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No. 13

## Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, February 22, 2000, at 11 a.m.

## House of Representatives

MONDAY, FEBRUARY 14, 2000

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

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### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
February 14, 2000.

I hereby appoint the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

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

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### MESSAGE FROM THE SENATE

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

S. 1287. An act to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes.

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### 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 but not to exceed 30 minutes, and each Member, except the majority leader, the mi-

nority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

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### PASSAGE OF THE MARRIAGE TAX ELIMINATION ACT, A GREAT VALENTINE'S DAY PRESENT

Mr. WELLER. Mr. Speaker, of course today is known as Valentine's Day. It is a great day for those who care for one another. It is a day of the heart. This past week we had some important action in this House of Representatives which affect 28 million married working couples who because of their heart pay higher taxes.

The American people have often told me that they are frustrated; they think it is unfair that 21 million married working couples on average pay \$1,400 more in higher taxes just because they are married.

That really is a fundamental question. Is it right, is it fair, that under our Tax Code, 25 million married working couples on average pay \$1,400 more?

Now, I represent the south side of Chicago and the south suburbs in Illinois, and folks back home they tell me that \$1,400 is a year's tuition for a nursing student at a community college in Illinois; it is a washer and a dryer; it is several months' worth of car payments; it is 3 months of day care, but it is higher taxes, money that is taken from married couples, just because they are married.

That is wrong. Of course, Valentine's Day is today and today is the day that

we can celebrate the fact that the House passed H.R. 6, legislation wiping out the marriage tax penalty for 25 million married working couples. Let me explain how the marriage tax penalty works.

If one is single, of course, they file as a single person; but when they get married, they file jointly. They combine their incomes. The way our Tax Code works is if a couple is a machinist and a schoolteacher with identical incomes, say a machinist makes \$31,000, if he stays single he pays in the 15 percent tax bracket; but if he meets and marries a public school teacher with an identical income of \$31,000, their \$62,000 combined income pushes them into the 28 percent tax bracket. They pay the average tax penalty of almost \$1,400 just because they got married.

Right now the Tax Code discourages marriage by punishing it with financial penalties. That is wrong.

This past week, the House passed H.R. 6, and I want to commend the leadership of the House, Speaker DENNIS HASTERT, for moving a stand-alone, clean, marriage tax elimination legislation.

There is no other extraneous provisions. There are no excuses like the President used last year when he vetoed our effort to wipe out the marriage tax penalty. We deal with one issue, that is, wiping out the marriage tax penalty for 25 million married working couples.

I would point out that H.R. 6 helps married couples in a number of ways. If one looks at who pays the marriage tax penalty, one half of married couples

□ 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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itemize their taxes because they own a home or give money to church or synagogue or charity or have education expenses. The other half do not. So we help both in the legislation that we passed. We double the standard deduction for those who do not itemize for joint filers to twice that of singles and for those who do itemize, and of course most middle-class families own their home so they are required to itemize their taxes. So we help them by widening the 15 percent bracket so that joint filers can earn twice as much in the 15 percent bracket as a single filer. It is fair that way.

We also help, I would point out, the working poor with addressing the marriage penalty that is in the eligibility for joint filers for married couples for the earned income credit to help the working poor. So we double the standard deduction. We widen the 15 percent bracket. We address the earned income credit marriage penalty, and we help 25 million married working couples by being fair.

It is time that we make the Tax Code fair. It is time that we make the Tax Code marriage neutral so that one is not punished when they get married. Of course, I am proud our proposal does not raise taxes on anyone else in order to wipe out the marriage tax penalty.

So two single people, two married people, no one pays more taxes than the other. It is the fair way to do it; and I am proud that 268 Members of this House, every Republican and fortunately 48 Democrats, broke from their leadership and supported our effort to wipe out the marriage tax penalty. That is progress, tremendous momentum. An overwhelming majority of the House supported our effort to wipe out the marriage tax penalty, an issue of fairness for 25 million married working couples.

I am concerned, though. I have been told that there are some in the Senate who want to load up the marriage tax elimination effort. They want to put poison pills, and they want to put other extraneous provisions on this bill. My hope is we can avoid that. My hope is that we can convince the Senate to keep it a stand-alone, clean, marriage tax elimination bill. That is the best approach. That way it is fair. There are no excuses for the President to veto it this time. He said during the State of the Union that he thought we should address the marriage tax penalty. We want the President to keep his word. We want to give the President the opportunity to do that by sending him a stand-alone bill.

There is no need for partisan politics. We had a bipartisan vote when this legislation passed the House this past week; and what better gift to give 25 million married working couples on this Valentine's Day than enactment into law the Marriage Tax Penalty Act.

### THE STRUGGLE TO MANAGE GROWTH PROPERLY IS A KEY CONCERN FOR ALL AMERICANS

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

Mr. BLUMENAUER. Mr. Speaker, in 5 short minutes, when I sit down, there will be 6 more Californians. Twenty-four hours from now, 1,700 people will either be born or move to the Golden State. This continued relentless growth, coupled with patterns of unplanned development, congestion, pollution, and the loss of open space has created a backlash in our Golden State. The front page of the Sunday New York Times yesterday contained a dramatic example of the controversy surrounding a huge development, the Newhall Ranch in the Los Angeles area, and what it represents for their community.

The struggle to manage growth properly is a key concern for all Americans, but the implications for California are critical. Just as families across America watched on Disneyland the progress on the Walt Disney Show every Sunday night for weeks during the mid-1950s, America has been watching the struggle to manage developed area in our Nation's largest State.

In the Los Angeles area alone, from 1970 to 1990, the developed area tripled to encompass an area the size of the State of Connecticut, growing six times faster than the growth in population.

This explosive growth is not just limited to Southern California. It has created a crisis in livability in the Bay Area, Silicon Valley, and the Central Valley, home to America's most precious farmland, arguably. Fresno County produces more agricultural product than 24 States combined. Yet, if the projections to triple its population with the current land uses are realized, there will be a million acres of farmland lost.

Since 90 percent of all of California's agricultural output is near the urban fringe, this has critical implications all across the State.

California has many examples of smart growth initiatives led by individuals like State Treasurer Phil Angelinas and his insightful report detailing how California State government can invest in smart growth. There are communities that have taken in their own hands to establish limits on urban growth and protect their natural resources through local initiatives.

The Silicon Valley Manufacturers Association for years has identified as the top priority for this business group affordable housing, protection of open space and transportation.

The wildly successful and popular Coastal Zone Management Program is an example of sound land-use planning in the State of California, but what the

State does not have is a statewide framework that would assure that every local government does its job and that nobody can grow at the expense of their neighbors.

It is time that the voters or the State legislature provide the same thoughtful framework for the rest of the State. Californians should also insist that Congress not stand idly by as they struggle to maintain the livability of their State.

Candidly, many of Congress' well-intended programs in the past, from massive water projects to the interstate freeway system, have fueled California's explosive growth and some of the problems. There are simple steps that we can take here in Congress. We should require that the substantial sums of Federal money for infrastructure and water projects, road transit, should be spent only after careful planning and analysis to protect community resources and the environment.

The Federal Government should increase its investment in brownfield cleanup through subsidy low-interest loans and tax incentives and continue efforts to reform the brownfield and Superfund cleanup process.

The Federal Government should reform the flood insurance program, passing a little piece of legislation that the gentleman from Nebraska (Mr. BEREUTER) and I call two-floods-and-you-are-out-of-the-taxpayers'-pocket so that the Federal Government no longer subsidizes people living where God has repeatedly shown that he does not want them.

The Federal Government should be leading by example, whether protecting the vast Federal resources like Yosemite Park, treating it like a livable community or leading by example by making sure that the post office obeys local land-use laws, zoning codes, and environmental laws.

The California experience is just one more example of why every politician in the year 2000 should have a program to promote livable communities, what the government can do to be a better partner to make our families safe, healthy, and economically secure.

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### PERMANENT MOST FAVORED NATION TRADING STATUS FOR CHINA

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

Mr. WOLF. Mr. Speaker, today I rise because of my concern about granting permanent normal trade relations to China.

Mr. Speaker, there are good people on both sides of this issue and as we consider granting China MFN; we need to be honest in our debate. Yesterday, the New York Times had an article written by Joseph Kahn with the headline, "Executives Make Trade With

China a Moral Issue." This article describes how some members of the business community in Florida approached one of our colleagues saying that passing MFN was a moral issue, that extending normal trade status to China is a moral necessity.

Mr. Speaker, this could be a dangerous line of reasoning for those who favor granting China MFN, particularly given China's human rights record.

In light of what so many Chinese citizens face at the hands of the Chinese Government, the term "moral" is of concern.

There are now at least eight Roman Catholic bishops being held in prison. Here is a picture of one of those, Bishop Jia. He had been arrested on August 15, 1999, been arrested to prevent him from conducting mass on an important Roman Catholic feast. He is 66 years old, has been in jail in a Chinese labor camp for 20 years.

I will tell the gentleman from Florida, this is a moral issue.

Just a few days ago, the Chinese Government arrested another Roman Catholic bishop, surrounding him late in the night by 150 policemen. Scores of Roman Catholic laymen were arrested. This is a moral issue.

Countless Protestant house church leaders have been arrested and imprisoned simply for practicing their faith. Here is a photo of Pastor Li showing the police grabbing him and taking him off to jail. He has been in and out of prison since 1983. This is a moral issue.

I have been to China. I have been to Tiananmen Square and seen where the tanks have rolled over the people and flattened them in the wake. I have been to Beijing Prison Number One where Tiananmen Square demonstrators were working on socks to export to United States. This, I would tell the gentleman from Florida, is a moral issue.

I visited Tibet several years ago. In Tibet the Chinese have raped and pillaged that peaceful country, committing untold atrocities upon the Tibetan population. Scores of Buddhist monks and nuns are in prison because of their faith. This is a moral issue. There are more prison labor camps in China now than there were when Solzhenitzen wrote the book "Gulag Archipelago." This is a moral issue.

The Muslims in China are being persecuted daily and no one speaks out. This is a moral issue.

As a Member of Congress, I am able to attend various national security briefings that I cannot go into here on the House, but I can say that the Chinese military presents fundamental dangers to the West and to our men and women in the armed services. We need to tread very carefully in our actions which give aid to the Chinese military and the government and who knows what the future may hold where the battle lines could be drawn. This is a moral issue.

The People's Liberation Army are dumping assault weapons into the United States that are killing women and children. This is a moral issue.

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So I would say that the Clinton administration and others in support of MFN should be careful in crafting their arguments in support of MFN by using moral language. This administration has done little or nothing to speak up with regard to China's human rights, going so far as to actually meet with the Chinese officials in Tiananmen Square. This administration has done nothing in many of these areas.

So, in closing, there are good people on both sides of the issue in this Congress who care deeply about this. The Congress is split, however. I would say we need to focus on the real moral issues; the persecution of the Roman Catholics, the persecution of the Protestants, the persecution of the Buddhists in Tibet, the persecution of the Muslims, the prison labor camps, and the threat to our national security. These are moral issues.

I would say to those gentlemen, have they written the State Department to ask that the pastor be released? Have they written the State Department to say, please, let the bishop out; he has been in jail for 20 years? My sense is they have not. And this, I would tell my colleagues on both sides of the issue, this is the moral issue that this Congress will have to face.

Every segment of the United States is opposed to granting MFN for China until there is improvement on human rights because the American people care deeply about these moral issues.

Mr. Speaker, I include for the RECORD additional information regarding this subject.

TIBET—A FIRST HAND LOOK—AUGUST 9-13, 1997

(By Representative Frank R. Wolf)

#### INTRODUCTION

I recently returned from a journey to Tibet where I visited during the period August 9-13, 1997. Accompanied by a member of my staff and by another Western man fluent in Tibetan and steeped in its culture, history and religion, we traveled with U.S. passports and on tourist visas issued by the government of China. At no time was I asked nor did I make known that I was a Member of Congress. Had I done so, I am sure that my visit would not have been approved just as other Members of Congress requesting permission to visit Tibet have been turned down.

No sitting Member of the U.S. House of Representatives has visited Tibet since China began in 1959 its relentless (and largely successful) effort to squeeze the life and very soul out of this country, its culture and its people. Only three U.S. Senators have visited Tibet in the last several decades and they were closely shepherded by the Chinese. Aside from U.S. ambassadors in Beijing and Assistant Secretary of State John Shattuck, I am unaware of visits by senior officials from any presidential administration during these years.

To be sure, an approved delegation visit to Tibet would not likely be all that revealing since frank conversations with individuals

could not take place. I cannot think of another place in the world where a tighter lid is kept on open discussion. Government agents, spies and video cameras guard against personal outside contact. Offenders, even suspected offenders, are dealt with quickly and brutally.

#### HUMAN RIGHTS PROTECTION

My interest in Tibet and the driving force behind my visit centers on work to help in stopping religious persecution and protecting basic human rights. In 1996, the House passed three measures concerning these issues, one specifically relating to Tibet. This year I introduced H.R. 1685, the Freedom From Religious Persecution Act of 1997, which contains specific provisions relating to Tibetan Buddhism. It has over 100 co-sponsors. These are areas about which I and others care very deeply.

In Tibet humane progress is not even inching along and repressed people live under unspeakable brutal conditions in the dim shadows of international awareness. I want the world to know what is going on in Tibet. When people know, they will demand that China change its policy of boot-heel subjugation and end what one monk I met termed "cultural genocide."

I found that the PRC has a near-perfect record of vicious, immediate and unrelenting reprisals against the merest whisper of Tibetan dissent. I met with monks, men and women on the street and others who risked their personal safety and well-being to steal a few moments alone with me to tell me how bad conditions are in Tibet and to petition help and support from the West.

#### TIBET ON THE MAP

Tibet is known as the roof of the world and, indeed it is. The Tibetan plain rises above 12,000 feet. At night, with skies so clear, more stars beam down on the observer than one can imagine. Beneath this roof is the former home of the Dalai Lama, the religious leader who ruled the country from the impressive Potala Palace in the capital of Lhasa. In 1959, when China commenced a relentless program to erase Tibet from the pages of history, the Dalai Lama left his homeland for India where he and countless other Tibetans who followed remain in exile today.

Tibet is about the geographic size of western Europe with a Tibetan population of around six million. It has been estimated that in the past two decades nearly one million Tibetans have been killed, starved or tortured. At the same time the PRC has undertaken a program of mass infusion of Chinese people who probably now outnumber Tibetans in their own country. There are no valid census data, but some estimate that in the capital of Lhasa there are about 160,000 Chinese and only about 100,000 Tibetans. The difference in numbers may be less startling in remote areas but the inescapable conclusion is that China is swallowing Tibet. Stores, hotels, bazaars, businesses and tradesmen are largely Chinese. Storefront signs bear large Chinese writing beneath much smaller Tibetan inscriptions. Driving out from Lhasa, one encounters as many Chinese villagers, shepherds, farmers, construction workers and travelers as Tibetan. In short, Tibet is disappearing.

Tibet lies along the border of Bhutan, Nepal, India and Pakistan and is rich in resources including agriculture, timber and minerals. Its importance to China is both strategic and economic. China seems certain to maintain its death grip on this land and strives to do so behind sealed doors. There is no independent press in Tibet. I did not see a single newspaper or magazine available to the people. Television is extremely limited and tightly controlled by the PRC. Outside press is not welcome and not allowed. Only

Voice of America, to which virtually all Tibetans listen, and Radio Free Asia, which is relatively new, beam information into Tibet. Nothing goes the other way except slips of information carried out by occasional tourists and visitors.

#### TIBET UP CLOSE

What do the Tibetan people say? Before my trip I was told that individuals would seek me out as an obvious Western visitor to hear their story. I was also told this was very dangerous to them; that informers were everywhere and being caught talking to a westerner was a guaranteed ticket to prison and more. Frankly, I was skeptical that anyone would approach us. I was wrong. Someone took advantage of almost every opportunity for a guarded word or two.

During our first encounter with a Tibetan who realized we were westerners and one of us was fluent in Tibetan, we found that he could not contain himself. "Many are in jail, most for political reasons." We saw Drapchi prison, which is off the beaten path in a slum area. Guards in pairs were ever present.

We saw the Sangyip prison complex and then Gusta prison. Prisons seem to be a growth industry in Tibet. We told the Tibetan not to take chances. He said it is so important that we see these places that he didn't care and we continued on what had become a nightmare tour. We passed the main security bureau, the intelligence headquarters and then the prison bureau, each heavily guarded. All the while we heard about monks and nuns and common men and women who were dragged away to prison and tortured. He said, "Don't worry about me at all," and continued to tell of the torture to which prisoners were subjected.

They are routinely beaten with sticks and kicked and poked with electric sticks (cattle prods with a huge electric charge). Political prisoners are isolated from the general prison population and kept in unlighted and unheated areas with no sanitary or medical facilities and almost no food or water.

He added that the people have no rights. They cannot talk freely. Even though Tibetans view the Dalai Lama as their spiritual and political leader, they are forbidden to show their love for him. Possessing a picture of the Dalai Lama is an offense which could draw harsh and brutal punishment and imprisonment. "We (Tibetans) must have permission from the Chinese to do everything," he said. "We can do nothing on our own."

He further said, "The Chinese say we have freedom of religion but it is a life. Despite the Chinese saying that Tibetans have freedom, there are no freedoms—not even one. Everything is controlled by the Chinese and we are repressed. We listen to Voice of America say that the West supports Tibet, yet they continue doing business with China. That doesn't help. Tibet feels left out and ignored."

"The Dalai Lama has asked America and Taiwan for help," he continued. "Please help the Dalai Lama because we are being ruined. The Chinese send Tibetan children to China for education and teach them Chinese ways. Tibet is disappearing little by little. The Tibetan language is being increasingly de-emphasized in schools and our culture is being wiped out."

All this from one man telling of his agony and the agony of his people. Yet, he ended by saying, "I am not afraid. Someday the sun will again shine in Tibet." Throughout, we found overwhelming support for and faith in the Dalai Lama by every single Tibetan with whom we had contact.

#### RELIGIOUS PERSECUTION

We visited numerous monasteries where monks, nuns and others sought us out. Their stories amplified what we had already

learned. Every monastery we visited was tightly controlled by a small group of resident Chinese overseers. Every report was heard told of a dramatic reduction in the number of monks at each monastery. Many were imprisoned for not turning their back on the Dalai Lama or even refusing to give up pictures of him. Young monks under 15 (it was possible to enter a monastery as young as 6 years of age) were turned out. Since the cultural revolution many monasteries had been largely destroyed. Rebuilding has been painfully slow.

The slightest resistance to Chinese interference was met by the harshest punishment. It was common to hear reports of monks being imprisoned, many during "reeducation" which involves turning one's back on the Dalai Lama. Imprisonment is for a long time. Imprisonment means years of brutal beatings with infrequent visitors from the outside. And when imprisonment finally ends, monks are expelled from their monastery and exiled to their home village. Many try to escape to India or Nepal. Many do not make it.

We were told on several occasions that all monks are afraid. When asked what message they would like me to take back to America, I was told to say that they are not allowed to practice their religion and that the people are suffering greatly. Their biggest hope is to be free from China. One said, "Please help us. Please help the Dalai Lama." He said if he were overheard talking to us he would immediately be put in prison for four or five years.

Other monks voiced their concern with not being free to practice their religion. Hundreds have been imprisoned simply for not removing pictures of the Dalai Lama from places of worship. Their prayers are restricted and they have few opportunities to talk away from the overseers, even in the monastery.

From monasteries all around Lhasa and the surrounding area, the message was the same. I am reluctant to be too specific in describing conversations because I do not want them traced back to a specific monk or person. To do so would be to impose a heavy sentence and punishment on someone already suffering an unbelievable burden.

At one place we met a woman at worship. When she realized we were American, she burst forth. As she talked she began sobbing. Tears poured down her face as she told us of conditions. She said, "Lhasa may be beautiful on the outside but, inside, it is ugly. We are not allowed to practice what we want to practice. Senior monks are gone and there are no replacements and they are our teachers."

Asked for a message to America, she said, "Please help us. Please help the Dalai Lama. When there is pressure from the West, things loosen up a bit before returning to as before. Please have America help us."

Every single person with whom we spoke had positive feelings toward America. We were always given a thumbs up or a smile or a comment such as, "America is great." People would not stop talking to us, even when their safety was threatened. Sometimes we had to turn away just to keep them from being seen talking with us. Some even risked exposure by gesturing to us from roof tops to meet with them.

#### THE CHINESE STRANGLEHOLD

China's assault on the city, the countryside and the environment has been no less harsh than its assault on the people. Tibetan areas in Lhasa are being demolished and replaced with smaller and more confined structures with the remaining space given over to Chinese uses. The area at the base of the Potala Palace has been completely leveled

and a new open space similar to Tiananmen Square has been created. Forests are being leveled and many have seen convoys of trucks piled with timber moving north into China.

This is not a pretty picture. The glowing reports of progress from Beijing or Shanghai where business is booming, skyscrapers are rising and industry, education and the standard of living are all soaring has a false ring when heard from the plain of Tibet.

America and the rest of the free world must do more to urge China to back off from its clear goal to plunder Tibet. The true story of Tibet is not being told. Aside from a courageous few journalists working largely on their own, the real story about Tibet is not reaching our ears. America and others must strive for more open coverage.

The U.S. government's policy seems to be based solely on economics; to open more and more markets with China and to ignore every other aspect of responsible behavior. The American people need to hear this message about Tibet. Knowing the real story, I believe the American public will decide that we need to do better and that we can do better. I hope this report is a beginning.

The clock is ticking for Tibet. If nothing is done, a country, its people, religion and culture will continue to grow fainter and fainter and could one day disappear. That would indeed be a tragedy. As one who visited a Soviet prison camp during the cold war (Perm Camp 35) and Romania before and immediately after the overthrow of the ruthless Ceausescu regime to see things first-hand, I believe conditions in Tibet are even more brutal. There are no restraints on Tibet's Chinese overseers. They are the accuser, judge, jury, prison warden and sometimes executioner rolled into one. Punishment is arbitrary, swift, vicious and totally without mercy and without recourse.

#### CONGRESSIONAL DELEGATION TO THE SOVIET UNION AND PERM LABOR CAMP 35, U.S. REPRESENTATIVES FRANK WOLF AND CHRIS SMITH, AUGUST 4-11, 1989—FINAL REPORT DELEGATION FINDINGS AND FOLLOW-UP, OCTOBER 1989

This report provides a brief account of the findings of the Wolf/Smith delegation to the USSR, outlines our joint follow-up initiatives, and offers recommendations for U.S. officials and non-government organizations and activists interested in the progress of legal and penal reforms, prison and labor camp conditions, and the status of alleged political prisoners.

*Purpose of the trip:* Inspection visit to Perm Labor Camp 35 and substantive discussions on legal and penal reforms and human rights. U.S. Reps. Frank Wolf and Chris Smith, accompanied by Richard Stephenson of the U.S. State Department, interviewed 23 of the 38 inmates reportedly still in Perm 35 at the time of the trip, and one inmate at the Perm investigation prison.

#### BACKGROUND AND FINDINGS

Perm 35, a Soviet correctional labor camp known for its severe conditions and mistreatment of prisoners, including prisoners of conscience, was the principal focus of our delegation. Marking the first time any U.S. or Western official has been allowed into a Soviet "political" labor camp, the trip's findings served to confirm and amplify much of the existing documentation on camp conditions and the existence of many prisoners believed to be incarcerated for basically political activities.

Helsinki Watch, Amnesty International, and others, including former prisoners themselves, provided background information for this trip. Many well-known political prisoners have been confined in the Perm Camp

complex, which now includes only Perm 35: Natan Sharansky, Professor Yuri Orlov, Alexander Ginsburg, Deacon Vladimir Rusak, Father Alfonsas Svarinskas, and many others.

Interviews with prisoners ranged from 5–40 minutes, all in the presence of camp administrators and an official of the Soviet Ministry of Internal Affairs (MVD). We viewed the punishment cells and other areas of the camp and were permitted to take photographs and videotape much of the camp and our interviews with prisoners.

The broader purpose of the delegation was to discuss Soviet progress toward legal reforms advancing the "rule of law" in Soviet society. That is, our discussions focused on the need to institutionalize the positive changes occurring in Soviet human rights practices, open up the Soviet prison and labor camp system to greater scrutiny, and establish due process. We held discussions with Ministry of Foreign Affairs (MFA) officials on legal reforms, including the critically important draft laws on "freedom of conscience" (whose principal impact will be upon religious communities), draft laws on emigration, and reform of the Soviet criminal code. The delegation questioned representatives of the Procurator General and Ministry of Internal Affairs (MVD) regarding the Soviet penal system.

As members of the U.S. Commission on Security and Cooperation in Europe (Helsinki Commission), we emphasized that our interest in proposed Soviet legislation is to find indications that changes are systemic and not simply arbitrary. We reminded Soviet officials of the importance which the American people place on respect for fundamental human rights like freedom of speech, peaceful assembly and the right to publish and organize independent groups. While not presuming to "teach" this to the Soviets, we spoke about the lasting impression such changes would make on the American people. For religious believers, in particular, a well-written law on conscience will offer legal recourse should local authorities decide to be heavy-handed. With respect to the 1991 Human Rights Conference in Moscow, we stressed that the adoption and implementation of laws guaranteeing freedom of conscience will have a direct bearing on U.S. support and enthusiasm for the Conference.

The rights of religious believers, including those in prison, was our major concern in meetings with the MVD, Council on Religious Affairs and religious officials, including the All-Union Council of Evangelical Christians/Baptists (Baptist Union). We also spoke with activists and dissidents in the religious communities, including former prisoners, to find their perspective on the present situation for religious communities in the USSR.

Our visit to Perm Labor Camp 35 was a key element in the overall equation of assessing Soviet human rights performance. The Soviet "gulag" (Russian acronym for the Soviet labor camp system) remains a stark symbol of "old thinking" in a country where political reform and dissent are coming into the open. Glasnost, or openness, has failed thus far to penetrate into the gulag, either to change conditions in the labor camps or to impact penal procedures which have led to systematically cruel and unusual punishment. It is important to recognize that the lingering fear of incarceration in the Soviet gulag threatens to hold hostage any meaningful reforms in Soviet society. Bringing "glasnost to the gulag" is an important step the Soviets can take to deal with concerns that President Mikhail Gorbachev's reforms might be reversed or undermined.

We have urged the Soviets to begin a process of opening up prisons and labor camps to

independent human rights monitors, both Westerners and Soviet citizens. We have encouraged human rights organizations to request access to prisons and labor camps. And finally, we pressed the Soviets to permit visits by clergymen and to allow religious literature into prisons and labor camps.

Our foremost concern remains the plight of the 24 prisoners whom we met in Perm 35. They have endured severe conditions and several of them are already counted by the United States among the nearly one hundred remaining suspected political prisoners in the Soviet Union. U.S. human rights policy has long embraced advocacy for individual prisoners' cases, a practice rooted in American values recognizing the inherent dignity and rights of each human being.

Our evaluation of the Perm 35 cases in question is based on the claims of several inmates that they are political prisoners, the documentation of human rights groups which support those claims, and the findings from our interviews. Our conclusion is that, regardless of any dispute over these definitions of political prisoners, most of these prisoners would not be prosecuted for similar "crimes" today, or their offenses would be treated far less severely. In view of the excessive punishment endured by these prisoners, we have called on the Soviets to reexamine their cases in the context of "new political thinking" and release them on humanitarian grounds.

#### FINDINGS ON PERM CAMP 35

##### *The prisoners and camp conditions*

Mikhail Kazachkov has spent nearly 200 days of his 14-year incarceration in punishment cells, up to 15 days at a time in the "shizo" cell.

We were given a rare glimpse of the infamous "shizo." Veterans of the Soviet gulag have provided vivid accounts of this notorious four-by-eight-foot cell. It contains a wooden plank fastened to the wall on which to sleep, with no bedding or blankets, and a cement stump on which to sit. The cell, and the punishment, is designed to make the natural cold of a Soviet labor camp that much more severe—that is, the unbearable, cold temperature is used as torture. Prisoners complained that it is difficult to sleep on the hard, narrow plank. The walls are made of a rough pointed-like concrete, which scrapes and cuts prisoners who might lean or sleep up against it.

We had to insist that Kazachkov be offered the opportunity to speak to us. He had been moved from Perm 35 to the Perm investigation prison shortly before our visit. While describing some instances of physical abuse in Perm 35, Kazachkov explained that general-purpose beatings were no longer a regular occurrence in Perm 35. Kazachkov suffered an injured arm in trying to resist a forced head-shaving, a practice which he described as a widespread form of humiliation against Soviet prisoners.

Kazachkov, imprisoned in 1975 one week after applying to emigrate, recently led eight other inmates at Perm 35 in a work strike to protect unsafe working conditions. Together these prisoners formed a Helsinki/Vienna human rights monitoring group in Perm 35. Through completely within their rights under the Helsinki Accords and the 1989 Vienna agreement "to promote the Helsinki process," camp authorities used harsh measures to stop them. Just three weeks after our visit, Kazachkov was singled out for his role in the protest. He was put on trial for "refusal to work" and sentenced to serve the next three years of his 18 and one-half year term in the more severe regime of Chistopol Prison.

We interviewed 23 inmates in Perm Labor Camp 35 who requested to meet with us. A

theme running through their stories emphasized the conditions and treatment of prisoners in the camp: long periods of isolation in punishment cells, severe cold used as torture, and being cut off from family and friends due to routinely intercepted mail and arbitrarily canceled visits. We were never allowed to meet alone with any prisoners. Prisoners gave their side of the story boldly and bravely, several of them condemning the abuses of the KGB and camp officials in their very presence. Many, though not all, of the 24 inmates we met (those in Perm 35 plus Kazachkov) claimed to be political prisoners. Many of the prisoners expressed thanks to those in the West who had written letters to Soviet officials on their behalf and to them personally.

We sought and received assurances beforehand from Soviet officials in the Procuracy, Ministry of Internal Affairs and the camp that no retribution would be brought against any prisoner. We repeated this Soviet promise loudly during meetings with many prisoners. The prisoners told us there had been reprisals against some who met with New York Times reporter A.M. Rosenthal during his visit to Perm 35 in December 1988 (the first visit by any Westerner to a labor camp). Some prisoners said that they understood reprisals were a possible consequence of speaking to us; however, we continued to stress that assurances had been given by the Soviets that there would be no reprisals. One prisoner simply said, "there is nothing more they can do to us."

Most of the Perm 35 cases demand a review by the Soviets, including the following:

Oleg Mikhailov said that he was put in "shizo" simply for requesting to meet with Rosenthal. Mikhailov was imprisoned in 1979 on charges of "treason to the motherland" and "anti-Soviet agitation" for preparing to steal and escape the country in a cropduster plane. He condemned the Soviets for their treatment of prisoners. Although one and one-half years of internal exile remain on his sentence, the Soviets have stated that the system of exile has been abolished. Mikhailov is due to be released October 21.

Byelorussian Christian Alexander Goldovich was charged with "treason" for attempting to flee across the Black Sea in a rubber raft, and carrying pictures allegedly depicting how bad life is in the Soviet Union. Goldovich admits to having the pictures, which the Soviets charged was secret information, and explains that they were snapshots of his apartment.

Goldovich is a physicist. Arrested April 21, 1985. Sentenced December 2, 1985, to 15 years strict-regimen labor camp and 5 years exile on charges including treason (Article 64), anti-Soviet agitation and propaganda (Article 70) and leaking government secrets. Accused of attempting to escape from the USSR and intending to leak secret information. To be released April 2005.

Goldovich had requested a Bible during the Rosenthal visit to Perm 35. He was denied one by camp authorities. We gave him a Bible and offered Bibles to any other prisoners who wanted one—all but two did. The Soviets assured us they would be allowed to keep them. Several times, he thanked people in the West for writing on his behalf. Asked whether there is any glasnost in the Perm camp, he replied, "No, not in the smallest degree." Goldovich's case has been raised continually with the Soviets.

Ukrainian Bohdan Klimchak attempted to flee from the USSR to Iran carrying his science fiction short stories, which he intended to publish abroad. After nine days in Iran, he was returned to Soviet custody. His writings were deemed "nationalistic," and he was arrested in November 1978 and sentenced to 15 years strict-regimen labor camp

and five years exile. His sentence was reduced under amnesty and Klimchak was due to be released in September 1989 (end of exile around March 1992). Convicted under Articles 64 ("treason") and 70 ("anti-Soviet agitation and propaganda") of Soviet criminal code.

Ruslan Ketenchiyev, a lathe worker, was arrested August 27, 1982, charged with "treason," and sentenced to 10 years strict-regimen labor camp. Ketenchiyev tried to contact American journalists and U.S. embassy personnel in order to emigrate to the West. Instead of the American diplomat he expected to meet, a disguised KGB agent entrapped him and he was prosecuted on treason charges. His sentence reduced under amnesty, Ketenchiyev is due to be released January 21, 1990.

Ketenchiyev told us of terrible conditions and various punishment methods in Perm 35, including the well-documented use of cold in punishment cells. He particularly noted the lack of medical care in the camp. Responding to prisoners' formal complaints about the extreme cold, camp doctors declared the temperature in punishment cells to be sufficiently warm.

Leonid Lubman, an economist and electronics engineer, was arrested August 29, 1977, charged with "treason," and sentenced to 13 years strict regimen labor camp. He is scheduled to be released on August 29, 1990. Lubman compiled a manuscript providing 30 profiles of corrupt officials and attempted to send it abroad.

Lubman may have become mentally disturbed in labor camp and suffers from chronic headaches and stomach ailments. He looked well over his 50 years and spoke much slower than the others we met. He said the authorities have an interest in not releasing him because he has learned the methods of his incarcerators. He described some sort of torture, which sounded like electrical shock and exposure to infrared waves. He said he was punished after the December 1988 visit by Rosenthal to Perm 35.

#### *Resolving the Perm 35 cases*

Many of the acts committed by those in Perm 35 would not have been considered crimes under Gorbachev. Although the Soviets frequently contend these prisoners are criminals, Soviet officials have repeatedly declined to open their files. They refused to open the files to us, although the U.S. State Department has provided court records and case files to the Soviets on disputed U.S. cases. The exception was a brief look at Kazachkov's file when Procuracy official Alexander Korshunov sought to refute charges of punishment made by Mikhail Kazachkov. When the open file revealed a picture of a head-shaved Kazachkov, it was quickly snapped shut.

Prior to the signing of the Vienna Concluding Document, in December 1988, Mikhail Gorbachev declared at the United Nations that there are no longer any persons in prison "sentenced for their political or religious convictions."

However, the release of remaining political prisoners was made a condition for U.S. agreement in Vienna to schedule a Helsinki follow-up conference in Moscow in 1991. The Vienna agreement was signed in January 1989. The Soviets subsequently agreed to a process of review for most of nearly one hundred prisoners remaining on U.S. political prisoner lists. Many of these "disputed cases" are the cases of those we met in Perm 35.

The prisoners who remain in Perm 35 are held under basically three charges: attempting to flee the country (including hijacking, in some cases); war crimes; and espionage. Many languish under Article 64 of the Soviet criminal code, "treason" in combination

with more clearcut political offenses like Article 70, "anti-Soviet agitation and propaganda."

Soviet officials claim they hold no political prisoners because all who were sentenced exclusively under one of the four purely political criminal code articles (like Article 70, those used to prosecute free speech, peaceful assembly, etc.) have been released in amnesties under Gorbachev.

Prosecution on charges of treason for the forbidden activities of the Brezhnev era no longer makes sense in today's Soviet Union. Article 64 was interpreted far too broadly under Soviet law and used to threaten prisoners with capital punishment and to extract testimony before they have even seen a lawyer. Those who landed in Perm 35 for acts of violence related to hijack attempts, or other acts of violence, are not political prisoners, although cruel punishment should not be simply excused in their cases either. It is high time, however, for review of the excessive punishment meted out for nonviolent "crimes" that would not be prosecuted today, or would be treated far less seriously.

We conveyed to the Soviets that it was in the interests of all sides for these cases not to linger beyond preparations for the Vienna Follow-up Meeting at Copenhagen in 1990. Should they linger until the already controversial Moscow Human Rights Conference in 1991, the Soviets would face a great embarrassment.

While these prisoners' cases remain unresolved, we sensed from our discussions the Soviets' desire to be cleared of the charges that political prisoners remain. Therefore, we call on the Soviets to reexamine these cases in view of their "new political thinking" and release them on humanitarian grounds.

#### PROSPECTS FOR LEGAL AND PENAL REFORMS

To the Soviets' credit, the kind of access we were granted to Perm 35 would have been unthinkable even months ago. The Soviets have closed down two political labor camps in the vicinity of Perm 35 for lack of need as a result of prisoner amnesties. Soviet authorities say that they have removed hundreds of camp guards responsible for past human rights abuses. Officials of the Soviet Procuracy, as well as the new Supreme Soviet legislature, have talked about penal reforms. The highest ranking Soviet procurator supervising Legality in Correctional Facilities, Yuri Khitrin, admitted to us that it was necessary to discuss "humanizing" the Soviet penal system.

These statements would bode well for the prospect of reform. However, the practical impact on prison and labor camp conditions has thus far been minimal, and the Soviets have publicly stated few commitments to improve or reconstitute their gulag practices. On the other hand, the Soviets have promised for more than two years to institute legal reform which will decriminalize political dissent.

We discussed legal reforms with officials of the Council on Religious Affairs. Deputy Minister Alexander Ivolgin explained to us that they were reluctant to discuss a draft of "laws on conscience" which we put before them—one of two thus far published. Ivolgin claimed that the new law on religious groups had not yet been formally drafted for consideration by the Supreme Soviet. An official from CRA's legal office, Tatyana Belokopitova, offered a very disappointing response on the question of requiring registration of religious groups. The latest proposal would establish the right of "judicial person" (legal recourse) only for religious groups who submit to registering with central religious authorities. This proposal would fail to resolve either the present lack

of legal rights for all churches or the desire of many believers not to register—it would instead pit these concerns against each other.

In a meeting with First Deputy Foreign Minister Anatoly Adamishin, the question of new religious laws was side-stepped by referring us to the Council on Religious Affairs. However, Mr. Adamishin assured us that the Supreme Soviet would place a high priority on new religious laws during its fall session. He was less optimistic about action on draft emigration (exit/entry) legislation. In general, Adamishin declared that economic and constitutional reforms would take precedent over both matters. On freedom of conscience, Adamishin commented, "We used to have a problem in regards to freedom of conscience, but we never had a total absence of religious freedom. The freedom to perform religious rites was always allowed, so we are not starting from scratch."

Regarding penal reforms, there appears to be a much tougher hill to climb. We met with a panel of procurators and investigators from the All-Union Procuracy and Ministry of Internal Affairs who denied our references to the arduous conditions in prisons and labor camps. We encountered a Soviet willfulness to discuss "rule of law" questions, even while some observations caused a degree of discomfort: prosecutors bring charges only with sufficient evidence for a presumption of guilt; they are held responsible for "losing" cases; and all trial attorneys are answerable to the Procurator General.

We raised the issue of establishing due process for charges brought while prisoners are serving sentences—no sooner had we left than Mikhail Kazachkov was victimized for such pitfalls in the Soviet system. We identified those issues raised by former prisoners: cruel punishments, malnourishment, inadequate medical care, severe restrictions on family visits. We were assured that draft legislation excludes provisions which disallowed family visits in the past. In addition, we were told that the Procuracy now shares the responsibility for supervision of correctional facilities with public commissions under the new Supreme Soviet which guarantee "law, legality and order."

The Soviets indicated openness to future visits to prisons and labor camps by official and non-official groups. Mr. Khitrin offered agreement in principle to a follow-up visit by Director of the U.S. Bureau of Prisons, Mr. Michael Quinlan, and Chairman of Prison Fellowship International, Mr. Charles Colson. We mentioned that groups such as Amnesty International, Helsinki Watch and the International Red Cross should be permitted access to prisoners in prisons and labor camps to monitor and report on conditions. We advocated on behalf of independent Soviet monitors who wish to have access to correctional facilities.

Finally, we received assurance that prisoners could have Bibles and other religious literature and that clergy would be allowed to visit. Both have been forbidden in law and practice in the past. Khitrin told us that a decision had been made that from now on "all correctional labor colonies will have Bibles in necessary quantities and permit ministers of faith to visit." We urged the Soviets to put such commitments into practice by granting requests to visit prisons and camps.

#### FOLLOW-UP AND RECOMMENDATIONS

##### *Release of Perm 35 prisoners*

We have an obligation to work for the immediate release of all remaining Perm prisoners on humanitarian grounds. The Soviets are obligated to release all political prisoners in compliance with their commitments under the Helsinki Final Act and Vienna Concluding Document. In addition, one criteria for agreeing to the Moscow Human

Rights Conference was the release of all political prisoners. While Soviet authorities have raised questions in connection with many of these cases, we as members of the Helsinki Commission have argued that the burden of proof is on the Soviets to prove the individuals in question are criminals. We have initiated or recommended the following action on behalf of remaining prisoners, including those in Perm 35:

(1) We have publicly called on the Soviets to release all those in Perm 35 convicted for nonviolent acts. We believe that in view of the excessive and cruel punishment these prisoners have suffered, a positive Soviet response would signal a truly humanitarian gesture.

(2) We have written Secretary of State James Baker to urge him to continue the practice of raising individual cases at the highest levels in U.S.-Soviet dialogue.

(3) We have discussed Soviet reforms and the status of prisoners with Deputy Secretary of State Lawrence Eagleburger, urging that human rights remain a top priority in U.S.-Soviet relations. While Soviet human rights improvements have occurred, we should continue identifying problems that persist and pressing our concerns while the Soviets seem willing to discuss and respond to them.

(4) We have urged human rights groups to advocate the immediate release of political prisoners.

(5) We urge concerned Westerners to reinvigorate campaigns on behalf of these prisoners, including letter-writing to Soviet officials, camp authorities and to the prisoners themselves.

#### *Advancing glasnost to the gulag*

The Soviets should begin a process of opening up prisons and labor camps to interested individuals and human rights groups. Only by following our inspection visit by permitting further visits will the Soviets make progress in erasing the Stalinist stigma of the gulag.

(1) We have urged Westerners and human rights organizations to request to visit prisons and labor camps and meet with prisoners in order to report on conditions.

(2) We have urged members of the media, particularly the Moscow press corps, to make visits and report on prisons and labor camps. Since our visit, a few members of the media have been granted access to camps.

(3) We have helped to secure official Soviet approval for the visit of Bureau of Prisons Director, Michael Quinlin, and Prison Fellowship International chairman, Charles Colson, to visit several prisons and labor camps in the USSR and discuss reforms and ways to reduced crime and recidivism in that country.

(4) We have urged that Western Leaders and human rights groups advocate on behalf of Soviet citizens who wish to visit prisons and labor camps, including clergy to perform rites or offer pastoral counsel.

(5) We have raised these concerns in congressional hearings, and support Helsinki Commission hearing to focus on conditions in the Soviet gulag.

#### *Reforms*

(1) We have shared our findings on the progress of legal reforms—including “freedom on conscience,” freedom of emigration, and criminal code revisions—with prominent non-government organizations and urge their continued vigilance in encouraging further institutionalization of basic freedoms and that such laws be consistent with international law and with CSCE commitments.

(2) We have raised concerns about Soviet legal reforms in recent hearings sponsored by the Congressional Human Rights Caucus and, in the past, in CSCE hearings.

(3) We have expressed our support to Soviet and American officials for programs developed in a human rights framework to promote Soviet Progress on “rule of law” issues and in other areas where U.S. expertise is helpful and welcomed by the Soviets.

#### PRISONERS MET AT PERM 35

Following is the list of prisoners (not all of them are necessarily political prisoners) who spoke with Reps. Wolf and Smith at Perm Labor Camp 35 in August 1989. For more information on these prisoners and their cases, please contact Helsinki Commission (U.S. Commission on Security and Cooperation in Europe, House Annex 2, Room 237, Washington, DC 20515).

Mailing address for prisoners (Moscow post office box): SSSR, RSFSR, S. Moskva uchr. 5110/VS, Last name, First initial.

Aleksandr Goldovich, Ruslan Ketenchiyev, Bogdan Klimchak, Lenoid Lubman, Viktor Makarov, Nikolay Nukradze, Aleksandr Rasskazov, Mikhailov Kazachkov, Valery Smirnov, Oleg Mikhaylov, and Igor Mogil'nikov.

Yuriy Pavlov, Aleksandr Udachin, Arnold Anderson, Maksim Ivanov, Vyacheslav Cherepanov, Vadim Arenberg, Vladimir Potashov, Akhmet Kolpabayev, Anatoliy Filatov, Igor Fedotkin, Vladimir Tishchenkov, Viktor Olinsnevich, and Unidentified Central Asian.

*Acknowledgment:* We wish to thank Richard Stephenson, Soviet Desk Officer at the State Department, who accompanied us on the trip to Perm 35, providing translation and other assistance.

□

#### RECESS

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 12 of rule 1, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 46 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. MORELLA) at 2 p.m.

□

#### PRAYER

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

O gracious God, the author of life and truth, be in our hearts this day with a message of faith and hope and love. May our faith be strong enough to stand against the schemes of evil that seek to turn people against one another; may our hope allow us to see a better and brighter day and honor the possibilities of the human experience; and may our love bind us together in such a way that we encourage one another, bear each other's burdens, and honor together all the gifts that You have so freely given to us. In Your 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 Michigan (Mr. UPTON) come forward and lead the House in the Pledge of Allegiance.

Mr. UPTON 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.

□

#### JUSTICE DEPARTMENT INVESTIGATING THE JUSTICE DEPARTMENT

(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, when the Justice Department is accused of a crime, the Justice Department investigates the Justice Department. Think about it. Eighty Americans were killed at Waco Texas; the Justice Department investigated themselves. Eighteen of those killed at Waco were children, literally burned to death. The Justice Department investigated themselves. Unbelievable. Peers investigating peers; buddies investigating buddies. Who is kidding whom, Madam Speaker?

If the Justice Department was not guilty at Ruby Ridge, Idaho, when Vickie Weaver was shot right between the eyes, why did the Justice Department pay Randy Weaver \$5 million?

Beam me up. Congress should cosponsor H.R. 2201.

Madam Speaker, I yield back all the exonerating investigations, self-investigations, at the Justice Department.

□

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

HOUSE OF REPRESENTATIVES,

Washington, DC, February 11, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 11, 2000 at 11:30 a.m. That the Senate passed without amendment H. Con. Res. 244.

With best wishes, I am  
Sincerely,

JEFF TRANDAHLL,  
Clerk of the House.

COMMUNICATION FROM CHAIRMAN  
OF COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations.

COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, February 8, 2000.

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

DEAR DENNIS: Enclosed please find a copy of a resolution approved by the Committee on Transportation and Infrastructure on March 11, 1999, in accordance with 40 U.S.C. §606.

With warm regards, I remain  
Sincerely,

BUD SHUSTER,  
Chairman.

There was no objection.

□

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 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 6:15 p.m. today.

□

NATIONAL DONOR DAY

Mr. UPTON. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 247) expressing the sense of Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day.

The Clerk read as follows:

H. CON. RES. 247

Whereas more than 70,000 individuals await organ transplants at any given moment;

Whereas another man, woman, or child is added to the national organ transplant waiting list every 16 minutes;

Whereas, despite the progress in the last 15 years, more than 10 people per day die because of a shortage of donor organs;

Whereas almost everyone is a potential organ, tissue, and blood donor;

Whereas transplantation has become an element of mainstream medicine that prolongs and enhances life;

Whereas, for the third consecutive year, a coalition of health organizations is joining forces for National Donor Day;

Whereas the first two National Donor Days raised a total of nearly 17,000 units of blood, added over 2,400 potential donors to the National Marrow Donor Program Registry, and distributed tens of thousands of organ and tissue pledge cards;

Whereas National Donor Day is America's largest one-day organ, tissue, bone marrow, and blood donation event; and

Whereas a number of businesses, foundations, health organizations, and the Department of Health and Human Services have designated February 12, 2000, as National Donor Day: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the goals and ideas of National Donor Day;

(2) encourages all Americans to learn about the importance of organ, tissue, bone marrow, and blood donation and to discuss such donation with their families and friends; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for organ, tissue, bone marrow, and blood donation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Florida (Mrs. THURMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. 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. Con. Res. 247.

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

There was no objection.

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

Madam Speaker, I rise in strong support of H. Con. Res. 247, a resolution supporting National Donor Day and recognizing the importance of organ, tissue, bone marrow, and blood donation.

Americans who donate their organs, tissue, bone marrow, or blood to save another's life are indeed heroes; and I am delighted that the House today has taken time to recognize them as such. But despite the generosity of the American people and improvements in medical treatments for transplant patients, the supply of organs continues to be tragically short of the need for transplantation among patients with end-stage organ disease and organ failure. Every year the number of patients who die while waiting for a transplant increases, and so does the national waiting list, which now exceeds 65,000 patients waiting for kidney, liver, heart, lung, pancreas and intestine transplants. We must do more.

Our Nation may also be facing an increasingly severe shortage of blood. As Chairman of the Subcommittee on Oversight and Investigations, I have held a series of hearings over the last couple of months on this issue and the alternatives for addressing it. We have learned that virtually every 3 seconds someone in our country needs blood. Supplies need to be replenished daily to meet the demand. An estimated 32,000 units of blood are used in the country every day. As many as 95 percent of Americans are going to need a blood transfusion some time in their

life, but yet only 5 percent of Americans donate blood.

We are quickly heading to a point where blood demand is going to exceed our supply. Several weeks ago Washington was down to less than a 1-day supply, and a critical need for blood remains evident throughout the country even this week.

As many may know, our committee, the Committee on Commerce, has spent a great deal of time and effort this last year working to develop good solutions to the difficult problem of increasing the supply 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 Transplantation Network Amendments of 1999, which was reported out of the committee at the end of last session. H.R. 2418 ensures that decision-making with regard to organ transplantation remains in the transplant community, and not in the hands of the Federal Government.

This bill includes a provision to provide living and travel expenses for individuals who travel across State lines in order to donate an organ to a person requiring such. After many hearings on this important issue, our committee found there are willing donors who would like to save the life of another American but also find themselves in financial circumstances that would make donation of a life-saving organ even more of a hardship. H.R. 2418 would ease that burden, and I would urge this body to take up that bill and pass legislation that would make organ donation easier for every American.

I am also proud to say that due to the Committee on Commerce's efforts, H.R. 3075, the Medicare, Medicaid and S-CHIP Balanced 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 life-saving drugs prevents the organ rejection that places so much strain on the organ supply network. We should all be grateful to the gentleman from Florida (Mr. CANADY) and those who cosponsored the legislation for bringing this issue to the attention of the committee.

While we in Congress continue to safeguard the organ allocation system from harmful bureaucratic interference and work to address financial problems living donors face, as well as those recipients who need affordable immunosuppressive drug therapy, let us take the time this afternoon to applaud the ordinary American, every American, who has given the gift of life to their neighbors and families by donating organs, tissue, bone marrow, or blood. That is what this resolution calls for. We salute you for your sacrifice and your charity.

Madam Speaker, I reserve the balance of my time.

Mrs. THURMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would just like to say that the gentleman from Maryland (Mrs. MORELLA) also is one of the cosponsors of this legislation, so we are pleased to have her in the Chair for this great day.

I would say to my friend, the gentleman from Michigan (Mr. UPTON), I appreciate the statistics that he gave us and the other issues that are involved in organ donation, and particularly the issue of the immunosuppressive drugs, which we find as one of the most compelling reasons why this Congress needs to go further in making sure that we provide this drug coverage to people with organ donations or organ transplants. So I appreciate the gentleman's comments, and I look forward to working with him on that and the allocation issue as well. In saying that, I just would like to say it is a real pleasure for me to be celebrating this Valentine's Day with the news that this Congress recognizes the importance of organ, bone marrow, and tissue donation.

Today, in recognition of National Donor Day, this House will pass H. Con. Resolution 247, which recognizes the importance of organ tissue, bone marrow, and blood donation and supports National Donor Day.

National Donor Day is America's largest 1-day donation event, organized by Saturn and the United Auto Workers in coordination with several organ and tissue organizations and the U.S. Department of Health and Human Services. The past two National Donor Days raised a total of 17,000 units of blood and added over 2,400 potential donors to the National Marrow Donor Registry and distributed tens of thousands of organ and tissue pledge cards. Putting that into context with the numbers presented by the gentleman from Michigan's (Mr. UPTON) numbers as far as how low our supply of blood was in this last year, that is one of the reasons why this is so important.

I think we can safely say that these past two donation days were a success; and, although we do not have any official numbers, I understand that this year was also successful.

Thanks to National Donor Day, many more people will be lucky enough to receive the gift of life, a new organ. Every year, thousands of our friends, family members, and neighbors go on the waiting list for an organ. The tragic truth is, despite continuing advances in medicine and technology, the demand for organs drastically outstrips the amount of organ donors.

The numbers tell the story. In 1990, there were a little more than 20,000 people on the waiting list. Today, there are more than 65,000 people waiting an organ transplant. In Florida alone last year, between January and March, there were more than 1,200 people on

the waiting list for a kidney. The good news is that 121 cadaveric kidney transplants were performed during these 3 months. But, sadly, during that same time frame 18 people died while waiting for a kidney.

The bad news is that a new name is added to the list every 16 minutes. The good news is that we are passing this resolution to raise the awareness about the tragic lack of organs and we will begin to make a difference. Every time we talk to our family and friends, we begin to make a difference.

Passing this resolution will allow this Congress to make a difference by letting the American people know that we care about this issue and that we are committed to beginning the dialogue on the importance of organ, blood, tissue, and bone marrow donation. Please remember, these are people out there, maybe your neighbor, your teacher, your doctor, your friend, a loved one, a coworker. In this House we have experienced this matter as well with some very good friends of ours, the gentleman from Massachusetts (Mr. MOAKLEY), the gentleman from South Carolina (Mr. SPENCE), and I myself with my husband. But all of these people could potentially need an organ or bone marrow or blood.

□ 1415

Please remember those are the people on the waiting list; people whose lives may lay in our hands. I cannot stress how important it is to talk to one's family and friends about being an organ donor, a tissue donor, a bone marrow donor, and a blood donor. Remember, you too can give the gift of life.

I would also like to take a moment to recognize a constituent of mine at an upcoming event, Mr. Perry McGriff, a man who, in fact, is being honored today by receiving an award for his work on donation issues. Each year, Perry goes on the Five Points of Life Bike Ride. This year, this bike ride will take him from Maine to Florida. The Five Points of Life trek across the United States is to bring awareness of the need for five donations, including blood, tissue, bone marrow, and organs.

This year, the program kicks off on August 26 atop Cadillac Mountain in Maine. Over more than 6 weeks, Perry and others will ride through Connecticut, New York, Pennsylvania, Washington, D.C., Virginia, North and South Carolina, Georgia; and they will end up in Key West. It is people like Perry that I hope all of us can remember when we think that we just do not have enough time to discuss the issue with our family.

Remember Perry when you think you do not have enough time to look into being an organ, tissue, bone marrow, or blood donor. If he can spend 6 weeks riding across the country to raise awareness about this issue, I hope you can spend a few minutes thinking about this issue and talking to your family and friends.

In most States, one can sign up to be an organ donor when one renews their license at the DMV. However, what most people do not know is that this does not ensure that one's organs will be donated. One's family has the final say in this matter, which is why it is so important that one talks to one's immediate family about one's decision to be an organ or tissue donor. Then, if something tragic should happen or occur, one's wishes will be honored.

Madam Speaker, I would also like to take a moment to thank the gentleman from Florida (Mr. CANADY); the gentleman from Arizona (Mr. SNYDER); and the gentleman from California (Mr. BILBRAY) for their help and support on introducing and passing this important resolution. I would also like to recognize the Juvenile Diabetes Foundation and the National Kidney Foundation for bringing this important day to our attention and for all of their support and information on this issue. Finally, I would like to thank the more than 50 Members who have signed on as cosponsors to this important resolution. I hope people really do understand that this is a gift of life.

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

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

First of all, I want to thank the gentleman from Florida for her important remarks during this debate. We had some terrific hearings in the Subcommittee on Oversight this last fall, a whole series of hearings, talking about the need for blood and how, in fact, it looks very much that the whole country could face some real shortages this year, particularly in certain regions of the country.

At that point, we decided, as we saw back in Michigan, my home State, a number of efforts were taken up by service clubs and universities challenging each other, particularly at Western Michigan University challenging Central Michigan University, and I thought we would have that same type of challenge here on Capitol Hill.

So about 2 weeks ago was the date that Republicans and Democrats, staff and Members, House and Senate, challenged each other; I wish we had the trophy over here. The Republicans did win, but we all won. We helped certainly the shortage where it exists.

Madam Speaker, we have a real need for donors to give blood. Because even though the number of donors in fact is increasing each and every year, the need for blood is increasing at an even greater pace, and because of that, I think all of us, particularly in positions as Members often are, where we can use ourselves to help generate other donors to contribute blood across the country.

I want to also spend a little bit of time talking about our good friend, the Chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG). A couple of years ago, probably 6 or 7, maybe even more than

that, his daughter was in desperate straits needing a bone marrow transplant. He single-handedly, I think, signed up a good number of us on the House Floor, Republicans and Democrats, the gentlewoman's home State, and I was one of those that was tested. My donation was made, I guess it is in a bank. I pray for the day that someone is going to call me and say Fred, we want you to come down and donate bone marrow to save the life of someone in this country or elsewhere around the world. In fact, one of our colleagues, because of the actions that he took, actually it was a Member no longer a Member from Florida, in fact, did donate bone marrow tissue and in fact did save the life of someone because of the work of the gentleman from Florida (Mr. YOUNG).

All of us, particularly those that are able to donate to this bank so that we may be called on to save someone at some point down the road I think is very necessary, and this bill recognizes those people that can do that.

I would also like to praise our States. I know in my State of Michigan it is now a normal thing, and I think maybe it is for most States. I know Virginia, talking to my staff over here, I know has that, and I know Florida has that same thing, but of course on the back of our driver's license in Michigan, there is a provision I would like to make a gift effective on my death, all organs specific, et cetera, all tissues.

Mrs. THURMAN. Madam Speaker, will the gentleman yield?

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

Mrs. THURMAN. Madam Speaker, there are also some other things that are going on. Of course, the Gift of Life pin with the green ribbon symbolizes Organ Donation Days, which is something that we can all participate in. Another is the organ donation stamp, nationally recognized around the country, it kicked off a couple of years ago. There are so many things that we can do both as Members of Congress for people who have been the recipients, or those waiting.

The gentleman mentioned the issue on the bone marrow. I think the Today Show has been doing some programming on this particular issue, and they had a little boy who would have potentially died had it not been for somebody that had registered for the bone marrow transplant. It was one of our young service members in this country that in fact donated his bone marrow. They got to meet for the first time Friday—he met the boy who he gave his gift of life to. As the gentleman well knows, we all have attempted over the last several years to raise this issue; it is amazing to me the wonderful stories that are out there, but still there are tragic stories of those that do not receive an organ in time.

Mr. UPTON. Madam Speaker, reclaiming my time, the gentlewoman raised the point about the stamp. I was there when the stamp was unveiled

over in the Senate a couple of years ago. I only wish they had enough foresight to have made it 33 cents. Of course it is 32 cents, so they are not as handy as they once were. We had a gentleman in my home county in Michigan, a guy by the name of Mr. Hein and he went out for every parade for years. He was out there with his little petition drive, signing people up; I was one of his early people. Sadly, he has now passed away, in need, I think, of an organ transplant. That certainly gave him a number of years that he did not have, and his family's work and really all folks across the country that helped bring that beautiful stamp into play was pretty marvelous.

Mr. UPTON. Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Madam Speaker, I want to stand today in strong support of this important concurrent resolution to increase awareness of a very serious health problem, the growing gap between organ supply and demand. Last year, of the 60,000 people on organ transplant waiting lists, only 20,000 received needed transplants. As the number of patients waiting for organ transplants expands each year, clearly we must redouble our efforts to increase organ donations.

In my State of Louisiana, organ and tissue donations are increasing, in large part thanks to a new and innovative computerized database that shares information on donated organs with members of the medical community and their patients. For instance, in 1999, 900 organs were donated in Louisiana, coming close to matching the nearly 1,200 Louisianans awaiting transplants. I think this represents real progress, and I am proud that my State is leading the way.

However, I do remain very concerned that this administration's answer to the growing shortage across the country of organs is to attempt to federalize the organ allocation system and allow HHS bureaucrats to override medical decisions by local organ transplant groups. I believe it would be terrible to undercut the successful efforts of local organ procurement groups. Instead of dictating organ allocation policies, we should lend our voice to increasing organ donations nationwide and support this type of resolution, as we are on the floor today.

Mr. STARK. Madam Speaker, today I join my colleague and good friend, Representative KAREN THURMAN, to support House Concurrent Resolution 247, in honor of National donor Day and recognition of the importance organ, tissue, bone marrow and blood donation.

With approximately 70,000 Americans currently awaiting organs and more than ten people dying every day, it is clear that our nation is facing a real crisis. This resolution will help both raise awareness and increase donations nationwide—it is a meaningful step toward bringing an end to our nation's current predicament.

A Health and Human Services (HHS) September 1999 Report to Congress noted a

growing gap between the supply and demand for organs nationwide. HHS reports that medical technology improvements and a modest increase in donors have not kept pace with the demand for more organs. Demand for organ transplants has increased due to the success of immunosuppression therapies in preventing organ rejection and improving graft and patient survival. The lack of organs available for transplant illustrates the crucial need to focus public attention on increasing organ donation.

A number of businesses, foundations, health organizations, and the Department of Health and Human Services have previously designated February 12th as National Donor Day. The first two National Donor days succeeded in raising a total of almost 17,000 units of blood, adding over 2,400 potential donors to the National Marrow Donor Program Registry, and included mass distribution of organ and tissue pledge cards. This concurrent resolution supports National Donor Day, encourages Americans to learn about and openly discuss donation, and calls on the President to issue a proclamation to demonstrate support for organ, tissue, blood and bone marrow donation.

Research points to a clear need for public education and incentive programs to increase organ donation. This Congress, I also introduced legislation, H.R. 941, the "Gift of Life Congressional Medal Act of 1999," to provide a commemorative Congressional medal to organ donors and their families to honor their efforts. This Act is intended to draw attention to this lifesaving issue and to spend a clear message that donating one's organs is a selfless act worth the profound respect of our Nation. I hope Members would also consider this effort to increase donations.

The problem is clear—there are not enough organs to meet the needs of patients. Let's support initiatives such as H.R. 941, to create an organ donor medal, and H. Con. Res. 247, to honor National Donor Day and to recognize the importance of organ, tissue, bone marrow & blood donation. Initiatives such as these will help raise awareness, increase donations nationwide, and both are meaningful steps toward bringing an end to growing gap between the supply and demand for organs.

Mr. CUMMINGS. Madam Speaker, I wish to commend the gentlelady from Florida, Representative KAREN THURMAN, for introducing this resolution. It addresses an issue that is of great importance to me.

Last year, I introduced the "Organ Donor Leave Act," which President Clinton signed into law on September 24, 1999. That Act (Public Law 106-56) extends the amount of paid leave a federal employee can use to donate an organ from seven to 30 days. Experience has shown that an organ transplant operation and post-operative recovery of a living donor may require six to eight weeks. Prior to the enactment of this legislation, a lack of leave had served as a significant impediment and disincentive for individuals considering sharing the gift-of-life.

As a proponent of organ donations, I sought to encourage not only the federal government, but other public and private employers to support employees who volunteer to undertake the life saving process of donating an organ. Congresswoman THURMAN's resolution essentially seeks to do the same. Her resolution expresses the sense of the Congress regarding

the importance of organ, tissue, bone marrow, and blood donation, and supporting National Donor Day.

Her resolution calls to our attention the fact that a man, woman and child is added to the national organ transplant waiting list every 16 minutes. In fact, 70,000 individuals await organ transplants at any given moment. The resolution also informs us that despite the progress in the last 15 years, more than 10 people per day die because of a shortage of donor organs.

A few months ago I learned about Daleen Hardy a Postal Service employee who was scheduled to donate a kidney to her husband. She was concerned that her employer might not allow her adequate time off to recover. I wrote to the Post Master General urging him to consider allowing her the same 30 days leave granted federal employees by the "Organ Donor Leave Act."

In my home state of Maryland, we have two world-class transplant centers that draw patients from across the country, Johns Hopkins University and the University Medical System. Those facilities receive referrals from Maryland's Transplant Resource Center which has more than 1,600 people on the kidney waiting list. With more people like Daleen Hardy this number could be reduced.

In an effort to help encourage organ donations, last year, Vice President AL GORE unveiled a series of new Federal and public-private initiatives to increase the rate of organ donations nationwide. He announced a \$13 million grant program to improve local donation efforts. The grants would fund new public service announcements to educate families about organ donation. The funds would also be used to conduct a series of regional conferences between health care providers and transplant professionals about organ donation.

The "Organ Donor Leave Act" and the initiatives taken by Vice President AL GORE represent affirmative acts to help save lives. The resolution authored by Congresswoman THURMAN is one and the same.

I urge every Member of Congress to give it their support, and by doing so, join the in the commemoration of National Donor Day.

Mrs. MORELLA. Madam Speaker, I want to add my strong support for H. Con. Res. 247, the Support National Organ Donor Day Resolution.

Every family hopes that if one of its members becomes seriously ill, medical science will be able to provide a miracle and restore their loved one to a healthy and rewarding life. Medical science has been able to do exactly that over the past decade for hundreds of thousands of families with loved ones suffering from diseases and injuries that affect the heart, kidney, pancreas, lungs, liver or tissue.

Transplantation of organs and tissues has become one of the most remarkable success stories in medicine, now giving tens of thousands of desperately ill Americans each year a new chance at life. But sadly, this medical miracle is not yet available to all in need. Waiting lists are growing more rapidly than the number of organs and tissues being donated.

There are more than 70,000 individuals awaiting organ transplants at any given moment, and despite the fact that almost everyone is a potential donor, more than 10 people each day die because of a shortage of donor organs.

Last year over 1,500 men, women and children from Maryland were on waiting lists hop-

ing for an organ to become available—an increase of 108 over the previous year. Many of these Maryland residents have been waiting for years. And the wait is growing longer.

Every two hours, one of the more than 60,000 Americans now on waiting lists dies for lack of an available organ.

Even when individuals have indicated a desire to be a donor, statistics show that those wishes go unfulfilled more than half of the time.

Two important points must be made: The final decision on whether or not to donate organs and tissue is always made by surviving family members.

Checking the organ donation box on a driver's license does not guarantee organ and tissue donation. Individuals should discuss the importance of donation with their families now—in a non crisis atmosphere—so if the question ever arises, all members of the family will remember having made the decision to give the gift of life.

Madam Speaker, this resolution encourages all Americans to learn about the importance of organ, tissue, bone marrow, and blood donation and to discuss such donation with their families and friends.

I urge strong support for this resolution.

Mr. BLILEY. Madam Speaker, I rise in support of H. Con. Res. 247, a resolution recognizing the importance of organ, tissue, bone marrow, and blood donation and calling on people to observe National Donor Day on Wednesday, February 16th.

One of the kindest acts of charity anyone can do is donate blood, bone marrow, tissue, or even solid organs to someone they will probably never meet. Organ and tissue donation is so important to so many families, we need to set aside time with one another to discuss it among our families, friends, and colleagues. I am pleased that Congressman Bilbray brought this resolution to my attention, and that I was able to assist in bringing this resolution to the floor for timely consideration.

Organ and tissue supplies are in such short supply that any single contribution will be greatly appreciated by the recipient's family. I am told that the Washington, DC area is now down to a three-day supply of blood; that there are more people needing bone marrow transplants than matches can be found among people who have registered with the National Bone Marrow Donor Program; that more people enrolled in the Medicare End-Stage Renal Disease program will die from kidney failure because there are too few kidneys to transplant; and still, people die every day from liver failure despite an innovative surgery pioneered at the Richmond-based Virginia Commonwealth University, which allows living donors to have part of their liver transplanted into a recipient with recovery for the donor complete in about three weeks.

There is a palpable fear among those in the transplant community that the Clinton Administration's controversial organ allocation regulations will eliminate the incentives for local transplant centers to increase local supplies of organs. Why? Because the new HHS regulations stand the system on its head and give transplant centers greater incentives to increase their waiting lists so that these centers will increase the probability that they will be first in line to get an organ from some other region. That, my colleagues, is exactly the wrong policy to pursue if we want to be increasing organ supplies.

As many of you know, the Committee on Commerce has labored long and hard to find common-sense solutions to the organ shortages facing American families in every community without compounding the problem with unnecessary meddling by the Federal bureaucracy. These solutions are ready to become law through the Bilirakis-Green-Pallone "Organ Procurement and Transplantation Network Amendments of 1999," which was ordered reported out of the Committee on October 13 by voice vote.

H.R. 2418 authorizes \$5 million in grants annually to pay for living and travel expenses for individuals who donate an organ to a recipient living in another State. H.R. 2418 would help many willing donors who just don't have the financial means to travel or take time off from work to donate an organ. But, these grants will not be available unless we work together to enact H.R. 2418.

Lastly, let me say that I am very proud of Commerce Committee efforts to add \$200 million to pay for additional immunosuppressive drug therapy under the "Medicare, Medicaid and S-CHIP Balance Budget Refinement Act of 1999." Thanks to Congressman CANADY's leadership on this issue, life-saving drugs that prevent organ rejection are now available through Medicare for a longer period of time.

I want to thank Congresswoman THURMAN and Congressman BILBRAY for their leadership in calling our attention to National Donor Day, and ask that the House pass this resolution.

Mr. BILIRAKIS. Madam Speaker, I rise in strong support of H. Con. Res. 247, and I urge my colleagues to support its passage today.

This resolution encourages all Americans to learn about the importance of organ, tissue, bone marrow and blood donation and to discuss these issues with their families and friends. It also urges the President to promote activities to demonstrate public support for organ, tissue, bone marrow and blood donation.

As Chairman of the Health and Environment Subcommittee, I have worked to identify ways to increase the supply of organs available for transplantation. Last year, I introduced H.R. 2418, legislation to reauthorize the National Organ Transplant Act, which includes provisions to promote organ donation.

My Subcommittee's review of these issues has highlighted statistics that are deeply disturbing. This year, approximately 20,000 people will receive organ transplants—but 40,000 will not. In the last decade alone, the waiting list for transplants grew by over 300 percent. Much of this increase is due to improvements in medical treatments for transplant patients. However, the gap between organ supply and demand remains enormous.

Two years ago, my Subcommittee held a joint hearing with the Senate Labor Committee to review our nation's system for organ allocation, and more specifically, the changes proposed by the Department of Health and Human Services. Despite strong differences of opinion, all of the witnesses recognized the severe shortage of organs for transplantation.

At a hearing in April 1999, my Subcommittee focused on ways to increase the supply of organs for transplantation, including what the federal government can do to improve this situation. Witnesses emphasized that many successful programs to encourage organ donation have been developed at the state level, and we should support—not undermine—these ongoing initiatives.

This is literally a matter of life and death for tens of thousands of Americans each year. Given the enormity of these issues, we have an obligation to work together to address these concerns on a bipartisan basis. I was pleased to join my Florida colleague, Mrs. THURMAN, as a cosponsor of this resolution, and I applaud her commitment to this cause.

Clearly, the solution to this complicated problem is not entirely legislative. By working to increase public awareness about the need for organ donations, we can all save lives. The resolution before us represents an important step toward achieving that goal, and I wholeheartedly support its passage.

Mr. UPTON. Madam Speaker, I see no other Member asking for time. I just would like again to encourage all of my colleagues to vote for and support this bill. It does save lives. We all know so many different personal tales. I urge that we adopt it quickly.

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

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 247.

The question was taken.

Mr. UPTON. 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.

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#### RECOGNIZING AND SUPPORTING EFFORTS TO ENHANCE PUBLIC AWARENESS OF SOCIAL PROBLEM OF CHILD ABUSE AND NEGLECT

Mr. SALMON. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 76) recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

The Clerk read as follows:

##### H. CON. RES. 76

Whereas more than 3,000,000 American children are reported as suspected victims of child abuse and neglect annually;

Whereas more than 500,000 American children are unable to live safely with their families and are placed in foster homes and institutions;

Whereas it is estimated that more than 1,000 children, 78 percent under the age of 5 and 38 percent under the age of 1, lose their lives as a direct result of abuse and neglect every year in America;

Whereas this tragic social problem results in human and economic costs due to its relationship to crime and delinquency, drug and alcohol abuse, domestic violence, and welfare dependency; and

Whereas Childhelp USA has initiated a "Day of Hope" to be observed on the first Wednesday in April, during Child Abuse Prevention Month, to focus public awareness on this social ill: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That—*

(1) it is the sense of the Congress that—

(A) all Americans should keep these victimized children in their thoughts and prayers;

(B) all Americans should seek to break this cycle of abuse and neglect, and give our children hope for the future; and

(C) the faith community, nonprofit organizations, and volunteers across America should recommit themselves and mobilize their resources to assist these children; and

(2) the Congress—

(A) supports the goals and ideas of the "Day of Hope"; and

(B) commends Childhelp USA for its efforts on behalf of abused and neglected children everywhere.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. SALMON) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. SALMON).

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

Madam Speaker, I rise in support of H. Con. Res. 76, a Sense of Congress recognizing the problem of child abuse and neglect.

Specifically, my resolution expresses the sense of Congress that, number one, all Americans should keep abused and victimized children in their thoughts and prayers. Number two, all Americans should seek to break the cycle of abuse and neglect. And number three, that the faith community, nonprofit organizations, and volunteers across America should recommit themselves and mobilize their resources to assist abused and neglected children.

In addition, the resolution states that Congress supports the goals and ideas with a Day of Hope to be observed on the first Wednesday in April and commence Child Help, USA, for its efforts on behalf of abused and neglected children everywhere.

The need for this resolution is clear. It is estimated that more than 3 million American children are reported as suspected victims of child abuse and neglect annually. More than 500,000 children, American children, are unable to live safely within their families and are placed in foster care or other institutions. Furthermore, it is estimated that more than 1,000 children, 78 percent under the age of 5 and 38 percent under the age of 1, die as a direct result of abuse and neglect every year in America.

At times, the statistics can be overwhelming, even desensitizing. But all one has to do is look into the eyes of a victim of child abuse to see the misery that they have endured. Their suffering is a painful reminder of our failure as a society to provide them with the loving care that they need and deserve. It also reminds us of the heavy price that we pay for abuse and neglected children that occurs in our midst every day. Countless studies have documented the strong correlation that exists between child abuse and crime, delinquency, domestic violence, substance abuse, and welfare dependency.

□ 1430

Of course, we can never put a price on the countless dreams and aspirations of the innocent youth that are extinguished every year at the hands of a child abuser. Since 1959, Childhelp USA has led the charge against child abuse and neglect. Started in Scottsdale, Arizona, Childhelp USA provides critical social, medical, and educational services to abused and neglected children. Over the years, they have helped literally thousands of abused and neglected children escape abusive situations.

Childhelp USA's commitment to children does not end there. When I introduced legislation to keep murderers, rapists, and child molesters locked up in prison, also known as Aimee's Law, I turned to Childhelp USA for support and help. I have to tell the Members that their hard work and dedication were vital to the successful effort to pass Aimee's Law, both in the House and Senate.

Although Aimee's Law has been held up as part of the juvenile justice bill, I am confident that I can rely on Childhelp USA's support as I join with other advocates of victims' rights to enact this legislation.

Aimee's Law will finally put a stop to the parade of murderers and sex offenders that march out of our prisons every year, only to brutalize innocent people one more time. By doing so, it will protect literally thousands of people every year, many of them children, from being victimized by a repeat offender.

Therefore, as we approach the month of April, which is Child Abuse Prevention Month, it is only fitting that we recognize Childhelp USA for their caring efforts to end child abuse. Hopefully, their shining example will inspire more Americans to fight to end this terrible scourge.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, today I rise in support of this resolution and commend my good friend, the gentleman from Arizona, for bringing the resolution to the floor today.

I also commend the group Childhelp USA for initiating a "Day of Hope" to be observed on the first Wednesday of April during Child Abuse Prevention Month. I applaud this effort to focus public awareness on the social ill of child abuse and neglect.

Madam Speaker, on June 1, 1996, more than 300,000 Americans gathered at the Lincoln Memorial to express in advance this country's commitment to our children in a rally called "Stand for Children." Marian Wright Edelman, the President of the Children's Defense Fund and organizer of the rally, gave a moving speech which has been memorialized in this illustrated children's book, also named Stand for Children.

In the book, Ms. Wright Edelman tells the children of our Nation, "We

stood at the Lincoln Memorial as American families and as an American community to commit ourselves to putting you, our children, first, to building a just America that leaves no child behind, and to ensure all of you a healthy and safe passage to adulthood."

She goes on to state, "Everyone agreed on one crucial thing: that no one in America should harm children and that everyone can do more to ensure that you grow up safe, healthy, and educated, in nurturing families and in caring communities."

Madam Speaker, when I as a member of this great institution think and deliberate about the issues that come before us each day, I ask myself one simple question: How will I vote to make this a better society for my two young sons, Johnny, who is 3, and Matthew, who is 1, who are going to grow, live and learn throughout much of the 21st century?

Unfortunately, too many of our Nation's children are not considered when adults make the decisions in their lives. Too often children bear the brunt of poor decisions, poor circumstances, and poor intentions of the adults in their life.

It is important that Members of the House, in our positions and with the influence of this institution, call constant attention to this national problem, and work tirelessly to break the cycle of abuse and neglect in the lives of these children.

Before being elected to the House of Representatives, I was a prosecutor back in my home State in Wisconsin. While I find western Wisconsin to be an ideal place to live and raise a family, we are not immune from the tragedy of child abuse. In Wisconsin alone, over 15,000 cases of child abuse or neglect are substantiated every year.

The most difficult cases I prosecuted were those involving cases of child abuse and child sexual assault. These cases were difficult not just because the victims were vulnerable children, but because all too often the crimes involved a breach of a special trust. Children who are subject to abuse face not only physical torment and scarring, but their very belief in family, in society, and in relationships are altered. These children are frequently victimized by the very people entrusted with their care and upbringing, leaving the children with no one else to turn to.

The gentleman from Arizona (Mr. SALMON) and I both sit on the Committee on Education and the Workforce, and the devastating effect of abuse on a child's learning ability cannot go unstated. Studies have shown that language skills are greatly impaired by abuse, both in the child's ability to process information and to express themselves. Academic performance is hampered greatly by abuse, both in language, testing, and mathematics.

Equally important is the effect of abuse on a child's sense of self-worth

and value. Abused children tend to become isolated, and develop few relationships and friendships. As they grow older, they may become more confrontational and even delinquent, ultimately leading to the horrible cycle of becoming abusers themselves.

The need to address this cycle points to the importance of this resolution today, and the importance of ongoing efforts here at the Federal level to address the root causes of abuse.

I have joined 142 other Members of Congress in the Missing and Exploited Children's Caucus, which was founded 3 years ago. I commend my good friend, the gentleman from Texas (Mr. LAMPSON) for showing the initiative and the foresight and recognizing the need to develop that caucus in Congress.

One big step we in Congress can take this year is to reauthorize the Violence Against Women Act. Not only does the legislation offer Federal protection and assistance to single women and mothers who are victims of domestic violence, but Title II of the Act is focused on limiting the effects of violence on children. Several sections of the bill address the abuse of children, both in providing a safe haven for children, and in addressing the effects of domestic violence situations on children.

If we as legislators want to do more to prevent the abuse of children, we can pass the Violence Against Women's Reauthorization Act this year and support other legislation which actively pursues the safety of children and families.

Ultimately, this problem of child abuse and neglect will not be solved by any one action, but by continued vigilance. As Marian Wright Edelman offers in her book, "It is always the right time to do right for children."

Madam Speaker, I reserve the balance of my time.

Mr. SALMON. Madam Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BARRETT).

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

Madam Speaker, as a cosponsor of this resolution, I rise in support of House Concurrent Resolution 76, to enhance the public awareness of child abuse and neglect.

Child abuse is certainly a non-partisan issue. I know that all of my colleagues are fighting for abused and neglected children by promoting legislation, working with social workers, teachers, and other health care professionals, and educating their constituents about the problem. This is an issue, truly an issue that we can all agree upon.

Despite our efforts, I was very disheartened to learn that in my home State of Nebraska there were 2,482 confirmed cases of child abuse and neglect last year. This number is even more disturbing because we know that many cases go unreported.

The good news is that there are a lot of organizations out there working to help these children. In my district, organizations such as the Grand Island Association for Child Abuse Prevention provide alcohol and drug treatment programs and parenting classes to parents at risk.

But there is a lot more work to be done. We need to continue to work together to make sure that every child is protected. To do that, we need to educate all Americans about how they can help protect our most vulnerable citizens.

Madam Speaker, I urge my colleagues to support this resolution.

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

Madam Speaker, in reading through Marian Wright Edelman's book "Stand for Children" on the way over here today, she was offering some I think very helpful recommendations for people back home who may be paying attention to the problem of child abuse in their communities. I just want to reference some of those recommendations that she made toward the back of the book.

She said, "Here are some ordinary things you can do to Stand for Children: Hold a yard sale and donate the proceeds to an after-school program; start a bus token drive at your school for students who cannot afford transportation costs to the school; organize a winter coat and shoe drive for children in need, or go through your toybox and donate some toys to another child or to a shelter; collect used children's books from your neighbors and donate them to children's programs or a child health clinic; ask your church, synagogue, temple, or mosque to open the building at night for children in the community who need tutoring; create a neighborhood garden or container garden on your block; write your State legislators and Governor, your representatives in Congress, and the President to tell them to put children's needs first."

Today I am wearing a button that the Children's Defense Fund has been handing out to draw attention to the plight of child abuse in our country, and also in commemoration of the resolution here today. It says, "Pick on someone your own size." I think that pretty well says it all.

In conclusion, I just want to end with a prayer that Marion Wright Edelman has at the conclusion of her book:

"O God, forgive our rich nation where small babies die of cold quite legally.

O God forgive our rich nation, where small children suffer from hunger quite legally.

O God, forgive our rich nation where toddlers and schoolchildren die from guns sold quite legally.

O God, forgive our rich nation that lets children be the poorest group of citizens quite legally.

O God, forgive our rich Nation that lets the rich continue to get more at the expense of the poor quite legally.

O God, forgive our rich nation that thinks security relatives in missiles rather than in mothers, and in bombs rather than in babies.

O God, forgive our rich nation for not giving You sufficient thanks by giving to others their daily bread.

O God, help us never to confuse what is quite legal with what is just and right in Your sight."

Mr. BURTON of Indiana. Madam Speaker, I rise in strong support of H. Con. Res. 76, and I commend Congressman SALMON for introducing it. Every year, over 3 million children are reported to be abused in America. Unfortunately, it is estimated that the actual incidence of abuse and neglect may be 3 times greater than the number reported. In fact, we know that more than 3 children die each day as a result of parental mistreatment. Child abuse may take many forms: it can be physical, emotional, sexual or as a result of neglect. I know, because I've been there. Many of you know that I personally experienced the horrors of domestic violence in my youth. Fortunately for me, my mother, and my siblings, we were able to escape that horrible situation and make a better life for ourselves.

Sadly, for millions of children in America that is just not the case. That is why H. Con. Res. 76 is so important. H. Con. Res. 76 expresses the sense of this Congress that all Americans must share in the responsibility of helping fight child abuse. More than that, it emphasizes the need for the faith community, non-profit organizations and volunteers across America to mobilize their resources in combating child abuse. Organizations, such as the Safe Haven Foundation in Indianapolis, are key in developing programs and providing shelters to the victims of domestic violence. That is why I am proud to have helped secure \$500,000 in funds to the Safe Haven Foundation, so that it may continue its important efforts against domestic violence.

Child abusers can come from any socioeconomic, religious, or ethnic background, and since the signs of abuse are varied, we all need to work together in identifying cases of child abuse. Standing shoulder-to-shoulder against child abuse, we can help save the lives of those most vulnerable: our Nation's children.

We need to re-commit ourselves to protecting our children, and this resolution does just that. Let's keep these children in our thoughts and prayers, and let's all give H. Con. Res. 76 our strong support.

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

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

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from Arizona (Mr. SALMON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 76.

The question was taken.

Mr. SALMON. 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.

#### GENERAL LEAVE

Mr. SALMON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 76.

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

There was no objection.

□

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:15 p.m.

Accordingly (at 2 o'clock and 43 minutes p.m.), the House stood in recess until approximately 6:15 p.m.

□

□ 1816

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 16 minutes p.m.

□

#### APPOINTMENT OF MEMBER TO MEXICO-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 22 U.S.C. 276h, the Chair announces the Speaker's appointment of the following Member of the House to the Mexico-United States Inter-parliamentary Group:

Mr. KOLBE of Arizona, chairman.

There was no objection.

□

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Mrs. BIGGERT. 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 the motion was entertained.

Votes will be taken in the following order:

House Concurrent Resolution 247, by the yeas and nays; and

House Concurrent Resolution 76, by the yeas and nays.

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

□

#### NATIONAL DONOR DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 247.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr.

UPTON) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 247, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 379, nays 0, not voting 55, as follows:

[Roll No. 16]

YEAS—379

Abercrombie	Dickey	Johnson, Sam
Ackerman	Dicks	Jones (NC)
Aderholt	Dingell	Kanjorski
Allen	Dixon	Kaptur
Andrews	Doggett	Kelly
Archer	Dooley	Kildee
Armey	Doollittle	Kind (WI)
Baca	Doyle	King (NY)
Bachus	Dreier	Kingston
Baker	Duncan	Klecza
Baldacci	Dunn	Knollenberg
Baldwin	Ehlers	Kolbe
Ballenger	Engel	Kucinich
Barcia	English	Kuykendall
Barr	Eshoo	LaFalce
Barrett (NE)	Etheridge	LaHood
Barrett (WI)	Everett	Lantos
Bartlett	Ewing	Largent
Barton	Farr	Larson
Bass	Fattah	Latham
Bateman	Filner	LaTourette
Becerra	Fletcher	Lazio
Bentsen	Foley	Leach
Bereuter	Forbes	Lee
Berkley	Ford	Levin
Berman	Fossella	Lewis (CA)
Berry	Fowler	Lewis (GA)
Biggert	Frank (MA)	Lewis (KY)
Bilbray	Franks (NJ)	Lipinski
Bilirakis	Frelinghuysen	LoBiondo
Bishop	Ganske	Lofgren
Bliley	Gejdenson	Lucas (KY)
Blumenauer	Gekas	Lucas (OK)
Blunt	Gephardt	Luther
Boehler	Gilchrest	Maloney (CT)
Boehner	Gillmor	Maloney (NY)
Bono	Gilman	Markey
Borski	Gonzalez	Martinez
Boswell	Goode	Mascara
Boucher	Goodlatte	Matsui
Boyd	Goodling	McCarthy (MO)
Brady (TX)	Gordon	McCarthy (NY)
Bryant	Goss	McCrery
Burr	Green (TX)	McDermott
Burton	Green (WI)	McGovern
Buyer	Greenwood	McHugh
Calvert	Gutierrez	McInnis
Camp	Gutknecht	McIntosh
Canady	Hall (OH)	McIntyre
Cannon	Hall (TX)	McKeon
Capuano	Hansen	McKinney
Cardin	Hastings (FL)	McNulty
Castle	Hastings (WA)	Meehan
Chabot	Hayes	Meek (FL)
Chambliss	Hayworth	Meeks (NY)
Chenoweth-Hage	Hefley	Menendez
Clayton	Hergert	Metcalf
Clement	Hill (IN)	Mica
Clyburn	Hill (MT)	Millender-
Coble	Hilleary	McDonald
Collins	Hilliard	Miller (FL)
Combest	Hinches	Miller, Gary
Condit	Hobson	Minge
Conyers	Hoefel	Mink
Cook	Hoekstra	Mollohan
Cooksey	Holden	Moore
Costello	Holt	Moran (KS)
Cox	Hoolley	Moran (VA)
Coyne	Horn	Morella
Cramer	Hostettler	Murtha
Crane	Houghton	Myrick
Crowley	Hoyer	Nadler
Cubin	Hulshof	Napolitano
Cummings	Hunter	Nethercutt
Cunningham	Hutchinson	Ney
Danner	Hyde	Northup
Davis (FL)	Inslee	Nussle
Davis (IL)	Isakson	Oberstar
Davis (VA)	Istook	Obey
Deal	Jackson (IL)	Olver
DeGette	Jackson-Lee	Ortiz
Delahunt	(TX)	Ose
DeLauro	Jenkins	Packard
DeLay	John	Pallone
DeMint	Johnson (CT)	Pascarell
Deutsch	Johnson, E. B.	Pastor

Paul Scarborough  
Pease Schakowsky  
Peterson (MN) Scott  
Peterson (PA) Sensenbrenner  
Petri Serrano  
Phelps Sessions  
Pickering Shadegg  
Pickett Shaw  
Pitts Shays  
Pombo Sherman  
Pomeroy Sherwood  
Portman Shimkus  
Price (NC) Shows  
Quinn Shuster  
Radanovich Simpson  
Rahall Sisisky  
Ramstad Skeen  
Rangel Skelton  
Regula Slaughter  
Reyes Smith (MI)  
Reynolds Smith (NJ)  
Riley Smith (TX)  
Rivers Smith (WA)  
Rodriguez Snyder  
Roemer Souder  
Rogan Spence  
Rogers Spratt  
Rohrabacher Stabenow  
Rothman Stark  
Roukema Stearns  
Roybal-Allard Stenholm  
Royce Strickland  
Ryan (WI) Stump  
Ryun (KS) Sweeney  
Saboo Talent  
Salmon Tancred  
Sanchez Tanner  
Sanders Tauscher  
Sandlin Tauzin  
Sanford Taylor (MS)  
Sawyer Taylor (NC)

**RECOGNIZING AND SUPPORTING EFFORTS TO ENHANCE PUBLIC AWARENESS OF SOCIAL PROBLEMS OF CHILD ABUSE AND NEGLECT**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 76.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. SALMON) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 76, 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 378, nays 0, not voting 56, as follows:

[Roll No. 17]

YEAS—378

**NOT VOTING—55**

Baird Frost  
Blagojevich Gallegly  
Bonilla Gibbons  
Bonior Graham  
Brady (PA) Granger  
Brown (FL) Hinojosa  
Brown (OH) Jefferson  
Callahan Jones (OH)  
Campbell Kasich  
Capps Kennedy  
Carson Kilpatrick  
Clay Klink  
Coburn Lampson  
DeFazio Linder  
Diaz-Balart Lowey  
Edwards Manzullo  
Ehrlich McCollum  
Emerson Miller, George  
Evans Moakley

□ 1844

Mr. BOEHNER changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that she will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the chair has postponed further proceedings.

Abercrombie Costello  
Ackerman Cox  
Aderholt Coyne  
Allen Cramer  
Andrews Crane  
Archer Crowley  
Army Cubin  
Baca Cummings  
Bachus Cunningham  
Baker Danner  
Baldacci Davis (FL)  
Baldwin Davis (IL)  
Ballenger Davis (VA)  
Deal  
DeGette  
Delahunt  
DeLauro  
DeLay  
Barton DeMint  
Bass Deutsch  
Bateman Holt  
Becerra Dicks  
Bentsen Dingell  
Bereuter Dixon  
Berkley Doggett  
Berman Dooley  
Berry Doolittle  
Biggert Doyle  
Bilbray Dreier  
Bilirakis Duncan  
Bishop Dunn  
Bliley Ehlers  
Blumenauer Engel  
Blunt English  
Boehlert Eshoo  
Boehner Etheridge  
Bono Everett  
Boski John  
Boswell Ewing  
Boucher Farr  
Boyd Fattah  
Brady (TX) Filner  
Bryant Fletcher  
Burr Foley  
Burton Forbes  
Buyer Ford  
Calvert Fossella  
Camp Fowler  
Canady Frank (MA)  
Cannon Franks (NJ)  
Capuano Frelinghuysen  
Cardin Ganske  
Castle Gejdenson  
Chabot Gekas  
Chambliss Gephardt  
Chenoweth-Hage Gilchrest  
Gillmor Gillman  
Clayton Gilman  
Clement Gonzalez  
Clyburn Goode  
Coble Goodlatte  
Collins Goodling  
Combest Gordon  
Condit Goss  
Conyers Green (TX)  
Cook Green (WI)  
Cooksey Greenwood

Lewis (GA)  
Lewis (KY)  
Lipinski  
LoBiondo  
Lofgren  
Lucas (KY)  
Lucas (OK)  
Luther  
Maloney (CT)  
Maloney (NY)  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCrary  
McDermott  
McGovern  
McHugh  
McInnis  
McIntosh  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalf  
Mica  
Millender-  
McDonald  
Miller (FL)  
Miller, Gary  
Minge  
Mink  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Nethercutt  
Ney  
Northup  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Ose  
Packard  
Pallone  
Pascrell  
Pastor  
Paul

**NOT VOTING—56**

Baird Frost  
Blagojevich Gallegly  
Bonilla Gibbons  
Bonior Graham  
Brady (PA) Granger  
Brown (FL) Hinojosa  
Brown (OH) Jefferson  
Callahan Jones (OH)  
Campbell Kasich  
Capps Kennedy  
Carson Kilpatrick  
Clay Klink  
Coburn Lampson  
DeFazio Linder  
Diaz-Balart Lowey  
Edwards Manzullo  
Ehrlich McCollum  
Emerson Miller, George  
Evans Moakley

□ 1853

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent 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. TAUZIN. Madam Speaker, on rollcall No. 17 I was unavoidably detained. Had I been present, I would have voted “yes.”

## PERSONAL EXPLANATION

Mr. CAMPBELL. Madam Speaker, I regret that I was not present for rollcall votes Nos. 16 and 16 because I was unavoidably detained. Had I been present, I would have voted "yes" on both counts.

□

## PERSONAL EXPLANATION

Mr. PORTER. Madam Speaker, due to air transport delays, I was absent for the votes on H. Con. Res. 247, expressing the Sense of Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day and H. Con. Res. 76, recognizing the social problem of child abuse and neglect and supporting efforts to enhance public awareness of it. Had I been present, I would have supported the passage of both of these concurrent resolutions.

□

## PERSONAL EXPLANATION

Ms. KILPATRICK. Madam Speaker, due to official business in the 15th Congressional District of Michigan, I was unable to record my votes for rollcall Nos. 16 and 17 considered today. Had I been present, I would have voted "aye" on rollcall 16, H. Con. Res. 247, Expressing the Sense of Congress Regarding the Importance of Organ, Tissue, Bone Marrow, and Blood Donation and Supporting National Donor Day and "aye" on rollcall No. 17, H. Con. Res. 76, Recognizing The Social Problem of Child Abuse and Neglect and Supporting Efforts to Enhance Public Awareness of it.

□

## SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BIGGERT). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

□

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

□

DEVASTATING TORNADOES HIT  
SOUTHWEST GEORGIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP. Madam Speaker, tonight I ask my colleagues in the House of Representatives and the people of our Nation to join me in prayer for the families of those who suffered grievous losses as a result of tornadoes last night that brought widespread devastation and extensive loss of life to rural areas of Mitchell, Grady, Colquitt and Taft counties in a part of southwest Georgia that I have the privilege of representing.

This is one of the worst natural disasters in our State's history. The num-

ber of people whose lives were lost continue to mount throughout the day; and, as yet, the total has still not been definitely determined. By now, my colleagues have probably seen images of this terrible disaster in the national news. These are rural residential neighborhoods that now look like battle zones, with home after home turned into rubble. To say the least, it is a heartbreaking sight.

I know the people of my area of Georgia can count on the support of my colleagues as we mobilize all of the available resources, public and private, to provide the emergency assistance that is going to be needed. Our Congressional office stands ready to provide any help and guidance that individuals, businesses, and governmental entities need to gain access to much needed disaster relief assistance.

I want to take this opportunity to commend all of the government leaders in the impacted counties who are responding so effectively and valiantly and the municipal leaders in those areas who are lending their assistance. I also want to commend the many private citizens who are helping to provide relief for their neighbors, as well as the private organizations that are involved in this relief effort.

I certainly commend Governor Roy Barnes and everyone at our State level, including Georgia Emergency Management Agency Director Gary McConnell and all of his people over at GEMA, who have sprung into action on so many fronts and, along with Governor Barnes, have started the process leading to a major disaster declaration.

And those of us from Georgia, Madam Speaker, are also thankful for the efforts of the Federal Emergency Management Agency and its fine Director James Lee Witt, who is working hand-in-glove with state and community leaders in responding decisively to this disaster.

Madam Speaker, this is a time for all of our communities to pull together. After severe flooding struck our area of Georgia just a few years ago, including the areas that have been struck by these terrible tornadoes, I quoted the Apostle Paul, who said, "God's strength is made perfect in weakness."

It is with this strength that we in southwest Georgia will confront this tragedy and come together in our collective faith, our hope, and our charitable spirit to bring comfort to those who have suffered and to begin the work of rebuilding our communities.

□

□ 1900

## PRESCRIPTION DRUG PRICES

The SPEAKER pro tempore (Mrs. BIGGERT). Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Madam Speaker, I rise tonight to talk about a very serious issue confronting our Nation. In

the last 4 years, the price of prescription drugs in the United States has increased by 56 percent. In the last year alone, prescription drug prices in the United States have increased by 15.6 percent. That is at a time when our inflation rate is running somewhere around 2 or 2½ percent. Madam Speaker, it is time for Congress to take some action to try and stem this ever increasing price for prescription drugs. All of us here in the House and all of us in Washington know who bears the burden of those tremendous increases in prices. It is principally the senior citizens here in the United States.

Madam Speaker, I want to talk tonight about the differentials between the United States, what is happening here and what is happening in other countries. Many of us have recently read about seniors who are boarding buses in our States and going to Canada to buy their prescription drugs. It is happening in Minnesota, it is happening in Idaho, Wyoming, Montana, and all across and throughout the northeastern United States as well.

Let me try to explain how much of a differential there is in the price of prescription drugs. Let us take a relatively common, one of the more commonly prescribed drugs in the United States. It is a drug called Prilosec. Prilosec is prescribed principally for ulcers or people who have an acid condition in their stomach. A 30-day supply, if one goes and gets a prescription in Minneapolis, Minnesota, at almost any pharmacy, and it is not the pharmacist, they only get about a 3 or \$4 per-prescription fee on it, so it is not the pharmacist that is driving these prices. But a 30-day supply in Minnesota, Minneapolis, is \$99.95.

You buy that same prescription in Winnipeg, Manitoba for exactly the same drug manufactured by exactly the same company in exactly the same plant under the exact same FDA approval, you buy that drug, the Prilosec in Manitoba, and it is \$50.88. But if you go down to Mexico, you can buy exactly the same drug manufactured in exactly the same plant under the exact same FDA approval for \$17.50.

Let me read for my colleagues what George Halvorson who is the chairman of one of our larger HMOs in Minneapolis had to say, and this is a direct quote:

If we could only get half the price break that Canadians get, our plan alone could have saved our members nearly \$35 million last year.

Madam Speaker, I estimate that in Medicaid alone, the U.S. Government could save \$1.8 billion if we could get half the break that Canadians are currently getting for exactly the same drugs. This is not to mention the fact that we currently have 68 million prescriptions filled each year by the VA. Madam Speaker, we are talking about billions and billions of dollars that we could save if we would simply allow free market principles to work.

We currently have what is called the North American Free Trade Agreement. We allow goods and services to move freely across our borders. In some cases we lose. Sometimes our farmers, sometimes our hog producers, sometimes our ranchers are upset about the North American Free Trade Agreement. But it is interesting. The one thing that our own government blocks our own consumers from getting across the border is prescription drugs. In fact, when some of my constituents went up and actually used mail order to order prescription drugs from Canada, the FDA sent a letter to them. It is a very threatening letter. I would like to read just a couple of sentences from it. It says:

Dear Consumer:

This letter is to advise you that the Minneapolis District of the United States Food and Drug Administration has examined a package addressed to you containing drugs which appear to be unapproved for use in the United States.

Appear to be unapproved. These are the same drugs in the same boxes manufactured in the same plants. It is ridiculous. The problem is FDA interference. The story of Minnesota seniors is being repeated all across the country.

The solution is a bill that I have introduced, H.R. 3240, the Drug Import Fairness Act, which is a bipartisan solution. We have literally Members from what some would say the far right and the far left who have joined together on this bill to put it clear to the FDA that they should not stand between our consumers and particularly senior citizens and lower drug prices. That effort has been joined now by a group out of Utah called the Life Extension Foundation. If Members have not received it yet, they will be receiving from our office or theirs a pamphlet which talks about the problem, explains the problem and then explains the solution.

Madam Speaker, let me just close by saying this. In the age of NAFTA, our own FDA should not stand between our citizens and lower prescription drug prices. Particularly, we should not allow the FDA to stand between our senior citizens and lower drug prices. These are FDA approved drugs. We have the North American Free Trade Agreement. It is time for Congress to take action to bring American prices down to the competitive world market prices.

□

HONORING CLIFF HOUSER, ACCOMPLISHED BUSINESSMAN, AND OUTSTANDING COMMUNITY LEADER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BARCIA) is recognized for 5 minutes.

Mr. BARCIA. Madam Speaker, I rise today to honor Cliff Houser, an accomplished businessman and an outstanding community leader who has worked tirelessly, not only to create

jobs in our State but who has also given to our community and served our country with distinction. He is the embodiment of the entrepreneurial spirit and a testament to the notion that through hard work and perseverance, one can fulfill their dreams.

I have known Cliff for many years and can personally attest to his strong character, his strong commitment to his family and his dedication to civic duty. Cliff began his career in radio in 1965 in Flint, Michigan and later moved on to the television medium, WNEM-TV in Saginaw, Michigan. In 1968, he graduated from the John F. Kennedy Special Forces Center War College. He also attended the Aresty Institute of Executive Education within the Wharton School at the university of Pennsylvania.

When Cliff was asked to serve his country in the mid-1960s, he did so without hesitation and began his tour in Vietnam. As a field correspondent and as a producer for the Armed Forces Radio Network, he was often in harm's way. For his bravery, courage and service, Cliff was awarded the Bronze Star, the National Defense Service Medal, two Asian Theater Citations and the Vietnam Commendation Medal, among others.

Upon returning to the United States after the war, Cliff utilized his keen business sense and cofounded Video Productions, Inc. in 1974. Four years later, he expanded his business by founding an advertising agency, Tel-Ad, Inc. Cliff had the foresight to combine the two agencies, forming an award-winning national full service advertising agency, Cliff Houser & Associates Advertising Corporation.

For the last 5 years, the company has grown to be one of the top 50 fastest growing, privately held companies in our State. In fact, his company is thriving nationwide. As the CEO of a successful business, Cliff taps into his boundless energy and is heavily involved in civic activities and community leadership. He was the 1997 Bay County March of Dimes chairman, the Tri-county Chairman for Easter seals, a past member of the Advising Board of the Bay City Board of Education, and the Teen Ranch of Michigan.

Cliff also invests his time in the business community and is involved with the Michigan Small Business Leadership Panel, on the board of directors of the Downtown Management Authority of Bay City and is a charter member of the Flint Area Advertising Federation, among other organizations.

While much of his time is devoted to his business and civic responsibilities, Cliff is also devoted very much to his family. He could not have achieved these accomplishments without the love and support of his family, including his wife Elizabeth and his three children, Chip, Bethany, and Jordan who are the joy and pride of his life.

Cliff also makes his spiritual growth a priority and is very active in his church. His great appreciation for na-

ture and the outdoors has also fostered an avid interest in hunting and recreational boating. Madam Speaker, I can unequivocally state that our community, our State of Michigan, and our country is fortunate to have Cliff Houser as a neighbor and friend. I invite my colleagues to join with me in thanking Cliff for all his good work and congratulating him on the successes of his company, Cliff Houser & Associates Advertising Corporation.

□

The SPEAKER pro tempore (Mr. SHERWOOD). Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

#### MARRIAGE TAX PENALTY ELIMINATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. HUTCHINSON) is recognized for 5 minutes.

Mr. HUTCHINSON. Mr. Speaker, it is my pleasure to rise before this body and remind everyone of what we did last week that I think was very good for America. Last week, the House passed with bipartisan support; and I think that is important, a tax bill. It was the marriage tax elimination act, which gives the average couple in America \$1,400 in tax relief that they would not have had otherwise. It will apply to 21 million families in America. In my State of Arkansas, it will apply to over 200,000 families.

It is a penalty that they pay because they are married that they would not pay otherwise. It is a penalty in the form of higher taxes. Today, Mr. Speaker, as we know, is Valentine's Day and many of us are away from our spouses, but it is a good time to remember our sweethearts. I think back on my sweetheart that I married over 26 years ago. We had struggles just like everyone else. Many of those struggles center around finances. My wife is working, I am working, and this is typical of couples. Couples struggle today and part of that struggle is simply financial.

If we can help the married couples in the United States, the married couples in Arkansas by providing some tax relief in the form of doing away with a penalty they should not pay, then I think we have done something very good for America, very good for our couples and this is certainly an appropriate day to remind America of what we did in this Congress.

Now, I say this Congress. We passed in the House, and we still of course need to have that same marriage tax penalty elimination act passed by the Senate and presented to the President for his signature, and we hope that he will sign that. To give an example as to how this works, a typical example

would be a single mom that might make \$30,000 per year decides that she can get married and meet someone that she loves and she gets married to a gentleman that makes an equivalent amount of money, say \$30,000 per year. If you combine those two incomes under a fair tax system, their tax should simply double. But under the present tax code, because of the unfairness, it does not double but it doubles and then you add about \$1,400 more in a penalty because they got married. This hurts that single mom who decides to get married, it hurts any couple that decides to unite in matrimony, and it is a penalty because they are married.

I believe that it is unfair. The essence of a tax code in the United States should be fairness. We should work not just on tax relief but tax fairness and that is what this bill does. It remedies an unfairness in the tax code. They have this penalty because they are forced into a higher tax bracket because of the progressive system, and they also lose part of their standard deduction. It is a penalty because they got married. And so we need to remedy this unfairness.

Some people say, well, it is not a whole lot of money, it is just \$1,000 or \$1,400 per year. But think what this means to a struggling young couple. It could mean 3 months of child care that they could not otherwise afford. It could mean a semester of community college that helps them get ahead in life. It could mean 4 months of car payments, school clothes for the children, perhaps they need a vacation. And it could mean the difference of having that vacation to help that relationship or not. It could mean a down payment on a home. All of this helps the couples, the struggling families in the United States.

□ 1915

What does it cost? Well, it costs about \$117 billion over 10 years. Contrast this to the tax bill that we passed in the last Congress, \$792 billion over 10 years, and this was vetoed by the President. He said it was too big, he did not like it all lumped together, so this year we break it apart. The first part of that is the Marriage Tax Penalty Elimination Act.

So it does not cost something that we cannot afford. It all comes out of the non-Social Security surplus. That is what we have to remember. It does not come out of Social Security. The funds that go into the trust fund for Social Security, it all comes out of our operating surplus, so it is fair in that sense.

What are the objections to it? Well, some people say, the administration says, well, it is not limited to low-income couples.

I believe that if you have a penalty on married couples, that everyone should have that penalty removed; not just those that are on the low-income scale, but everyone should have that

penalty removed. The penalty does in fact hurt more low- and middle-income people, so if we do away with the penalty, that is who we are helping the most. But we should help all couples who have that same penalty. We should remove it for everyone.

The second objection is maybe it reduces the money that could be available to shore up Social Security. Again, it comes out of the non-Social Security surplus. It does not impact that in any way whatsoever.

So, I would urge, Mr. Speaker, my colleagues to continue urging the other body to pass this, let us get it enacted into law, get it signed by the President. I believe it is a good bill for American couples and those people who are trying to celebrate another Valentine's Day.

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#### TRIBUTE TO KIMBERLY SMITH AND LEWIS E. MAYO, TWO AMERICAN HEROES

The SPEAKER pro tempore (Mr. SHERWOOD). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this has been over the last couple of months and into 2000 a very tough time for the Nation's fire fighters. Over the last couple of months, we have seen these brave men and women go into fire battle to save lives and, as well, to protect us.

Houston has suffered a great loss today. In the early morning hours, Kimberly Smith, one of our first female fire fighters in Houston, Texas, and Louis E. Mayo, lost their lives battling for us. Both of them tragically fell victim to an enormous fire in our community.

The issue that we all face every day are choices of what we do and how we do it. I am very proud to say that Kimberly Smith and Louis E. Mayo offered their lives so that others might live and that the property of Houstonians might be protected. Kimberly Smith, one of the first women fire fighters, who served the Houston Fire Department ably and well, with great diligence and great professionalism, about to be married; Louis Mayo, a family man with three children, now lost forever to all of us.

Mr. Speaker, I come this evening simply to acknowledge that we love them and we will miss them. I want to thank them for going into battle on our behalf. For fire fighters, sometimes it is not known of the danger that they face every single day.

Chief Lester Tyra indicated in an interview today that fire fighters fight as many as 20 house fires or building fires a day, and that most people are not aware of the dangers that they encounter every single day, not only to protect us, but as well our property. These are important duties that they have, and we must be forever reminded that these fire fighters are in fact he-

roes and heroes. They do this for us every single day.

As a former member of the Houston City Council, I had the great privilege of interacting not only with the Houston fire fighters but the Houston Police Department. I know firsthand that they are great men and women.

So, it is with great sadness I come to acknowledge before the people of the United States of America that, yes, in Houston, Texas, today, February 14, 2000, we lost two of our very special heroes, Kimberly Smith and Louis E. Mayo. May they forever rest in peace. We love them, we salute them as great Houstonians, great Texans, great Americans, and we thank them for the ultimate sacrifice.

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#### GOOD NEWS AND BAD NEWS ON TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. MCINNIS) is recognized for 5 minutes.

Mr. MCINNIS. Mr. Speaker, as you know, last week was a very important week for the United States Congress and for the American people. We had some good news, and we had some bad news. I am talking about legislation.

The good news we had last week is that the Republican-led bill, despite all of the debate against the bill by the Democrats, the Republican-led bill to do away with the marriage tax penalty in this country passed this House; and I am proud to say 40 or 45 Democrats had enough guts to stand up and vote for it, because they knew it was the right thing to do.

How in this country, where we try and encourage families, where we try and push the divorce rate down, where we try to have people have their children in a marriage, how can a country as great as the United States of America penalize couples for being married? That is exactly what happened.

Well, that is water under the bridge. It happened. But now it is incumbent upon us, its United States Congress, to do something about it, to eliminate it. I could not believe that the Democrats opposed that tax cut. It is unfair. They said we could not afford it. Well, number one, we cannot afford to do away with it. But whether you can afford it or not, is it right? Is it a tax that was intended to do that? No, it is not a right tax. That argument on its face did not hold water. That was the good news.

Now, the bad news. We got the Clinton budget last week, the President's budget, the Democrat budget. You know what it had in there? Of course, the Democrats have been making a big issue lately about saying we cannot afford to cut taxes, do not cut taxes, despite the fact we have record surpluses in this country, despite the fact that if we do not cut taxes, that means that money continues to come out of the workers of this country's pockets and comes to a bureaucracy in Washington,

D.C., is filtered down, everybody gets their hands on it, and then some of it eventually goes back to the States. That did not matter much.

What they did with their budget last week is they proposed a tax increase, a tax increase in the death tax.

Now, you know that the marriage penalty tax is unfair, and in this country, after you pay taxes all your life, at the end of it, if you fall in certain income categories, they tax you again, a death tax on property that has already been taxed. It is, without exception, the most unfair, unfounded tax in our system, the death tax.

We have on the Republican side proposed and proposed and negotiated and negotiated to do away with that death tax. It is not fair; it should not be there. It is a tax on property that has already been taxed. But the Democrats, who some of them, by the way, I think agree with our position, but the leadership certainly and the President's budget said, Hey, let's not only not get rid of the death tax, let's do not do that, let's actually increase the death tax.

There is over a \$9 billion increase, hidden in that presidential budget. You have got to look very carefully. Fortunately, we have excellent staff on the Committee on Ways and Means. I am on the Committee on Ways and Means. We look at that budget line by line, item by item. We were surprised. What are they attempting to do, the Democrats, with this budget? Why do they want to raise the death tax?

I urge my colleagues on the Democratic side, join us on the Republican side, join us in eliminating the death tax in this country. It is not fair. You are hurting a lot of small family farms and ranches throughout this country. You are hurting a lot of small businesses. You are taking away the incentive for people, or one of the incentives, for people to work hard.

You have already got your taxes, Democrats, throughout their working life. Why, Democrats, do you want to tax them upon their death? For gosh sakes, do not try and raise the taxes this year. At least maintain the status quo, as wrong as it is. At least you ought to try and maintain the status quo, if you are not going to help the Republicans eliminate it. But do not go out and raise the death tax on the American people by \$9 billion.

That is the good news and the bad news. The good news is we passed out of this House, and we had some Democrats join us on our Republican bill, to do away with the marriage tax penalty. The bad news is that the Democratic budget, the administration budget, proposes to increase taxes on the death tax.

So any of you who have ever had any discussion about the estate taxes, you had better call your accountant tomorrow, because there is a \$9 billion increase in the President's budget coming right through that tunnel.

#### EXECUTIVE LAWMAKING—A VIOLATION OF THE CONSTITUTION

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

Mr. METCALF. Mr. Speaker, executive lawmaking is a violation of the Constitution. Article I states that all legislative powers be vested in the Congress. Yet presidents have made frequent and significant use of executive orders and other directives to infringe on Congress's lawmaking authority. As Members, we must carry out our fundamental duty of overseeing executive policies, passing judgment on them and upholding the Constitutional balance of power.

It is vital that Congress remains vigilant and holds this administration accountable when its aim is usurpation of power denied by the Constitution.

We should not be surprised that the President is seeking to bypass this chamber with executive gimmicks. We have seen this before. But if we are not vigilant, executive orders will lead this great Nation down the slippery slope to tyranny.

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#### LESS ATF AGENTS NEEDED, NOT MORE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 10 minutes as the designee of the majority leader.

Mrs. CHENOWETH-HAGE. Mr. Speaker, last month the President delivered his State of the Union address, and in it he highlighted several new anti-firearms initiatives. One of those proposals was to hire 500 new Alcohol, Tobacco and Firearms agents. We have been told that he offered what gun owners have called for: more enforcement of existing gun laws. We were told that this will help take the guns out of the hands of criminals.

Mr. Speaker, the truth is this initiative is a ruse. It is a trick designed to increase the number of Federal agents who can harass honest gun owners and gun dealers.

It is true that the administration has done an abysmal job of enforcing gun laws. During the first 6 years of the current administration, ATF referrals for Federal, State and local prosecution declined by nearly one-half. For an administration that has clamored for and received massive new gun laws, this is an amazing drop.

Mr. Speaker, it is also true that gun owners, like most people, want criminals behind bars. But the President's initiative, this deceptive trick, is not designed to do that. Its purpose is to enlarge and empower the worst offenders of our gun rights. And let there be no mistake about it, the ATF is the worst enemy that gun owners have.

Let us remember the ATF. It was ATF agents who botched efforts start-

ed at Ruby Ridge and at Waco, two of America's most abhorrent abuses of power. It was ATF agents who wrongly charged Florida resident Wayne Scott with a firearms violation by using a crooked informant; and it was ATF agents who tampered with police sergeant James Corcoran's rifle so they could falsely charge him with owning a machine gun. And gun owners need 500 more of these folks? I do not think so.

A Senate subcommittee reported that 75 percent of ATF firearms prosecutions targeted ordinary citizens. A report went on to say that these citizens had, and I quote, "neither criminal intent nor knowledge, but were enticed by ATF agents into unknowing technical violations."

In a word, Mr. Speaker, the ATF has engaged in entrapment, which courts have clearly and strictly forbidden in law enforcement.

The pattern of abuse by ATF reminds us of the very reason why the second amendment was written into the Constitution. Alan Keyes, presidential contender, said it very well in a recent interview, and I quote Mr. Keyes:

I think the Second Amendment is there because the Founders understood a lesson of history; that a free people must be an armed people, capable of defending their liberties, not only against foreign enemies, but potentially against an abusive government. And that's why the right to keep and bear arms is there, why it is guaranteed to the citizens of this country and why we would be in grave danger if we ever lose the ability to respect the instruments of our defense and to make responsible use of them.

□ 1930

Mr. Keyes went on to say,

We as citizens have a right to keep a gun in the event that things go wrong in this country. Jefferson, others who were part of the founders, they made it very clear, and it is right there in the Declaration, that if a government becomes subversive of liberty and, in the end, a design if evinced to destroy the liberty of the people, they have a right, he said,

they have a duty to abolish or alter it.

Mr. Keyes went on to say,

We are at the end of a century when the abuse of human beings by government power has claimed the lives of millions of human beings. The suggestion that human nature has somehow changed since the founding period when we no longer have to fear the abuse of government power is too absurd at the end of the 20th century that I don't even want to address it. Human nature is the same now as when the document was written, and we can no more put trust in those who have government power than our founders could.

I would think anybody who lived in this country in the last several years and watched the abuse of power that took place at Waco is reminded that sometimes the people in our government, for whatever reason best known only to themselves, lose sight of who they are supposed to be. Waco was a thoroughly disgusting, tragic and un-American episode in which Janet Reno said that because they were tired, they went in and killed all of those people, including children. I think it is time to remember that yes, power can be abused.

Mr. Speaker, we should have learned long ago that once you give a small

amount of power to the Federal Government, it seizes much more. Catching and punishing criminals, in most cases, has been the business of the States, and it should remain so. The horrors that we have seen at the hands of Federal agents show us this.

Let us not fall into this latest ruse designed to intimidate honest citizens out of owning and selling guns legally. ATF's gun control by coercion.

Mr. Speaker, we do not need 500 more of these ATF agents; we need 500 fewer.

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#### TRIBUTE TO OUR LOCAL VOLUNTEER FIREFIGHTERS AND EMS PERSONNEL

The SPEAKER pro tempore (Mr. SHERWOOD). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 50 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise tonight to pay tribute to America's national heroes, and it is appropriate that I give this Special Order following a 5-minute Special Order given by our friend and colleague from Texas (Ms. JACKSON-LEE), because in her Special Order, she paid tribute to two brave citizens of Texas, two firefighters, a man and a woman who gave their lives over the past 24 hours in protecting the people in her district. Kimberly Smith and Lewis E. Mayo, who were cited by the gentlewoman from Texas (Ms. JACKSON-LEE), are both American heroes. Unfortunately, they gave their lives in the process of protecting other fellow citizens.

Mr. Speaker, there are millions of people like Kimberly Smith and Lewis E. Mayo around this country who day in and day out protect America, who are always being asked to perform the impossible, whether it be responding to a house fire, a large factory fire like we saw in Massachusetts late last year that killed a multiple number of firefighters, or single family fires like we saw last summer in D.C. where three D.C. firefighters were killed. The gentleman from Maryland (Mr. HOYER) and I came down here for that service. But we tend to, as a Nation, take these losses for granted; and we tend to take these people for granted, and that is the topic of my discussion tonight, Mr. Speaker.

Each year in America, we lose, on average, 100 men and women who are involved in fire and life safety across this country who are killed in the course of protecting their communities. Now, the interesting, or I would say outrageous fact is that out of the 100 or so people that are killed each year, the bulk of them are volunteers. There is no other group of people in America who volunteer their time who each year and who see upwards of 100 of their colleagues killed in the course of doing their volunteer work. Yet, that is the story of the America fire and life safety service all across this country.

Now, we heard, Mr. Speaker, the President give a typical speech last

month during the State of the Union and he mentioned a ton of different groups. In fact, he promised \$172 billion of new programs to every group we can think of. He talked about our law enforcement, he talked about our teachers, he talked about our military. He talked about those people who need special help in America, but Mr. Speaker, in that 1 hour and 30 minute speech, President Clinton did not mention our national heroes one time.

He did not mention the firefighters or the EMS personnel who are killed all across this country every year. He did not mention that there are 1.2 million men and women who every day in 32,000 departments protect America. He did not say a word about what they have been doing for a period of time that is older than the country itself and largely that time has been given by volunteers. He did not mention the fact that these people are now being asked to perform additional responsibilities.

And even though many of us believe that fire and EMS services are a local responsibility, which I believe fully, we are now tasking these people to take actions that some would say are Federal in responsibility. When one asks local fire and EMS organizations to respond to terrorist incidents, when they are asked to respond to an incident involving a weapon of mass destruction, a chemical, biological or perhaps a nuclear agent, then there is a Federal responsibility to help train and assist these individuals.

Now, the fire service in this country, Mr. Speaker, is a proud tradition. I know, because I would not be involved in politics today were it not for the fire service. Having been born and raised into a fire service family like my six older brothers and my father before me, I got involved in the volunteer fire company in my hometown and eventually became president and then chief of that fire company. I went back to school in the evenings while teaching during the day and got a degree in fire protection and then for 3 years as a volunteer I ran the training program for the 78 fire companies in my home county.

I understand who these people are, Mr. Speaker, because I have been one. I have traveled to all 50 States where I have interacted with the leaders of these organizations; and I have seen the faces of these men and women who day in and day out give so much of themselves to protect their neighborhoods, to protect their neighbors, and to protect the people who live and work in the area that they serve. In the urban areas, they are typically paid, and in the suburban and rural areas, they are typically volunteer, but they are all professionals. They are trained, they are equipped, and they are prepared to respond.

Each year, Mr. Speaker, I want to reiterate, 100 of them, on average, give their lives, as the two just did in the past 24 hours in Houston, Texas. Yet,

President Clinton made no mention of these people and the challenges that they face. In fact, Mr. Speaker, not only did he not mention them in the State of the Union speech, he gave them the ultimate slap in the face. The fire and EMS community in this country gets a pittance of Federal funding from our budget process. They get the U.S. Fire Administration, which is less than \$40 million a year, and they get the U.S. Fire Academy which operates at Emmitsburg, Maryland. There is only one entitlement program and one grant program, not even an entitlement, one grant program to help the volunteer fire companies in this country. President Clinton had the audacity to submit a budget that cut that program from \$3.25 million to \$2.5 million. No, not billions of dollars, millions of dollars.

Now, Mr. Speaker, as my colleagues know, the President sneezes and spends more money than \$2.5 million, and yet, in the budget proposed for this fiscal year, he has cut the only program to provide funding for rural fire protection from \$3.25 million to \$2.5 million. Mr. Speaker, that is absolutely unacceptable.

Now, there are those, as I said, and I am one of them who believe that fire and EMS services is a local responsibility. I am not saying that we should federalize the national fire EMS service; that would be wrong and it would be a tragic thing if we tried to do it and the fire service would object to that. What I am saying is, Mr. Speaker, we should provide some support.

There have been fiscal studies that have been done that shows that if the volunteer fire service in America had to be paid, if all of those 32,000 towns across America who rely on their volunteers had to replace them with a paid department, the cost to the taxpayers would be in excess of \$35 billion, \$35 billion. But these men and women who serve their towns are not asking for \$35 billion. What they are simply asking for is the respect, the consideration, and some one-time help in giving them the resources to deal with these new threats that America is facing.

Now, let us make some comparisons. We provide strong funding for our military, almost \$300 billion a year, and as a Member of the National Security Committee, I support that full funding and even more for our Nation's armed services. It is important that we have the best military in the world which we have today because they are constantly put in harm's way.

But, Mr. Speaker, almost \$300 billion a year for the Nation's international defenders, our military, yet less than \$30 million a year for our domestic defenders, the people who fight the wars on our soil. Remember, these are not just people that fight fires. These are people who have responded, the first responders, to floods, hurricanes, tornadoes, earthquakes, HazMat incidents, shootings in our inner cities, drug deals gone sour, they are the first responder to every emergency situation

in every town and city across America. Every disaster we have, they are the first in. They are there before the police, they are there certainly before the emergency management personnel; they are always there in advance of our military and their job is to control the situation, stabilize the casualties, and make sure they control the damage from extending beyond the original impact of the disaster.

These are America's first responders. Yet, what is our response? Our response at the Federal level is zero. Many of these people, the 85 percent of these 1.2 million who are volunteers, go out and raise their money through chicken dinners, through tag days on the local street corners, by having bake sales, and by doing things to raise money. And they are proud, and it is a proud tradition that they want to continue. But there is, I believe, Mr. Speaker, a need for us to provide a one-shot infusion of dollars to make sure these people who are volunteering continue to volunteer, to make sure these people who are being paid have the proper training, equipment, and resources to meet the challenges they face every day.

Now, is that an unusual request? Well, Mr. Speaker, I have mentioned that we fund the military to a number of less than \$300 billion a year. How about our local police department. Now, law enforcement at the local level is a local responsibility. Our towns hire the police departments, they pay the detectives, they buy the patrol cars. Imagine asking our police to run a tag day to buy a police car or to run a cake bake or have some kind of a chicken dinner to buy police vests. No, that is not the case. In most cases, our law enforcement costs are borne by local taxpayers, because it is a local responsibility.

But wait a minute, Mr. Speaker. The Federal Government each year spends over \$3 billion for local law enforcement. We now have a Federal program where we pay for one-half of the costs of protective vests for police officers across America. Now, I support that program, Mr. Speaker. But why is protecting the life of a police officer or a military person that much more important than protecting the lives of those 100 people a year who are killed in the course of serving their communities when most of them are, in fact, volunteers.

Mr. Speaker, \$3 billion a year for law enforcement. That money goes to hire local police. We have heard the President stand up on this podium time and time again and talk about putting 100,000 cops on the street, putting money into additional detectives and money into police vests. Well, why did the President not mention our national heroes who respond to disasters? Not even a peep, not even a word, not even a thank you.

□ 1945

But it gets more outrageous, Mr. Speaker, because this administration

just does not get it. We might remember, a few years ago President Clinton went before the American people with this grandiose idea. He said, we are going to create a program that encourages young people to volunteer in our communities across America. This new program is going to be called AmeriCorps. We are going to encourage young people to get involved; a great idea, a great concept.

Do Members know, in traditional liberal fashion, the President created a big bureaucracy program called AmeriCorps, where we actually pay young people, pay them to volunteer. We actually give them an annual stipend, we give them benefits to volunteer.

The last time I volunteered I did not get paid for it, because the word "volunteer" means you are doing it for free. But even if we were going to, say, pay a person to understand the importance of volunteering, would we not think, Mr. Speaker, that this AmeriCorps program would in some way support the 1 million volunteer fire and EMS personnel across the country?

Guess what, Mr. Speaker? Bill Clinton's AmeriCorps program has done nothing for the volunteer fire and emergency services of this country. In fact, they do not even qualify for the program. So here we have 32,000 departments, ambulance, fire, and rescue departments all across the country depending upon people to volunteer for life safety, and we create a Federal program that does not even recognize those volunteers. Mr. Speaker, is that big government liberal philosophy or what? We do not even recognize volunteers who were here longer than the country has been a Nation, over 250 years.

Sometimes, Mr. Speaker, I am convinced inside this Beltway we just do not get it. We think we have all the answers. President Clinton is going to create a great program called AmeriCorps, and yet does not do a thing to recognize those million people who are already volunteering, and recognize the fact that most of those 32,000 departments across the country are having a terrible problem right now recruiting young people. They cannot get people to volunteer.

Did we think to go out and offer to work with them, to create incentives and programs to help bring in more volunteers? No. Because it was not a politically correct thing to do, we bypassed and ignored the volunteer fire and EMS personnel in this country.

In fact, Mr. Speaker, the outrageous act of this administration several years ago when they held a volunteer summit in Philadelphia was to not only not include the volunteer fire service, but not even invite them. I had to raise Cain with the White House and threaten to boycott and picket the conference in Philadelphia unless the volunteer fire service was included, and they finally were.

Mr. Speaker, we have our priorities wrong. Here is a group of people who every year for the past 250 years have been all across our country, in our smallest rural villages to our largest cities, protecting our people and their property. Yet, we have done nothing to recognize those people. We have done nothing to pat them on the back and look at how we can provide some short-term funding to assist them to better serve their communities.

Again, let me state, Mr. Speaker, I am not advocating that we federalize the fire service. That is totally the opposite of what I am advocating. What I am saying is that if President Clinton is going to reauthorize and request \$3 billion a year for the police, if he is going to stand before us and demand that we put \$1 billion a year on the table for new teachers, why does he not say one word about the real American heroes?

I was a teacher for 7 years in the public schools of Pennsylvania, Mr. Speaker. I am a strong supporter of public education and teachers in general. I support more money for education. But is \$1 billion for teachers that much more important than perhaps some short-term stopgap funding for these American heroes who are killed in the line of duty each year, or even a mention from the President that these people deserve to be recognized? I think not, Mr. Speaker.

We have our priorities all wrong, because the polls are showing the President and some of our colleagues in this Congress that education and crime are key issues. We want to come up with new ways to throw more money in each of those areas, some of it well-founded, and other is wasteful money. But not a peep is made of support for those people who day in and day out protect our towns and cities.

These people, again, Mr. Speaker, are not just fire fighters. Of the 1.2 million nationwide in the 32,000 departments, 85 percent of whom are volunteer, I will remind my colleagues of who these people are. I have been to all 50 States, from Hawaii to Alaska, from Maine to Florida, from California to Washington State. These people are the same in every State that I have visited.

They are not just emergency responders, they are the people who rescue the cats stuck in the tree, they are the people who pump the cellars out when they are flooded, they are the people who organize the search parties when the child has been lost, they are the people who organize the July 4th celebrations, Memorial Day parades, the local organization that runs the Christmas party for disadvantaged kids at Christmastime.

They are the people who collect the money in the boots for muscular dystrophy. They are the people whose place of operation we go to to vote on election day. It is the place where young couples hold their wedding receptions.

In every town in America, the men and women of the fire service are the

backbone of the community. They are the heart and soul of this country. They are the same people who teach in our Sunday schools, who work in our synagogues. They are the same people who coach our youth programs. They are the same people who run our Girl Scout and Boy Scout programs across America.

There is no single group of people in this country that I can think of that better represents what America is all about. Whether they be paid or volunteer, they provide a service for our citizens, and they do so asking nothing in return.

They do not have high-priced lobbyists on the Hill, because all the ones who are volunteers have full-time jobs. They do their full-time job during the day, or they work shift work at night, and then when they are not working, they go over and work on the trucks, they run the fundraising events, they hold the organizational meetings, they establish the budgets, and they run their local organizations and keep their towns strong.

Mr. Speaker, they are facing serious challenges today. Recruiting has become extremely difficult in every volunteer department in this Nation. The communications system for our emergency responders is a total and complete disaster.

Imagine, if you will, Mr. Speaker, I had the chief of the Oklahoma City Fire Department appear before my subcommittee 1 year on the date after the bombing of the Murrah Building in Oklahoma City. Chief Marrs, who is a friend of mine, sat at the table testifying before my subcommittee. I asked him, I said, Chief, are you better off today as a chief of that department than you were 1 year ago when the bombing took place? He said, Congressman, I am no better off today than I was 1 year ago. The problems are just as real.

Let me just review one problem that every department in America is facing today, Mr. Speaker, because it is outrageous. There is no common communication frequency so that fire and EMS personnel can communicate freely, one with the other. In the case of the Murrah Building bombing, Chief Marrs testified that when they arrived on the scene with this huge building having been demolished on one side, there were frantic calls for life safety, for more ambulances, for paramedics, for structural engineers.

Yet, they did not have radios that could communicate between EMS, fire, police, and other agencies being brought in because they were all on different frequencies, so they had to resort to cellular telephones. Chief Marrs testified that those cellular phones quickly became overtaxed, and they finally had to resort to writing messages down on pieces of paper and having fire and EMS personnel carry the message from one officer to another to inform him of an order or of a plan of action.

Here we are in the ending of the 20th century, the beginning of the 21st cen-

tury, and our fire and EMS leaders have to resort to hand-carrying messages because the communications system they have nationwide is an absolute disaster.

The departments around D.C., many of them are part-time paid and fully volunteer. If they have to get involved in assisting the D.C. Fire Department, which is totally paid, and a very efficient department, I might add, under Chief Tippet, if they have to assist them, they do not have common frequencies so they cannot talk to each other. So here we are talking about incidents involving the life safety of thousands of our citizens all across America, and yet we do not have a common communications system that our fire and EMS personnel can use.

One might ask the question, what role does the Federal government play in that process? As we know, Mr. Speaker, it is the Federal government, through the FCC, that issues the licensing for frequencies to be used by everyone in America. We should follow through and we should provide the support for a common set of frequencies for all fire and EMS personnel nationwide. We should provide support funding on a one-shot basis to allow local departments to come in line with that standard frequency system.

Training: Our fire and EMS personnel are being asked across the country today by the Department of Defense and the Department of Justice to train their men and women, most of whom are volunteers, as to how to respond if they suspect that a chemical or biological agent has been used.

Imagine, Mr. Speaker, not only are we asking these people to protect our towns from the usual disasters, floods, hurricanes, tornadoes, fires, hazmat incidents, accidents. Now we are saying to them at the Federal level, they have another responsibility. They have to be prepared and know what to do if a chemical, biological, or nuclear agent is put forth in our community. So we are trying to train them.

Mr. Speaker, the bulk of our 32,000 departments in America do not have the resources to continue that training beyond the one time that the Department of Justice and Department of Defense comes in and shows them the proper process to use. The bulk of our 32,000 departments in America do not have the dollars to buy a \$15,000 specialized turnout suit that can be used in a chemical-bio environment, let alone maintain it. The bulk of the 32,000 departments in America do not have the ability to buy detectors to detect a chemical or a biological agent so they can warn the people to evacuate the area.

What happens when they do not have that equipment? We saw the result of that kind of event in Japan just a few short years ago when a rogue terrorist group dispersed Sarin, and that Sarin gas wiped out the entire group of first responders because they did not have the proper equipment nor the proper

training to deal with that situation involving a weapon of mass destruction.

Training is critically important, and resources are critically important. If our local emergency responders do not have this, they are not going to be able to continue to protect our towns.

What can we do, Mr. Speaker? I am not advocating a big-ticket giveaway program. I am not advocating creating a system where the fire and EMS service in this country becomes a part or an arm of the Federal Government. I am advocating that we take some steps to put a short-term infusion of dollars into this group of people nationwide.

There are a number of options. We could, for instance, create a low-interest loan program. Five States already have low-interest loan programs. My State of Pennsylvania has one. In fact, in Pennsylvania, every piece of fire equipment bought by each of our 2,400 volunteer fire companies is financed with a low-interest loan.

Mr. Speaker, in the history of the program we have not had one default, as the Speaker pro tempore well knows because he is from Pennsylvania, and he has been a tireless advocate for the fire service, as I have back in our State. We have not had one default on a loan by a volunteer fire company in purchasing a \$500,000 pumper or a \$750,000 aerial truck. The fire service is a proud organization. It pays its bills.

But having a national low-interest loan program could provide low-cost money for these small departments to be able to buy the equipment they so desperately need, and also to help our big cities modernize their departments with equipment, as well. We could deal with the communications problem, Mr. Speaker, and provide that one-shot infusion of funds to standardize a national system of communication. We can provide funding for detectors for chemical and biological incidents, and turnout suits for these situations, so that they are properly protected.

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We could create a grant program, a one-shot grant program, that would be available to every fire department in America and every EMS and ambulance service in America, to allow them to upgrade their equipment or make their own choices about what was the top priority in their own community.

Above all, we need to make sure we have a focus on health and safety, because killing 100 fire and EMS personnel in a year in America is unacceptable.

Mr. Speaker, if we had a situation involving our military where 100 military personnel were killed, it would be a national outrage; it would be front page news that 100 men and women were killed in the course of performing their responsibilities as soldiers.

Every year, every year, on average, 100 men and women who serve this country as paid and volunteer fire and

EMS personnel are killed. Where is the outrage, Mr. Speaker?

I have had the privilege in October, for 3 or 4 years, over the past 10 years, of traveling to Emmitsburg, Maryland, where we have the National Fallen Fire Fighters Memorial. The times I have been there, we have usually had between 115 and 125 families of fire and EMS personnel who have been killed. Some years it is above 100. Some years it is slightly below 100, but on average it is 100. It is absolutely heartbreaking to see these families of fire fighters and EMS personnel who were killed while protecting their towns.

The gentlewoman from Texas (Ms. JACKSON-LEE) paid tribute to two of them today, two from Houston, a man and a woman who were killed in the past 24 hours. They leave their families behind, their loved ones, a tragic story. It is even more tragic, Mr. Speaker, when they are volunteers, when they do it not as their primary job but as an avocation to protect their town. They raise the money to buy the equipment to pay for the training to serve their town for free. There is no other group of people in America that does that.

This President, in all the grandeur of the State of the Union, in the eight times he has given it, did not mention what he would do for this group of people one time, not one mention.

In fact, in this year's budget, as I started out, Mr. Speaker, he made the ultimate slap in the face of these men and women by cutting the rural volunteer program from a level of \$3.25 million or \$3.5 million, whatever it is, to \$2.5 million, which is absolutely outrageous.

Now, there is some money in the FEMA budget for a program that has not yet been defined. I have been told by one bureaucrat that it is a program that has been favored by one of the assistants at FEMA, Carey Brown, to do education for fire prevention in innercity impoverished areas. Now, that is important but does that really address the needs of the American fire service? I think not.

Mr. Speaker, there has been legislation introduced, which I am a cosponsor of, to provide funding for the fire and EMS personnel in this country. There is one bill that has overwhelming support from both sides of the aisle, in fact over 240 cosponsors, that would authorize a billion dollars for the fire and EMS of this country. I think it is going to be extremely difficult, if not impossible, to get a billion dollars in a year where the balanced budget is such a difficult process to keep on track.

At a minimum, Mr. Speaker, we have to provide some short-term support to allow these men and women to know that we do care about them, that we do want them to continue to volunteer in their towns, and that be they paid or volunteer, we want to provide support for them in the way of communications systems, in the way of health and life safety, in the way of training, in the

way of equipment, in the way of proper apparatus. That is the least we can do.

So as Members of Congress come to the floor over the next several months and rail about an extra billion dollars for teachers, more teachers for the classroom, as they come on this floor and rail about billions of dollars for local police because we need to keep the crime rate down, and I support many of those initiatives, I ask my colleagues to step back and think for a moment. Are the men and women who serve this country largely as volunteers and who give 100 of their colleagues every year any less important than teachers or police or even our military? I think not, Mr. Speaker, and I would ask my colleagues, as we go through this session, to work with me in crafting an acceptable bill that is supported by Democrats and Republicans that will lay down a one-time infusion of dollars to help the men and women of the American fire service.

It does not have to be a billion dollars, Mr. Speaker, because to try to pass something that we all know is impossible is only falsely raising the expectations of that 1.2 million group out there who is waiting for us to do something. I think we should start with a reasonable amount. I would be happy if we could come up with a package of \$100 million.

There is supposedly a \$20 billion item of money that we can use for special priorities this year and yet still keep our budget balanced, because of the way the economy is going. I do not want to take \$20 billion. I do not even think we could get a billion; but, Mr. Speaker, it is absolutely essential that this Congress, this year, pass a piece of legislation that shows the real American heroes, America's domestic defenders, America's first responders, that we care about them, that we want them to have the equipment they need; and in the prioritization of things we are not going to forget them, like President Clinton did 2 weeks ago when he gave the State of the Union or like he did last week when he revealed his budget and cut the only program that benefits them by somewhere close to a million dollars.

Mr. Speaker, I ask my colleagues to support me in this effort. I thank all the Members of the fire and EMS caucus, over 340 of them in the House and the Senate, for paying attention.

Now I say, Mr. Speaker, it is time to respond. I would ask our colleagues to join in this response together.

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#### PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore (Mr. SHERWOOD). 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 have spoken over the last couple of weeks during our special orders in the evening a number of times on various

health care issues because I do believe that this new session of Congress that began a few weeks ago must focus attention and try to pass legislation that would address three major health care concerns. First and in many ways most important because it has moved the furthest and has the best chance I think of getting passed before the Congress adjourns this coming fall is HMO reform, the need to pass the Patients' Bill of Rights which is the House version of HMO reform that passed this fall that is now in conference with the Senate.

The conferees have been appointed, and we understand that the conference is scheduled to meet at some time towards the end of this month, but I cannot stress enough how important it is to move quickly on the Patients' Bill of Rights. I am going to devote my time this evening to that.

I did want to also mention the two other major health care initiatives that were outlined by the President in his State of the Union address and which are at the top of the Democrats' agenda and the second issue after the Patients' Bill of Rights, after the HMO reform, is the need for a prescription drug package, benefit package, under the auspices of the Medicare program.

Any one of us, any Member of Congress, any of my colleagues, either Democrat or Republican, knows that when they go back home, if they have a town meeting or they stay in their office and they hear from their constituents they will hear over and over again about the problems with seniors who do not have access to prescription drugs, either because Medicare does not provide it as a basic benefit or because they cannot find an HMO or pay privately for a medigap policy or some other kind of insurance that will cover prescription drugs. They do not find either the insurance policy affordable or they do not have enough money to pay for the prescriptions on a daily or weekly basis that they need, and I should mention that tomorrow night during special orders we intend to take up that issue.

The third issue, of course, is access to health insurance for the uninsured. The bottom line is that we now have about 45 million Americans that have no health insurance, and the numbers continue to grow. The President again outlined in his State of the Union address, and as one of the priorities of the Democratic agenda, the fact that we now have articulated a way to try to cover a significant number of those uninsured Americans, first by expanding the CHIPS, the kids' health care initiative, second by enrolling patients of those children who are eligible for the CHIPS, for the kids' care initiative and, third and just as important, addressing the problems of the near elderly, those between 55 and 65 who are not now eligible for Medicare because they are not old enough but who perhaps can buy into Medicare or could buy into Medicare with a little bit of help either

through a tax credit or some kind of subsidy from the Federal Government.

I do not think there is any question that all three of these health care initiatives need to be addressed and can be addressed in a bipartisan way in this Congress if we sit down and put our minds to it. So far, the Republicans have not moved on any of these initiatives, any of the three; and I want to concentrate tonight on the Patients' Bill of Rights because I think that has the best chance of getting passed and getting to the President's desk.

I have been basically critical of the Republican leadership in the House because they dragged their feet so long on true HMO reform, and the Patients' Bill of Rights was a piece of legislation that was put together by Democrats but with the help of some Republicans, the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Iowa (Mr. GANSKE). These were physicians and health care professionals who worked with the Democrats, a small group of Republicans, in trying to put together the Patients' Bill of Rights.

We had a very hard time getting a hearing, getting anything out of committee, getting it brought up on the floor. The Republican leadership put up all kinds of roadblocks and alternatives, but finally we were able to pass the Patients' Bill of Rights in the House of Representatives.

I would like to outline a little bit of the good points of the Patients' Bill of Rights and why we insist, as Democrats, that this be the bill that finally goes to the President. I say that by way of contrast because on the Senate side, the other body, I should say, the other body has passed a bill that is now in conference with the House version; but the version passed in the other body is far inferior and does not really constitute true HMO reform.

Before I get to the contrast, let me, Mr. Speaker, talk about what is in the House bill in the Patients' Bill of Rights and why it is so important for the average American that this legislation pass pretty much intact.

I think a lot of people are aware of the abuses and excesses within the HMO system. What happens frequently, when I talk to my constituents, is they complain to me about the fact that they need a certain procedure, a certain operation, or they need to stay in the hospital a certain number of days or they need certain kinds of medical equipment and the insurance company says, no, we will not pay for it. We do not think it is necessary.

The problem is that too often that is the case. Something, whether it is an operation or procedure or some kind of service or equipment, that your physician feels is necessary, medically necessary, the insurance company says is not. Well, we know traditionally that the doctors who were sworn to the Hippocratic oath and went to school to learn what is good for you should be, with you, should be making the decisions about what kind of medical care

you need. That is why they went to school. That is why they became doctors. They are now hamstrung. They do not have the ability to decide what kind of medical care you get because if the insurance company will not pay for it and you cannot afford it, you are simply out.

So what we really need to do, and I think the two most basic aspects of the Patients' Bill of Rights that are really crucial is, one, the decision about what is medically necessary needs to be taken from the insurance company, from the HMO, and given to the physician and you, the patient, and that decision about what is medically necessary then is once again made by the physician and the patient, not by the insurance company.

The second thing is that if you are denied care, if you are told that this is not medically necessary by the insurance company, then you should have some way to redress that grievance, either by some sort of external review that is not influenced and decided or determined by the insurance company, or ultimately be able to go to court and sue the HMO for your rights or for any damages that are inflicted upon you because you were not able to have the medical procedure that you and your physician deem medically necessary.

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Well, unfortunately, that is not the case right now. Right now, many times the insurance company has an internal appeal procedure but they control the procedure, and they simply say we made the right decision and that individual cannot sue. Because under Federal law, in many, many cases, an employee that works for an employer who is self-insured, which most of the larger ones are, then under Federal law, what we call ERISA, there is a Federal preemption that says an individual cannot bring suit against the HMO, against the insurance company.

Well, the Patient's Bill of Rights reverses all that. Basically it says the decision about what is medically necessary is made by the physician and the patient, not by the insurance company. And in order to enforce that definition about who decides what is medically necessary, there is both an internal review and an external appeal that is devoid of the influence of the insurance company because it is a panel that does not have the insurance company on it. And then, failing that, you have the right to go to sue and for the court to make a determination that that particular operation or procedure should be granted; or, alternatively, if the procedure or operation was denied and someone has suffered, that damages can be obtained from the HMO because they denied what was legally entitled.

Those are the basic tenets of the Patient's Bill of Rights. There are a lot more specific items, which I would like, Mr. Speaker, to basically outline,

if I could, for a few minutes this evening. And I am only going to cover the ones that I hear the most about in terms of abuses that come to me from my constituents.

One is with regard to emergency services. In the Patient's Bill of Rights, individuals are assured that if they have an emergency the services will be covered by their insurance plan. The bill says that individuals must have access to emergency care without prior authorization in any situation that a prudent layperson would regard as an emergency.

Now, that sounds a little bureaucratic, but basically it is saying that the insurance company cannot say, if an individual has an emergency and they think it is a legitimate health emergency, that they have to go to a particular hospital which may be much further away than the closest one, or that they have to call the insurance company and get a prior approval before they go to the emergency room.

Some people say how can that be? How can they issue a call for approval if they are having a heart attack? Unfortunately, in many cases, that is the case. And in many cases they will not pay if a patient goes to the emergency room that is a few blocks away, because they say that individual should have gone to one that was 30 miles away. Well, this Patient's Bill of Rights, this bill, says that is not the case.

If the average person would think, for example, that they are having a heart attack, they can go to the nearest emergency room and they do not have to call for prior approval, because it is a true emergency and there is no time for it.

The second major area in terms of access to care under the Patient's Bill of Rights is specialty care. Patients with special conditions must have access to providers who have the requisite expertise to treat their problem. The bill allows for referrals, for enrollees to go out of the plan's network for specialty care at no extra cost if there is no appropriate provider in the network for covered services.

So what it says is, if the HMO does not have a particular person who can handle that specialty care, and I will give an example, the HMO may have a number of pediatricians but they do not have a pediatrician who specializes in heart problems or one who specializes in kidney problems or whatever, then that individual would be able to go outside the plan's network and get a doctor who has that particular ability and there would be no extra charge to them.

In addition, for individuals who are seriously ill or require continued care by a specialist, plans must have a process for selecting a specialist as a gatekeeper for their condition to access necessary specialty care without impediments. This is a situation where the HMO says an individual can go to a cardiologist, but every time they go, or

maybe every other time, they have to get another referral from the primary care physician. Well, if this is a chronic illness where that individual needs the cardiologist on a regular basis, the cardiologist should be the person the patient sees regularly without having to go to their primary care physician for approval every time.

That is very important for a lot of people. Because what happens is the primary care physician becomes the gatekeeper. And if he is under pressure, he or she is under pressure not to allow too many visits to the specialist, then that patient may not have access even though they have a chronic illness to the cardiologist, for example, on a regular basis.

The Patient's Bill of Rights provides direct access to OB-GYN care and services for women. It ensures that the specialties of children are met, including access to pediatric specialists and the ability for children to have a pediatrician as their primary care provider. I could go on and list a number of other things that are provided and guaranteed as patient protections under the Patient's Bill of Rights, but I think I have covered enough of some of the major areas that people complain to me about where abuses exist.

I do want to talk a little bit about information, though, because many people complain to me and say that their HMO, when they sign up, does not provide adequate disclosure of what benefits are provided and what is essentially in the insurance plan. That is a major problem because many times seniors sign up for HMOs and they do not necessarily know what they are getting into. They do not know the limits of it.

We have in the Patient's Bill of Rights protections with regard to health plan information that says informed decisions about health care options can only be made by consumers who have access to information about their health plans and, therefore, we require managed care plans to provide important information so that consumers understand their health plan's policies, procedures, benefits, and other requirements.

Now, that is a kind of a general broad statement, but I will give an example. In my home State of New Jersey, Mr. Speaker, there have been a number of situations over the last 6 months where HMOs have decided to drop seniors in a given area or for a given reason, and a lot of the seniors do not understand that that can happen. So that is the type of information that they certainly should have.

I talked about the external appeals process; that individuals would have access to an external independent body with the capability and authority to resolve disputes for cases involving medical judgment. If a plan refuses to comply with the external reviewer's determination, the patient may go to Federal Court to enforce a decision about what is medically necessary. We have already discussed that.

There are also a number of protections with regard to the doctor-patient relationship. Many of my constituents are surprised to learn that we have gag rulings with a lot of the HMOs today. In other words, if the HMO, or the insurer, figures that a particular operation or procedure is not going to be paid for, is not going to be covered, they will simply tell the physician that the physician cannot talk about that procedure because it is not covered.

Well, it is bad enough if the doctor tells his patient that they need a particular operation and then the patient finds out the insurance company will not cover it. But imagine that the doctor cannot tell his or her patient about an operation, even though he or she feels that that patient needs it, because the HMO contract says he cannot talk about it if it is not covered. Well, that is in fact a reality for many Americans today with some of the HMOs. That is totally wrong. It violates every notion of freedom of information and free speech. I suppose it is questionable whether it is even constitutional.

But we, in the Patient's Bill of Rights, specifically say that we prohibit plans from gagging doctors and from retaliating against physicians who advocate on behalf of their patients. We also prevent plans from providing inappropriate incentives to providers, to physicians, to limit medically necessary services. So, in other words, there cannot be any financial incentive, which is often the case to a physician if he cuts back on services or does not provide for a number of services and keeps costs down for the HMO, for the insurance company, in that way.

There are a lot of other protections in the Patient's Bill of Rights, and I do not want to go through every one of them, but, Mr. Speaker, I do want to make the point that this is a very strong bill. And this problem is a problem, the abuses within HMOs, that Americans and all our constituents face. These abuses need some very strong medicine to make sure that they do not occur any more on a regular basis. That is why the Patient's Bill of Rights is a strong bill, and that is why Democrats, myself and other Democrats, keep insisting that it be the bill that comes back to the House from the Senate and goes to the President's desk. Because if we do not have good patient protections and strong patient protections then we will not accomplish anything in terms of this debate on the HMO reform.

Now, I wanted to, if I could, just make some comparisons with the version of HMO reform that came from the other body, from the Senate, and is now in conference with the House Patient's Bill of Rights that I just described. The point I want to make here is that if the conferees, when they meet, were to accede to a version that is more like the Senate bill as opposed to the House Patient's Bill of Rights, we would have accomplished nothing,

in my opinion, on this issue, and no reform that is meaningful would take place in this session of Congress.

I will give some examples of how the Senate Republican bill differs from the House Patient's Bill of Rights. The Senate bill leaves more than 100 million Americans uncovered, because most substantive provisions or protections in the bill apply only to individuals enrolled in private employment-based self-funded plans.

Now, this is what I talked about before where most of the larger employers, and even some smaller employers but certainly most of the larger employers, they have their own insurance fund. They are self-insured. Well, about 100 million Americans, the majority of Americans, do not fall into that category. What the Republican bill says is that the bill applies only to individuals who are enrolled in those self-funded plans. So most Americans would not even be covered by the patient protections because they are not in those self-insured plans that the Senate bill covers.

Just an idea. There was a study done by Health Affairs, which is a publication, that found that only 2 percent of employers offer HMOs that would be covered by the standards in the Senate bill and only 9 percent of employees are in such HMOs. Self-funded coverage is typically offered only by large companies. Of the 161 million privately insured Americans, only 48 million are enrolled in such plans. Of those 48 million only a small number, at most 10 percent, are in HMOs.

So that is an interesting statistic. Because what it says is that of all the Americans out there who are covered by health insurance, only 48 million are in these self-insured plans that are covered by the Senate bill. But even of those 48 million, about 10 percent are in HMOs because most of the people who are in those plans are not in HMOs. They are probably in some kind of traditional insurance policy on a pay-as-you-go basis as opposed to an HMO.

The Senate bill does not allow designation of an OB-GYN, or obstetrician gynecologist, as a primary care physician. With regard to the specialty care that we talked about, it provides no ability to go outside the HMO network at no extra cost if the HMO's network is inadequate. So what I said before, about the House version of the Patient's Bill of Rights, it says that an individual can get a specialist outside the network at no extra cost if they do not provide it in the network. We do not have that language in the Senate bill.

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It allows the HMO to write contracts rendering the protection meaningless, e.g., specialty care is covered only when authorized by a gatekeeper. There are all kinds of gimmicks, if you will, in the Senate bill that basically make it difficult to really apply any of

the patient protections in a significant way.

I just wanted to mention a couple more things, just by way of contrast. With regard to continuity of care for patients, in other words, when a doctor is dropped from a network or an employer changes insurance plan, in the Senate bill it leaves out protection for all Americans who are not terminally ill, pregnant, or hospitalized. It provides only 90 days of continued care for terminally ill or hospitalized patients, forcing them to change doctors or hospitals even if they live longer or have not been discharged from the facility.

Most important, though, and I think this really gets to the heart of the debate, in the Senate bill, and this goes back to what I said before, Mr. Speaker, the key really to this HMO reform is who is going to define what is medically necessary and how are they going to enforce their rights if they have been denied care that they and their physician think is medically necessary.

Well, in the Senate bill, in the Senate Republican bill, the HMO continues to define what is medically necessary. No matter how narrow or unfair to patients the HMO's definition is, their definition controls in any coverage decision, including decisions by the independent third-party reviewer.

So what that says is that, if my physician and I feel that I need a particular operation and the HMO denies it, even if I go to an outside reviewer, they are only reviewing the HMO's definition of what is medically necessary; they cannot go beyond that definition. So if the HMO defines what is medically necessary in a way that would preclude that particular operation procedure, it does not matter whether they go to an outside panel or if they go to court, or whatever, because the bottom line is the HMO is going to decide what is medically necessary.

I could go on and on and talk about so many other things in the Senate bill. It does not ensure doctors can talk about the HMO's financial incentives or its processes. It does not prohibit the gag clauses that I talked about before. In terms of information that is provided to patients when they sign up for their HMO, it is very limited in the Senate version.

And so, again, the point that I am trying to make is that we can hear my colleagues on the other side of the aisle talk all they want about how they want to pass good HMO reform, but the only way that is going to happen is if this conference comes up with a bill that is very much like the House passed Patients' Bill of Rights. Without that, if the bill comes out similar to the Senate version, in effect, the Congress would have failed in its responsibility to enact true HMO reform.

The one other thing that I wanted to mention in the context of the Patients' Bill of Rights and HMO reform, the Republican leadership in the House, when they passed the Patients' Bill of Rights, attached to it a number of pro-

visions which I call poison pills. These are provisions that really have nothing to do with patient protections but which the Republican leadership claim also address some of the access problems for the uninsured.

We do not have a consensus in the House or in the Senate at this point on how to deal with the problem of the uninsured. Obviously, as I mentioned before, the Democrats and myself feel very strongly that is what is needed is a major effort through legislation both monetary as well as a change in policy that would allow children, the parents of children who are not covered, and the near elderly, at a minimum those groups, to be insured.

The President has talked about, as I mentioned before, a major new initiative that expands the kids' health insurance to sign up more kids, to sign up the parents of those kids that were uninsured and to make it possible for people who are 55 or 65 to buy into Medicare or to even have a subsidy or a tax credit so they could afford to do so.

What the Republicans have done with the Patients' Bill of Rights, they have attached provisions which they claim are going to address the problems of the uninsured but do not effectively do so. They have attached provisions that would expand MSA, medical savings accounts.

Medical savings accounts are a device whereby, under Medicare, for example, rather than buy an HMO or traditional fee-for-service policy, they could buy a policy whereby they get a lump sum; and if they do not use a certain amount of their care over the course of the year, that money is paid back to them in a check that they can use to go on a vacation or to buy a car, whatever they want to do.

Basically what it does is to create a situation where they are kind of gambling with their health, if you will. They assume that they will not have certain expenses; and they, basically, establish a threshold, if you will, for the level of care that if they do not meet they pay out of pocket up to that certain threshold. And it has not worked.

I mean, basically, very few Americans have signed up for medical savings accounts. And the whole idea is, essentially, something that very few seniors or anybody is responding to. But the Republican leadership says, oh, this is a great idea. This is a great way of expanding health insurance. Well, I do not see how it accomplishes that at all.

They also have HealthMarts and they have other devices that supposedly are going to make it possible for more people to have health insurance but, in fact, do not accomplish that at all.

What I see happening here, without getting into the details of it, is, rather than addressing the Patients' Bill of Rights and trying to come to a consensus on the HMO reform that the majority of the people in the majority of this Congress have supported, they now

are trying to muck up this whole issue by talking about these access issues for which there is no consensus and which will simply delay any action on the Patients' Bill of Rights and on HMO reform in this Congress.

And so, what I have said to my colleagues, and I will say again, Mr. Speaker, is let us pass a good Patients' Bill of Rights; let us deal with the HMO reform issue, which is now ripe, which overwhelmingly the people and the Members of Congress have voted for in this House and support; let us go with the House version; let us send this to the President, because he says that he will sign it; and let us make this the first priority to show that that Congress can accomplish something that is important to the American people on a bipartisan basis.

I know that I, as a Democrat, and my colleagues on the Democratic side, including those of us who are conferees, will continue to insist on that, insist that the conference meets, that we come up with a strong Patients' Bill of Rights similar to the House version, and that we get it to the President so that we can have a great accomplishment and a great victory for the American people. And we will be back here many times in the evening demanding that that happen. Because the Republicans are in the majority and they control the process, and it is up to them to make sure that this happens, with bipartisan support from the Democrats.

□

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Mr. GEPHARDT) for today and the balance of the week on account of illness.

Mr. STUPAK (at the request of Mr. GEPHARDT) for today on account of medical reasons.

Mr. RUSH (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. BAIRD (at the request of Mr. GEPHARDT) for today on account of an unavoidable family matter.

Mrs. CAPPS (at the request of Mr. GEPHARDT) for today on account of a death in the family.

Mr. SCHAFFER (at the request of Mr. ARMEY) for today on account of official business.

Mr. SAXTON (at the request of Mr. ARMEY) for today on account of illness in the family.

Mr. CALLAHAN (at the request of Mr. ARMEY) for today and the balance of the week on account of a death in the family.

Mr. KASICH (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. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BISHOP, for 5 minutes, today.

Mr. BARCIA, for 5 minutes, today.

(The following Members (at the request of Mr. METCALF) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

Mr. WELLER, for 5 minutes, February 16.

Mr. HUTCHINSON, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, February 15.

Mr. HANSEN, for 5 minutes, February 15.

Mr. MCINNIS, for 5 minutes, February 15.

□

## ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 764. An act to reduce the incidence of child abuse and neglect, and for other purposes.

H.R. 1451. An act to establish the Abraham Lincoln Bicentennial Commission.

□

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 632. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

□

## ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Tuesday, February 15, 2000, at 9:30 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:

6150. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Horses From Qatar; Change in Disease Status [Docket No. 97-131-3] received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6151. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Mepiquat Chloride; Pesticide Tolerance [FRL-6485-4] received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6152. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Maneb; Extension of Tolerance for Emergency Exemptions [OPP-300954; FRL-6394-9] (RIN: 2070-AB78) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6153. A communication from the President of the United States, transmitting the request and availability of appropriations for the Department of Health and Human Services' Low Income Energy Assistance Program; (H. Doc. No. 106-196); to the Committee on Appropriations and ordered to be printed.

6154. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Standard Flood Insurance Policy (RIN: 3067-AD05) received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6155. A letter from the Assistant General Counsel for Regulatory Law, Office of Security and Emergency Operations, Department of Energy, transmitting the Department's final rule—Password Generation, Protection and Use [DOE N 205.3] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6156. 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: Adjuvants, Production Aids, and Sanitizers [Docket No. 99F-1457] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6157. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland, Post-1996 Rate of Progress Plan for Cecil County and Revisions to the 1990 Base Year Emissions Inventory [MD059-3049a; FRL-6530-8] received January 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6158. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; 15 Percent Rate of Progress Plan for the Baltimore Ozone Non-attainment Area [MD082-3048a; FRL-6531-1] received January 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6159. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Allocation of Essential Use for Callendar Year 2000; Allocation for Metered-Dose Inhalers and the Space Shuttle and Titan Rockets [FRL-6519-3] (RIN: 2060-A173) received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6160. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementa-

tion Plans; Tennessee; Revision to Rule Governing Monitoring of Source Emissions [TN-195-9947(a), TN-188-9959(a); FRL-6519-4] received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6161. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Kansas [085-1085b; FRL-6517-9] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6162. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Part 70 Operating Program; State of Missouri [MO 091-1091; FRL-6519-9] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6163. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Alaska: Tentative Determination and Final Determination of Full Program Adequacy of the State of Alaska's Municipal Solid Waste Landfill Permit Program [FRL-6518-1] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6164. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mishicot, Wisconsin and Gulliver, Michigan) [MM Docket No. 99-145 RM-9336] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6165. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Bay Springs, Ellisville, and Sandersville, Mississippi) [MM Docket No. 99-74 RM-9367, RM-9715] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6166. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-246, "Federal Law Enforcement Officer Cooperation Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6167. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-255, "Al Arrighi Way Designation Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6168. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-257, "Dennis Dolinger Memorial Park Designation Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6169. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-243, "Motor Vehicle Parking Regulation Amendment Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6170. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-248, "Sex Offender Registration Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6171. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. Act 13-251, "Mandatory Autopsy for Deceased Wards of the District of Columbia and Mandatory Unusual Incident Report Temporary Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6172. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-249, "Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6173. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-244, "Office of Cable Television and Telecommunications Amendment Act of 1999" received February 14, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6174. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions and Deletions—received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6175. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Update of Documents Incorporated by Reference (RIN: 1010-AC55) received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6176. A letter from the Acting Assistant for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Hunting; Regulations Designed to Reduce the Mid-Continent Light Goose Population (RIN: 1018-AF85) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6177. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Indiana Regulatory Program [SPATS No. IN-146-FOR; State Program Amendment No. 98-3] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6178. A letter from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Domestic Fisheries Division, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Northeast Multispecies Fishery; Amendment 9 to the Northeast Multispecies Fishery Management Plan [Docket No. 990226056-9213-02; I.D. 122498C] (RIN: 0648-AL31) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6179. A letter from the Assistant Administrator for Fisheries, Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—International Fisheries; Pacific Tuna Fisheries; Harvest Quotas [Docket No. 991207319-9319-01; I.D. 111099B] (RIN: 0648-AN04) received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6180. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Fountain Power Boats Offshore Race, Pamlico River, Washington, North Carolina [CGD 05-99-AE46] (RIN: 2115-AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6181. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting

the Department's final rule—Special Local Regulations for Marine Events; "The Cradle of Invasion" Amphibious Landing Reenactment, Patuxent River, Solomons, Maryland [CGD 05-99-067] (RIN: 2115-AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6182. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Thunder on the Narrows Hydroplane Races, Prospect Bay, Kent Narrows, Maryland [CGD 05-99-066] (RIN: 2115-AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6183. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Virginia is for Lovers Cup Unlimited Hydroplane Races, Willoughby Bay, Norfolk, Virginia [CGD 05-99-065] (RIN: 2115-AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6184. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Chesapeake Challenge, Patapsco River, Baltimore, Maryland [CGD 05-99-064] (RIN: 2115-AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6185. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Mears Point Marina and Rd Eyes Dock Bar Fireworks Display, Chester River, Kent Narrows, Maryland [CGD 05-99-059] (RIN: 2115-AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6186. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidance on Awarding Section 319 Grants to Indian Tribes FY 2000—received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6187. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines Establishing Test Procedures for the Analysis of Pollutants; Available Cyanide in Water [FRL-6478-1] (RIN: 2040-AC76) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6188. A letter from the Director, Office of Regulations Management, Board of Veterans' Appeals, Department of Veterans Affairs, transmitting the Department's final rule—Board of Veterans' Appeals: Rules of Practice—Revision of Decisions on Grounds of Clear and Unmistakeable Error; Clarification (RIN: 2900-AJ98) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6189. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2000-2] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6190. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 99-61] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6191. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Passthrough of Items of an S Corporation to its Shareholders [TD 8852] (RIN: 1545-AT52) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6192. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Rev. Proc. 2000-11] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6193. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—General Revision of Regulations Relating to Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons and Related Collection, Refunds, and Credits; Revision of Information Reporting and Backup Withholding Regulations; and Removal of Regulations Under Parts 1 and 35a and of Certain Regulations Under Income Tax Treaties [TD 8856] (RIN: 1545-AX44) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6194. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Return Requirement for United States Persons Acquiring or Disposing of an Interest in a Foreign Partnership, or Whose Proportional Interest in a Foreign Partnership Changes [TD 8851] (RIN: 1545-AK75) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6195. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Separate Share Rules Applicable to Estate [TD 8849] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6196. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Announcement and Request for Comments on Certain Plans of State and Local Government Employers under Section 457 [Announcement 2000-1] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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#### REPORTS OF COMMITTEES ON PRIVATE 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. SMITH of Texas: Committee on the Judiciary. H.R. 758. A bill for the relief of Nancy B. Wilson (Rept. 106-497). Referred to the Private Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Commerce discharged. H.R. 2366 referred to the Committee of the Whole House on the State of the Union.

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#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. ANDREWS (for himself and Mrs. KELLY):

H.R. 3647. A bill to facilitate transfers between interest-bearing accounts and transactions accounts at depository institutions for small businesses; to the Committee on Banking and Financial Services.

By Mr. ANDREWS (for himself and Mr. HOFFFEL):

H.R. 3648. A bill to amend the Internal Revenue Code of 1986 to allow credits against income tax for an owner of a radio broadcasting station which donates the license and other assets of such station to a nonprofit corporation for purposes of supporting nonprofit fine arts and performing arts organizations, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Mr. FROST, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mr. KENNEDY of Rhode Island, Ms. PELOSI, Mr. BLAGOJEVICH, Mr. GONZALEZ, Mr. BENTSEN, Ms. LEE, Mr. MEEKS of New York, Mr. RUSH, Mr. FILNER, Mr. DINGELL, Mr. CUMMINGS, and Ms. MCKINNEY):

H.R. 3649. A bill to provide for an interim census of Americans residing abroad, and to require that such individuals be included in the 2010 decennial census; to the Committee on Government Reform.

By Mr. NADLER (for himself, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. CROWLEY, Mr. DELAHUNT, Mr. LANTOS, Mr. BECERRA, Mr. MCDERMOTT, Mr. HINCHEY, Mr. CAPUANO, Mr. WAXMAN, and Mr. TOWNS):

H.R. 3650. A bill to amend the Immigration and Nationality Act to provide a mechanism for United States citizens and lawful permanent residents to sponsor their permanent partners for residence in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERSON of Minnesota:

H.R. 3651. A bill to amend title 38, United States Code, to provide a presumption of service connection for certain specified diseases and disabilities in the case of veterans who were exposed during military service to carbon tetrachloride; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey:

H.R. 3652. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to direct the Secretary of the Army to prohibit ocean dumping at the Historic Area Remediation Site, located east of Sandy Hook, New Jersey, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BERRY:

H.R. 3653. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to provide emergency loans to poultry producers to rebuild chicken houses destroyed by disasters; to the Committee on Agriculture.

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#### PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. MCHUGH introduced a bill (H.R. 3654) for the relief of Andrija Laslo; which was referred to the Committee on the Judiciary.

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#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 61: Mr. RANGEL, Mr. PHELPS, and Mr. DOYLE.

H.R. 225: Mrs. MCCARTHY of New York.

H.R. 568: Mr. SMITH of New Jersey.

H.R. 750: Mr. ENGLISH.

H.R. 792: Mr. GIBBONS.

H.R. 840: Mr. STARK.

H.R. 1046: Mr. POMEROY.

H.R. 1055: Ms. DANNER.

H.R. 1068: Mr. CANADY of Florida, Mr. MAS-

CARA, and Mrs. EMERSON.

H.R. 1071: Mr. NEAL of Massachusetts.

H.R. 1111: Mr. FRANKS of New Jersey and Mr. HORN.

H.R. 1298: Mr. MCGOVERN.

H.R. 1304: Mrs. WILSON.

H.R. 1367: Mr. UPTON.

H.R. 1413: Mr. HORN and Mr. PICKETT.

H.R. 1491: Ms. DELAURO.

H.R. 1525: Mr. WEXLER.

H.R. 1531: Mr. SHERMAN.

H.R. 1592: Ms. MILLENDER-MCDONALD and Mr. PAUL.

H.R. 1622: Mr. GUTIERREZ.

H.R. 1824: Mr. CLEMENT and Mr. BAKER.

H.R. 1839: Mr. BOEHLERT, Mrs. JOHNSON of Connecticut, and Mr. WEYGAND.

H.R. 1870: Ms. CARSON, Mr. SHIMKUS, and Mr. NEY.

H.R. 1926: Mr. UPTON.

H.R. 1996: Mr. CAPUANO.

H.R. 2000: Mr. HORN.

H.R. 2086: Mr. DEFAZIO.

H.R. 2119: Mr. MCNULTY.

H.R. 2288: Mr. ARMEY.

H.R. 2298: Ms. CARSON and Mr. CONYERS.

H.R. 2340: Mr. THOMPSON of California, Mr. DOYLE, Mr. COYNE, and Mr. MORAN of Kansas.

H.R. 2366: Mr. GOODLATTE.

H.R. 2382: Mr. TRAFICANT, Mr. LATHAM, and Mr. ARMEY.

H.R. 2446: Mr. PRICE of North Carolina.

H.R. 2543: Mr. FOLEY.

H.R. 2662: Mr. UPTON.

H.R. 2697: Mr. PALLONE.

H.R. 2720: Mr. KNOLLENBERG.

H.R. 2741: Mr. PASCRELL.

H.R. 2840: Mr. GUTIERREZ.

H.R. 2892: Mr. DEUTSCH and Mr. BALDACCI.

H.R. 2906: Mr. CAMP and Mr. UPTON.

H.R. 2966: Mr. HORN, Mr. MOAKLEY, Mr. MCNULTY, and Mr. DINGELL.

H.R. 2987: Mr. SIMPSON.

H.R. 3174: Mr. NUSSLE.

H.R. 3192: Mr. DELAHUNT, Mr. PRICE of North Carolina, Mr. COYNE, Mr. KLINK, Mrs. NAPOLITANO, and Mr. BARCIA.

H.R. 3193: Mr. BROWN of Ohio.

H.R. 3195: Ms. DUNN, Mr. BAIRD, Mr. GREENWOOD, Mr. KUYKENDALL, and Ms. BALDWIN.

H.R. 3201: Mr. CLYBURN.

H.R. 3224: Ms. CARSON and Mr. BALDACCI.

H.R. 3413: Mr. SCOTT, Mrs. MCCARTHY of New York, Ms. SANCHEZ, Mr. KENNEDY of Rhode Island, Mr. MCGOVERN, Ms. KILPATRICK, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, and Mr. STUPAK.

H.R. 3495: Mr. TANCREDO.

H.R. 3514: Mr. DEFAZIO, Mr. PALLONE, and Mr. UDALL of New Mexico.

H.R. 3518: Mr. ARMEY.

H.R. 3519: Mr. HALL of Ohio, Mr. GONZALEZ, and Ms. DELAURO.

H.R. 3540: Mr. ALLEN, Mr. MCNULTY, Ms. CARSON, Mr. LAHOOD, Mr. BLUMENAUER, Mr. WEYGAND, and Mr. ENGLISH.

H.R. 3543: Mr. KENNEDY of Rhode Island, Mr. PASCRELL, Mr. ROTHMAN, and Mr. NEY.

H.R. 3544: Mrs. BONO, Mr. TIAHRT, and Mr. MCNULTY.

H.R. 3545: Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Ms. MCKINNEY, Mr. GEORGE MILLER of California, Mr. OWENS, Ms. SANCHEZ, Mr. STARK, Mr. THOMPSON of California, and Mr. WEYGAND.

H.R. 3557: Mr. MALONEY of Connecticut, Ms. CARSON, and Mrs. NORTHUP.

H.R. 3573: Mr. BALDACCI, Mr. BILIRAKIS, Mr. BRADY of Pennsylvania, Mr. CAMP, Ms. DAN-

NER, Mr. DICKEY, Mr. DINGELL, Mr. GIBBONS, Mr. GRAHAM, Ms. GRANGER, Ms. HOOLEY of Oregon, Mr. HORN, Mr. ISAKSON, Mr. KIND, Mr. MOAKLEY, Mr. MORAN of Virginia; Mr. SMITH of New Jersey, and Mr. WELDON of Florida.

H.R. 3575: Mr. FRANKS of New Jersey.

H.R. 3582: Mr. OSE, Mr. MORAN of Virginia, and Mr. CUNNINGHAM.

H.R. 3594: Mr. NEY, Mr. HULSHOF, Mr. TAYLOR of North Carolina, Mr. SANDLIN, and Mr. THOMAS.

H.R. 3608: Mr. LATOURETTE, Mr. PAYNE, Mr. MEEHAN, Mr. LAZIO, Mr. NEAL of Massachusetts, Mr. FORBES, Mr. MURTHA, Mr. OLVER, Mr. RANGEL, Mr. MOAKLEY, Mr. HINCHEY, Mr. ENGEL, Mr. WEINER, Mr. BRADY of Pennsylvania, Mr. NEY, Mr. OWENS, Mr. LIPINSKI, Mr. TIERNEY, Mr. GREENWOOD, Mr. LOBIONDO, and Mr. CONYERS.

H.R. 3616: Mr. COSTELLO.

H.R. 3634: Ms. ROYBAL-ALLARD, Mr. HINCHEY, and Mr. BALDACCI.

H.R. 3639: Ms. MCCARTHY of Missouri.

H.J. Res. 86: Mr. FALCOMAVAEGA.

H. Con. Res. 76: Mr. GORDON, Mr. BURTON of Indiana, and Mr. TANNER.

H. Con. Res. 115: Mrs. MORELLA and Mr. HOLT.

H. Con. Res. 119: Ms. CARSON, Mr. BOEHLERT, and Mr. ABERCROMBIE.

H. Con. Res. 226: Mr. BROWN of Ohio and Mr. CONDIT.

H. Con. Res. 238: Mr. BROWN of Ohio, Mr. KUCINICH, Mr. WAXMAN, and Ms. DEGETTE.

H. Con. Res. 247: Mr. DOYLE, Mr. MCCOLLUM, Mr. DEMINT, Mr. GIBBONS, Mr. CUMMINGS, Mr. CRANE, Mrs. MORELLA, Mr. GONZALEZ, and Mr. BARTLETT of Maryland.

H. Res. 298: Mr. SMITH of New Jersey.

H. Res. 347: Ms. LOFGREN, Mr. LAMPSON, and Mr. DOYLE.

H. Res. 417: Mr. SMITH of New Jersey, Mr. PORTER, and Mr. MCGOVERN.

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#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2086

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 6: Page 8, line 22, insert "optical technology specifically for use in storing, carrying, disseminating, and securing information;" after "and scalability;"

H.R. 2086

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 2: Page 8, line 22, insert "the quality and accessibility of healthcare via telemedicine;" after "and scalability;"

H.R. 2086

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 8: Page 8, line 22, insert "and including research by the Laboratory for Telecommunication Science into national Internet prevention of and recovery from denial of service attacks" after "including privacy;"

H.R. 2086

OFFERED BY: MR. CAPUANO

AMENDMENT NO. 9: PAGE 8, AFTER LINE 5, INSERT THE FOLLOWING NEW SUBSECTION:

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) NATIONAL SCIENCE FOUNDATION.—Notwithstanding the amendment made by subsection (a)(3) of this section, the total amount authorized for the National Science Foundation under section 201(b) of the High-Performance Computing Act of 1991 shall be \$580,000,000 for fiscal year 2000; \$699,300,000 for fiscal year 2001; \$728,150,000 for fiscal year 2002; \$801,550,000 for fiscal year 2003; and \$838,500,000 for fiscal year 2004.

(2) DEPARTMENT OF ENERGY.—Notwithstanding the amendment made by subsection (c)(2) of this section, the total amount authorized for the Department of Energy under section 203(e)(1) of the High-Performance Computing Act of 1991 shall be \$60,000,000 for fiscal year 2000; \$54,300,000 for fiscal year 2001; \$56,150,000 for fiscal year 2002; \$65,550,000 for fiscal year 2003; and \$67,500,000 for fiscal year 2004.

H.R. 2086

OFFERED BY: MR. HALL OF TEXAS

AMENDMENT NO. 10: Page 5, lines 12 through 15, strike "\$439,000,000" and all that follows through "\$571,300,000" and insert "\$520,000,000 for fiscal year 2000; \$645,000,000 for fiscal year 2001; \$672,000,000 for fiscal year 2002; \$736,000,000 for fiscal year 2003; and \$771,000,000".

Page 6, lines 14 through 17, strike "\$106,600,000" and all that follows through "\$129,400,000" and insert "\$120,000,000 for fiscal year 2000; \$108,600,000 for fiscal year 2001; \$112,300,000 for fiscal year 2002; \$131,100,000 for fiscal year 2003; and \$135,000,000".

Page 8, lines 14 through 17, strike "\$310,000,000" and all that follows through "\$415,000,000" and insert "\$350,000,000 for fiscal year 2000; \$421,000,000 for fiscal year 2001; \$442,000,000 for fiscal year 2002; \$486,000,000 for fiscal year 2003; and \$515,000,000".

Page 9, line 1, strike "20" and insert "25".

Page 9, line 4, strike "30" and insert "35".

Page 9, lines 6 through 8, strike "2000; \$40,000,000" and all that follows through "\$50,000,000" and insert "2000; \$45,000,000 for fiscal year 2001; \$50,000,000 for fiscal year 2002; \$55,000,000 for fiscal year 2003; and \$60,000,000".

H.R. 2086

OFFERED BY: MR. HOEFFEL

AMENDMENT NO. 11: Page 2, line 13, insert "It is important that access to information technology be available to all citizens, including elderly Americans and Americans with disabilities." after "responsible and accessible".

At the end of the bill, insert the following new section:

**SEC. 9. STUDY OF ACCESSIBILITY TO INFORMATION TECHNOLOGY.**

Section 201 of the High-Performance Computing Act of 1991 (15 U.S.C. 5524), as amended by sections 3(a) and 4(a) of this Act, is

amended further by inserting after subsection (g) the following new subsection:

"(h) STUDY OF ACCESSIBILITY TO INFORMATION TECHNOLOGY.—

"(1) STUDY.—Not later than 90 days after the date of enactment of the Networking and Information Technology Research and Development Act, the Director of the National Science Foundation, in consultation with the National Institute on Disability and Rehabilitation Research, shall enter into an arrangement with the National Research Council of the National Academy of Sciences for that Council to conduct a study of accessibility to information technologies by individuals who are elderly, individuals who are elderly with a disability, and individuals with disabilities.

"(2) SUBJECTS.—The study shall address—

"(A) current barriers to access to information technologies by individuals who are elderly, individuals who are elderly with a disability, and individuals with disabilities;

"(B) research and development needed to remove those barriers;

"(C) Federal legislative, policy, or regulatory changes needed to remove those barriers; and

"(D) other matters that the National Research Council determines to be relevant to access to information technologies by individuals who are elderly, individuals who are elderly with a disability, and individuals with disabilities.

"(3) TRANSMITTAL TO CONGRESS.—The Director of the National Science Foundation shall transmit to the Congress within 2 years of the date of enactment of the Networking and Information Technology Research and Development Act a report setting forth the findings, conclusions, and recommendations of the National Research Council.

"(4) FEDERAL AGENCY COOPERATION.—Federal agencies shall cooperate fully with the National Research Council in its activities in carrying out the study under this subsection.

"(5) AVAILABILITY OF FUNDS.—Funding for the study described in this subsection shall be available, in the amount of \$700,000, from amounts described in subsection (c)(1)."

H.R. 2086

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 12: Page 21, after line 7, insert the following new section:

**SEC. 9. COMPTROLLER GENERAL STUDY.**

Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall transmit to the Congress a report on the results of a detailed study analyzing the effects of this Act, and the amendments made by this Act, on lower income families, minorities, and women.

H.R. 2086

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 13: Page 21, after line 7, insert the following new section:

**SEC. 9. NATIONAL SCIENCE FOUNDATION STUDY.**

Section 201 of the High-Performance Computing Act of 1991 (15 U.S.C. 5521), as amended by this Act, is further amended by adding at the end the following new subsection:

"(h) STUDY.—Not later than 1 year after the date of the enactment of the Networking and Information Technology Research and Development Act, the Director of the National Science Foundation shall transmit to the Congress a report on the results of a study analyzing the economic and educational benefits conferred on lower income families, minorities, and women by Federal programs providing access to the Internet."

H.R. 2086

OFFERED BY: MRS. MORELLA

AMENDMENT NO. 14: Page 8, after line 5, insert the following new subsection:

(g) NATIONAL INSTITUTES OF HEALTH.—Title II of the High-Performance Computing Act of 1991 (15 U.S.C. 5521 et seq.) is amended by inserting after section 205 the following new section:

**"SEC. 205A. NATIONAL INSTITUTES OF HEALTH ACTIVITIES.**

"(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I, the National Institutes of Health shall conduct research directed toward the advancement and dissemination of computational techniques and software tools in support of its mission of biomedical and behavioral research.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Health and Human Services for the purposes of the Program \$223,000,000 for fiscal year 2000, \$233,000,000 for fiscal year 2001, \$242,000,000 for fiscal year 2002, \$250,000,000 for fiscal year 2003, and \$250,000,000 for fiscal year 2004."