 Bartlett Filner Lewis (KY)
 Barton Fletcher Linder
 Bass Foley Lipinski
 Bateman Forbes LoBiondo
 Bentsen Ford Lofgren
 Bereuter Fossella Lowey
 Berkley Fowler Lucas (KY)
 Berry Frank (MA) Lucas (OK)
 Biggert Franks (NJ) Luther
 Bilbray Frelinghuysen Maloney (CT)
 Bilirakis Frost Maloney (NY)
 Bishop Gallegly Manzullo
 Bliley Ganske Markey
 Blumenauer Gejdenson Martinez
 Boehlert Gekas Mascara
 Boehner Gephardt Matsui
 Bonilla Gibbons McCarthy (MO)
 Bonior Gilchrest McCarthy (NY)
 Borski Gillmor McCollum
 Boswell Gilman McCrery
 Boucher Gonzalez McDermott
 Boyd Goode McGovern
 Brady (PA) Goodlatte McHugh
 Brady (TX) Goodling McInnis
 Brown (FL) Gordon McIntosh
 Brown (OH) Goss McIntyre
 Bryant Graham McKeon
 Burr Green (TX) McKinney
 Burton Greenwood McNulty
 Buyer Gutierrez Meehan
 Callahan Gutknecht Meek (FL)
 Camp Hall (OH) Metcalf
 Campbell Hall (TX) Mica
 Canady Hastings (FL) Millender-
 Cannon Hastings (WA) McDonald
 Capps Hayes Miller (FL)
 Capuano Hayworth Miller, George
 Cardin Hefley Minge
 Castle Herger Mink
 Chabot Hill (IN) Mollohan
 Chambliss Hill (MT) Moore
 Clay Hillery Moran (KS)
 Clayton Hilliard Moran (VA)
 Clement Hinchey Morella
 Clyburn Hinojosa Murtha
 Coble Hobson Myrick
 Coburn Hoeffel Napolitano
 Collins Holden Nethercutt
 Combest Holt Ney
 Condit Hooley Northup
 Conyers Horn Norwood
 Cooksey Hostettler Nussle
 Costello Houghton Oberstar
 Coyne Hoyer Obey
 Cramer Hulshof Olver
 Crowley Hunter Ortiz
 Cubin Hutchinson Ose
 Cunningham Hyde Oxley
 Danner Inslee Packard
 Davis (FL) Isakson Pallone
 Davis (IL) Istook Pastor
 Davis (VA) Jackson (IL) Paul
 Deal Jackson-Lee Payne
 DeFazio (TX) Pease
 DeGette Jenkins Pelosi
 Delahunt John Peterson (MN)
 DeLauro Johnson, E. B. Peterson (PA)
 DeLay Jones (NC) Petri
 DeMint Jones (OH) Phelps
 Deutsch Kanjorski Pickering
 Diaz-Balart Kaptur Pickett
 Dickey Kasich Pitts
 Dicks Kelly Pombo
 Dingell Kennedy Porter
 Dixon Kildee Portman
 Doggett Kind (WI) Pryce (OH)
 Dooley King (NY) Quinn
 Doolittle Kingston Radanovich
 Doyle Klink Rahall

Rangel	Shows	Thurman
Regula	Shuster	Toomey
Reyes	Simpson	Towns
Reynolds	Sisisky	Trafficant
Riley	Skeen	Turner
Rivers	Skelton	Udall (CO)
Roemer	Slaughter	Udall (NM)
Rogan	Smith (MI)	Upton
Rogers	Smith (NJ)	Velazquez
Rohrabacher	Smith (TX)	Vento
Ros-Lehtinen	Smith (WA)	Visclosky
Rothman	Snyder	Vitter
Roukema	Souder	Walden
Roybal-Allard	Spence	Wamp
Royce	Spratt	Waters
Ryan (WI)	Stabenow	Watkins
Ryun (KS)	Stark	Watt (NC)
Sabo	Stearns	Waxman
Salmon	Strickland	Weiner
Sanchez	Stump	Weldon (FL)
Sanders	Stupak	Weldon (PA)
Sandlin	Sununu	Weller
Sawyer	Sweeney	Wexler
Saxton	Talent	Weygand
Schaffer	Tancredo	Whitfield
Shakowsky	Tanner	Wicker
Scott	Tauscher	Wilson
Sensenbrenner	Tauzin	Wolf
Serrano	Taylor (MS)	Woolsey
Shadegg	Taylor (NC)	Wu
Shaw	Terry	Wynn
Shays	Thompson (CA)	Young (AK)
Sherman	Thompson (MS)	Young (FL)
Sherwood	Thornberry	
Shimkus	Thune	

NOT VOTING—44

Army	Hoekstra	Price (NC)
Becerra	Jefferson	Ramstad
Berman	Johnson (CT)	Rodriguez
Blagojevich	Kilpatrick	Rush
Blunt	Klecicka	Sanford
Bono	Largent	Scarborough
Calvert	Lewis (GA)	Sessions
Carson	Meeks (NY)	Stenholm
Chenoweth-Hage	Menendez	Thomas
Cook	Miller, Gary	Tiahrt
Cox	Moakley	Tierney
Crane	Nadler	Walsh
Granger	Neal	Watts (OK)
Green (WI)	Owens	Wise
Hansen	Pascrell	

□ 1840

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. THOMAS. Mr. Speaker, on rollcall No. 576, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was unable to record my votes for rollcall Nos. 574, 575, and 576 considered today in the U.S. House of Representatives. Had I been present, I would have voted "aye" on rollcall No. 574, H. Res. 94, Recognizing the Generous Contribution made by Each Living Person Who has Donated a Kidney to Save a Life, "aye" on rollcall No. 575, To Amend the Ethics in Government Act of 1978 to Reauthorize Funding for the Office of Government Ethics and "aye" on rollcall No. 576, H. Res. 344, Recognizing and Honoring Payne Stuart and Expressing the Condolences of the House of Representatives to His Family on his Death and to the Families of Those Who Died With Him.

APPOINTMENT OF CONFEREES ON H.R. 2116, VETERANS' MILLENNIUM HEALTH CARE ACT

Mr. STUMP. Mr. Speaker, pursuant to clause 1 of rule XXII, and by the direction of the Committee on Veterans' Affairs, I move to take from the Speaker's table the bill (H.R. 2116) to amend title 38, United States Code, to establish a program of extended care services for veterans and to make other improvements in health care programs of the Department of Veterans Affairs, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. STUMP).

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. STUMP, SMITH of New Jersey, QUINN, STEARNS, EVANS, Ms. BROWN of Florida, and Mr. DOYLE.

There was no objection.

□ 1845

ONGOING DISCUSSIONS 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. Mr. Speaker, a very brief comment regarding our future on social security.

We have approximately eight proposals now introduced that have been scored by the Social Security Administration to keep social security solvent for at least the next 75 years. As we move forward in these last several days, and as we break for the rest of November and into December, I would suggest very strongly that each Member of the Congress meet with the people back home, talk to them about the importance of social security, about the complications of solving social security, and about our efforts to have a good beginning by not spending the social security surplus.

To accommodate \$9 trillion of unfunded liability, \$9 trillion that needs to be accommodated in order to keep social security going, it is very important that these discussions continue.

TRIBUTE TO SERGEANT RICKY TIMBROOK

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

Mr. WOLF. Mr. Speaker, I want to pay tribute today to a young man who was a policeman in Winchester, Virginia, which is in my district, who was shot and killed on Friday night, October 29. Sergeant Ricky Timbrook was killed as he was chasing a suspect down the street.

Sergeant Timbrook's death has shocked and saddened the entire northern Shenandoah Valley. More than 3,000 people attended his funeral last Thursday, many of whom were law enforcement officers from all over the area and around the country. According to news reports, he may be the first Winchester police officer to have been shot and killed in the line of duty.

Ricky was 32 years old. He and his wife Kelly had just completed the construction of a new home. They were expecting their first child, a boy, who is due on Christmas Day.

He joined the Winchester Police Department almost 8 years ago. Just over a year ago, he was promoted to sergeant in charge of a brand-new department, the Special Enforcement Team.

I want to extend my deepest condolences to Sergeant Timbrook's family as we pay tribute to him and to law enforcement officers and their families everywhere who routinely go into harm's way to protect us.

My father was a police officer on the streets of Philadelphia and I know the worry a police officer's family can feel when a husband, father, brother, or son goes out the door each day to begin their tour of duty.

According to the National Law Enforcement Officers Memorial Fund, more than 14,000 officers have died while performing their duties. On average, one law enforcement officer is killed somewhere in America every other day, and an average of 160 officers die in the line of duty every year.

Mr. Speaker, I include for the RECORD an obituary about Sergeant Timbrook and an editorial which appeared in the Winchester Star November 2, 1999, as follows:

[From The Winchester Star, Nov. 2, 1999]

IN THE LINE OF DUTY—IN POLICEMAN'S DEATH, ALL ARE DIMINISHED

It says something about the quality of life here in the northern Valley that, before the horrific events of last Friday night, it had been more than 60 years since a local law enforcement officer had fallen in the line of duty. However, it also says something about today's society that even here, in our largely peaceful corner of the world, violence can erupt and snatch from us the life of a fine young officer.

The slaying of Sgt. Ricky Lee Timbrook should prompt us to pause and reflect not merely on the utter fragility of our worldly existence, but on the tenuous line on which our social contract rests. The primary reason people, down through the ages, have formed communities is for reasons of mutual comfort and security. This contract, of course, entails a provision for public protection—i.e. the police. The presence of the men and women ensured with that protection—the fabled "thin blue line"—quietly assures us that the social contract is being enforced.

Thus, when one of these officers—one of these men and women who take an oath "to serve and protect" us—falls in the performance of this essential duty, we as a community feel it. First and foremost, of course, we feel for the man himself, because we know he died so that we might live free from the worries daily addressed by our men and women in blue. And, to be sure, we feel for his loved ones—particularly a baby, yet unborn, who

will never know its father—and for his fellow officers, to whom the awful knowledge is hammered home anew that they live on the proverbial edge, that violence awaits their kind with every routine call, that death walks closer to them than to the rest of us.

However, our tranquility, too, is shattered, in the knowledge that one of the exemplary people we pay to step forward and protect us has been taken from our midst. We grieve because Ricky Timbrook no longer rides in his patrol car through our streets, and no longer walks the streets of this town.

By all accounts, Sgt. Timbrook was a fine policeman, but an even better man, one to whom we confidently entrusted our security. We at The Star knew him not only in his role as a crimefighter, but also as the schools' DARE officer, the crew-cut policeman who one day, two years ago, posed happily for a photo with the winner of DARE program's annual essay contest. Others, of course, knew him better—as husband, son, brother, friend, and comrade.

And so, in his untimely death, we are all diminished—and immeasurably saddened.

SERGEANT RICKY L. TIMBROOK

Ricky Lee Timbrook, age 32, of 2876 Sheffield Court, Winchester, Virginia died Saturday, October 30, 1999 in the Winchester Medical Center.

Mr. Timbrook was born October 5, 1967 in Winchester, Virginia, the son of Richard Timbrook and Kitty Stotler Timbrook of Bloomery, West Virginia. He was a sergeant with the Winchester Police Department where he had been employed for eight years. He attended the Grace Evangelical Lutheran Church of Winchester and was a member of the Winchester Fraternal Order of Police Lodge. He was a graduate of Fairmont State College where he received a Bachelor of Business degree in Criminal Justice.

Mr. Timbrook married Kelly L. Wisecarver on July 27, 1997 in Winchester, Virginia.

Surviving with his wife and parents, is a sister, Kimberly Hundson of Capon Bridge, West Virginia.

A funeral service will be conducted at 11:00 a.m. on Thursday, November 4, 1999 at Sacred Heart of Jesus Catholic Church in Winchester with the Pastor James H. Utt, Pastor Jeffrey D. May officiating. Interment will be in Mount Hebron Cemetery.

Pallbearers will be Kevin Bowers, Matthew Sirbaugh, Robert Fickik, Frank Pearson, Julian Berger and Alex Beeman.

The family will receive friends at Omphal Funeral Home on Wednesday evening from 7:00 p.m. until 9:00 p.m.

Memorial contributions may be made to the Ricky L. Timbrook Children's Outreach Fund, c/o Chief Gary W. Reynolds, 126 N. Cameron Street, Winchester, Virginia 22601.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GIBBONS). 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.

CALLING FOR IMPROVEMENT IN MATH AND SCIENCE EDUCATION IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. EHLERS) is recognized for 5 minutes.

Mr. EHLERS. Mr. Speaker, I rise this evening to discuss the issue of edu-

cation and mathematics and science in our Nation. I have deep concerns about the current status of math and science education in this Nation.

First of all, I believe currently it is inadequate. I say this for several reasons. Mr. Speaker, as I was stating, the Third International Mathematics and Science Study, which was conducted a few years ago, indicated that we were near the bottom of those nations and developed countries teaching mathematics and science in their high schools, near the bottom.

Some say, well, it is not so bad, we were not that far below the others. I say it is terrible. With the resources that this country has and with the high quality of students this Nation has, it is inexcusable for us to be near the bottom, or at the bottom. We should be not only at the top, but far and away the best Nation in this world in terms of our educational effort.

Mr. Speaker, the second reason I say we are not doing well in mathematics and science education is simply by looking at the tests administered by the States. When we look at these tests and look at the test scores, we find that in reading a typical average for a State might be in the seventies, and for some of the other subjects in that area, and for science we are down in the 30 percent, even for some of the better States, and as low as 10 percent in some of the others. These are not passing grades and they never have been in our school system. We must improve.

A third indication that we are not doing the job well is that we do not have enough engineers and scientists to do the job in this country. How do I know? Because we issue H(1)(b) visas every year to allow scientists and engineers from other countries to emigrate into this country to help us out. Annually, it is in the neighborhood of 100,000 each, and usually that quota is used up well before the end of the year. We are importing scientists and engineers, asking them to emigrate to this country for this purpose. Clearly, we are not producing enough of our own.

The final indication that we are not doing the job with math and science education in our K through 12 system is that when we visit our grad schools, graduate education in mathematics, science, and engineering, we find that, in general, over half of the students are from other countries. Our students are not able to compete for grad school entrance with students of other nations.

I think we have to improve our math and science education. Why? For the reasons I gave above, but also because, first of all, we have to make sure we have enough scientists and engineers in this country so that we can keep our economic growth strong and meet the needs of our citizens.

There are other reasons as well. It is not just producing good scientists and engineers, but a second main reason is what I call workplace readiness. We have reached the point in our society and in many developed nations that

you literally cannot find a good job unless you have a good grounding in math and science.

It is going to get worse. I have made predictions on this floor that in 20 years, it will be impossible to find a good job without a good foundation in math and science. I have to revise that, because last week I attended a talk at the Capitol here by John Chambers, CEO of CISCO Systems, an Internet company. It is clear to me that I have to revise my estimate downward and say in 10 years people will not be able to get a really good job without a good grounding in mathematics, science, engineer, and technology. So workplace readiness is another good reason.

The third reason is to simply produce better consumers and citizens of this Nation, people who understand math and science, so they can evaluate claims in the marketplace about health products or health supplements, or that they can vote better about projects that involve science and the environment, and that they can elect leaders who have shown that they understand these issues and will vote intelligently on issues involving math, science, technology, engineering, the environment, and so forth.

How are we going to improve math and science education? I think three major points: better teachers, or better trained teachers, I should say; better curricula; and improved methods of teaching science.

I will take just a minute to discuss each of those. I will address those later in more detail in another talk. We have to make sure we recruit good teachers, because we are not recruiting enough today, we have to make sure they are trained properly, and we have to keep them. We have to make sure they do not get discouraged. We have to help them get the job done in the classroom.

We have to improve our science curricula. Right now it is a hodgepodge. Recently the American Association for the Advancement of Science studied middle school curricula. Every middle school science curriculum in the United States was judged to be inadequate, every single one. The only one that was regarded as acceptable, and mildly acceptable, was one put out by Michigan State University, and that is only a partial curriculum.

The final point is methodology. We have to improve our way, our methods of teaching science. As I said, I will address these issues in a later talk.

TRIBUTE TO FIVE U.S. SOLDIERS WHO DIED IN THE PLANE CRASH OF JULY 23, 1999, IN COLOMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Mr. Speaker, on July 23 a U.S. Army reconnaissance plane on a counterdrug mission crashed in the jungles of Colombia. It killed all on

board. There were five U.S. Army soldiers and two Colombian air crewmen on this aircraft.

During this week, when we honor our Nation's veterans, I wanted to pay tribute to the five U.S. soldiers who died in that crash. These five individuals were husbands, a wife, parents, and children. They have paid the ultimate sacrifice for this Nation, and we must not forget what their families have sacrificed, as well.

The five soldiers whom we honor tonight were part of a special military intelligence battalion, the 204th, which recently moved from Panama and Florida to Fort Bliss, which is located in my district. They were flying a reconnaissance mission over Colombia in a specially-equipped aircraft.

The first soldier was Captain Jennifer Odom. The pilot of the ARL, the aircraft which crashed in Colombia was Captain Jennifer Odom. She was born in Frederick, Maryland, in 1970, and graduated from West Point in 1992. After graduating from flight school, Captain Odom spent 2 years in Stuttgart, Germany, flying senior ranking government officials and general officers throughout Europe.

After completing her military intelligence training, she joined the 204th MI battalion as an executive officer of D company. She was scheduled to take command of D Company in August. Captain Odom was an experienced pilot, having flown well over 2,000 hours in military aircraft, including 300 hours as a pilot in command of this particular aircraft.

She leaves her husband, Charles Odom, and her two children, Charles, age 15, and Daniel, age 11.

The other officer on the aircraft was Captain Jose Anthony Santiago. Captain Santiago was born in New York City in 1962. He enlisted in the Army in 1984, and after 7 years, was commissioned as an air defense artillery officer. He later moved into military intelligence and excelled in every aspect of the job. In light of his accomplishment, the battalion commander selected Captain Santiago to command the Headquarters and Service Company of the 204th.

During the past year, his company has done an excellent job in supporting six deployments in South America. Captain Santiago was also a senior army parachutist and a jump master. He is survived by his wife Cynthia and his two children, Christiana and Laura.

Along with Captain Odom, Chief Warrant Officer 2 Thomas G. Moore was the second pilot in the aircraft. CW2 Moore was born in Englewood, California, in 1967. He joined the Army in 1988 after attending the U.S. Army Air Force Academy.

After serving as a Bradley fighting vehicle commander during Desert Storm, CW2 Moore was selected for the warrant officer training program and attended army flight school. He served with the 204th MI battalion since 1996. CW2 Thomas Moore was married to Re-

becca, and survived by two children, Matthew and Emily.

The fourth soldier whom we honor tonight is specialist Timothy Bruce Cluff. Specialist Cluff was born in Mesa, Arizona. During high school he achieved the high range of Eagle Scout in the Boy Scouts of America.

In 1997, he enlisted in the Army, and it was apparent almost immediately that he would be an outstanding soldier. Specialist Cluff proved to be a highly skilled analyst and was selected as a mission supervisor based on his exemplary performance. This outstanding soldier is survived by his wife, Meggin, and his two young children, Maciah and Ryker. Meggin is also today expecting her third child.

The last soldier was specialist Ray E. Krueger II. Specialist Krueger was born in Leavenworth, Kansas, and graduated from The Colony High School. Krueger was an outstanding soldier in many ways. For example, this young man not only excelled as a crew member in the aircraft, but he also scored the highest possible level on the Army's physical fitness test, and qualified as an expert with the M-16 rifle.

Specialist Krueger leaves his wife, Briana Krueger, who was also assigned to the 204th MI battalion, and who recently has left the Army to return to civilian life.

Tonight I want the husbands, wives, children, and parents of these brave soldiers to know that we in Congress are thinking of them, and we want to thank them for the sacrifices which they have made for this country. God bless each and every one of them: Captain Odom, Captain Santiago, Chief Warrant Officer Moore, Specialist Cluff, and Specialist Krueger.

This country owes them all the gratitude, especially during this week when we celebrate and pay tribute to our veterans.

U.S. TRADE POLICIES WITH RESPECT TO AGRICULTURE HARM U.S. FARMERS AND RANCHERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. SIMPSON) is recognized for 5 minutes.

Mr. SIMPSON. Mr. Speaker, the U.S. economy is strong, with unemployment low, interest rates low, inflation low, the Dow and the NASDAQ outperforming our wildest expectations.

In spite of this strong economy, there is one sector of our economy which is in a depressed state and has been in a depressed state for the last 3 years. That is agriculture. For a variety of reasons, agriculture is suffering. Whether it is the Asian financial crisis, the strong dollar, the regulatory burdens that we place on our farmers, all of these things are adding to the crisis in agriculture.

Yet, there is one thing that is adding to it even more than these. That is the U.S.'s trade policies as they relate to agriculture, that have left agricultural

producers at a competitive disadvantage to our counterparts in other countries.

U.S. farmers know that we need trade agreements. In fact, one out of every 3 acres in the United States is produced for export. We have to have trade agreements, but trade agreements for trade agreements' sake are unacceptable. We have to have fair trade agreements. Trade agreements that leave our farmers and ranchers at a disadvantage, as they have in the past, are not fair.

This is not a partisan issue. This has been a bipartisan failure on the part of administrations to negotiate fair trade agreements for our farmers and ranchers. Over 80 percent of the world's export subsidies are employed by the European Union. This is unfair. World trade tariffs average 50 percent, while in the United States, they average 10 percent. This is unfair.

That is why the upcoming WTO ministerial rounds that take place later this month and early in December in Seattle are so important to agriculture. I was pleased to be a co-chair and am pleased to be a co-chair with the gentleman from North Dakota (Mr. POMEROY), Senator DORGAN of North Dakota, and Senator CRAIG of Idaho, to chair the WTO trade caucus for ranchers and farmers.

We have over 50 of this caucus, Members of both parties, Members of the House and Senate, that have been meeting for the last several weeks trying to decide what the priorities of this Congress are that we must address in Seattle. We have met among ourselves and discussed these issues. We have met with producer groups to discuss the issues, to identify those things that are important, that we must address during the upcoming rounds of the WTO negotiations.

□ 1900

Several of those things we have developed, and let me go through some of the important issues that we think must be addressed during this round of the WTO.

Market access. We have to expand market access through tariff reduction or elimination. Export subsidies need to be eliminated. We need to reduce the European subsidies to a level provided by the United States before applying any formula reductions. In the past, the European Union has higher subsidies than the United States and our negotiations have reduced them proportionally. But when one group has a high tariff or subsidy level and another has a lower and they are reduced proportionally, America is still left at a competitive disadvantage. We must bring those to a level playing field before any formula reductions.

We must have no unilateral disarmament when it comes to agriculture. We have to combat unfair trade practices and restore and strengthen enforcement tools against them. We have to improve the enforcement of the

WTO dispute panel decisions. Currently when those decisions are made, there are times when our competitors will not abide by the dispute resolution.

We have to support family farms. Preserve the flexibility to assist team farmers through income assistance, crop insurance and other programs that do not distort trade. We have to retain the full complement of nontrade distorting export tools including export credit guarantees, international food assistance, and market development programs. We have to be sure and establish disciplines on State trading enterprises to make them as transparent as the United States' marketing system is.

And nontariff trade barriers, we have to ensure that science and risk assessment principles established by the Sanitary and Phytosanitary Accord during the Uruguay Round are the basis for measures applied to products of new technology and that this process is transparent. We also have to negotiate improved market access for products of new technology including bioengineered products.

Mr. Speaker, we have met with our U.S. Trade Ambassador Charlene Barshevsky and our Secretary of Agriculture Dan Glickman and I am pleased to report that the administration has told us that their highest priority in the upcoming round is agriculture. And, in fact, when they look at their priorities and place them against ours, they almost mirror the importance of the priorities that we have.

So I am pleased that the administration is taking agriculture as an important negotiation during this WTO round that will start in Seattle. We cannot leave this round of the WTO with ag at a competitive disadvantage.

NAFTA PRESENTS ITS OWN Y2K PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise to continue the litany of charges against NAFTA. As we face the end of the millennium, NAFTA presents its own Y2K problem: January 1, 2000, crossborder trucking provisions of NAFTA are expected to allow Mexican trucks to enter free and clear into the United States. A close look into the situation makes NAFTA's Y2K problem quite upsetting.

At a recent National Transportation Safety Board hearing on this issue, Mexico refused to send a representative. Canadian and American representatives appeared, but Mexico was a no-show.

Well, if they happen to have come to this meeting they would have learned how far they are behind Canada and the United States in oversight and regulations.

Does Mexico have log books? No. Does Mexico have vehicle maintenance

standards? No. Does Mexico have roadside inspections? No. Does Mexico have safety rating systems? No. Does Mexico have medical certification of drivers? No.

Simply put, Mexico does not have any oversight of their trucking industry, yet they want the United States to allow their unregulated, unsafe Mexican trucks which weigh up to 106,000 pounds, well over the U.S. limit of 80,000 pounds, to barrel down our highways and byways. In fact, the reason they did not send a representative is that they are upset that President Clinton dare hint that he will not allow Mexican trucks into the USA as of January 1.

Well, Mr. Speaker, Mexico is upset that we will not let their mammoth 106,000-pound unsafe trucks and unsafe drivers into the USA. I say unsafe because of the less than 1 percent of Mexican trucks and Mexican drivers inspected at the border, over 40 percent have failed inspections and were placed out of service. In addition, according to a new report from the Department of Transportation's Inspector General, over 250 Mexican motor carriers have traveled illegally beyond the NAFTA border zone. Therefore, Mexican trucks and drivers have proved to be unsafe lawbreakers.

The Inspector General concluded in his report that, "Adequate mechanisms are not in place to control access of Mexico-domiciled motor carriers into the United States." To ensure that Mexican motor carriers comply with U.S. statutes, the Inspector General suggested that, among other methods, fines should be increased for illegal activities. Well, Mr. Speaker, under a House-passed bill, we have done just that.

H.R. 2679, the Motor Carrier Safety Act, increases fines up to \$10,000 and a possible disqualification for a first-time offense, and up to \$25,000 with a 6-month disqualification for a second offense.

The previous fine was only \$500 to \$1,000 and even the Inspector General stated as such, motor carriers are likely to consider the fines to be simply a cost of doing business.

Hopefully, the Senate will take up the measure that includes the House-passed provisions so that Mexican trucks cannot regard the now measly penalty as a cost of just doing business.

Of course, Mexico is not happy about the increased fines and they and others claim that this is a violation of NAFTA. Excuse me, Mr. Speaker, but since when is a fine of illegal activities a violation of anything? Mexico violates our laws and they say we violate NAFTA?

Clearly, Mexican trucks should not be allowed into the U.S. and President Clinton was right in telling the teamsters that he will not open the borders to Mexican trucks come January 1. Well, that might be the first right move President Clinton has made regarding NAFTA. He can make another

right move by starting the process of withdrawing from NAFTA altogether. Until then, the horrors of Mexican trucks will just be another in the long litany of NAFTA injustices to the United States of America and to its citizens.

PRESIDENT SHOULD NOT GRANT CLEMENCY FOR LEONARD PELTIER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. OXLEY) is recognized for 5 minutes.

Mr. OXLEY. Mr. Speaker, the month of November has been designated Native American Heritage Month, a time in which to honor the positive contributions of our Nation's earlier inhabitants. I was disturbed to learn then that November has already been designated Leonard Peltier Freedom Month by a group pressing for his release from Leavenworth Federal Penitentiary.

Because of the publicity surrounding this case, we should all be familiar with its details: Leonard Peltier is serving two consecutive life sentences for the cold-blooded murder of two FBI agents on South Dakota's Pine Ridge Indian Reservation in 1975. But it is important that we review the facts of the case separating them from the myths that have arisen over the years, especially as Peltier's supporters are petitioning the White House for clemency for this convicted killer.

On June 26, 1975, FBI Special Agents Ronald A. Williams and Jack R. Coler entered the Jumping Bull Compound of the Pine Ridge Reservation pursuing a man in connection with an assault on two young ranchers in nearby Manderson, South Dakota.

One of the three people in the vehicle the agents were pursuing was Leonard Peltier, a fugitive from justice wanted for the attempted murder of a police officer in Milwaukee. Peltier and his associates stopped their vehicle abruptly and opened fire on the two agents. Surprised, outmanned, and outgunned, Agents Williams and Coler were severely wounded in this barrage of gunfire. Agent Coler was hit in the right arm, the force of the bullet nearly tearing it off. He fell unconscious within moments. Agent Williams, although hit in the left shoulder and right foot, tore off his own shirt in the midst of this chaos and fashioned a tourniquet around his partner's arm.

Ambushed, the two agents lay helpless, completely at the mercy of their assailants. Peltier and the other two gunmen, though, would not be showing any mercy to these law enforcement officers that day. They walked down to where the two agents lay dying after this horrendous assault. Agent Williams, kneeling on the ground with his hand out as if to surrender was shot directly in the face. He died instantly. Peltier's group turned on the still unconscious Agent Coler. They shot them

twice in the head with a shotgun at close range and both men died instantly.

An examination of the crime scene revealed that Agents Williams and Coler were only able to fire five shots in defense. Peltier and his men by contrast left more than 125 bullet holes in the agent's vehicles.

After these vicious murders, Peltier fled the reservation and was put on the FBI's Ten Most Wanted List. Five months later, he was spotted hiding in an RV by a state trooper in Oregon. Peltier fired at the officer and fled once again. Investigators found Peltier's fingerprints on a bag underneath the RV's front seat. Inside the bag was Agent Coler's revolver, stolen from him in the bloodbath 5 months earlier.

Peltier escaped into Canada, where he was ultimately arrested by the Royal Canadian Mounted Police. Confirming beyond a doubt his cold-blooded mentality, he said that if he had known that the officers were about to arrest him, he would have "blown them out of their shoes."

Mr. Speaker, those are not the words of a candidate for clemency. Leonard Peltier's heinous crimes are not the actions of a candidate for clemency. Yet Peltier's supporters are confident that the President will pardon this murderer, pointing to his pardon of the FALN terrorists earlier this year.

These supporters would have us believe that Peltier is being held unjustly, that he was framed because he is Native American. They have politicized the case, bringing in liberal Hollywood actors who glorify Peltier and refer to the slain agents, Williams and Coler, as "faceless soldiers" sent by the government. They have elevated this thug, calling him a leader of his people, further dishonoring the law enforcement officers he killed and dishonoring Native American heritage as well.

Our legal system has ruled again and again that Leonard Peltier is a killer. The Supreme Court refused to review his case, and a parole board ruled in 1993 that Peltier be denied parole for the next 15 years. FBI Director Louis Freeh is on record saying that "[t]here should be no commutation of his two life terms in prison."

In a recent letter to his supporters, Peltier makes reference to the "many years" of his life that have been "stolen." To this day, he remains oblivious to the fact that he stole many years of life from the two agents he killed. Jack Coler was 28, Ron Williams was 27 and a father of a 4-year-old son. They were at the beginning of what promised to be long and successful careers in law enforcement. They were cut down at the prime of their lives by a coward who has shown no remorse.

Mr. Speaker, as my colleagues know, I was also a FBI special agent and I am appalled that Leonard Peltier has chosen to exploit Native Americans for his own selfish purposes. This is not about ethnicity, it is about murder. It is

about respect for the law and law enforcement officers.

I call on the President to see through the myth that has built up around Leonard Peltier and recognize that Peltier is trying to manipulate emotions and use political issues to gain an undeserved release. The President owes at least that much to the families of these slaughtered heroes.

ADVANCING THE INTERESTS OF AMERICAN FAMILY FARMERS IN WTO TRADE NEGOTIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. POMEROY) is recognized for 5 minutes.

Mr. POMEROY. Mr. Speaker, I rise this evening as cochair of the WTO Trade Caucus for Farmers and Ranchers to discuss the importance of the upcoming ministerial talks in Seattle and the next round of multilateral trade negotiations.

Mr. Speaker, I am pleased to be joined by my cochair, the gentleman from Idaho (Mr. SIMPSON) who presented earlier on this very topic. We also have across our membership in the task force a bipartisan, bicameral group of more than 50 members who are committed to advancing the interests of family farmers in trade negotiations.

The agriculture economy is in dire straits. American farmers are reeling from the twin evils of production loss caused by natural disasters and price collapse caused by depressed export sales and strong global production.

□ 1915

The crisis in agriculture demands a multifaceted response from Congress, ranging from emergency assistance, crop insurance reform, safety net reform, and expanding international trade. It is this last issue of expanding trade that I will discuss this evening.

Perhaps no sector of the American economy is any more dependent on trade than agriculture. The United States is the single largest exporter of ag products in the world. On average, the crops on one out of three acres in the United States are exported. Many commodities are even more dependent on foreign sales, such as wheat, 1 out of 2 acres is exported; sunflower oil, 3 out of 4 acres of which is exported. Given the share of farm income that depends on foreign markets, American farmers cannot succeed and prosper without robust export sales.

Now, unfortunately, the export market for agriculture has been anything but robust. In fact, the value of U.S. agriculture exports has fallen from \$60 billion in 1996 to a projected \$49 billion this year, a decline of nearly 20 percent.

Look at this chart. It tells a very sad tale. It is a small wonder we have had that incredible depression in our ag economy with the export record like that.

There are several reasons for the decline in export sales. They include the financial crisis in Asia. Despite signs of recovery, we continue to see sales lagging in this region, not rehabilitated to what they were prior to the crisis. Strong worldwide production has further depressed exports and, in turn, depressed the prices for our ag commodities.

In addition to these market forces, however, American farmers are on the losing end of export sales because of an unlevel playing field in the international market. Around the world, our American farmers are not just competing with farmers of other countries in other parts of the world relative to their own exports. We are competing against their governments as well as they subsidize unfairly their export market.

The crops grown by American farmers face, on average, a tariff rate of 50 percent in foreign markets compared to just 10 percent on what ag products face entering our market. With respect to export subsidies, the European Union accounts for 85 percent of world export subsidies.

Just take a look at my second chart this evening. The blue reflects European exports. Our slender 2 percent compared to their 85 percent of world export subsidies reveals just why our exports are not performing and why our ag exports are on the losing end of the present trading situation.

In addition to export subsidies, we know that state trading enterprises like the Canadian Wheat Board use their monopoly status to engage in discriminatory and secretive pricing practices to undercut U.S. producers.

Now, to build the momentum necessary to tackle these unfair trade practices, the gentleman from Idaho (Mr. SIMPSON) and I formed the WTO Trade Caucus for Farmers and Ranchers. The 50-plus members of our group, House Members, Senators, Republicans and Democrats, developed a list for agriculture trade objectives for the upcoming round including the elimination of export subsidies, cutting and, when possible, eliminating tariffs, and imposing transparency and market discipline on State trading enterprises.

Our list of objectives was derived from concerns we have heard from the farmers we represent as well as the commodity groups themselves. This list serves three important purposes. Going into the Seattle round, it signals what the United States Congress believes it must have out of this round.

Now, our views are important because, unlike other systems where the Government may cut the deal and that is the end of it, whatever comes out of this round will be brought back to Congress for approval, and we intend to make sure that these objectives are met.

The SPEAKER pro tempore (Mr. FLETCHER). Under a previous order of the House, the gentleman from Indiana

(Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MAY FREEDOM AND LIBERTY CONTINUE TO FLOURISH THROUGHOUT CENTRAL EUROPE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

Mr. KIND. Mr. Speaker, I rise tonight to commemorate the 10th anniversary this week of one of the most astounding events of the 20th century, the collapse of the Berlin Wall on November 9, 1989, and the collapse of Communism throughout central Europe.

What started as a ripple, solidarity's triumph in Poland in June of that summer, Hungary opening its border with Austria that summer, led to a deluge of East Germans streaming across the Berlin border and eventually tearing down the symbol of oppression in Europe, the Wall. A few short weeks later came the Velvet Revolution that changed Czechoslovakia.

One of my most cherished possessions that I keep on my desk here in Washington is a chunk of that Berlin Wall with some of the graffiti paint still on it, coincidentally, shaped like Wisconsin. I was able to knock out this piece with a sledgehammer while I was in Berlin on October 3, 1990, celebrating the reunification of both Germanys.

Today, the political map of Europe looks completely different. As this map depicts, Mr. Speaker, democracy has been flourishing and sweeping across Europe. The countries shaded in blue are those democratic nations that existed before 1989. The purple-shaded area are those countries that have evolved into democratic nations since the revolutions of 1989. Obviously, we still have some work to do in Belarus and down in the Balkans and Serbia, as represented by the red countries shown on the map.

Now, 10 years later, the events seem preordained. But at the time, no one could predict these events or know how to respond to them. Today, many want to claim credit. But the most important wall that fell was not even visible. It was the wall of fear inside people. It is difficult to describe the role that fear plays to maintain a totalitarian state.

Mikhail Gorbachev, however, changed the dynamics by sending out messages that his rule would not be sanctioned only by guns and tanks. His policies of Glasnost and Perestroika showed that not only would he not oppose reforms, but actually encourage them.

As a third-year law student, I watched with rapt attention, as the rest of the world did, to the unfolding of these events during 1989. It came at a critical point in my life. I was feeling

a little disillusioned, a little bit cynical about our own democratic process in this Nation. So I went to central Europe a few months after the resolutions, lived out of a backpack, and traveled throughout the capitals of central Europe to see these changes first hand.

While traveling there, I met the real heroes of the revolution. People who restored my hope for the institutions of democracy. They were students about my age who were on the front lines of the demonstrations, literally staring down the barrel of guns and Soviet-made tanks, not knowing if they were going to succeed or suffer another Prague Spring like in 1968 or Budapest in 1956.

History later showed that in the case of the Velvet Revolution in Czechoslovakia, velvet to symbolize the smooth and peaceful transition of power that took place, the Communist Politburo voted just five to four against ordering a massacre.

When I spoke to those students, they remembered two distinct things about the demonstrations: how cold they were during the candle light vigils that took place all night, and how scared they were knowing the history of previous reform attempts in their own country.

They did not have weapons to fight back with, only their courage. They knew they were risking it all, but they chose to do so for the sake of their own future. And they prevailed.

It is a magnificent irony of history today that one of the most oppressive Communist regimes throughout central Europe, Czechoslovakia, would later be led by former poets and playwrights in the country, one of whom was Vaclav Havel. He was one of the key leaders of the Velvet Revolution. He was the first democratically elected leader of Czechoslovakia since Mazaryek and Eduard Benes before the Second World War. He was also one of the founders of Charter 77, the moral blueprint for change in Czechoslovakia. He helped form the Civic Forum, the political alternative to the Communist regime, but not before he was in prison four times as a political dissident.

In fact, during one of his stays in prison, he became deathly ill. The Communist authorities, afraid they were going to have a martyr on their hands, went to him and told him that the people in New York who give out the Obey awards were willing to host him so he could direct his own play on Broadway as well as receive proper medical attention and care.

He asked them one question, if he went, would he be allowed to return to Czechoslovakia. They could not give that assurance. So he said I will stay instead. The rest, as we now know it, is history.

So, Mr. Speaker, I want to pay a special tribute and wish a special anniversary to a few students who inspired me. To Andreas of Dresden, Peter of Krakow, Jitka, Ladka, Ivana, and Pau-

lina of Prague, happy anniversary and thank you for showing with your courage that there are some causes and ideals greater than oneself worth risking everything for. May freedom and liberty continue to flourish throughout central Europe.

GOOD TIME FOR CONGRESS TO REASSESS ANTITRUST LAWS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, by now, the Microsoft antitrust case should have caught every Member's attention. This is a good time for Congress to reassess the antitrust laws.

Under current law, collusion, negotiations, or even discussions about markets may be enough to find someone guilty of breaking these laws. Prices in one industry that are too high, too low, or all the same are suspect and could be used as evidence of monopoly practices.

We must remember bigness in a free market is only achieved by the vote of consumers, supporting a company that gives them a good product at a low price.

It is an economic truism that the only true monopoly is government protected, such as the Post Office or a public utility. There is nothing more annoying than a government bureaucrat or Federal judge gleefully condemning a productive enterprising capitalist for doing a good job. These little men filled with envy are capable of producing nothing and are motivated by their own inadequacies and desires to wield authority against men of talent.

In a free market, the consumer is king, not the businessman. The regulators hate both and relish their role of making sure the market is fair according to their biased standards.

Antitrust suits are rarely, if ever, pursued by consumers. It is always a little disgruntled competitor, a bureaucrat who needs to justify his own existence.

Judge Jackson condemned Microsoft for being a "vigorous protector of its own self-interests." Now this is to be a crime in America. To care for oneself and do what corporations are supposed to do, that is, maximize profits for stockholders by making customers happy, is the great crime committed in the Microsoft case.

Blind to the fact that there is no conflict between the self-interest of a capitalist and the consumers' best interests, the trust busters go their merry way without a complaint from the Congress which could change these laws.

Only blind resentment drives the economic planners and condemns business success, good products, low prices, and consumer satisfaction while undermining the system that has provided so much for so many.

Many big companies have achieved success with government subsidies,

contracts, and special interest legislation. This type of bigness must be distinguished from bigness achieved in a free market by providing consumer satisfaction.

To help rectify the situation, Congress should first stop all assistance to business, no more corporate welfare, no bailouts like we saw to Lockheed, Chrysler, Long-Term Capital Management and many others.

Second, we ought to repeal the archaic and impossible-to-understand antitrust laws.

Next, we should crown the consumers king and let them vote with their money on who should succeed and who should fail.

We should then suppress the envy which drives the anticapitalist mentality.

The Bill Gateses of the world can only invest their money in job-creating projects or donate it to help the needy. The entrepreneurial giants are not a threat to stability or prosperity. Government bureaucrats and Federal judges are. But strict enforcement of all the ill-inspired antitrust laws does not serve the consumer, nor the cause of liberty.

WE ARE NOT GOING TO RAID THE SOCIAL SECURITY TRUST FUND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. MINGE) is recognized for 5 minutes.

Mr. MINGE. Mr. Speaker, this week, Congress and the administration are struggling over how we handle the so-called end game with the Federal budget. Those of us here in the House of Representatives are a critical part of this end game negotiating process in the votes that it will take to pass the budget.

One of the chief rallying cries that I hear from my colleagues is, we are not going to raid the Social Security Trust Fund. We are not going to raid the Social Security Trust Fund. We will not raid the Social Security Trust Fund. The phrase is repeated ad nauseam. But I challenge my colleagues to really accomplish what we have stated we intend to accomplish.

□ 1930

And the reason that I say this is that for many it is feared that we are only pandering to the misunderstandings and the naivete almost of the American public in claiming that we are not invading the Social Security Trust Fund to finance Federal expenditures.

I would like to point out that claims that we will not invade the Social Security Trust Fund come from all quarters, but today I was amazed to see a letter signed by the leadership of this body, the Speaker, the majority leader, the majority whip, and the conference chair on the other side of the aisle that included a sentence to this effect: "We will not schedule any piece of legislation on the House floor that spends one penny of Social Security."

I would like to contrast this with an article in the Wall Street Journal a week ago Friday that reports that the Congressional Budget Office estimates that the GOP spending bills are already over the targets by \$31 billion, and that if we look at the report from the Congressional Budget Office, we will see that the GOP spends \$17 billion of the Social Security surplus.

What is most troubling to me about this is the duplicity that is involved. We are breaching the faith of the American public. It is absolutely wrong that we resort to smoke and mirrors and gimmicks to claim that we are not going into the Social Security Trust Fund. It is all together too familiar. We heard all of these statements during the Reagan administration and during the Bush administration when we had enormous deficits. And now that we are on the verge of balancing the budget without using Social Security, I think we have just as much an obligation to the American people to be candid, to be forthright, and not resort to smoke and mirrors and tricks.

The Wall Street Journal article, which is up here, illustrates one of the problems that is involved, and that problem is picking and choosing what numbers are used to do the accounting. Anyone who has worked with certified public accountants understands accounting principles and a financial statement in terms of its integrity. And the integrity of that financial statement requires that generally accepted accounting principles must be consistently applied. That concept of consistent application is what has been violated by the leadership here in the House of Representatives by picking and choosing where the numbers come from, the Congressional Budget Office at one point, the Office of Management and Budget at another.

This violates a fundamental rule in accounting, not consistently applying the accounting principles; or, in this case, the budget forecasting. Picking and choosing. And we should no more let the White House do that than let Members of our own body do that. We in Congress should stand square behind the principle that we insist that the budget forecasting process have integrity, and that we not claim that no such bill has been on the floor of the House when the Wall Street Journal has already reported that we have done it and when the Congressional Budget Office has already reported that we are \$17 billion into the Social Security surplus.

We must improve our practices if we are going to continue to have any credibility. We cannot have letters of the type that are circulating in this Chamber today. And, Mr. Speaker, I will submit this letter for the RECORD.

CONGRESS OF THE UNITED STATES,

Washington, DC, November 8, 1999.

DEAR COLLEAGUE: Many of you are asking when we expect the budget negotiations to be completed. We expect budget negotiations to be complete when we have a balanced budget that doesn't raid Social Security,

doesn't raise taxes and pays down the debt for the third year in a row.

Earlier this year our conference committed to stop the 30-year raid on Social Security—and according to the Congressional Budget Office, we have done that. The President began the budget negotiations by taking a large step our way and joining us in our commitment to lock away every penny of Social Security. We're working with him in a bipartisan fashion to protect retirement security.

The key to the whole puzzle is protecting Social Security and paying down debt. We will not schedule any piece of legislation on the House floor that spends one penny of Social Security. That said, we expect to adjourn for the year when we've ensured that every penny of Social Security is locked away.

If you have any questions, please feel free to contact us personally.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.
DICK ARMEY,
Majority Leader.
TOM DELAY,
Majority Whip.
J.C. WATTS,
Conference Chairman.

ONE PENNY ON A DOLLAR WILL SAVE SOCIAL SECURITY

The SPEAKER pro tempore (Mr. FLETCHER). Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to start off by just kind of rebutting my distinguished colleague. The Wall Street Journal is a great newspaper, but, tell me, have my colleagues ever read a newspaper that does not sometimes get it wrong; does not stretch the truth?

Here is a report from the Congressional Budget Office. Now, I know the good folks at the Wall Street Journal know everything there is about Congress and spending and so forth, but these people are actually hired to do this job, they are the ones who are in the room. CBO stands for Congressional Budget Office, and they have certified that the Republican budget does not raid the Social Security Trust Fund, as have the Democrat budgets for the past 40 years. Here is what it says: Projected on-budget surplus under the congressional scoring, the way it is done, \$1 billion, and this is as of October 27, 1999.

Now, it is real odd to me that people who have been voting against every single appropriations bill because they do not spend enough money are now coming in here in the 11th hour and trying to rewrite the rules. Where was this fiscal austerity back during the September and October debates? All we heard from the liberal side of the aisle was, "You don't spend enough money, so we are going to vote no."

Well, hello, where does the money come from? Social Security. We have held the line on it, we have passed the appropriation bills, 13 of them on Republican votes, because we could not

get our Democrat colleagues to join us because it did not spend enough money for them.

Yes, there have been a few defectors, and we appreciate them, but we started this year taking the President on. He said from the well of the House let us spend 40 percent, actually I think it was 38 percent, of the Social Security surplus on a whole line of new entitlement programs. But the Republicans' key goal is to not spend the Social Security surplus. That is a quote. That is a direct quote from the White House Chief of Staff John Podesta, and that was as of October 20.

Now, that is coming from the folks who do not exactly like Republicans down on 1600 Pennsylvania Avenue. We are not going to spend the Social Security surplus.

Now, what have we proposed doing? We have proposed reducing the size of the government budget. For every \$1 we have asked the bureaucracies in Washington to cut out a penny, and they can do it. Here is an example of one place they could do it. Now, we have heard there is absolutely no waste, but this is the President's trip to Africa. He went on a number of trips this year. He went to China and spent \$18.8 million, took 500 people; went to Chile, spent \$10.5 million; went to Africa and spent \$42.8 million, and took 1300 of his dearest and closest Federal Government friends. Now, there were other people. This does not include Secret Service or Peace Corps, this only includes Federal Government employees.

Now, under our radical budget, the President next year would say 13 of those friends will have to stay home. One example would be the mayor of Denver. The mayor of Denver goes to Africa with the President. Why? Is Colorado so important to our African policy? If so, why not let the good people of Denver pass a hat and pay his freight? Thirteen hundred people went to Africa for \$42.8 million. There is not a Member of this House who would say that was a wise expenditure of money, and there is not a member of this White House who would say he could not cut some of that out.

Or what about the \$3 million ducks in Hawaii? The U.S. Department of Interior bought an island off of Hawaii for \$30 million. The purpose was so ducks could breed on it. The only problem was only 10 ducks took advantage of this new honeymoon package. So what we have are ducks, \$3 million each, over there having a big time. Now, we need to find a Hugh Hefner kind of duck who can promote this thing a little bit and maybe we can get it down to \$1 million or \$2 million a duck.

I think back in South Georgia we would probably call this a waste of money, and I suspect the folks would in Kansas, New York, and all over the place.

What is this really about? This is about trying to get Washington on line with the American people, the people

who drive an extra two blocks to fill up their tank for \$1.07 a gallon instead of \$1.15 a gallon; the people who do not buy a new suit until the clothes are on sale; the people who go out to eat when they have a coupon and order chicken instead of steak; and the people who do not buy any running shoes unless they are the discontinued brand or marked down 50 percent; and the parents who raise their kids to turn off the light when they leave a room, and do not run the water when they brush their teeth.

We are saying to Washington that they should live their lives like the American people. If we can, we can find a lot more than a penny on a dollar and we can save Social Security.

NEW SENSE OF HOPE AND RENEWAL TO EASTERN NORTH CAROLINIANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I will leave a response to that very comical presentation to a later time.

I have a more serious and also a very jovial and happy announcement to make, and that is to thank Members of Congress and to thank their staffs in particular for joining with 11 Members of Congress going to my district and participating in real work and giving a sense of hope and renewal to the people of eastern North Carolina.

I have pictures here that show us indeed some of the scenes wherein we were flooded. Now that we are not with the water, somehow it is forgotten that our citizens are still dealing with this. If my colleagues could begin to think of the area which was devastated, they might think of a State about the size of Maryland, because we are involved in some 66 counties, but 33 of them have serious flooding.

The devastation in farm life is almost unimaginable. We have \$1.7 billion that has been lost in the erosion of land, the loss of wildlife, the loss of various livestock, whether it be cows or pigs or chickens. In fact, 2.5 million chickens were lost, 120,000 hogs, 900,000 turkeys were lost. The loss was just devastating.

The housing will be our greatest problem. In eastern North Carolina we had a housing problem before Hurricane Floyd, and then with the housing being devastated by the rains, we now have even a more severe problem. Forty-six homes have either been damaged or completely destroyed. Ten thousand must be destroyed because they are either in harm's way, they are in the floodplain, or they have been completely destroyed.

Many of these people are older citizens. The home ownership is high there, because many of them bought their homes years ago and they are senior citizens and their income is not as robust as the economy would suggest in other areas, so we really have an area of great devastation.

So this was reason that we wanted to bring people who would bring hope and renewal, and I just want to thank Members of Congress for encouraging their staff and thank those staff members for doing this. This was actually the Congressional Black Caucus, under the leadership of the chairman, the gentleman from South Carolina (Mr. CLYBURN), who thought it was a good way of showing we wanted to be the conscience of Congress by organizing this. But this really became a congressional response. It was a bipartisan response. We had many Members from the Republican side in the House who sent their staff, if their staff wanted to go, and we had members, at least three or four, of the offices from the Senate. So it was bicameral as well.

And I just wanted to thank the Members who came. They came back with different experiences, but I can tell all my colleagues what the objective was. The objective was to allow Members of Congress and their staff to see firsthand the devastation so they could be advocates as the TVs left our scenes and we no longer saw the water, as we see here; or we no longer could see the scenes from this second one, the houses in Tarboro, which is East Tarboro, which was flooded, or the fact that Princeton, the first historical black town to be in America was completely flooded, or Trenton, North Carolina, was completely flooded; Greenville, East Carolina University, 12,000 students had to be relocated because of the flood.

Well, the objectives of this was simply to put a face onto this; that we can look at the human beings that were suffering and see their pain, their anguish, but also their hope. So it was to raise the sensitivity and the awareness and the knowledge of staff members and Members of Congress so they would be advocates so they could help us respond to this in a meaningful way.

□ 1945

The second objective was to bring hope itself, to bring hope and renewal to the people who are now suffering. You go through stages in this. The first people are so grateful that they have survived the flood and their adrenaline is flowing with the outpouring of generosity there. But later on despair sets in and anger and confusion and frustration, and that is where many of them are.

But on Saturday, those who came from Washington, at least for a day, brought hope and renewal. For they were actually cleaning up various homes, removing the debris, cleaning up a business or cleaning out a church or cleaning out a senior citizen facility. They went to six different counties and 13 different sites, including a farm, removing debris from a farm.

We thought we would have 10 buses. We ended up with 12 buses. More than 550 individuals came from the capital to be engaged with the people in eastern North Carolina, and I just want to

thank them. I think it gives a new face for the capital. It says that people do care.

Mr. Speaker, I think we do best as Americans when we respond to others to show that we are neighbors. Yes, we are legislators, but also we are human beings in America.

EDUCATION SPENDING BILL

The SPEAKER pro tempore (Mr. FLETCHER). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. SCHAFFER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHAFFER. Mr. Speaker, I am joined tonight by a couple of colleagues and others that I know are expecting to come over to the floor to help in this discussion.

What we want to focus on this evening is our efforts to pass a series of appropriations bills that bring this country in under the budget caps that both the Congress and the White House had agreed to previously and, also, to alert our colleagues as to some of the real challenges that confront us as a Congress tonight and over the weekend and over the next couple of days that we are here in Washington as we move toward this deadline of Wednesday that we have set for ourselves, an expectation and anticipation that we will be able to arrive at a compromise with the White House.

Because it is very clear, Mr. Speaker, that compromising with the White House is an expensive proposition.

The Congressional Budget Office, as had been pointed out by colleague the gentleman from Georgia (Mr. KINGSTON) who spoke just a few moments ago, had certified that the proposal that Republicans had put forward does balance the budget without raiding the Social Security trust fund and dip into Social Security funds to pay for Government, as has been the tradition over a great many years. And we are very proud of that, and we want to stick as closely as possible to that ultimate goal.

But things are getting a little more challenging in these negotiations with the White House. And I want to talk specifically about the budget as it relates to the topic of education.

The United States Department of Education is an agency that controls approximately \$120 billion in assets and expenditures, about \$35 billion in annual expenditures, at least according to the dollar amounts that we have set for the Department of Education; and the balance being the loan portfolio that the Department of Education maintains.

Well, the President believes that we need to spend more. We have in fact, as I mentioned, budgeted \$35 billion for the Department in the current spending bill, including \$1.2 billion for the process of teaching to help appeal to the professional senses of our educators and classroom professionals through-

out the country, to provide for more training for more teachers for those districts that wish to hire them and to do so within a framework of flexibility, not constraints but flexibility, in exchange for accountability.

We believe there is a legitimate role for the Federal Government to be concerned about local schools but not to run them. We want to send the dollars back to local school districts, back to classrooms, and appeal to the professional sensibilities and the care and compassion and concern of qualified superintendents, school principals, locally elected school board members, and so on.

Therein lies the difference, Mr. Speaker, that I want to zero in on tonight. Because the President's plan and the reason he vetoed the education spending bill, the reason he is holding that particular bill up at this very moment is a matter of philosophy. You see, we really do believe on the Republican side in our philosophy and our values of getting dollars back to the States with freedom and flexibility.

But the President, instead, would like to hire approximately 100,000 Government agents, Federal agents, and have those Federal employees working in classrooms and in my school where my children are educated. We believe, the Republican side, we want to give those dollars to classrooms and give them to local leaders and so on, but we do not want to define specifically how those dollars must be spent. We do not want to confine principals. We do not want to constrain superintendents. We do not want to limit the options and the freedom and liberty that local elected educators have. And we also want to honor and respect the leadership of governors throughout the country.

There was a reporter just today who asked the President the following question, and I will quote the question. He says, "Mr. President, on the issue of funding for teachers, sir, you resent it when Congress tells you to spend money in ways which you do not deem appropriate."

Let me stop right there at the reporter's question as it was put to the President. The President does disagree with this. We want to get dollars to the classrooms, to the local schools, and allow local professionals to determine how best to utilize those funds in the best interest of children. As the reporter accurately points out, the President resents it when Congress tells "you", the President, to spend money in ways which do you not deem appropriate.

The reporter goes on: "Why should a state governor who would like to spend that money differently feel any differently?" And of course, the President has a different answer when it comes to governors. Here is what the President said in responding to governors and to this question. He said, "Well, because it's not their money."

Now, this is the problem with Washington. In fact, that is what is sick

with this city in Washington, D.C., when it comes to taking cash from the American people, bringing it here to Washington, sending those dollars back to the States, and putting crippling rules and regulations on those dollars and placing conditions on those dollars, which is what governors resent and what governors feel differently about.

The President's answer is one that so many people in this bureaucratic mentality of Washington represent. He says, "Well, because it's not their money."

The point being, this money must be his money. This money must be Government's money. This money must have been created somehow by people here in Washington.

Well, I think most Americans, when they realize the attitude that comes from the other end of Pennsylvania Avenue, it does not represent them, that this attitude is what people are most disgusted about when they think about Washington, D.C.

We are trying to change that in this budget. That is the element of the debate that currently is holding up the agreement from going forward in this negotiation between the White House and the Congress.

Well, we passed legislation, as I mentioned earlier, that deals with this effort to try to get dollars to local school districts and do it in a much more powerful and effective way and a way that more closely approximates the local priorities of school districts. And we are very serious about following through on that.

We believe the liberty to teach and the freedom to learn are goals and objectives to which not only this Congress should aspire but the American people in general wish us to pursue, and we are going to stay on that course.

The argument is compounded even further in our position, and the strength of it I think becomes even more apparent when you consider today's headline in the New York Daily News. I know this is small, but it is a copy of the front page. "Not Fit to Teach Your Kid. In some city schools, 50 percent of teachers are uncertified," says the headline in the New York Daily News.

And the article that follows this headline shows that when you throw dollars at a goal of just simply hiring more Government employees that frequently you do not get the quality of teachers in this case that the American people would expect and that children in fact need.

That is, I am afraid, the ultimate goal of the President's approach of restricting the dollars as they go to States, restricting them by tying strings to them, attaching mandates to those dollars. It will result I submit, Mr. Speaker, in more headlines like this not just in New York City but throughout the country. It is the kind of headline that we are working very

hard to avoid, in fact, and have headlines that we can be quite proud of about the professional kinds of teachers that we have in mind for hiring around the country through the leadership and through the initiative of governors, State legislators, school board members, principals, and superintendents.

Mr. Speaker, I yield the floor to the gentleman from Pennsylvania (Mr. PETERSON) who has worked very hard on this very topic and knows quite well how important it is to fight to get dollars to the classroom.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I thank the gentleman from Colorado (Mr. SCHAFFER) for yielding.

Mr. Speaker, it is interesting, because most budget battles are about dollars, but the education debate going on in Washington now is not about more money. There is no argument about how much money we should spend but where the control lies.

I think this is a pretty significant discussion that the American people needs to take seriously. And the question I ask, should the Federal Government dictate priorities for our local school districts? I think the vast majority of Americans would vote no to that. The vast majority of Americans would not want the Federal Government dictating local educational policies.

Now, it is interesting, last year in some debate I remember the numbers, I think we take credit for supplying between 6.8 to 7 percent of the local dollars for basic education. But many said we provide 70 percent of their bureaucratic nightmares. In other words, to get your hands on the Federal money, you have to have a lot of expertise. And it is interesting, when you look at the numbers of school districts who get very little Federal money and those who get a lot, that is the answer.

So small, rural school districts, which I represent, I have school districts who get less than one-half of one percent of their money from the Federal Government. So no matter what we do here, it will not have a huge impact. And why do they not get that money?

Well, in rural school districts you have a school superintendent and he is the butcher, the baker, and the candlestick maker. He does not have a finance officer. He does not have a curriculum director. He or she plays numerous roles because they do not have the dollars to have this bureaucracy within the school districts that can go after Federal dollars.

Most school districts that are successful have specialized grantsmen who do nothing but look through the records and find out what programs may apply and how to apply for them. Urban suburban areas also have the luxury of educational consultants they can hire to help them get the Federal money.

Now, when you have a bureaucratic system like that, it is rich get rich and

the poorer get poorer because the poor do not have the money to invest in getting the Federal money. That is why in Pennsylvania, where I come from, there are schools who get less than one-half of one percent of their money from the Federal Government and there are schools that get 12 and 13 percent of their money from the Federal Government. Now, that is 25 times as much. Is that fair? No, that is not fair. But that is Federal bureaucracy, this federalized system.

It is interesting because now the President is really hanging out over there and I heard his top people over the weekend talking about they were hanging out for a 100,000 teachers. In other words, if you will hire teachers, you can get in line for this money. But if you need computers, if you need more classrooms, if you need technology of some kind, if you need your school wired, if you need new books, we are not going to help you.

Now, I think that that is the mistake. And I want to relate it back to several years ago the President wanted 100,000 cops, and the record on that program in place a number of years now has never put 100,000 cops on the streets of America.

In fact, I recently had my staff working with two communities who are on hard times who got seduced by that program to hire more cops because they were free and they could use the police protection. But now they are finding out that is a temporary program and that is this teaching program, if I understand it right, it is a temporary program. So they are going to hire more teachers and in a couple years there will be no Federal money to pay for them, they will have to have the local resources.

Now, should we be seducing schools and communities to hire more teachers and more cops if we are not going to be there year after year? Is that how we build a good educational system? I do not think so. Because just a few years ago, we had more computers and more technology, more emphasis on science and math. And basic literacy has been an issue year after year, and we have several dozen literacy programs.

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Is it cost effective to have several dozen literacy programs that schools can apply for, or to have one literacy program? Now we have several dozen. We have had programs to promote parental involvement. We have had programs suggested that we should build schools from the Federal level. And, of course, the issue of accountability never really gets addressed very much. And I think that is the question parents ask, is how do we keep our educational system accountable?

It is interesting as we have this debate and the unfairness of it, when we have 6.8 percent of the money is what we claim funds local education. I recently asked the Department of Education in Pennsylvania, I would like a

printout of the money that each and every school district in Pennsylvania, and there are 530 some, gets to fund their schools, local money, State money and Federal money. They have that, and they gave me this printout. The part that surprised me was when they added up the column for Federal aid, it came to 3.1 percent. We said, there must be something wrong. So we sent it back to them. We said, you must have missed some Federal program, some major one. They came back to us and they said, no, we think all Federal money is included.

So the question I ask is, if 6.8 percent is what we are supposed to be providing, and if only 3.1 percent in this State, Pennsylvania, is getting into the classroom, where did the rest of the money go? I do know one thing, that when I served in State government, the bureaucracy there was pretty well funded with Federal dollars. We have a bureaucracy here in town funded with Federal dollars. We have regional bureaucracies that are funded with Federal dollars. It is my opinion, and I am not saying 3.1 percent is totally accurate because I expected to have a couple of percent chewed up in bureaucracy. I did not expect over half.

But as we continue to review this, I think it helps make the argument we make. Let us fund dollars that get to the classroom. Let us not say to schools, if you want our money, you have got to buy computers or you have got to hire teachers or you have to build more schools or you have to do certain things, because those things vary from State to State and community to community. We have 530 school districts in Pennsylvania. Multiply that by 50 States. There is a huge difference in what goes on in Alaska and what goes on in Florida and what goes on in Maine and what goes on in Missouri or Arizona, or Pennsylvania, or California. There are very different parts of this country.

I think saying 100,000 teachers is about politics. That is a slogan. That is a campaign issue. That is not about helping education. Because if we really wanted to help education, we would cut through this bureaucratic maze and we would get dollars into the classroom that would be allowed to fix up the classroom, that would be allowed to hire more teachers if that is the goal, would be allowed to buy more computers and more technology, buy more books, do things that enhance the educational process, recruit the right kind of teachers for science and math which are in short supply, but allow the local districts to make those decisions of how they can best use those dollars.

I say, Mr. President, when I have school districts that get less than 1 percent of their funding from the Federal Government, I am sure they are not going to be standing up clapping when you talk about 100,000 new teachers, because there is no way they can reach that.

I just want to share, I was disappointed in the President's comments

today. He said, "Well, because it's not their money," and he is not the first politician that has said that. Lots of politicians have said that. It is like it is their money. But he went on to say, "If they don't want the money, they don't have to take it. If they are offended by it, they can give it to the other States and other school districts." I am disappointed in that kind of rhetoric at this point in the process. I am disappointed in that kind of an attitude, because I think it is time that we think about the kids, we think about maximizing their potential education, and stop arguing about political slogans that will be used in brochures another 12 months and get down to saying, let us get the money to the schools. If we are only getting 60 percent of it there, let us say we try to get 70 this year. If we are only getting 50 percent there, let us say we try to get 65 and next year 85 and let us get the money driven out. Let us somehow work through this bureaucratic maze that is chewing up these bucks and have the money go out there in some way that poor districts, that rural districts who do not have grantsmen, who do not have a lot of staff can get their fair share of Federal resources.

The Federal program, in my view, rewards the rich, those who have the staff, those who have their own bureaucracy and can meet the needs of a Federal bureaucracy and leaves the poor, impoverished school districts out to lunch.

Mr. SCHAFFER. Your comments about the differences between rural districts, urban districts, wealthy districts and poor districts is right at the heart of this debate over Clinton teachers versus local school teachers. It comes down to this. There are many, many places in America where districts need more teachers. They need the resources to hire more teachers, get them into classrooms, reduce class size, where these are the locally established goals, goals established by locally elected school board members, by principals who know the names of the students in those classrooms, by superintendents who know the names of the principals and so on. For those school districts, we say you ought to be able to spend your money on classroom reduction, to hire new teachers, local teachers if you would like.

The President's answer is one that you have summed up perfectly, referring to his comments earlier today, that we should do it Clinton's way, because, as he says, well, because it is not their money. It is not that local principal's money, it is not that Governor in Pennsylvania's money or Colorado's money. This money somehow, according to people in the White House, belongs to, well, the White House, and they therefore believe that they have some title to define how those dollars should be spent. The principals who want to hire more teachers, they ought to be able to use their funds, their Federal funds, to hire more

teachers, but those that wish to invest in technology, to buy a new school bus, to resurface the roof, to do a number of other things that they might believe to be more important, to target those dollars to reading programs for disadvantaged children and things of that sort, those teachers ought to have the full freedom, the full liberty to use their money as they see fit. That is the difference. We view these precious dollars that taxpayers send to Washington and we then send back to the States as the taxpayers' money. Down at the White House, they view these dollars as the White House's money. When the President uses that kind of language and that kind of attitude, I want our colleagues and the American people to know that the President is in for a fight on this one. These dollars do not belong to people in Washington. Americans work too hard to earn these dollars and send them here. I think they send too much here. But acknowledging that they work hard to send those dollars here to Washington, I want people to know that there is a party here in Washington that is going to stand up and look after those dollars and is going to send them back home with the fewest amount of strings and regulations and red tape and mandates attached, and that this is a fight worth fighting and we are going to stand in there for those children who ultimately will benefit from greater academic liberty and freedom and more managerial freedom at local levels.

It also raises another point, and, that is, did we not already provide these 100,000 Clinton teachers? Did we not already fund them? Because that was in last year's budget as well. What happened to those? As it turns out, the President estimated that he had only hired 21,000 teachers with the dollars we appropriated and as it turns out, an even deeper analysis concludes that we probably did not even hire those teachers with the funds that the White House insisted on last year. And so when you send these kinds of dollars to specific school districts and tell them that you have just got to go out and hire people, what happens is exactly what happens in New York, if you read the New York Daily News today, that in New York they took the cash. Of course, there is no principal or superintendent or school board that is going to turn down the cash. They took the cash and they hired teachers who are not certified, because they just had to spend the money, just spend cash. It did not matter whether the children were benefitting. It did not matter whether the kids were getting smarter. It did not matter whether they were hiring teachers that were capable of teaching. They just hired people, uncertified teachers in this case, as many as 50 percent in some New York schools. This is a bad formula for education in America and it is not the formula we want to see.

I know there are a great number of us here in Congress who focus on this

topic and feel passionately about it. Another one is with us today, the gentleman from California (Mr. MCKEON), a member of the Committee on Education and the Workforce and subcommittee chairman, one who has demonstrated day after day and time after time his commitment to getting dollars to the classroom and looking out for children rather than the education special interests that we find here in Washington, D.C.

I yield to the gentleman from California.

Mr. MCKEON. Mr. Speaker, I want to thank the gentleman from Colorado (Mr. SCHAFFER) for taking the time to set up this special order to give us a chance to talk a little bit about what we are trying to do in education on our side of the aisle.

Last year, early this year, we in our subcommittee started holding hearings on what we could do to improve and to help education. We were specifically looking at what we could do to help improve teaching. We started holding hearings around the country and here in Washington and people came and testified before us, people from various phases of education, administrators, teachers, school board members, parents, and they all said one thing in common, that the most important person in teaching is the parent; number two, the next most important person is the teacher. I think we all agreed on that and in a bipartisan way we moved forward and crafted legislation that said we would send money to the local school districts and let them decide how they would spend that money. We gave the highest priority to classroom reduction, class size reduction, because we felt that was a very high priority. However, if the district was unable to hire qualified teachers, we said that they could use that money to train the teachers that they now had.

We had a young man, a young educator, African-American from Washington, D.C. come in to testify. He had been teaching, he said, for a couple of years, and he felt very inadequate. He was put in a third-grade class and was told to teach these children how to read. He knew how to read and the principal said, you know how to read, teach them how to read. But he had never in his education had a class on how to teach reading, and he was very frustrated. He felt like he was not doing an adequate job and he was ready to leave the profession. Fortunately, somebody was able to get him to a class where he was able to learn how to teach and he was doing a much better job, his students were prospering, he was feeling better about himself and stayed in the profession.

I have some real concerns about hiring a lot of people that may not be adequately prepared. In my own State of California, we reduced class size a couple of years ago, we put that as the number one priority from the governor, they mandated from the State headquarters class size reduction, and it has

resulted in over 30,000 underqualified teachers in California.

Another example, Jacques Steinberg of the New York Times wrote that 58 percent of newly hired teachers in the Los Angeles Unified School District, which is part of my district, are not certified. Instead, some were hired solely on their experience of leading church or camping groups. I am not saying that these are not good people and I am not saying that they are not concerned and they are trying to do their best, I am just saying that they are not prepared. We said in our bill that you take the money and you decide what is best for your local school district. The gentleman from Pennsylvania (Mr. PETERSON), the gentleman from Colorado (Mr. SCHAFFER), myself from southern California, all have different kinds of districts.

I served for 9 years on a local school board. I was very frustrated with the mandates coming from Washington, or the mandates coming from Sacramento. That was one of the reasons why I ran for Congress and why I am happy to be on the Committee on Education and the Workforce and why I wanted to, to see if we could not try to solve a problem. Many Democrats joined with us in this legislation on teacher empowerment. They felt like it was the right thing to do. We talked and said, once in a while you can do the right thing here. But it is like the President is stuck on this 100,000 teachers and no matter what we do or say, he says, we are not leaving town until we give him a program for 100,000 teachers. We say, we have the program. The only thing we are saying is, we are not going to run it out of Washington, we are going to let the local people decide. The money is there. Take the money. If you need it to hire teachers, do it. If you need it to train teachers, do it. If you need it to provide merit pay to ensure that your teachers do a better job or the better teachers are rewarded, do it. If you need it for tenure reform or other innovations, do it. But you have the responsibility. You have the ability.

I represented our area in the State school board association for the time when I was on the school board. We had 6,000 locally elected school board members in California. They were good people. They were sincere. They really wanted to do what was right for the children. But their hands in most cases are tied, because of mandates that come out of Washington. If we send this money out and say, you can use it because the President says so for a Federal mandate to reduce class size, K-3, to 18 children, I do not know where they got that magical number, but that is what they said and that is the only choice you have, and like the gentleman from Pennsylvania said, his district probably will not see any of that money. Your districts may not see some of that money. But what we are saying is use it to improve the teachers that you now have. Help them do a better job.

We did a press conference today and outside we were talking to a reporter.

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And there was one of our security people standing right there, a mother; and I could see, she heard us talking and I could just see she wanted to enter into this conversation. And the reporter was asking questions, well, do you feel like you have reneged because you agreed to the President's 100,000 teachers last year and now you are backing out from it? I said look, we are not backing off of that at all. We are just saying that instead of Washington having to decide, we let the local people decide. Ask this lady right here. She looks like a mother. Ask her if she wants to have the best qualified teacher or if she wants the smaller class size.

We say, she can have both. I have six children that grew up through the public education system. I have 17 grandchildren now growing up through the public education system. I have talked to my daughters, and I have talked to my daughters-in-law; and I find out what is going on in the school and they say look, if we have a chance to get the best teacher in the second grade class, and all teachers are not equal, if we have a chance to get that teacher and the class size is 25, worse is the teacher that they just hired to fill a Washington mandate and maybe made the class size 18, if I had my choice, I will take the teacher, the good, qualified teacher in the 25-student classroom, because I know my student will get a better education than they will in a smaller class size with a poorly prepared or inadequately prepared teacher.

All we are saying, we are not fighting over the money, we are not fighting with the President. We are saying, Mr. President, join us. Call this your bill. Make it the Clinton Teacher Empowerment Act. I do not care. But let us put the students first, let us put our children first, and let us let their parents at the local level, the school boards at the local level be involved in the decision. Let them decide. Because one-size-fits-all out of Washington will not work.

We are going to hold on this. We think this is important. If we have to stay here, Mr. President, until Christmas, if you have to miss your trip around the world to stay here to work with us on it, let us do it; but let us remember the children first. I thank the gentleman.

Mr. SCHAFFER. Mr. Speaker, the gentleman points out really a lack of a distinction, I suppose, between the White House and the Congress when it comes to the actual dollars, because the reality is, there is no difference of opinion on the dollar amount for education and for the education budget.

We are prepared to spend \$35 billion on the Department of Education, and that is what we budgeted. In fact, when we really look at the bottom line, the

Republican Congress has proposed more money and has spent more money on education this year than the President himself had requested and had suggested in the education budget. So this is not about spending money. That argument has been taken away from the White House.

This is about how the money is spent, whether it goes to States with the flexibility and freedom to hire more teachers if they want, to buy more computers if they want, to do more training if they want, to focus more on teacher quality if they would like, versus the President's answer which assumes that it is not their money, as the President said; the American people, it is not their money and the States, and make that assumption and send those dollars back to States with constraining, restrictive rules that say, you may only spend those education dollars in a narrow sort of way.

I represent a lot of rural districts in my congressional district. Even if we assume there are 100,000 teachers in this package, which there are not, as we saw last year, it is not even 21,000 that the President had thought he counted in the current year; it is much less than that. When we spread 21,000 teachers across the country, let us be generous. Let us say we really do hire 100,000 new Clinton teachers. Let us say we hire those teachers out of Washington and spread them out across the country. When we get to the small districts of America, they do not get any. There are no teachers left by the time we get to these rural areas. They are all consumed by the large inner city metropolitan areas around the country, and most children in most school districts will be abandoned by this narrow, mandated, restricted process that the President has outlined to spend these dollars.

Mr. McKEON. Mr. Speaker, if the gentleman will yield, I heard a story over the weekend. One of our good Senators from the other body was having a discussion with one of the Federal bureaucrats and the Federal bureaucrat said, I resent what you are saying; I resent what you are proposing. I want you to know that I love your children every bit as much as you do. The Senator said, oh, yeah? What are their names?

I go visit a lot of schools and I see principals go into classrooms and they know their names; they know the children. Are we to say that they are not going to do what is best for the children, at least as good as what they would do out of the White House. I propose that they would do much better. Let us give them the opportunity. Let us send the money back to them, and let them hire and train and help their teachers, and let us remember the children.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, there is a great story about a teacher, and we all had these institutional teachers that everybody loved and feared, but respected

and learned a lot from. This 30-year veteran of the school system in Gray, Georgia, a tiny little town outside of Macon, she was teaching, and this new up-start from the Department of Education, probably on the 6th floor up there, third office down to the right, a very important person with cell phones and laptop computers, decided she was going to go down to Gray, Georgia, and grace the good teacher with some of her wisdom.

Now, this young lady, who is a fine person, I am sure, but she had never taught kids. So she goes down to the teacher and says, you know, after 30 years of teaching, you have been teaching kids on the right-hand side of the chalkboard, and do you know that the left side of the brain learns faster than the right side, and so what you need to do is switch and put everything over on the right side of the chalkboard, or the left side of the chalkboard, because that is really where you can improve your education, teaching. This is a lady who has been teaching for 30 years, listening to a 25-year-old bureaucrat from Washington, D.C. who had never put one hour in a classroom. This was a lady, a veteran teacher that you and I talk about and our cousins talk about and our friends talk about and we still remember what she taught us about Hemingway and Thoreau and Chaucer. But the good old Department of Education, because they love children.

It is odd to me how a bureaucrat in Washington, D.C., as smart as they are, and as much love as they have in their hearts can love kids down in Gray, Georgia, and teach them better than the people in Gray, but also better than the people in New York City or California or Colorado. I mean, these are very interesting, brilliant people.

The gentleman was talking about waste. There was an interview this weekend on a television show with John Stossel and Barbara Walters, and what the Clinton person was saying, well, the Republicans want to slash class size. And Mr. Stossel, who is a neutral journalist says, oh, come on. Local districts pay for education. Is there no fat in the Education Department? In five years, Federal education funding has increased 20 percent. There are now 4,000 workers in Washington, D.C., attending conferences, making phone calls, and not teaching. Are they really necessary?

Or how about the \$400,000 appropriated to build a Doctor Seuss statue. Is that really necessary? He goes on and on and on. It is not just the Department of Education. The Department of Interior, the Department of Defense, the Department of Family Services. Everything has waste in it, and the only thing we have asked these bureaucracies in Washington to do is cut out one penny on the dollar so that we will not have to spend Social Security money. We want to be able to spend it.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time, the examples the

gentleman used are examples that seem quite obvious to the American people, but the expenditure is coming out of the White House.

I want to go back to this example of the requirement that States use their education dollars the way the White House wants to prove the point, because the assumption is that 100,000 teachers is automatically a good idea. That sounds good to most people, 100,000 teachers. That sounds like a very positive thing. Most people who are familiar with classrooms that are overcrowded and so on just naturally assume that that is somehow going to help. But it ignores the question of quality, which is the bigger issue and the more important issue.

What we find time and time again is that a quality teacher makes far more difference than a greater volume of teachers. The research is, across the academic spectrum, replete with results showing, and this is one from the National Center for Policy Analysis, and I will just read the first paragraph: "There is little evidence that smaller classes help students," says education expert Chester Finn, Jr., who by the way, was a pretty high-ranking official in the Department of Education a few years back, "and reducing class size may even hurt student achievement if the new teachers are mediocre," again, bringing the argument back to the notion that quality matters more than quantity. "Yet, President Clinton has proposed shrinking classes in the early grades to 18 students per teacher by hiring 100,000 more teachers at Federal expense for 7 years," and the report goes on further.

In fact, I would ask unanimous consent that this be entered into the record. It is a brilliant report that shows that just spending money does not necessarily accomplish the goal of improving teacher quality. Sometimes that can happen. Spending money sometimes can work, but what we need are locally-elected school boards; we need professionals in administrative positions, superintendents and principals and other supervisors who are capable and competent of using the dollars in a way that more effectively meets the needs and objectives of classrooms and children and fits consistently within their management style at a classroom level.

So, Mr. Speaker, I would ask unanimous consent to enter that into the RECORD at this point.

Mr. KINGSTON. Mr. Speaker, let me tell the gentleman another story from back in the district, Camden County, Georgia, a Southeast Georgia county that borders the St. Mary's River just North of Jacksonville, Florida. A lady down there, she was not a teacher, she was with the local Board of Education and she had just returned from Athens, Georgia, where the University of Georgia is located, from an anti-hugging seminar. Now, that was not the name of it, but that is what they called it.

What she had to attend was a conference put on by the national Depart-

ment of Education in Athens, Georgia, for all of the teachers in the 165 school districts of the State of Georgia on not being alone with children. They told her, they said do not ever touch a child. Okay, a lot of sexual harassment going on, we can understand the good intentions here. They said, do not be alone with the child and do not ever express any kind of affection. So now she has to go back and tell all the teachers in Camden county not to hug, not to touch, not to be alone with children.

Just think about this a minute. If you are a C student and you did not get the quadratic formula the first time around, you cannot go after school and see Ms. Jones because she has to have a witness for that 20 minutes that you are with her that she did not try anything on you. And if you are a little, say, a 6-year-old or 7-year-old and you have some problems with the mechanics of relieving yourself in the boys' or girls' room, sometimes you might need a teacher assistant. You cannot do that any more without a witness, because the National Department of Education knows best for the children in Camden County.

She said, but you know what the real tragedy is? Camden County is the home of Kings Bay Naval Base, lots of young moms and dads, lots of parents of very small children who are away for 6 months at a time. She said, these little kids have a lot going on in their lives. They need a hug a lot more than they need an A, and if we want to help children, we need to get the bureaucracy in Washington off the backs of the teachers in Camden County so that they can do what they know best locally. And they are going to use good judgment.

They do not need the bureaucracy of Washington, D.C. to stick their nose in their business. I know they are doing it in, Colorado; but it is just that same Washington-knows-best culture, let us spend money because the money well, as the President said, "it is not their money." I guess the President is a very wealthy guy. But it certainly, as he says, it is not their money. I would agree with him, it is certainly not the Government's money on any level; it is the taxpayers' and the hard-earned workers' money that we are spending here, and that is why we should be very careful on how we spend it.

□ 2030

Mr. SCHAFFER. Absolutely. The assumption that the dollars that the taxpayers send to Washington do not belong to the taxpayers, but to the people in Washington, I cannot think of a more arrogant statement for anyone in Washington to make than that which was made just today down at the White House.

Sending those dollars to Washington also entails being accountable for those dollars once they are spent. What three of us discovered, Members of Congress who actually went down to the Department of Education office building a week ago Friday, was that the Department's budget is not auditable. Their

accounting system is so bad that the General Accounting Office and the Inspector General of the Department of Education have concluded that for fiscal year 1998, their books are still un-auditable, meaning that we will never really know in full detail where the money went that was spent in the Department of Education in 1998.

Mr. KINGSTON. Exactly how much money is the gentleman talking about that is un-auditable?

Mr. SCHAFFER. Let me use 1999, since I am more familiar with those dollars. We spend approximately \$35 billion in annual appropriations for the Department of Education. The Department of Education also manages the loan portfolios of virtually every student who has gone to school in America and financed a college education through a guaranteed government student loan.

So when we add the loan portfolio, this is an agency that is in charge of a total financial portfolio of about \$120 billion annually, and for an agency of that size, it makes it effectively one of the largest financial institutions on the entire planet. Their 1998 books are not auditable. The American people and this Congress have no assurance that the money in 1998 was spent well, let alone in subsequent years after that, which the appropriations are built upon.

The point of all this is, for any president or any Cabinet Secretary to suggest that there is no savings to be found in a department is ludicrous at a time when they cannot even tell us where the dollars that are already in the Department are right now. The books in the Department are not auditable.

Mr. KINGSTON. If the gentleman will yield further, Mr. Speaker, can the gentleman tell me this: If the IRS came to a business and found that business could not be audited, and they were having a dispute over accounting for tax dollars, what would the IRS do?

Mr. SCHAFFER. Depending upon the length of time, there may be some extensions that a business could file, but not without substantial penalty, and certainly corporate embarrassment. It is more a matter of an unacceptability by stockholders and people who own a business who would not put up with the management of their enterprise in such a way.

Beyond that, failure to audit books in a way which can provide a clear picture as to the tax liability will send people to jail. So in many cases, I think what the gentleman from Georgia was getting at, in many cases a business that had a picture like this of their financial statements not being auditable would be liable for substantial civil penalties, possibly criminal penalties, and certainly be looking at the potential of jail time.

I point all that out, and our goal is not to send anybody in the Department of Education to jail or even to fine them, but the point of all of this is

that my constituents and the gentleman's and the constituents of every other Member of Congress worked hard today to pay their income taxes and send them here to Washington, D.C. They would prefer to see those dollars spent on things that they can have some confidence in at the local level, maybe for their families, maybe savings for their own children.

But to have those dollars taken from them, sent here to Washington, D.C. and accounted for in such a poor way, is a true disservice to the American taxpayer. The bottom line is, the inability to effectively manage the financial cash flow of a large department like the Department of Education hurts children.

This picture right here to my right represents, and I know it talks about the inability to audit the financial books of the Department of Education, but what is really jeopardized through this process is the ability to get dollars to children, to get dollars to the classroom. Children are hurt when the Department of Education is run so poorly, as we are discovering this year.

Mr. KINGSTON. Children are denied the good quality education, the quality education that they need.

It is interesting that Mobil Oil Company cut their budget by 11 percent this year. AT&T cut their budget by \$2 billion. Yet, when we go to bureaucracies in Washington and ask them to come up with 1 percent, they cannot find it.

To me, if I was the President and my cabinet said that, I would say, look, you know what, this is not our money; of course, I know he thinks it is; but, you have got to find 1 percent. That is reasonable. Nobody in America cannot find one cent in a dollar they spend to come up with savings.

Mr. SCHAFFER. I want to point out again, Mr. Speaker, this is a simple picture that represents a big problem. Talking about finances and accounting and talking about financial procedures, accounting procedures, and the portfolios of loan funds and grant-backed funds is complicated, monotonous, boring stuff for a lot of people. We cannot sum up the nature of the problem by using some catchy word like 100,000 teachers, like the President would suggest that we ought to do.

What the President ought to be doing is focusing on this problem right here, the financial mismanagement of a \$120 billion agency that affects children every day in America. He ought to roll up his sleeves and go down there to the Department of Education headquarters, just like Members of Congress were willing to do just a few days ago, and start asking some hard questions to the people in charge of these various programs.

I will tell the Members what he will find, which is just what we found. We did not find any real resentment or resistance, for that matter. We found some pretty conscientious employees who realized they are in deep trouble

and they have a little bit of a mess over there. They have committed to working with us as Members of Congress to try to fix these problems. Again, this is the monotonous, boring, nuts and bolts details of keeping track of the people's tax dollars.

When we allow ourselves to believe, as the President clearly demonstrated he does, that it is not their money, it is not the taxpayers' money, then it becomes easier to rationalize a lot of waste in Washington. It becomes easier to rationalize rules and regulations and mandates and red tape attached to the taxpayers' dollars that renders those dollars less effective.

If we really believe that the money belongs to the White House and not to the American people, then it is easy to start talking about the taxpayers' hard-earned dollars in terms of campaign one-line gimmicks, rather than doing the hard work of helping children.

That is why there is such a difference of opinion in this appropriations process between the Congress and the White House, between the Republicans and the Democrats. On our side of the aisle, we are willing to do the hard work to help children, to squeeze the efficiency out of the Federal government so that the taxpayers are honored by having dollars come to Washington and help their children learn, not squander the dollars in Washington as though they belonged to the White House and people here in D.C., and that somehow children do not matter.

That is the difference between the Republican vision to help children and the Democrat vision to help government.

Mr. KINGSTON. If the gentleman will yield, again, all we are asking Washington to do is to do what people back home do, come up with 1 cent on every dollar they spend. One cent in savings here means savings for retirement, for social security, not just for seniors today but for all generations. That is all it takes.

I am on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations, and if I eat a cheese pizza, it has been inspected by the Food and Drug Administration. But if I get a pepperoni pizza, it has to be inspected by the United States Department of Agriculture.

I eat lots of pizza because I have four kids. It would appear to me that surely we could have the same inspector checking the pepperoni and the cheese pizza. I do not know if there is a different department for sardines, and knowing Washington there probably is, but it just goes on and on and on here, the potential savings that are resisted, and only in this town.

In real America, every American does what we did yesterday. Sunday morning, Sunday mid-morning you go through Parade Magazine, you go through the local coupons in your local

Piggly-Wiggly, and I guess, what does the gentleman have in Colorado, Target?

Mr. SCHAFFER. We have those, yes.

Mr. KINGSTON. Target sells groceries, right? What is the gentleman's big grocery stores?

Mr. SCHAFFER. We go to Albertson's.

Mr. KINGSTON. My mother lives in Louisville, and I just wanted to make sure. I knew it was Albertson's. We have Piggly-Wiggly. If we want to buy the Special K cereal or we want to buy the Clusters, the kind of \$3.50 a box stuff, we have to have the 75 cents, the 25 cents off coupons. Otherwise, we are going to get Piggly-Wiggly brand. Some of the Piggly-Wiggly brand is good but some just cannot quite compete with good old Kellogg's Corn Flakes, the best to you each morning. But we are not going to eat that unless we can save a quarter or 50 cents.

We are not unusual. We are out there raising kids. That is just what we do. If we get our car washed, it is because we bought 8 gallons worth of gas. When we fill up our tank, it is when we have found the cheapest gas station on the block, the one that is \$1.07 a gallon, not the one that is \$1.15. I do not know who buys that premium unleaded stuff that is \$1.27 a gallon. Somebody must, but it is not people I know. People I know do not buy suits unless they are on sale. They do not buy running shoes unless they are discontinued. They do not buy steak, they eat chicken. This is what American families go through every single day.

If you want to go on a vacation, you save up your money and the dryer breaks, or you have to buy such exciting items as a new set of tires for your stationwagon. That is what America goes through daily, not just every now and then but every single day.

What we are asking Washington to do just one time, for the sake of social security and for the sake of not having a tax increase, just find one measly little penny on every dollar they save so that we can protect and preserve social security, not for the next election but for the next generation.

Mr. SCHAFFER. Mr. Speaker, I would like to use an example. That is, what Americans really want is to be able to send their tax dollars to a legitimate purpose, to help schoolchildren, in this example. There is a difference between sending those dollars directly to our local school or through the State, which the Constitution clearly places States as the legitimate jurisdiction to set up a public school system and to manage local schools. Most States defer a tremendous amount of authority to local school boards.

Some of those dollars come here to Washington, D.C. So for a taxpayer who sends his or her hard-earned education tax dollar to Washington, I want to show the Members where those education tax dollars go. Because first, there is an expense associated with just

paying the taxes, with complying with the IRS, and the Federal government spends a certain amount of our education dollar right up front just to pay for the cost of collecting that education dollar. That comes right out of the education apple to begin with.

Then those dollars come here to Congress, and we redistribute those dollars. By the time they leave the United States Department of Education and come through this process, the U.S. Department of Education takes its bite out of the apple, and it is a pretty substantial bite out of the apple, as well.

Then those Federal education dollars go back to the States and are administered by various State bureaucrats, and States have to comply with more Federal rules and regulations. They have to hire people to accomplish that. So of the education dollar, the States, by Federal mandate, are required to take their portion out of the equation, as well.

By the time those dollars actually get to a child or actually get to the school district, the principal and the superintendent, of course, they have to file reports with the Federal government, as well. If they have lots of mandates and rules and regulations, as the gentleman from Pennsylvania earlier pointed out, local school districts have to hire people to comply with those Federal education rules and regulations, also.

What we found here in Congress is by the time an education dollar goes through that whole process of being paid by a taxpayer and going back to their home States, there is only about 30 to 35 percent of that education dollar left. That is about it.

People back home believe that they are working hard and they want to believe that the dollars they spend are helping children back home, but in reality this is what is coming home, just a couple of bites of the apple. The rest is cut up in little chunks and pieces, and bureaucrats all over Washington, D.C. get their bellies full and they are comfortable with these education dollars, but the children get a small percentage left over.

We want to make this percentage bigger. In fact, we want to make it as close to 100 percent as we possibly can to help children back home.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield further, as I listen to the gentleman I remember my days as a volunteer for United Way. United Way, for every dollar someone contributes, it uses less than 10 cents for administration. Ninety cents on that dollar goes to the victim, the social service recipient, the person in need, 90 cents.

I would love to see the Washington bureaucracy adopt the United Way standard, because if we did, then I think there would be enough money to do everything to keep everybody satisfied.

Mr. SCHAFFER. We really should. Then there is the question of man-

dates. If I can use a bit of one of these apples, again, I will use the 35 percent that goes to the classroom and start there, as the gentleman from Pennsylvania pointed out, in reality, when we talk about all of the dollars that end up in a classroom, most of those dollars are State and local dollars. The Federal government, through this process that I mentioned, really sends about 6 to 7 percent of the classroom budget, or is responsible for 6 to 7 percent of the classroom budget. Yet, for this little amount of funding in every classroom comes the vast majority of the mandates that principals and teachers and superintendents have to deal with.

Again, for this little bit of money we get this much rules and regulations. It makes no sense. For many administrators that I speak with, that is the greatest thing they ask for. They do not even ask for more money. When it comes right down to it, they just want more freedom, more flexibility, more liberty, to be able to use those dollars in a way that they see fit.

□ 2045

And that brings us back to the original point of tonight's special order, is that the Republican Party here in Congress desperately wants to help children and reach out to school districts and the classrooms. We want to get those dollars to the districts in a way that allows them to spend them in the way that they see fit. But forcing States to spend the money the way the White House wants will result in more headlines like we see today in New York going to individuals who are really not teachers at all, folks who are in classrooms who are uncertified, incapable of teaching. They are only there because somebody in Washington dished out the cash in large proportions and invited someone else to spend it.

Mr. Speaker, the children really do not matter in this headline and we think that is wrong. We want children to matter all across the country and we want to see headlines that are positive and talking about the great growth and the world's best schools. That is our goal and dream for our children and our country, and that is the goal to which we are most dedicated.

With that, Mr. Speaker, I thank those who have joined me in this special order tonight.

SMALLER CLASSES NOT AN EDUCATION PANACEA

There is little evidence that smaller classes help students, says education expert Chester E. Finn Jr., and reducing class size may even hurt student achievement if the new teachers are mediocre. Yet President Clinton has proposed shrinking classes in the early grades to 18 students per teacher by hiring 100,000 more teachers at federal expense for seven years.

After reviewing the relevant research, economist Eric Hanushek of the University of Rochester concluded "there is little systematic gain from general reduction in class size."

Class size has been shrinking for decades—the national average is now 22 kids per classroom, down from more than 30 in the 1950s—

at immense cost, but with no comparable gain in achievement.

In fact, the Asian countries that trounce the U.S. on international education assessments have vastly larger classes, often 40 or 50 per teachers.

And in California, When Gov. Pete Wilson shrank class sizes, veteran teachers left inner-city schools in droves, lured by higher pay and easier working conditions in suburban schools that suddenly had openings.

One or two studies that suggest fewer kindergarten children in a classroom is linked with modest test-score gains, says Finn; but more research is necessary before it can be said its efficacy has been proven.

Alternatively, Finn suggests the \$12 billion in new federal spending Clinton proposes would be better spent to fund \$4,000 scholarships for 425,000 low-income students for seven years. Or it could be used to improve teaching by providing a \$4,500 college tuition grant for every one of the nation's 2.7 million teachers.

That would be useful. Finn points out, because the Department of Education reports that 36 percent of public-school teachers of academic subjects neither majored nor minored in their main teaching field.

Source: Chester D. Finn, Jr. (president, Thomas B. Fordham Foundation) and Michael J. Petrilli (Hudson Institute), "The Elixir of Class Size," *Weekly Standard*, March 9, 1998.

DO NOTHING CONGRESS: AN UNFINISHED AGENDA

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, I want to spend some time this evening talking about the unfinished agenda for this Congress, because it is very likely that if not this week, then certainly very soon this Congress and this House of Representatives will be in recess. I am hoping that we will be able to complete the budget and the various appropriations bills that remain out there that have not been finalized here in the House of Representatives. But my point is that I am trying to make tonight is this Republican leadership, because the Republicans are in the majority in the House of Representatives and they do lead the House of Representatives as well as the Senate, and essentially what we see is that the Republicans are determined to do nothing.

Mr. Speaker, they have not been able to pass the appropriations bills. They have not been able to essentially pass a budget, even though the fiscal year began October 1. And, if anything, when we try to pass measures that are important to the American people such as Medicare prescription drug benefits or HMO reform Patients' Bill of Rights or campaign finance reform or gun safety laws that would make a difference for the American people and that the public is crying out for in most cases, what we see is that the Republicans get dragged along reluctantly to do perhaps something about these issues, but ultimately do not do anything about it or manage somehow

to make it so that none of this legislation, none of this positive agenda pushed by the Democrats ever becomes law.

Mr. Speaker, I just want to give some examples, if I can, about the problems that we are facing with this Republican leadership and with this unfinished agenda.

What I find is that the Republican leadership basically seems to be dominated by the far right, the ultra-conservatives within the Republican Party. They constantly talk about the need for tax cuts that primarily benefit the wealthy and the larger corporations. They constantly talk about the need to get rid of government, couched somehow in that there are too many government restrictions and so the best thing is to get rid of all the restrictions and ultimately get rid of the government.

They get dragged into somehow passing sometimes, after a long period of effort on the part of the Democrats, into passing legislation like the Patients' Bill of Rights for HMO reform. But then they manage when it goes to conference between the House and the Senate to muck it up so nothing ever gets to the President's desk.

Essentially what we have is a "do nothing Congress." And it is also the "wrong thing Congress" because the Republicans have the wrong agenda. They do not want to adopt the Democrats' agenda and adopt legislation that helps the American people. They want to adopt the wrong agenda.

Mr. Speaker, I suppose the biggest example of that wrong agenda is the tax cut. Over the summer the Republican leadership proposed and eventually passed narrowly a trillion dollar tax cut for special interests that benefited their wealthy corporate contributors, but not 1 cent to extend the life of Social Security or to modernize Medicare with a prescription drug plan. Instead of allowing debate on a plan that would allow seniors to buy prescription drugs at an affordable cost, Republicans joined with the pharmaceutical industry to belittle the need for such a plan under Medicare in the first place.

The Republicans fought tooth and nail to derail a bipartisan Patients' Bill of Rights that would have taken medical decision-making away from insurance company bureaucrats and returned it back to doctors and patients where it belongs.

They have sat on, as I mentioned, common sense gun control to please the gun lobby. More than 6 months after the Columbine, Colorado incident, Republicans in Congress have still blocked any progress on keeping guns out of the hands of children and criminals by shutting the gun show loophole.

Mr. Speaker, what we are seeing here is this Republican Congress is all about inaction, indifference and inertia. Democrats really have said over and over again we are not going to go home, we are not going into recess here

until we get a budget agreement that addresses some of the outstanding priorities for American families. I know some of the previous speakers here on the other side of the aisle tonight have belittled the 100,000 teachers program and said it is not necessary, adding 100,000 teachers to bring down classroom size. Well, they may belittle it, but we are not going home until we pass it and we have the extra teachers to give to the communities to reduce class size.

Some have even belittled the Cops on the Beat program saying it gives money to the towns to hire extra policemen, 50- to 100,000 extra policemen, but they only get it a few years and after that they do not have the money any more. Well, again the idea of adding police and giving some Federal dollars back to the municipalities so they can hire extra police or extra teachers, there is no reason why those programs cannot continue if the Republican leadership was willing to continue to fund them for the municipalities, help the towns reduce their property tax rate, provide more cops and more teachers.

And of course we also have the other initiatives, the Democratic initiative to provide funding for school modernization, to provide more money for open space so that communities, counties, States can purchase more property for open space.

Mr. Speaker, I am going to go into some of these issues tonight in the time that I have. I am not going to use all of the time, but I am going to go into some of the details about how the Republican agenda is this ultra-conservative, right wing agenda, mainly tax cuts for the rich, and how they have not really dealt with the average problems or the concerns of the American people.

Let me talk a little bit about this Republican tax cut, because what I find is that my colleagues on the other side of the aisle, they want to sort of forget that they put together this trillion dollar tax cut primarily for the wealthy. They talked about it a lot over the summer, but I guess they realized it did not work and the American public did not want it, so they do not talk about it much anymore.

Just a little bit about it. It was primarily, overwhelmingly I should say, skewed towards the wealthy and corporations. It meant \$46,000 extra per year for the wealthiest taxpayers but only \$160 per year for the average middle-class family. And there were \$21 billion in special interest tax breaks for big business.

The other thing, of course, is that what they do when they enact this trillion dollar tax cut, which the President wisely vetoed, is that that does not leave any money in the surplus that can be used to pay down the national debt. The President said that he wanted to use the surplus that was generated by the Balanced Budget Act to pay down the national debt, to shore up Social Security and Medicare.

Well, so much of that surplus, the whole thing was basically taken up by the Republican tax cut for the wealthy that the effort to reduce the national debt, if that ever were passed and was not vetoed by the President, would simply go out the window. It also siphoned money from the President's Medicare and Social Security program.

The President proposed in his State of the Union address that whatever surplus there was generated by the Balanced Budget Act over the next 5 or 10 years primarily would be used to shore up Social Security, because we know that in maybe 20 or 30 years there will not be enough money to pay for the people who are then seniors who reach the age of 65. He also wanted to use about 15 percent of that surplus for Medicare in part to provide a new prescription drug program.

I will just mention this by way of background, because I know the Republicans do not like to remember that tax cut. But if that tax cut had ever passed and had gone primarily to the wealthy and the special interest corporations, we would not be able to pay down the national debt which we are doing to some extent now, we would not be able to provide money for the Social Security system in the future, and we would not be able to pay for a prescription drug plan.

Now, I want to talk a little bit about two of the issues that I consider very important here, which are not part of the Republican leadership agenda, which are part of the Democratic agenda and which the Republicans continue to try to muck up so they do not become law. One is managed care reform and the other is the prescription drug benefit under Medicare for seniors.

Interestingly enough, last week we saw an interesting development with regard to the managed care reform. I think my colleagues and most of the American people know that the Democrats along with some Republicans because there was definitely bipartisan support on this HMO reform, on a bipartisan basis, but not with the support of the Republican leadership but a minority of the Republicans, we put together a managed care reform bill, the Patients' Bill of Rights, that passed the House of Representatives overwhelmingly about a month ago.

Well, the problem is once a bill passes here, we have to go to conference with the Senate and try to work out the differences between the two Houses. We call that a conference, the people who are appointed are called conferees. The Republican leadership never appointed any conferees for about a month because they did not want to move forward on the conference because they did not want a managed care reform bill to be passed by both Houses and go to the President for a signature.

But, finally, because the Democrats kept pressuring about the appointment of the conferees, they finally did decide last week that they would appoint the

conferees. But they managed, once again, to screw this thing up so that the conference either will never take place or will never be effective in putting together a bill that would go to the President and that would signal real managed care reform.

If my colleagues do not want to take my word for it, let me point out that last Thursday's New York Times had a great article, a congressional memo sort of a feature column by David Rosenbaum, and I will quote a few salient passages. The title of the article is "Not Quite Business as Usual in House on Managed Care." This is how he describes it in his article:

And I quote: "Here is how the textbooks say a bill becomes law: The Senate passes the bill. Then the House of Representatives passes its own version. Then a conference committee is formed where senior senators defend their bill and senior representatives defend their bill, with both sides striking compromises to resolve their differences."

That is what I was describing before about how we go about the conference.

"But in the real world," he goes on to say, "in the real world of power politics, conventional procedures are sometimes flouted. That is what happened in the House today on legislation expanding the rights of patients in managed care plans. It threatens to undo the Chamber's action on the bill. Last month, by a lopsided vote of 275 to 151, the House passed a bill that would give patients a wide range of new rights in dealing with their health insurance companies. In July, the Senate had passed a bill covering barely a quarter as many patients and giving them a much more limited set of rights."

"The House bill was strongly supported by President Clinton, and almost all Democrats and 68 Republicans voted for it. But Republican Leaders in the House opposed the measure, making its passage probably the most striking rebuff to the leadership since the party won control of the Congress in 1994."

So the House leadership did not like what we call the Norwood-Dingell bill, named for the two chief sponsors, one Republican, the gentleman from Georgia (Mr. NORWOOD), and one Democrat, the gentleman from Michigan (Mr. DINGELL). The House leadership did not like the bill. They stalled, they stalled. Finally the bill passes overwhelmingly. So what do they do?

Going back to The New York Times. "Today, these leaders," Republican Leaders, "used their authority to make sure the Republican conferees named to negotiate with the Senate were on their side and not on the side that won the vote, a tactic that could effectively stifle any action regulating managed care plans in this Congress." They are going to kill the bill.

"The chief Republican sponsor of the measure, Representative Charlie Norwood of Georgia, was denied a seat on the conference committee. So was another leading Republican supporter,

Representative Greg Ganske of Iowa. Of the 12 Republican conferees, 10 voted against the managed-care bill."

So what they did through a procedural gimmick is the Republican leadership made sure that if the conference is ever held, which it may not be, that whatever comes out will be controlled by the people who voted against the very bill that passed overwhelmingly in the House of Representatives.

"The rules of the House state:" and I am going back to the New York Times article, that "In appointing Members to conference committees, the Speaker shall appoint no less than a majority of Members who generally support the House position as determined by the Speaker. Technically, Mr. Hastert followed that rule. The managed-care regulations were attached to a separate bill, which Republicans call access legislation, that will increase coverage for the uninsured."

Now, what they are basically doing here is a gimmick. They put the managed care reform bill in another bill. They are saying that most Republicans voted for that, so that is okay. They do not have to have conferees that supported the managed care reform.

Mr. Speaker, again, I only use this as an example. I could use campaign finance reform. I could use prescription drug benefits. I could use gun safety laws. The list goes on. Basically whatever positive agenda there is for the American people, the Republican leadership is determined that they are going to kill it.

Now, let me just mention another issue that I consider very important and that I think we are starting to see more and more information that tells us about the problems that seniors have trying to purchase and have enough money or insurance to provide for prescription drugs.

□ 2100

Well, we are just seeing more and more information coming out every day about how difficult this problem is for seniors, because Medicare does not cover prescription drugs in most cases.

Interestingly enough, a report came out last week by Families USA called "Hard to Swallow Rising Drug Prices for American Seniors." I would just like to provide some of the information that was in the introduction or the summary of this report that came out last week because it shows dramatically how seniors increasingly cannot afford the cost of prescription drugs and are going without.

We all know that prescription drugs are really the best preventative measure that one can take, particularly as a senior, to avoid hospitalization, to avoid having to go to a nursing home, to avoid being institutionalized. They are a preventative. If seniors cannot afford them, they are going to end up in a hospital, they are going to end up in a nursing home, they are not going to be able to take the preventative action that comes from having access to prescription drugs.

Well, the Families USA report, if I can just quote, Mr. Speaker, some of the salient points. This is in the introduction, which I thought was particularly significant. It says that, "For older Americans, the affordability of prescription drugs has long been a pressing concern. Outpatient prescription drug coverage is one of the last major benefits still excluded from Medicare, and the elderly are the last major insured consumer group without access to prescription drugs as a standard benefit. It is not included in Medicare."

"Although many Medicare beneficiaries have access to supplemental prescription drug coverage, too often that coverage is very expensive and very limited in scope. What is more, such coverage is on the decline. As a result, older Americans who are by far the greatest consumers of prescription drugs pay a larger share of drug costs out of their own pockets than do those who are under 65."

"Four years ago, Families USA found that the prices of prescription drugs commonly used by older Americans were rising faster than the rate of inflation. To determine if this trend of steadily increasing prices for prescription drugs has improved, remained the same, or worsened, Families USA gathered information on the prices of prescription drugs most heavily used by older Americans over the past 5 years."

"Our analysis shows that, in each of the past 5 years, the prices of the 50 prescription drugs most used by older Americans have increased considerably faster than inflation. While senior citizens generally live on fixed incomes that are adjusted to keep up with the rate of inflation, the cost of the prescription drugs they purchase most frequently has risen at approximately two times the rate of inflation over the past 5 years and more than four times the inflation over the last 2 years."

Now, just again to show my colleagues how bad the situation is becoming for seniors, just a little more information that comes from the discussion in this Families USA report, it says that "because Medicare does not cover outpatient prescription drugs, many beneficiaries look elsewhere for drug coverage. About 28 percent of the Medicare beneficiaries receive some drug coverage through employer-sponsored retiree plans, about 11 percent from Medicaid, about 8 percent from individuals purchasing Medigap insurance, about 7 percent from Medicare HMOs, and about 3 percent from public sources such as the VA or State pharmaceutical programs for the low-income elderly," something that we have in New Jersey.

But 35 percent of Medicare beneficiaries, 14 million people, have absolutely no coverage for prescription drugs. Interestingly enough, even for those 65 percent who do have access to some drug coverage, what the Families USA report shows is that much of that inadequate with high co-payments, low

caps on overall drug coverage, and restrictions on the drugs that can be prescribed.

For example, only three of the 10 standardized Medigap policies sold offer prescription drug coverage, two of these policies require a \$250 annual deductible, charge a 50 percent co-payment for each drug, and have a maximum annual benefit of \$1,250. The third, which has a much higher premium, has the same high deductible and co-payment and has a \$3,000 cap.

So what we are finding is that the sources of prescription drug coverage for seniors are basically drying up. Next year the value of drug benefits and Medicare HMOs will decline. On average co-payments for brand-name drugs will increase by 21 percent, and co-payments for generic drugs will increase by 8 percent.

I do not want to continue going through this, but I think this Families USA report shows dramatically how so many seniors do not have any access to prescription drug coverage and they are simply paying everything out-of-pocket, which they cannot afford; or for those who have some sort of coverage, the prices, the cost, the co-payments, the deductibles, and even the ability to obtain coverage at all, all those factors, everything is declining. We have to do something about it.

Well, the President has proposed doing something about it, and the Democrats have proposed doing something about it. This is part of our positive agenda which we cannot get passed in the Republican Congress with this Republican leadership.

The President a long time ago, much earlier this year, came up with the idea of a Medicare prescription drug benefit. He wanted to establish a new voluntary Medicare Part D prescription drug benefit that is as affordable and available to all beneficiaries.

Now, I am not saying that the President's proposal is necessarily the one we should adopt, but the Republican leadership does not want to adopt anything. They say the problem does not exist or make some other excuse.

But I will just give my colleagues a little information about the President's proposal because I think it is a good one. He says that there would be no deductible, and Medicare would pay for half of the beneficiary's drug cost from the first prescription filled each year up to \$5,000 in spending.

He would ensure beneficiaries a price discount similar to that offered by many employer-sponsored plans for each prescription purchased even after the \$5,000 limit is reached.

I want to stress how important that is to be able to do bulk purchases and keep the prices down, because price discrimination is a huge problem right now for seniors if they do not have access to some kind of plan where the purchases are made in bulk.

The plan that the President proposed will cost about \$24 per month beginning in 2002 and \$44 per month when

fully phased in by 2008. Beneficiaries with incomes below 135 percent of poverty would not pay premiums or cost sharing.

I do not want to, again, go into all the details, but I just did want to say that, to date, once again, the Republican leadership has failed to show even the slightest understanding of the two broad underpinnings of this prescription drug issue; and that is the price discrimination that seniors face in purchasing prescription drugs and the need to establish a comprehensive Medicare drug benefit in order to help seniors combat this price discrimination.

There have been some dramatic examples. The Government operations, the House Committee on Government Reform did a lot of analysis of price discrimination and basically showed that, if one goes to Mexico and Canada, generally the same exact drugs that were available in those countries are available for about half the cost of what they are sold for here in the United States.

Again, I do not want to go into all the details on this, Mr. Speaker, but I just would point out that the problem with price discrimination exists because seniors without coverage have no negotiating power. They do not have the power to obtain pharmaceuticals at lower prices through bulk purchases like the drug industry's most favorite customers. We have to address that. This Republican leadership has failed to address it.

I do not intend to use all the time allotted to me this evening, but I just wanted to spend a few more minutes talking about what is really happening here. Not only is this Republican leadership not addressing the real issues that need to be addressed like managed care reform, like Medicare prescription drugs; but they cannot even perform the basic functions of the House in terms of getting the budget passed. They continue to break their promises that they make in trying to accomplish that goal.

We are now on the fourth CR, the fourth continuing resolution. As of October 1, the new fiscal year began. The new budget, the 13 appropriations bills were supposed to be adopted by October 1. They were not. Every week or so, we pass a new continuing resolution to keep the Government going and not close down for another week or so. Now we are on our fourth that extends, I believe, to November 10, sometime this week, in time for Veterans' Day when we probably will recess.

The fact that we are in such disarray, and we have not been able to adopt the budget is bad enough; but there are two things about what has been going on that I think need to be highlighted that maybe in some respects are even worse.

The two promises that basically the Speaker made and the Republican leadership made earlier in this year about the budget, both of which have been

broken, one is that the appropriations bill would stay within the Balanced Budget Act and the caps that were set forth pursuant to the Balanced Budget Act so that we would not exceed the level of spending that was basically put forth and outlined over the next 5 or 10 years on an annual basis. There were caps on the level of spending that were put forth for each fiscal year.

Well, the Republican appropriation bills have already busted the outlays caps for fiscal year 2000 by billions of dollars. I have actually an article in the Wall Street Journal that talks about this. I think I will just put it up here for a minute, Mr. Speaker.

This is from Friday, October 29, Wall Street Journal. I think people generally understand that the Wall Street Journal tends to be Republican and tends to be conservative. This is an article there that says that, "The Congressional Budget Office estimates that the GOP exceeds spending targets by over \$31 billion. Congressional Budget Office estimates show that Republicans are more than \$31 billion over their initial spending targets for this year, risking the Government having to borrow again from Social Security.

"Prior appropriations bills have exceeded Mr. Clinton's requests from funding everything from veterans' medical care and the Pentagon to the Environmental Protection Agency. Even with the 1 percent across-the-board cut that the Republicans touted here a couple weeks ago, the Labor Education Health bill, which is expected to be passed by the Senate on Monday, includes major spending increases over the last year.

"The GOP continues to work to what amounts to two sets of book, this is the gimmicks, one based on the CBO and the other on spending estimates by the Office of Management Budget. When the OMB's numbers are favorable, House and Senate budget committees simply direct CBO to adjust the estimates accordingly." Well, it goes on.

The point I am trying to make, Mr. Speaker, is that there is absolutely no question that based on the CBO estimates that the Republicans spending bills have busted the fiscal year 2000 outlays, the caps, by \$30.7 billion. They use all kinds of gimmicks to try to justify that as emergencies or whatever.

Now, the second promise that the Republicans made was that they were not going to dip into the Social Security Trust Fund. On October 28, the Congressional Budget Office certified that the GOP leadership had broken that program. They sent a letter to Congress certifying that, on the basis of CBO estimates of the 13 completed GOP appropriation bills, the GOP bills spend \$17 billion of the Social Security surplus, even after their 1 percent across-the-board cut is taken into consideration.

Mr. Speaker, I just wanted to go into this a little bit, and then I will complete my presentation this evening. There was an article, I guess it was in

the New York Times last week, that talked about how these spending limits that were set forth with much fanfare as part of the Balanced Budget Act a couple years ago have just basically been ignored.

Many of us at the time when the Balanced Budget Act was passed thought this was going to be really significant in terms of trying to keep the budget focused, not go into debt, create a surplus that could be used to shore up Social Security and Medicare, to pay for prescription drugs, whatever. But what we see is that the caps are effectively dead.

If one looks at this article in the New York Times from last week, it says that "In effect, Washington has now substituted a new standard of fiscal responsibility, the loser goal of not spending surplus Social Security money. Only through budget gamesmanship can either party claim to be meeting even that new standard this year."

Well, just to give my colleagues an idea of some of the thing that they have done to get away the caps, the article says that, "Under the law, Congress and the administration must remain within the caps, or the White House must enact the across-the-board cuts to bring spending back into line."

Last year, the Republican leadership exploited a loophole intended to deal with wars or natural disasters. They designated \$20 billion in outlays as emergency spending that is not technically subject to the limits. They did the same thing this year.

Appropriations committees have almost arbitrarily placed \$17.5 billion in discretionary spending, including spare parts for the Pentagon, financing for the 2000 census under the emergency umbrella.

They have also used a tactic that compares spending estimates, this is what was in the Wall Street Journal as well, where they look at the CBO numbers versus the OMB numbers, and they use whatever numbers they think are appropriate to try to say that they are not sending money. Whatever.

The point I am trying to make, Mr. Speaker, is that we are here on this fourth continuing resolution. It is over a month since the budget was supposed to be fashioned. All we keep hearing from the other side is that, oh, we are going to stay here because we do not want to dip into Social Security. The reality is they have already dipped into Social Security about \$17 billion.

The last thing I wanted to mention tonight, and I go back to the Social Security issue again because I know some of my colleagues on the Democratic side have been attacked by Republican commercials, accusing them of dipping into Social Security when, in fact, it is the Republican leadership that has dipped into Social Security with their appropriations and their spending bills to the tune of \$17 billion.

□ 2115

And there was a good article, again an editorial in The New York Times

last week, that talked about the focus on this Social Security surplus and dipping into it. The New York Times pointed out, again, that the Republicans have already dipped into the Social Security surplus so that that whole issue is really moot. But what they say is the most important aspect and the best example of inaction here is how we are not dealing with the long-term solvency of Social Security.

There again, I go back to what the President said in his State of the Union message earlier this year. He said, look, we can take the majority of the surplus that is being generated from the Balanced Budget Act over the next 10 years and we can use that to shore up Social Security so the trust fund remains viable, and 20 or 30 years from now, when all the baby boomers become senior citizens, or even sooner, there will be money there for Social Security; and we can use a significant portion of the surplus also for Medicare so we can have a prescription drug benefit.

All I would like to conclude with tonight, Mr. Speaker, is to say, please, to my colleagues on the other side, to the Republican leadership that runs this House of Representatives, before we leave here, let us adopt a budget, but let us also make sure that we address some of these both short-term and long-term issues that need to be addressed. All the Democrats are saying is that we are crying out for bipartisan action on Social Security to make sure that we address the solvency long-term on Medicare, to make sure we provide a prescription drug benefit, address campaign finance reform, address the gun safety issue, address the concerns with regard to HMOs and pass the Patients' Bill of Rights.

Let us get active on an agenda. Let us not just sit back and say that this House of Representatives and this Congress should run away from everything and the government should basically dismantle itself and not try to take some action in a positive way that would benefit the American people.

I do not want to come here every day and see us fool around with appropriations bills and not pass a budget, and at the same time not address these major concerns that should be addressed, and that is what we are seeing here every day amongst the Republican leadership; inaction on the budget, gimmicks on the budget, no action on the major issues that are important to the American people.

And worst of all, last week the Speaker again started to talk about a major tax cut, as if the only thing that this Republican leadership could do is to talk about another tax cut that is going to benefit primarily the wealthy and provide corporations with some tax breaks. It is almost as if the only thing that the Speaker and the Republican leadership can think about at any given time is coming up with more tax cuts.

That is not what needs to be done. We need to address the issues that the

public is crying out for, and I hope that we do, otherwise we will be continuing to speak out on the Democratic side of the aisle every night to demand action on these important issues that the American people want to see attended to.

THE BUDGET

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Connecticut (Mr. SHAYS) is recognized for 60 minutes.

Mr. SHAYS. Mr. Speaker, this is the first time I think all year I have taken a special order. I have done a number in past years, but I am very grateful to have the time to do this.

Before I discuss the budget, which I intend to talk about in my special order, I would just make the comment that quite often the criticism on the other side of the aisle is that we spend too much or we are not spending enough. And it is really important, I think, for the other side of the aisle to decide on one of their arguments and then we can have an honest debate about it. We want an across-the-board 1 percent cut, and yet we are hearing on the other side of the aisle that we should not make that reduction; yet we are also hearing that we are spending too much.

Before I talk about my budget, we have the chairman of the Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. GOODLING), really the most informed and most dedicated person on the issue of education, and I would like to give him an opportunity to make some comments on what we are doing in education.

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

One of the most frustrating experiences I have had in my entire career in the Congress of the United States is to see us, and in very well meaning efforts, budget billions of dollars and then appropriate billions of dollars to try to reduce the gap between the advantaged and the disadvantaged students in this country and to sit there and realize that no matter how well meaning the attempt was, in many instances it was wrong from day one.

We know that, and knew from the very beginning, that the manner in which we were trying to deal with Head Start was not going to give the youngsters a head start. We knew very well that it became a poverty jobs program instead of a program to make sure that disadvantaged youngsters and poor youngsters had an opportunity to become reading ready before they went into a failing 1st grade experience.

We did the same thing with Title I, more than \$120 billion. Again, we realized in many instances that that became a poverty jobs program rather than a program to reduce the achievement gap between advantaged and dis-

advantaged youngsters. And, in fact, unfortunately, we even have examples of where the opposite happened; that the gap even widened.

That is why it is so difficult for me now to watch us make the same mistake with the 100,000 teacher idea that is presented by the administration. I am not certain that my colleagues realize that in the first group where the contracts were let, it is somewhere between 21,000 and 29,000 new teachers, we cannot quite find out exactly how many it is, but there was no accountability whatsoever. The only requirement was a reduction of class size.

Well, everybody knows that if a parent has an opportunity to have their child in a classroom with a quality teacher with 28 students, or they have an opportunity to have their child in a classroom with 18 students with mediocrity leading that class, parents are going to choose the quality teacher. But every one of those grants that went out, nothing was asked in return in relationship to we will improve the academic achievement of all of these students, the most needy students, the most disadvantaged students. They just had to reduce class size.

So we came to the floor of the House and, with a bipartisan effort, passed the Teacher Empowerment Act. And in that act we said the first responsibility, the major responsibility, is to reduce class size, but do not do it unless a qualified teacher can be put in that classroom; and do not do it if there is no classroom to put the new teacher in. As a matter of fact, if it must be used, use it to improve the quality of the teachers presently in the system.

And today the headline in the New York Daily News is "Not Fit to Teach Your Kid. In some city schools 50 percent of teachers are uncertified." And all we are doing is adding to that lack of certified, lack of qualified teachers in the classroom by merely saying take this money, reduce class size, it does not matter who it is that is teaching in that classroom.

Now, I would imagine that of this 50 percent there are probably 25 percent of those people who could become very excellent teachers in a very difficult situation if they could divert money to properly prepare and train them to teach. One of the requirements the State says is that we will require that, for instance, a high school teacher has to be certified to teach the subject they are teaching. Big deal. I would hope so. I would hope a math teacher or a science teacher is certified and qualified and knows how to teach math and knows how to teach science.

But all we do with the 100,000 teachers is say they must reduce class size. It does not matter where there is inequality. And that is a tragedy, because we know that cannot work. We know that they have to have the flexibility to use some of the funds to properly prepare the teachers that they have. This city would not have 50 per-

cent uncertified teachers. They do not do that because they want that to happen, they do it because they do not have qualified teachers and they cannot get certified teachers.

And, of course, just being certified does not mean they are qualified. However, what it does mean is that the State of New York has said that the minimal requirement they should have before they go before a class as a teacher is what the State has outlined. These 50 percent do not have those minimal qualifications.

So I would hope, and again this is a budget issue, this is an appropriations issue, but, gee, let us do something about closing that gap between the advantaged and the disadvantaged. Let us not just give lip service to the fact that if somehow or other we reduce class size all of that will happen.

The most important person in a child's life is, first, the parent; second, is a quality teacher; and, third, and we do this in Even Start, those who are parents that are not able to prepare their child for a good learning experience by the time they reach first grade we also say we need to help make sure that that parent is the child's first and most important teacher.

So as we go through this budget debate, as we go through this debate in relationship to appropriations, I hope that we will think about children, and I hope that we will realize that the programs have not worked. And all the auditors have ever done is say the money went to the right place, but they never said we accomplished anything to change that achievement gap.

So again I appeal to the administration. Let us talk in terms of how we make sure that every teacher in that classroom is a qualified teacher so every child has a chance to succeed. And I thank the gentleman for yielding to me.

Mr. SHAYS. It has been my pleasure. Mr. Speaker, when I was elected in 1987, I had had 12 years, actually 13 years experience in the State House in Connecticut, where I was the ranking member of both the appropriations committee and the finance committee. And it amazed me as a member in the State House how Members in Congress could ignore the requirement to get our country's financial house in order. On the State level we simply had to stay within a budget, we had to stay within the flow of funds that presented themselves in terms of revenue.

We are in an extraordinarily interesting time because we have seen a lot happen since 1987 when I was first elected. When I was first elected, I joined forces with my colleague, the gentleman from Ohio (Mr. KASICH), who really led the fight as a minority member at the time, who started to present ways to slow the growth of what we call mandatory spending, which are what others refer to as entitlements and to actually cut what government spends.

When we look at our Federal budget, only one-third is what we vote on each

and every year. Over 50 percent are actually on automatic pilot, unless we change the requirements. If a program fits the title, they get the money, whether it is Medicaid, Medicare, Social Security is a retirement system, but if an individual puts into the fund, they are entitled to certain benefits, and there are other entitlements as well. So we have about one-third of the budget that we actually vote on and two-thirds we are just on automatic pilot.

And everyone seemed content to allow that to happen. Part of that automatic pilot was interest on the national debt, which is almost 14 percent of our overall budget.

□ 2130

It was interesting as Congress pre-1987 had adopted Gramm-Rudman. That was a program that was adopted before I was elected. The interesting thing about Gramm-Rudman, it basically said you had to stay within certain budget caps, except it only was on that one-third of the budget. And so what Members started to do is they could not stay within the budget caps of what we vote on in defense and non-defense budgets, the 13 budgets that we work on, so what they did is they started to put things into the entitlements and make the automatic pilot grow even faster and faster.

I would like to go through certain budget charts and I would like to thank my own staff member, Peter Carson, who is my AA, or what we refer to as an AA is really your chief of staff and serves with me on the Committee on the Budget as well as Dick Magee who is on the Committee on the Budget as a staff member and who helped me prepare these charts. I would like to go through 10 charts and describe what has happened since 1992 and what we project out to the year 2009.

What is interesting to me is that when I was elected early on in 1987, we were looking at deficits as far as the eye could see. But just before you had a new Republican majority, the estimates for what that deficit would be are shown in the lower red line on this chart to my right. We were looking at deficits in the estimate in 1992 of \$291 billion, then going to \$310 billion, \$291 billion, but by the year 1999, the year we just concluded, we were looking at deficits of \$404 billion. And in the budget we are in the process of adopting, deficits of \$455 billion, just in that one year. In other words, \$455 billion more money going out than coming into the Federal Government.

When we made the estimates in 1995, we were still looking at deficits, the middle red line, as far as the eye could see, not above the line in which we have more revenue coming in than going out. Even in our estimates in 1997, just before we adopted the balanced budget agreement, we were looking at deficits of \$108 billion, \$124 billion, \$120 billion, \$147 billion, ad infinitum. Only deficits. We passed an his-

toric budget agreement in which we slowed the growth of entitlements and we cut government spending. From that, we started to see a significant change.

This second budget chart just shows you the change in revenue estimates based on October 1999 and January 1999. The blue line was the estimate in January 1999. Even then, just within a year, we are seeing a significant increase in the amount that we anticipate, just over a change of 10 months. Revenues are coming in at a much greater rate. They are coming in for a number of reasons. First and foremost, we have an extraordinarily well educated populus that compete with anyone in the world. The cold war is over and admittedly the world is a more dangerous place but we are able to focus more now on economic competition with our trading allies and we are finding that we are quite able to compete. And so revenues are coming in at a much greater rate because of that. But it is also coming in because Congress in particular, and this new Republican majority, quite frankly, put the emphasis on getting our country's financial house in order. We started to reduce our deficits, which started to reduce the interest payments that we have to make, which started to help contribute to lowering interest rates in general and helping to increase the employment rate and decrease the unemployment rate.

This next chart illustrates why this Republican majority is concerned about taxes. Revenues are coming in at an extraordinary rate. People have become quite successful, our businesses are able to compete with the best in the world, and we are seeing a lot of small businesses that are generating awesome economic activity and even our large businesses have become much more efficient and they are able to produce more at a cheaper cost and able to pass on some of that cost savings to consumers and also able to make a profit and to pay their employees more who in turn can buy more goods. But what is of concern to us is in 1945, just at the end of World War II, we had the gross domestic product, revenues constituted 20.4 percent of all of the gross domestic product of our country, 20.4 percent were coming into the coffers of the Federal Government. In 1950, that went down to 14 percent. But you can see that it has gotten back to its all-time high of 20.7 percent, and we anticipate that it is going to continue to grow and grow. The question is, what is going to happen to that revenue?

Now, another chart that illustrates our concern with taxes are the fact that in 1947, if you took all of the Federal, State and local tax revenues, it accounted for 21.7 percent of our gross domestic product. But our Federal, State and local revenues now constitute 31.2 percent. Again, our concern is with the increase in revenue that is coming to both the Federal, State and

local government, what is to happen to that revenue? Are we going to spend it and make all three governments larger and larger and larger? Or are we going to look to return some of that revenue back to the taxpayers who are paying that?

The next chart that I want to show is a chart that illustrates Congressional Budget Office estimates since 1992 to the year 2009 of the total amount of receipts coming in with the total amount of outlays, the money going out. The key point is the year 1998, in which for the first time since 1968 that we had more revenue coming in than going out. Now, since 1960, the Federal Government has been spending Social Security reserves. It has been spending it on mandatory spending and it has been spending it on the appropriations expenditures that we have, the 13 budgets. We have been taking since 1960 Social Security money and spending it. Basically it is being used to disguise the overall debt of our country.

But the first thing we had to deal with before we even dealt with that was to just make sure that we had an economist's view of a balanced budget, which was more money coming into the Federal Government than going out. Not only were we spending Social Security money but even with the Social Security money, we were still spending more than was coming in.

So our first objective in the balanced budget agreement of 1997 was to reach that point, that point in which receipts started to overtake outlays. We had a 5-year plan to do it. We passed it in 1997 and we anticipated by the year 2002 that we would finally reach that point in which revenues would exceed our outlays or our expenditures. But it happened in the first year of the balanced budget agreement. In other words, revenues came in at a faster rate than even we anticipated. Again, I raise the question, what is to happen to those revenues? Do we spend them? Do we pay down debt with them? Or do we return them to the American people by cutting taxes?

This chart is really one of the ones I find most interesting, at least in trying to explain why in the world would this Congress want to cut taxes and why by such a large amount of money. The Congressional Budget Office anticipated, and so did the Office of Management and Budget of the President, that in the next 10 years, we would have \$3 trillion more money coming in to the Federal Government than going out. Both OMB, the Office of Management and Budget, and CBO, the Congressional Budget Office, both of them agreed that of that \$3 trillion, \$2 trillion was Social Security money, and \$1 trillion was true surplus. In other words, no longer having to spend that Social Security money since 1960, even then we would still have a surplus over the next 10 years of \$1 trillion, or almost \$1 trillion. Admittedly, in the first year, it would be \$147 billion, in the year 2000, rather, \$147 billion of Social Security reserves that we would

have and not spend, and then \$14 billion that was a true tax overcharge, in other words, more money coming in. What is to happen to that \$14 billion? What is to happen to the \$38 billion in the year 2001? What is to happen to the \$28 billion in the year 2002? These are excess moneys, what I call a tax overcharge. We are taxing people more than we are actually going to spend. And then in the year 2005, \$92 billion. And in the year 2006, \$129 billion. And then 2007, \$146 billion; 2008, \$157 billion; 2009, \$178 billion. What is to happen to that? That amount of money that I have mentioned is marked in red. It was our view that most of it should be a tax cut, we should return it back to the American people.

Now, if I was a dictator, not even President, but if I was a dictator, what would I want to have happen? I would want to take all of this tax overcharge and I would want to pay down debt. That would be my first choice. But I happen to believe that if it is left on the table, it is going to get spent. In fact, the sad part of the story is that is actually what is starting to happen, because the President vetoed our tax cut. So you had \$3 trillion, \$2 trillion of it is truly for Social Security. What did we do? We took all of this money in this area here, the Social Security surplus, and we took that money and we did not spend it, we paid down debt with it. We reduced the debt of the United States owed to the American people and to businesses and to foreign interests that have helped fund our debt and we just started to pay down those obligations. That is what we want to do, \$2 trillion of it. It was this \$1 trillion that we debated.

Now, our Republican majority decided that we would provide a tax cut of almost \$800 billion, which is about 80 percent of the total amount of what we call the true surplus.

I will illustrate it in another chart. This chart again illustrates the total amount of surplus, and in red is the amount for a possible tax cut. That is what is available. That is what is the true surplus. This part here is the money that we want to reserve for Social Security. The interesting thing is that the budget that we just concluded, we came so close for the first time in not spending Social Security reserves. In fact, the Congressional Budget Office determined that we actually had a true surplus of \$1 billion. But the Office of Management and Budget, the office out of the White House, decided that they would hold \$2 billion more in reserves, and by doing that, they are saying we are still spending \$1 billion of the Social Security surplus. They determined that by simply deciding to hold on to \$2 billion more in reserves. But whatever number you are using, whether we use the Congressional Budget Office that said we have truly for the first time since 1960 not spent Social Security, or even using the President's number of only spending \$1 billion of it, in other words, even using

the President's office, we have had a surplus of \$123 billion, a true surplus of \$123 billion. Actually, I want to say it differently. We have had a Social Security surplus of \$124 billion, and a unified surplus of \$123 billion. The White House says we are still spending \$1 billion of Social Security money but the Congressional Budget Office says we have spent not \$1 billion but actually have saved \$1 billion.

Why would we want a tax cut? And how would we compare with the President? When the President presented his budget the beginning of this year, he did not want a tax cut. He wanted a tax increase.

□ 2145

He actually wanted a net tax increase of \$52 billion and, over 10 years, it would be \$96 billion. So one can imagine our concern when we start seeing more surplus coming in, we are looking in 10 years of a true surplus of \$1 trillion; and the President, instead of wanting to return that to the American people still wants to spend \$52 billion over 10 years, have a tax increase of \$52 billion over 5 years and \$96 billion over 10 years. He wants a tax increase; we wanted a tax cut.

Now, our tax cut over 10 years, admittedly, would be \$792 billion, about 80 percent of the protected surplus. Over 5 years, it would have been \$156 billion. The reason we want that tax cut is, if we do not have a tax cut, it will be spent. It will be spent because Congress, even some of my colleagues on my own side of the aisle have programs they want to spend money on, and if it is left on the table, it will be spent.

Why do I know it will be spent? Because it has been in the past. We have had a budget agreement in 1997 where we had budget caps, but even before the agreement in 1997, we had the pay-go agreement with President Bush that said that one could not increase an entitlement unless one found another way to pay for it; one could not have a tax cut unless one found another way to pay for it.

Now, our problem was not the same in 1990 because we still had a deficit. We want a tax cut because we now have surpluses.

But this is my concern. And one will notice that there is a sharp increase in what happened in the budget of 1999, the one that just concluded. And that sharp increase occurred because a year ago at this time, the President of the United States, just before the congressional elections, decided that he would not agree to a budget unless we spent more. And sadly, too many on both sides of the aisle concurred with the President and agreed to spend more. We have never been within the budget caps because Congress has declared emergencies and Congress has done other approaches that have enabled us to go over the budget caps.

My big concern is this number right here and the trend line. Now, this is

where we will be in this new budget agreement; and the question is, will we then go down and actually cut spending, or will it continue to rise? The one value to the budget caps have been that there has been some uniformity at least staying close to them. But sadly, a year ago, when the President demanded more spending, he got it. So why would I want a tax cut and why would other Members want a tax cut? Because if the money is left on the table, it is going to be spent. The sad point is that it is already being spent. All the money that we had reserved for a tax cut in our \$800 billion tax cut that we sent the President and he vetoed is now being spent. It is not there for a tax cut.

Let me just show one last chart. This is a good news story, for the most part. It basically is showing what is happening to our national debt. Our national debt is starting to level off and it is starting to level off because we have surpluses, and it is starting to level off because we are going to use the Social Security surpluses and pay down public debt. Our debt to the trust funds continues to rise, but our debt, our public debt is going to fall and continue to fall because we are using the money from the trust funds to now at least pay off debt until we can reform Social Security.

I have a number of concerns about where we are at this point. The good news is that 10 years ago we had extraordinarily large deficits and when we looked at our estimates, those deficits were high then and they were looking to be even larger. We elected a new Republican majority. And I say new Republican majority because this was the first Congress that wanted to look at entitlements and slow their growth and wanted to cut some spending. And the end result has been that we have seen actual surpluses take place.

My concern is that we not begin to designate too much emergency spending that again allows us to go over the caps, that we do not have too many advanced appropriations that begin to appropriate money; the Committee on Appropriations appropriates money, but not spend out over 13 months instead of 12, and that we do not do other items that ultimately make our efforts to balance the budget next year more and more difficult.

The bottom line, we are getting our country's financial house in order. We are seeing an economy that is thriving; we are seeing more and more revenue come into the Federal Government, and what the American people are going to have to decide is what do we do with those surplus monies.

My hope, my prayer, and my votes are going to be to pay down the national debt. But if that is not going to happen, then it must be returned to the American people in tax cuts, because if it is not returned to the American people in tax cuts, then it will be spent as we are seeing happen right now.

What I would like to place ultimately the greatest emphasis on is we have

been using Social Security funds since 1960, and we came so close this past year in not spending any Social Security money, according to the Congressional Budget Office, we have not according to the President, given the fact he took \$2 billion out in reserves, and we have spent \$1 billion of it. But next year, we intend to spend no Social Security money. We are going to use all of that to pay down the public debt. It is not going to be used to pay for programs. We are going to ultimately reduce our total debt.

The question is, what happens to that true surplus, above and beyond Social Security? Will it pay down public debt? Will it be returned to the American people in tax cuts, or will it be spent? And sadly, while we are in next year's budget not going to be paying, using Social Security money to balance our budget, we are not going to be using that money, I am afraid that the money that we had reserved for taxes is now being spent, and it is being spent frankly, in large measure, because my colleagues on the other side of the aisle are critical with our efforts to cut spending, even though they say we are spending too much in certain areas, they have opposed any efforts to try to cut spending or slow the growth in spending.

Mr. Speaker, if we cannot cut spending, if we cannot control the growth in government spending, there will be no money for tax cuts. It will all be spent.

RECESS

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2318

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 11 o'clock and 18 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1555, INTELLIGENCE AUTHORIZATION ACT, 2000

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-460) on the resolution (H. Res. 364) providing for consideration of the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 76, WAIVING CERTAIN ENROLLMENT REQUIREMENTS FOR THE REMAINDER OF THE 106TH CONGRESS

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-461) on the resolution (H. Res. 365) providing for consideration of the joint resolution (H.J. Res. 76) waiving certain enrollment requirements for the remainder of the first session of the One Hundred Sixth Congress with respect to any bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2000, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1714, ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-462) on the resolution (H. Res. 366) providing for consideration of the bill (H.R. 1714) to facilitate the use of electronic records and signatures in interstate or foreign commerce, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3073, FATHERS COUNT ACT OF 1999

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-463) on the resolution (H. Res. 367) providing for consideration of the bill (H.R. 3073) to amend part A of title IV of the Social Security Act to provide for grants for projects designed to promote responsible fatherhood, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Mr. GEPHARDT) for November 5 on account of official business.

Mr. OWENS (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. CARSON (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. MENENDEZ (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. PASCRELL (at the request of Mr. GEPHARDT) for today on account of personal business.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of official business.

Mrs. CHENOWETH-HAGE (at the request of Mr. ARMEY) for today on account of illness.

Mr. THOMAS (at the request of Mr. ARMEY) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. DELAURO) to revise and extend their remarks and include extraneous material:)

Mr. REYES, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. MINGE, for 5 minutes, today.

(The following Members (at the request of Mr. EHLERS) to revise and extend their remarks and include extraneous material:)

Mr. OXLEY, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. RYAN of Wisconsin, for 5 minutes, November 9.

Mr. PAUL, for 5 minutes, today.

Mr. EHLERS, for 5 minutes, November 9.

Mr. KINGSTON, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, November 9.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1346. An act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration; to the Committee on Small Business.

S. 1418. An act to provide for the holding of court at Natchez, Mississippi, in the same manner as court is held at Vicksburg, Mississippi, and for other purposes; to the Committee on the Judiciary.

S. 1769. An act to continue the reporting requirements of section 2519 of title 18, United States Code, beyond December 21, 1999, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3122. An act to permit the enrollment in the House of Representatives child Care Center of children of Federal employees who are not employees of the legislative branch.

H.J. Res. 54. Joint resolution granting the consent of Congress to the Missouri-Nebraska Boundary Compact.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 468. An act to improve the effectiveness and performance of Federal financial assistance programs simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public.

S. 900. An act to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, insurance companies, and other financial service providers, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On November 3, 1999:

H.R. 441. To amend the Immigration and Nationality Act with respect to the requirements for the admission of nonimmigrant nurses who will practice in health professional shortage areas.

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, and for other purposes.

On November 5, 1999:

H.R. 609. To amend the Export Apple and Pear Act to limit the applicability of the Act to apples.

ADJOURNMENT

Ms. PRYCE of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 9, 1999, at 9 a.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:

5225. A communication from the President of the United States, transmitting a request for supplemental appropriations language to help in addressing the urgent needs of the mid-Atlantic States in the wake of Hurricane Floyd; (H. Doc. No. 106-155); to the Committee on Appropriations and ordered to be printed.

5226. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives for Coloring Meniscal Tacks; D&C Violet No. 2; Confirmation of Effective Date [Docket No. 98C-0158] received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5227. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Polymers [Docket No. 99F-0345] received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5228. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, transmitting the Commission's final rule—Revision of the NRC Enforcement Policy [NUREG-1600] received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5229. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold under a contract to the Republic of Croatia [Transmittal No. DTC 132-99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5230. 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 146-99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5231. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-149, "Annuitants' Health and Life Insurance Employer Contribution Amendment Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5232. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-148, "Mt. Gilead Baptist Church Equitable Real Property Tax Relief Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5233. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-147, "Separation Pay Adjustment Amendment Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5234. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-146, "Josephine Butler Parks Center Property Tax Relief Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5235. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-154, "District of Columbia Board of Real Property Assessments and Appeals Membership Simplification Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5236. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-155, "Adoption and Safe Families Temporary Amendment Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5237. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-163, "Temporary Real Property Tax Exemption for the Phillips Collection Temporary Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5238. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-157, "University of the District of Columbia Board of Trustees Residency Requirement Temporary Amendment Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5239. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-161, "Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5240. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-156, "Child Support and Welfare Reform Compliance Temporary Amendment Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5241. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-162, "Sex Offender Registration Temporary Act of 1999" received November 2, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5242. A letter from the Administrator, Environmental Protection Agency, transmitting a copy of the "EPA's Inventory of Commercial Activities"; to the Committee on Government Reform.

5243. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Technical Amendment [Docket No. 990924262-9262-01; I.D. 091699A] received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5244. A letter from the Deputy Assistant Administration for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Fishery Management Plans of the South Atlantic Region (FMPs); Addition to Framework Provisions [Docket No. 990506122-9284-02; I.D. 020899A] (RIN: 0648-AL42) received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5245. A letter from the Acting General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule—Executive Office for Immigration Review; Board of Immigration Appeals: Streamlining [EOIR No. 122F; AG Order No. 2263-99] (RIN: 1125-AA22) received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5246. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Pollutant Discharge Elimination System—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges [FRL-6470-8] (RIN: 2040-AC82) received November 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5247. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Foreign Locomotives and Railroad Equipment in International Traffic; Technical Amendment (T.D. 99-79) received November 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3002. A bill to provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas, and other natural resource-related matters, and

to repeal provisions of law regarding terminated reporting requirements concerning such matters (Rept. 106-458). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 2336. A bill to amend title 28, United States Code, to provide for appointment of United States marshals by Attorney General; with an amendment (Rept. 106-459). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 364. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1555) to authorize the appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 106-460). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 365. Resolution providing for consideration of the joint resolution (H.J. Res. 76) waiving certain enrollment requirements for the remainder of the first session of the One Hundred Sixth Congress with respect to any bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2000 (Rept. 106-461). Referred to the House Calendar.

Mr. DRIER: Committee on Rules. House Resolution 366. Resolution providing for consideration of the bill (H.R. 1714) to facilitate the use of electronic records and signatures in interstate or foreign commerce (Rept. 106-462). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 367. Resolution providing for consideration of the bill (H.R. 3073) to amend part A of title IV of Social Security Act to provide for grants for projects designed to promote responsible fatherhood, and for other purposes (Rept. 106-463). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Mr. GEJDENSON, Ms. KAPTUR, Ms. SLAUGHTER, Mr. LANTOS, Ms. MCKINNEY, Mr. KING, Mr. WOLF, and Mr. COOKSEY):

H.R. 3244. A bill to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself and Mr. GEORGE MILLER of California):

H.R. 3245. A bill to establish a fund to meet the outdoor conservation and recreation needs of the American people, to provide Outer Continental Shelf impact assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Act popularly known as the Federal Aid in Wildlife Restoration Act, and for other purposes; to the Com-

mittee on Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BASS (for himself, Mr. DUNCAN, Mrs. CHRISTENSEN, Mrs. ROUKEMA, Mrs. MYRICK, Mrs. JOHNSON of Connecticut, Mr. PETERSON of Pennsylvania, and Mr. DOYLE):

H.R. 3246. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to reduce the amount of premiums required to be paid by small businesses to the Pension Benefit Guaranty Corporation; to the Committee on Education and the Workforce.

By Mrs. CHRISTENSEN (for herself, Mr. UNDERWOOD, Mr. BISHOP, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. OWENS, Mr. CONYERS, Mr. PAYNE, Mr. FATTAH, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Ms. KILPATRICK, Mr. HASTINGS of Florida, Ms. LEE, Mrs. JONES of Ohio, Ms. CARSON, Mrs. MEEK of Florida, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, Mr. MEEKS of New York, and Mr. GEORGE MILLER of California):

H.R. 3247. A bill to amend the Internal Revenue Code of 1986 to increase job creation and small business expansion and formation in economically distressed United States insular areas; to the Committee on Ways and Means.

By Mr. COBURN (for himself and Mr. SMITH of New Jersey):

H.R. 3248. A bill to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to information on the human papillomavirus (commonly known as HPV); to the Committee on Commerce.

By Mr. HOUGHTON (for himself, Mr. CARDIN, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. McDERMOTT, Ms. JACKSON-LEE of Texas, Mr. FOLEY, Mr. RAMSTAD, Mrs. THURMAN, Mr. NADLER, Ms. DUNN, Mr. HORN, Ms. SLAUGHTER, Mr. NEAL of Massachusetts, Mr. WELLER, Mr. COYNE, Mr. MATSUI, Mrs. MALONEY of New York, and Mrs. KELLY):

H.R. 3249. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself, Mr. LEWIS of Georgia, Mr. NORWOOD, Mr. JACKSON of Illinois, Mr. BROWN of Ohio, Mr. TOWNS, Ms. ROYBAL-ALLARD, Mr. RODRIGUEZ, Mr. UNDERWOOD, Mr. FILNER, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. WYNN, Mr. GONZALEZ, Mr. HILLIARD, Ms. CARSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT, Ms. KILPATRICK, Mr. CLYBURN, Mr. RUSH, Mr. CUMMINGS, Mr. PAYNE, Mr. DIXON, Mr. FORD, Ms. MILLENDER-MCDONALD, Ms. WATERS, Mr. MEEKS of New York, Mr. BISHOP, Mrs. MEEK of Florida, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Ms. LEE, Ms. MCKINNEY, Mrs. NAPOLITANO, Ms. JACKSON-LEE of Texas, Mrs. CLAYTON, Mr. WATT of North Carolina, Mr. FATTAH, Ms. PELOSI, Mr. ABERCROMBIE, and Mr. GEORGE MILLER of California):

H.R. 3250. A bill to amend the Public Health Service Act to improve the health of minority individuals; to the Committee on Commerce.

By Ms. KAPTUR (for herself and Mr. HUNTER):

H.R. 3251. A bill to establish the National Commission on the Impact of United States Culture on American Youth; to the Committee on Education and the Workforce.

By Mr. KASICH (for himself and Mr. BOEHNER):

H.R. 3252. A bill to amend the Internet Tax Freedom Act to make permanent and extend its moratorium on certain taxes, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY of Rhode Island (for himself, Mr. TAUZIN, and Mr. WEYGAND):

H.R. 3253. A bill to redesignate the Coastal Barrier Resources System as the "John H. CHAFEE Coastal Barrier Resources System"; to the Committee on Resources.

By Mr. NADLER (for himself, Mr. RANGEL, Mr. ENGEL, Mr. RAMSTAD, and Mr. WEINER):

H.R. 3254. A bill to amend title 28 of the United States Code to authorize Federal district courts to hear civil actions to recover damages or secure relief for certain injuries to persons and property under or resulting from the Nazi government of Germany; to the Committee on the Judiciary.

By Ms. NORTON (for herself and Mr. WYNN):

H.R. 3255. A bill to assist local governments in conducting gun buyback programs; to the Committee on the Judiciary.

By Mr. PASCRELL (for himself, Mrs. MCCARTHY of New York, Mr. RAHALL, Mr. SHOWS, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. BALDACCIO, Mr. KLING, Mr. PALLONE, Mr. BRADY of Pennsylvania, Mr. COOK, Mr. GUTIERREZ, Mr. STARK, Mr. BAIRD, Mrs. KELLY, Mr. ROTHMAN, Ms. HOOLEY of Oregon, Ms. LOFGREN, Mr. HOLT, Mr. CROWLEY, Mr. CAPUANO, Mr. MALONEY of Connecticut, Mr. FALOMAVAEGA, Mr. COYNE, Mr. FROST, Mr. UNDERWOOD, Mr. OLVER, Mr. MCGOVERN, Mr. WAXMAN, Mr. OBEY, Mr. BERMAN, Mr. DEFazio, Mr. STUPAK, Mr. ROMERO-BARCELÓ, Mr. BARCIA, Mr. MOORE, Mr. GORDON, Mrs. THURMAN, Mr. TALENT, Mr. PHELPS, Mr. HINCHEY, Mr. ENGLISH, Mrs. CAPPS, Mr. DAVIS of Florida, Ms. PELOSI, Mr. FORBES, Ms. CARSON, Mr. SKELTON, Mr. VIS-CLOSKY, and Mr. HOYER):

H.R. 3256. A bill to amend title 38, United States Code, to improve outreach program carried out by the Department of Veterans Affairs to provide for more fully informing veterans of benefits available to them under laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. REYNOLDS (for himself, Mr. CONDIT, Mr. DREIER, Mr. PORTMAN, Mr. MORAN of Virginia, Mr. DAVIS of Virginia, Mr. LINDER, Mr. GOSS, and Mr. SESSIONS):

H.R. 3257. A bill to amend the Congressional Budget Act of 1974 to assist the Congressional Budget Office with the scoring of State and local mandates; to the Committee on Rules.

By Mr. SMITH of Michigan:

H.R. 3258. A bill to amend title 11 of the United States Code to make debts to governmental units for the care and maintenance of minor children nondischargeable; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ:

H.R. 3259. A bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to establish certain requirements for managed care plans; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS:

H.J. Res. 76. A joint resolution waiving certain enrollment requirements for the remainder of the first session of the One Hundred Sixth Congress with respect to any bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2000; to the Committee on House Administration.

By Mr. MATSUI (for himself, Ms. ROY-BAL-ALLARD, and Mr. DOOLITTLE):

H. Res. 363. A resolution recognizing and honoring Sacramento, California, Mayor Joe Serna, Jr., and expressing the condolences of the House of Representatives to his family and the people of Sacramento on his death; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII,

279. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a House Resolution memorializing the Congress of the United States to Direct the Health Care Financing Administration to Allow an Emergency Medigap Open Enrollment for Senior Citizens; jointly to the Committees on Ways and Means and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DUNCAN introduced a bill (H.R. 3260) for the relief of Henry R. Jones; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. HOLT and Mr. FLETCHER.
 H.R. 137: Ms. SANCHEZ.
 H.R. 148: Ms. BERKLEY.
 H.R. 180: Mr. GREENWOOD.
 H.R. 220: Mr. CRANE.
 H.R. 303: Mr. TERRY, Mr. CONYERS, Mr. ROGERS, Mr. DEAL of Georgia, Mr. SPENCE, and Mrs. MCCARTHY of New York.
 H.R. 460: Ms. ESHOO.
 H.R. 531: Mr. OWENS.
 H.R. 583: Mr. WAMP.
 H.R. 670: Mr. WALDEN of Oregon, Mr. SHIMKUS, Mrs. NAPOLITANO, and Mr. HILL of Indiana.
 H.R. 725: Ms. BERKLEY.
 H.R. 842: Mr. MURTHA.
 H.R. 914: Ms. HOOLEY of Oregon.
 H.R. 1178: Mr. OXLEY.
 H.R. 1196: Mr. BONIOR.
 H.R. 1221: Mr. SESSIONS, Mr. FLETCHER, and Ms. CARSON.
 H.R. 1356: Mr. WEXLER.
 H.R. 1413: Mr. RAHALL.
 H.R. 1432: Mr. PEASE.
 H.R. 1606: Mr. MARKEY.
 H.R. 1621: Mr. MENENDEZ.
 H.R. 1622: Mr. ABERCROMBIE.
 H.R. 1657: Mr. SAWYER and Mr. OWENS.

H.R. 1871: Mr. STUPAK.
 H.R. 1885: Ms. MILLENDER-MCDONALD.
 H.R. 1926: Mr. GOODLATTE.
 H.R. 2059: Mr. McNULTY, Mr. RANGEL, and Mr. BONIOR.
 H.R. 2141: Mrs. EMERSON.
 H.R. 2355: Mr. DOGGETT.
 H.R. 2380: Ms. WOOLSEY.
 H.R. 2442: Mr. SHAW and Mr. LANTOS.
 H.R. 2446: Ms. BERKLEY.
 H.R. 2498: Mr. PAYNE, Ms. CARSON, and Mr. STRICKLAND.
 H.R. 2570: Mr. GEKAS and Mr. GOODLING.
 H.R. 2573: Mr. GOODLATTE.
 H.R. 2596: Mr. HUTCHINSON, Mr. TERRY, Mr. BRADY of Texas, Mr. SAXTON, Mr. KNOLLENBERG, Mr. RILEY, Mr. ISTOOK, Mr. SALMON, Ms. DUNN, Mr. KINGSTON, Mr. GEKAS, Mr. COMBEST, Mr. FOSSELLA, Mr. DOOLITTLE, and Mr. MCCOLLUM.
 H.R. 2620: Mr. CANADY of Florida.
 H.R. 2631: Ms. SANCHEZ.
 H.R. 2640: Mr. TRAFICANT.
 H.R. 2697: Mr. OWENS.
 H.R. 2720: Mr. WU and Mr. OLVER.
 H.R. 2722: Mr. BONILLA.
 H.R. 2727: Ms. WOOLSEY.
 H.R. 2730: Mr. RUSH, Mr. FALCOMA, and Ms. MILLENDER-MCDONALD.
 H.R. 2733: Mr. DOOLITTLE.
 H.R. 2741: Mr. MORAN of Virginia and Mr. DEUTSCH.
 H.R. 2749: Mr. GILCREST and Mr. MILLER of Florida.
 H.R. 2764: Mr. RAHALL, Ms. PELOSI, and Ms. DEGETTE.
 H.R. 2781: Mr. WAXMAN.
 H.R. 2785: Mr. RANGEL.
 H.R. 2840: Ms. ESHOO.
 H.R. 2859: Mr. BROWN of Ohio and Mr. LANTOS.
 H.R. 2865: Mr. REYES and Mrs. MINK of Hawaii.
 H.R. 2867: Mr. BAKER, Mr. DEMINT, Mr. HOEKSTRA, Mr. HAYES, Mr. REYNOLDS, Mr. STUMP, Mr. DOOLITTLE, Mr. MCINTOSH, Mr. GOODE, Mr. BALLENGER, Mr. SMITH of Michigan, Mr. CAMPBELL, Mr. HOSTETTLER, Mr. ISTOOK, Mr. WELDON of Florida, Mr. HILL of Montana, Mr. WELDON of Pennsylvania, Mr. PAUL, Mr. NETHERCUTT, Mrs. FOWLER, Mr. LATOURETTE, Mr. BURR of North Carolina, Mr. SENSENBRENNER, Mr. CANADY of Florida, Mr. SUNUNU, Mr. KUYKENDALL, Mr. SANFORD, Mr. STEARNS, Mr. COBURN, Mr. FLETCHER, Mr. HILLEARY, Mr. MANZULLO, Mr. ARMEY, Mr. LUCAS of Oklahoma, Mr. COX, and Mr. HERGER.
 H.R. 2890: Ms. SCHAKOWSKY, Mr. RODRIGUEZ, and Ms. LEE.
 H.R. 2893: Mrs. BIGGERT, Mr. FOSSELLA, Mr. PAUL, and Mr. SANDERS.
 H.R. 2899: Mr. FRANK of Massachusetts.
 H.R. 2930: Mrs. MALONEY of New York, and Mr. McDERMOTT.
 H.R. 2939: Ms. CARSON, Ms. BALDWIN, and Ms. WOOLSEY.
 H.R. 2966: Mr. BROWN of Ohio, Mrs. BONO, Ms. ESHOO, Mr. HINCHEY, Mr. KINGSTON, and Mr. LUCAS of Kentucky.
 H.R. 2985: Mr. MCKEON.
 H.R. 2991: Mr. THORNBERRY, Mr. REGULA, Mr. CALVERT, Mr. RADANOVICH, Mr. MINGE, Mr. DOOLITTLE, and Mr. OBERSTAR.
 H.R. 3030: Mr. ACKERMAN, Mr. BOEHLERT, Mr. CROWLEY, Mr. ENGEL, Mr. FORBES, Mr. FOSSELLA, Mr. GILMAN, Mr. HOUGHTON, Mrs. KELLY, Mr. KING, Mr. LAFALCE, Mr. LAZIO, Mrs. LOWEY, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. McHUGH, Mr. McNULTY, Mr. MEEKS of New York, Mr. NADLER, Mr. OWENS, Mr. QUINN, Mr. RANGEL, Mr. REYNOLDS, Mr. SERRANO, Ms. SLAUGHTER, Mr. SWEENEY, Mr. TOWNS, Ms. VELAZQUEZ, Mr. WALSH, and Mr. WEINER.
 H.R. 3047: Mr. BARRETT of Wisconsin.
 H.R. 3083: Mr. RANGEL and Mr. LANTOS.
 H.R. 3091: Ms. LEE, Mr. LAMPSON, Mr. STRICKLAND, Mr. BROWN of Ohio, Mr. WAX-

MAN, Mr. NADLER, Ms. HOOLEY of Oregon, and Mr. MASCARA.

H.R. 3136: Mr. INSLEE.
 H.R. 3140: Mr. McDERMOTT, Ms. HOOLEY of Oregon, Mr. BEREUTER, Mr. HALL of Ohio, Mr. SANDLIN, Mr. SANFORD, Mr. MCGOVERN, Mr. CUMMINGS, Mr. EWING, Ms. MCKINNEY, Mr. POMEROY, Mr. NUSSLE, Ms. BALDWIN, Mr. INSLEE, Mr. BLUMENAUER, Mr. CAMPBELL, Mr. MINGE, Mr. MALONEY of Connecticut, Mr. SANDERS, Mr. DICKEY, and Mr. McNULTY.
 H.R. 3144: Mr. HINOJOSA, and Mr. HOYER.
 H.R. 3180: Mr. LUTHER, Mr. BACHUS, and Mr. WELDON of Pennsylvania.
 H.R. 3220: Mr. LAFALCE, Mr. BERMAN, Mr. VENTO, Mrs. JONES of Ohio, and Mr. DELAHUNT.
 H.R. 3224: Mr. GONZALEZ, Mr. McNULTY, and Mr. CAPUANO.
 H.R. 3228: Mr. BATEMAN.
 H.R. 3239: Mr. SANFORD.
 H. Con. Res. 115: Mr. HASTINGS of Florida, Mr. ROMERO-BARCELÓ, Mrs. MEEK of Florida, and Mr. GREENWOOD.
 H. Con. Res. 175: Mr. LUTHER and Ms. BERKLEY.
 H. Con. Res. 197: Mr. HALL of Texas.
 H. Con. Res. 218: Mr. DOOLITTLE, Mr. HOLT, Mr. DELAHUNT, and Mr. WYNN.
 H. Res. 94: Mr. CAPUANO.
 H. Res. 238: Mr. DOOLITTLE.
 H. Res. 320: Mr. LIPINSKI.
 H. Res. 325: Mr. MCKEON and Mr. BLUMENAUER.
 H. Res. 340: Mr. WAXMAN.
 H. Res. 347: Mr. LARSON, Mr. MARKEY, Ms. LEE, Mr. VENTO, Mr. ROGAN, Mr. COYNE, and Mr. KING.
 H. Res. 350: Mr. FOSSELLA, Mr. LEWIS of Kentucky, Mr. HAYES, Mr. SAM JOHNSON of Texas, Mr. MANZULLO, Mr. ROHRBACHER, Mr. WELDON of Pennsylvania, Mr. DOOLITTLE, Mr. SOUDER, Mr. HALL of Texas, Mr. HAYWORTH, Mr. CHABOT, Mr. COOK, Mr. PACKARD, Mr. SHIMKUS, Mr. LAHOOD, and Mr. HILLEARY.
 H. Res. 357: Mr. FILNER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1714

OFFERED BY: MR. BLILEY

[Amendment in the Nature of a Substitute]

AMENDMENT NO. 1: Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Electronic Signatures in Global and National Commerce Act".

TITLE I—VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES FOR COMMERCE

SEC. 101. GENERAL RULE OF VALIDITY.

(a) GENERAL RULE.—With respect to any contract, agreement, or record entered into or provided in, or affecting, interstate or foreign commerce, notwithstanding any statute, regulation, or other rule of law, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied—

(1) on the ground that the contract, agreement, or record is not in writing if the contract, agreement, or record is an electronic record; or

(2) on the ground that the contract, agreement, or record is not signed or is not affirmed by a signature if the contract, agreement, or record is signed or affirmed by an electronic signature.

(b) AUTONOMY OF PARTIES IN COMMERCE.—

(1) IN GENERAL.—With respect to any contract, agreement, or record entered into or

provided in, or affecting, interstate or foreign commerce—

(A) the parties to such contract, agreement, or record may establish procedures or requirements regarding the use and acceptance of electronic records and electronic signatures acceptable to such parties;

(B) the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied because of the type or method of electronic record or electronic signature selected by the parties in establishing such procedures or requirements; and

(C) nothing in this section requires any party to use or accept electronic records or electronic signatures.

(2) CONSENT TO ELECTRONIC RECORDS.—Notwithstanding subsection (a) and paragraph (1) of this subsection—

(A) if a statute, regulation, or other rule of law requires that a record be provided or made available to a consumer in writing, that requirement shall be satisfied by an electronic record if—

(i) the consumer has separately and affirmatively consented to the provision or availability of such record, or identified groups of records that include such record, as an electronic record; and

(ii) has not withdrawn such consent; and

(B) if such statute, regulation, or other rule of law requires that a record be retained, that requirement shall be satisfied if such record complies with the requirements of subparagraphs (A) and (B) of subsection (c)(1).

(c) RETENTION OF CONTRACTS, AGREEMENTS, AND RECORDS.—

(1) ACCURACY AND ACCESSIBILITY.—If a statute, regulation, or other rule of law requires that a contract, agreement, or record be in writing or be retained, that requirement is met by retaining an electronic record of the information in the contract, agreement, or record that—

(A) accurately reflects the information set forth in the contract, agreement, or record after it was first generated in its final form as an electronic record; and

(B) remains accessible, for the period required by such statute, regulation, or rule of law, for later reference, transmission, and printing.

(2) EXCEPTION.—A requirement to retain a contract, agreement, or record in accordance with paragraph (1) does not apply to any information whose sole purpose is to enable the contract, agreement, or record to be sent, communicated, or received.

(3) ORIGINALS.—If a statute, regulation, or other rule of law requires a contract, agreement, or record to be provided, available, or retained in its original form, or provides consequences if the contract, agreement, or record is not provided, available, or retained in its original form, that statute, regulation, or rule of law is satisfied by an electronic record that complies with paragraph (1).

(4) CHECKS.—If a statute, regulation, or other rule of law requires the retention of a check, that requirement is satisfied by retention of an electronic record of all the information on the front and back of the check in accordance with paragraph (1).

SEC. 102. AUTHORITY TO ALTER OR SUPERSEDE GENERAL RULE.

(a) PROCEDURE TO ALTER OR SUPERSEDE.—Except as provided in subsection (b), a State statute, regulation, or other rule of law may modify, limit, or supersede the provisions of section 101 if such statute, regulation, or rule of law—

(1)(A) constitutes an enactment or adoption of the Uniform Electronic Transactions Act as reported to the State legislatures by the National Conference of Commissioners on Uniform State Laws; or

(B) specifies the alternative procedures or requirements for the use or acceptance (or both) of electronic records or electronic signatures to establish the legal effect, validity, or enforceability of contracts, agreements, or records; and

(2) if enacted or adopted after the date of enactment of this Act, makes specific reference to this Act.

(b) LIMITATIONS ON ALTERATION OR SUPERSESSION.—A State statute, regulation, or other rule of law (including an insurance statute, regulation, or other rule of law), regardless of its date of enactment or adoption, that modifies, limits, or supersedes section 101 shall not be effective to the extent that such statute, regulation, or rule—

(1) discriminates in favor of or against a specific technology, process, or technique of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures;

(2) discriminates in favor of or against a specific type or size of entity engaged in the business of facilitating the use of electronic records or electronic signatures;

(3) is based on procedures or requirements that are not specific or that are not publicly available; or

(4) is otherwise inconsistent with the provisions of this title.

(c) EXCEPTION.—Notwithstanding subsection (b), a State may, by statute, regulation, or rule of law enacted or adopted after the date of enactment of this Act, require specific notices to be provided or made available in writing if such notices are necessary for the protection of the safety or health of an individual consumer. A consumer may not, pursuant to section 101(b)(2), consent to the provision or availability of such notice solely as an electronic record.

SEC. 103. SPECIFIC EXCLUSIONS.

(a) EXCEPTED REQUIREMENTS.—The provisions of section 101 shall not apply to a contract, agreement, or record to the extent it is governed by—

(1) a statute, regulation, or other rule of law governing the creation and execution of wills, codicils, or testamentary trusts;

(2) a statute, regulation, or other rule of law governing adoption, divorce, or other matters of family law;

(3) the Uniform Commercial Code, as in effect in any State, other than sections 1-107 and 1-206 and Articles 2 and 2A;

(4) any requirement by a Federal regulatory agency or self-regulatory organization that records be filed or maintained in a specified standard or standards (including a specified format or formats), except that nothing in this paragraph relieves any Federal regulatory agency of its obligations under the Government Paperwork Elimination Act (title XVII of Public Law 105-277);

(5) the Uniform Anatomical Gift Act; or

(6) the Uniform Health-Care Decisions Act.

(b) ADDITIONAL EXCEPTIONS.—The provisions of section 101 shall not apply to—

(1) any contract, agreement, or record entered into between a party and a State agency if the State agency is not acting as a market participant in or affecting interstate commerce;

(2) court orders or notices, or official court documents (including briefs, pleadings, and other writings) required to be executed in connection with court proceedings; or

(3) any notice concerning—

(A) the cancellation or termination of utility services (including water, heat, and power);

(B) default, acceleration, repossession, foreclosure, or eviction, or the right to cure, under a credit agreement secured by, or a rental agreement for, a primary residence of an individual; or

(C) the cancellation or termination of health insurance or benefits or life insurance benefits (excluding annuities).

SEC. 104. STUDY.

(a) FOLLOWUP STUDY.—Within 5 years after the date of enactment of this Act, the Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall conduct an inquiry regarding any State statutes, regulations, or other rules of law enacted or adopted after such date of enactment pursuant to section 102(a), and the extent to which such statutes, regulations, and rules comply with section 102(b).

(b) REPORT.—The Secretary shall submit a report to the Congress regarding the results of such inquiry by the conclusion of such 5-year period.

SEC. 105. DEFINITIONS.

For purposes of this title:

(1) ELECTRONIC RECORD.—The term “electronic record” means a writing, document, or other record created, stored, generated, received, or communicated by electronic means.

(2) ELECTRONIC SIGNATURE.—The term “electronic signature” means information or data in electronic form, attached to or logically associated with an electronic record, and executed or adopted by a person or an electronic agent of a person, with the intent to sign a contract, agreement, or record.

(3) ELECTRONIC.—The term “electronic” means of or relating to technology having electrical, digital, magnetic, optical, electromagnetic, or similar capabilities regardless of medium.

(4) ELECTRONIC AGENT.—The term “electronic agent” means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records in whole or in part without review by an individual at the time of the action or response.

(5) RECORD.—The term “record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(6) FEDERAL REGULATORY AGENCY.—The term “Federal regulatory agency” means an agency, as that term is defined in section 552(f) of title 5, United States Code, that is authorized by Federal law to impose requirements by rule, regulation, order, or other legal instrument.

(7) SELF-REGULATORY ORGANIZATION.—The term “self-regulatory organization” means an organization or entity that is not a Federal regulatory agency or a State, but that is under the supervision of a Federal regulatory agency and is authorized under Federal law to adopt and administer rules applicable to its members that are enforced by such organization or entity, by a Federal regulatory agency, or by another self-regulatory organization.

TITLE II—DEVELOPMENT AND ADOPTION OF ELECTRONIC SIGNATURE PRODUCTS AND SERVICES

SEC. 201. TREATMENT OF ELECTRONIC SIGNATURES IN INTERSTATE AND FOREIGN COMMERCE.

(a) INQUIRY REGARDING IMPEDIMENTS TO COMMERCE.—

(1) INQUIRIES REQUIRED.—Within 180 days after the date of the enactment of this Act, and biennially thereafter, the Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall complete an inquiry to—

(A) identify any domestic and foreign impediments to commerce in electronic signature products and services and the manners in which and extent to which such impediments inhibit the development of interstate and foreign commerce;

(B) identify constraints imposed by foreign nations or international organizations that constitute barriers to providers of electronic signature products or services; and

(C) identify the degree to which other nations and international organizations are complying with the principles in subsection (b)(2).

(2) SUBMISSION.—The Secretary shall submit a report to the Congress regarding the results of each such inquiry within 90 days after the conclusion of such inquiry. Such report shall include a description of the actions taken by the Secretary pursuant to subsection (b) of this section.

(b) PROMOTION OF ELECTRONIC SIGNATURES.—

(1) REQUIRED ACTIONS.—The Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall promote the acceptance and use, on an international basis, of electronic signatures in accordance with the principles specified in paragraph (2) and in a manner consistent with section 101 of this Act. The Secretary of Commerce shall take all actions necessary in a manner consistent with such principles to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, including those identified in the inquiries under subsection (a) for the purpose of facilitating the development of interstate and foreign commerce.

(2) PRINCIPLES.—The principles specified in this paragraph are the following:

(A) Free markets and self-regulation, rather than government standard-setting or rules, should govern the development and use of electronic records and electronic signatures.

(B) Neutrality and nondiscrimination should be observed among providers of and technologies for electronic records and electronic signatures.

(C) Parties to a transaction should be permitted to establish requirements regarding the use of electronic records and electronic signatures acceptable to such parties.

(D) Parties to a transaction—

(i) should be permitted to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced; and

(ii) should have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.

(E) Electronic records and electronic signatures in a form acceptable to the parties should not be denied legal effect, validity, or enforceability on the ground that they are not in writing.

(F) De jure or de facto imposition of standards on private industry through foreign adoption of regulations or policies with respect to electronic records and electronic signatures should be avoided.

(G) Paper-based obstacles to electronic transactions should be removed.

(c) CONSULTATION.—In conducting the activities required by this section, the Secretary shall consult with users and providers of electronic signature products and services and other interested persons.

(d) PRIVACY.—Nothing in this section shall be construed to require the Secretary or the Assistant Secretary to take any action that

would adversely affect the privacy of consumers.

(e) DEFINITIONS.—As used in this section, the terms “electronic record” and “electronic signature” have the meanings provided in section 104 of the Electronic Signatures in Global and National Commerce Act.

TITLE III—USE OF ELECTRONIC RECORDS AND SIGNATURES UNDER FEDERAL SECURITIES LAW

SEC. 301. GENERAL VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES.

Section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c) is amended by adding at the end the following new subsection:

“(h) REFERENCES TO WRITTEN RECORDS AND SIGNATURES.—

“(1) GENERAL VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES.—Except as otherwise provided in this subsection—

“(A) if a contract, agreement, or record (as defined in subsection (a)(37)) is required by the securities laws or any rule or regulation thereunder (including a rule or regulation of a self-regulatory organization), and is required by Federal or State statute, regulation, or other rule of law to be in writing, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied on the ground that the contract, agreement, or record is not in writing if the contract, agreement, or record is an electronic record;

“(B) if a contract, agreement, or record is required by the securities laws or any rule or regulation thereunder (including a rule or regulation of a self-regulatory organization), and is required by Federal or State statute, regulation, or other rule of law to be signed, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied on the ground that such contract, agreement, or record is not signed or is not affirmed by a signature if the contract, agreement, or record is signed or affirmed by an electronic signature; and

“(C) if a broker, dealer, transfer agent, investment adviser, or investment company enters into a contract or agreement with, or accepts a record from, a customer or other counterparty, such broker, dealer, transfer agent, investment adviser, or investment company may accept and rely upon an electronic signature on such contract, agreement, or record, and such electronic signature shall not be denied legal effect, validity, or enforceability because it is an electronic signature.

“(2) IMPLEMENTATION.—

“(A) REGULATIONS.—The Commission may prescribe such regulations as may be necessary to carry out this subsection consistent with the public interest and the protection of investors.

“(B) NONDISCRIMINATION.—The regulations prescribed by the Commission under subparagraph (A) shall not—

“(i) discriminate in favor of or against a specific technology, method, or technique of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures; or

“(ii) discriminate in favor of or against a specific type or size of entity engaged in the business of facilitating the use of electronic records or electronic signatures.

“(3) EXCEPTIONS.—Notwithstanding any other provision of this subsection—

“(A) the Commission, an appropriate regulatory agency, or a self-regulatory organiza-

tion may require that records be filed or maintained in a specified standard or standards (including a specified format or formats) if the records are required to be submitted to the Commission, an appropriate regulatory agency, or a self-regulatory organization, respectively, or are required by the Commission, an appropriate regulatory agency, or a self-regulatory organization to be retained; and

“(B) the Commission may require that contracts, agreements, or records relating to purchases and sales, or establishing accounts for conducting purchases and sales, of penny stocks be manually signed, and may require such manual signatures with respect to transactions in similar securities if the Commission determines that such securities are susceptible to fraud and that such fraud would be deterred or prevented by requiring manual signatures.

“(4) RELATION TO OTHER LAW.—The provisions of this subsection apply in lieu of the provisions of title I of the Electronic Signatures in Global and National Commerce Act to a contract, agreement, or record (as defined in subsection (a)(37)) that is required by the securities laws.

“(5) SAVINGS PROVISION.—Nothing in this subsection applies to any rule or regulation under the securities laws (including a rule or regulation of a self-regulatory organization) that is in effect on the date of enactment of the Electronic Signatures in Global and National Commerce Act and that requires a contract, agreement, or record to be in writing, to be submitted or retained in original form, or to be in a specified standard or standards (including a specified format or formats).

“(6) DEFINITIONS.—As used in this subsection:

“(A) ELECTRONIC RECORD.—The term ‘electronic record’ means a writing, document, or other record created, stored, generated, received, or communicated by electronic means.

“(B) ELECTRONIC SIGNATURE.—The term ‘electronic signature’ means information or data in electronic form, attached to or logically associated with an electronic record, and executed or adopted by a person or an electronic agent of a person, with the intent to sign a contract, agreement, or record.

“(C) ELECTRONIC.—The term ‘electronic’ means of or relating to technology having electrical, digital, magnetic, optical, electromagnetic, or similar capabilities regardless of medium.”.

H.R. 3073

OFFERED BY: MR. TRAFICANT

[Section references correspond to those of the amendment in the nature of a substitute printed in the Congressional Record]

AMENDMENT NO. 2: In section 403A(b)(1) of the Social Security Act, as proposed to be added by section 101(a) of the bill, add at the end the following:

“(E) A written commitment by the entity that the entity will make available to each individual participating in the project education about alcohol, tobacco, and other drugs and the effects of abusing such substances, and information about HIV/AIDS and its transmission.”.