United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, TUESDAY, MARCH 28, 2000 No. 36

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 28, 2000.

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

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

MESSAGE FROM THE SENATE

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

H.R. 1658. An act to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes.

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

S. 1730. An act to amend the Federal Water Pollution Control Act to provide that certain environmental reports shall continue to be required to be submitted.

S. 1731. An act to amend the Clean Air Act to provide that certain environmental reports shall continue to be required to be submitted.

S. 1744. An act to amend the Endangered Species Act of 1973 to provide that certain species conservation reports shall continue to be required to be submitted.

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 not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. MILLER) for 5 minutes.

FAILING U.S. SUGAR PROGRAM

Mr. MILLER of Florida. Madam Speaker, today, I would like to bring to the attention of the House the problems with the failing U.S. sugar program. The sugar daddy of corporate welfare is one of the most egregious programs that we have in the Federal Government, and it is now in the process of imploding.

It is a really bad, big government program that is hard to understand in our great government we have here that we continue to have a program that just does not fit in our free enterprise capitalistic economy that we have. It is a program that is bad for the consumer. It is bad for jobs in this country. It is bad for the environment. It is bad trade policy. It just makes zero economic sense.

The way the program works is, the Federal Government kind of acts like OPEC, they want to manage supply to keep the prices high. Now, we are required to allow some sugar to be imported into the United States. The Government has a loan program that they say we will guarantee the price will not drop below this amount or else we will buy the sugar. Well, all of a sudden for the first time in decades, they are on the verge of getting ready to buy a lot of sugar.

As reported in the newspaper this morning, the AP wire service story says ''got a sweet tooth? Uncle Sam wants you.'' The Government is thinking about buying 250,000 tons of surplus sugar to pump up the domestic price, but then what will officials do with all the sugar? Enough to fill two-thirds of the Empire State Building. One idea is to donate it overseas; although, no country has indicated they are willing to even take it.

This is just the beginning, as the article goes on to say. We are talking about $550 million worth of sugar that our agriculture department is going to have to buy this year, and it has no place to even give it away. Wow, do we have an embarrassing situation here in Washington.

The production of sugar has gone up by 25 percent in the past 3 years, because we have this high price. The price of sugar in the United States is three times what it is around the world. You can go across the border into Canada, and it is a third of the price of the United States; or go to Mexico, it is a third of the price of the United States.

What is happening to jobs in the United States? We take companies that use a lot of sugar. Hey, I cannot compete with the Canadian companies that use a lot of sugar. For example, Bobs Candies from Georgia makes candy canes. The candy canes use a lot of sugar, and it is a lot cheaper to produce them in Canada or Mexico or some other place that buys sugar for a third of the price. So we are losing jobs in the country because sugar is used in so many of our different products, whether it is cereal or baked goods.

It is a very costly thing. In fact, the General Accounting Office says it costs over a billion dollars a year extra per year on the consumer, because of the high price we pay for sugar. This is really a regressive program, because the poor pay a lot higher percentage of the total income for the sugar program.

It is bad for the environment. I am from Florida. We are considered to

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have a real national treasure, the Everglades; and one of the real contributing problems to the Everglades environmentally is the runoff from the sugar plantations in Florida.

Now, we have this high price of sugar. They are growing more sugar in Florida and causing more runoff, and now we are having to buy this sugar from the sugar programs. We are going to spend $8 billion restoring the Everglades. We are encouraging even more production in the sugar. This is one program that is hard to comprehend how you justify it in our country.

Let us talk about trade issues. When we negotiate trade agreements, what we really want to do is encourage our products to be exported around the world, whether it is orange juice from Florida or airplanes from Boeing or computers or computer software. We want to open up markets so we can sell our products. The problem our negotiators have is that we will go around and say, country, you need to open up your markets for us, as we are talking about China, but do not sell us any sugar, we want to protect our sugar plantations, our sugar barrens in Florida and elsewhere around the country, because we have to protect them; but we want you to let us sell anything we want to your country.

Explain to a trade negotiator how you explain that one away. As Mr. MCCAIN has talked about in campaign finance, this is a poster child for campaign finance. Mr. MCCAIN actually led the effort over in the Senate side to get rid of this program. Mr. Gore came out with his plan.

Sugar is one of the biggest contributors, not only in Washington, it is in Tallahassee. They are claiming poverty, but they are the biggest donors of PAC contributions in the campaign. It is on both sides of the aisle, Republicans and Democrats.

Now, I used to study economics in graduate school. And I know some economics. There is zero way to explain the economics of this. You have let the marketplace happen. We are not a socialistic country. Socialism does not work where the government manages prices, tries to manage production. It does not work, so we have to get rid of a program like this.

I am encouraging my colleagues as this program starts costing us hundreds of millions of dollars, billions of dollars in the government, we cannot afford to continue to allow this. I urge my colleagues to join with me and the gentleman from California (Mr. GEORGE MILLER) in a bipartisan effort to get rid of the sugar program.

MISTREATMENT OF GAY, LESBIAN, AND BISEXUAL PATRIOTIC AMERICANS

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

JOIN BIPARTISAN EFFORT TO ELIMINATE SUGAR PROGRAM

Mr. FRANK of Massachusetts. Madam Speaker, I want to begin by expressing my agreement with the comments of the gentleman from Florida. One of the things he called attention to is a very curious publishing phenomenon. I have listened to many of my colleagues who are great supporters of free enterprise and who attribute the virtues of the market of free enterprise to all manner of people, mostly poor and working-class people who look for help. But apparently there is in every free market text ever written, Milton Friedman, Ludwig von Mises, et cetera, a secret footnote that can only be read by people who represent certain agricultural interests, which says to them, this free market stuff is great for poor people and for people who try to work in factories, but it does not apply to agriculture, because by some strange literary feat, the strongest supporters of an unrestrained free market system consistently make an exception for some protected and politically favored parts of agriculture.

I will be voting for the amendment that the gentleman mentioned.

Madam Speaker, I want to talk today about the recent report that was issued by the Inspector General documenting a fact that many of us already knew, and that is that the mistreatment of gay, lesbian, and bisexual patriotic Americans who have tried to serve their country has been one of the most discouraging aspects of this administration's record.

Ordinarily, being able to say ''I told you so'' makes one feel pretty good. People pretend they do not like to say ''I told you so,'' but most people do. But in this case I say it sadly. I and others have been telling the President and the Secretary of Defense and others that for years now that they were allowing patriotic, honorable young men and women who happen to be gay, lesbian, or bisexual and who were motivated by a desire to serve their country to be mistreated.

I do not fault President Clinton for the adoption of the ''don't ask, don't tell'' policy; I think he tried very hard to get a better policy. But he is culpable for the fact that once the policy was implemented, he did not effectively compel the military to live up even to the slight improvement it represented. Neither he nor Secretaries of Defense under him, particularly Secretary Perry and Secretary Cohen, have taken it seriously. I must say that I am particularly disappointed in Secretary Cohen from whom I expected more.

For years, we have been telling the Secretary the facts that he now has to acknowledge, because a young man was tragically murdered, a young man who made the mistake of wanting to serve his country in the military, who had a flawless record, and who was tragically murdered by anti-gay bigotry, fostered by the policy of the administration. Only after that murder could we get the Secretary to say, okay, I will look into this, and he now has to acknowledge what we have been telling him along. But he must understand that part of his own actions have been part of a pattern all along.

When the Navy outrageously violated the privacy of a young man named Timothy McVeigh, a patriotic member of the Navy, and a Federal judge ruled that they had violated his rights, the Defense Department resisted that ruling, sought to appeal it, and had to be overruled by the President, one of the few times that the President did get involved. Even now, in the aftermath of the murder of Mr. Winchell, we have the people at that base where absolute harassment was proven to have happened going unpunished. We had an officer at 29 Palms issue a viciously bigoted e-mail about gay people, and he goes unpunished.

The fact is that the administration cannot pretend that it did not know this was happening, and it certainly has to give a more effective response, even now, with the Inspector General documenting what the Secretary should have known because people have told him this for years, his response is well, I am now appointing a commission and in July, at the end of July, I will consider implementing some corrective steps.

There are things he can do right away, from his own personal involvement to some very specific policies. He has made a few steps. They have paled in insignificance to the kind of bigotry that is still there. Secretary Cohen has been there for over 3 years. Does he want to leave office with only the last couple of months of his stewardship of the Defense Department being a time when he paid serious attention to this?

Let us be clear what we are talking about. Young Americans who happen to be gay, lesbian or bisexual who, in accordance with the policy that is now the law, want to serve their country, and they are treated brutally, unfairly; they are ridiculed, they are threatened, they are physically assaulted, and until now, they have not been able to get protection from the military they have sought to serve.

Secretary Cohen has already waited too long. We cannot undo the terrible mistakes that were made by the Secretary that the President allowed to be made, and the President has an excellent record in confronting prejudice based on sexual orientation. He will get history's good judgment for having helped lead the fight against that prejudice. There is this one flaw.

Madam Speaker, it is not too late in these remaining months of the administration to undo it, and I hope that they will.

MEN AND WOMEN IN THE MILITARY ON FOOD STAMPS IS UNACCEPTABLE

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

Mr. JONES of North Carolina. Madam Speaker, again, I am on the floor to talk about our men and women in the military on food stamps. I want to start my comments by reading from the ABC show ''20/20,'' June 25, 1999. This was an interview. The title was ''Frontlines Food Lines,'' and I want to read just a few comments. First, I will start with the reporter, Tom Jarriel; and he says, ''Military families redeemed a huge $21 million worth of WIC coupons in Defense commissaries last year. Even with that government help, the Millers cannot afford the insurance copayment to have their son's cavities filled.''

I further want to quote an interview with David Lewis. David Lewis is a retired warrant officer and his quote is, ''I think the biggest problem is that they just don't have enough.''

Going back to Tom Jarriel again, the reporter for ABC's ''20/20,'' and he says, ''Retired warrant officer David Lewis, a hardened combat veteran of 26 years in the Marine Corps, teaches financial planning to thousands of Marines a year at Camp Pendleton.'' David Lewis further states, ''At first it really bothered me that they did not have enough pride in themselves and I said,'' quoting David Lewis, ''Well, wait a minute. It doesn't have anything to do with pride. It probably took more courage for that kid to get food. It probably took a lot of courage for that kid to say, I cannot take care of my family; I need help.''

Tom Jarriel further states, ''Lewis calculated that by total hours junior enlisted troops do not even earn minimum wage.''

Madam Speaker, I want to read that again.

□ 1245

''Lewis calculated that by total work hours, junior enlisted troops do not even earn minimum wage.''

Madam Speaker, that is why I am on the floor today, and I have been once a week ever since we got back in February.

I introduced H.R. 1055, which would help our men and women in uniform on food stamps. I am pleased to say today that there is strong bipartisan support. We have approximately 90 people who have signed this bill. I am encouraging our leadership, as well as the Democratic leadership, to please, let us not leave here in September or October and not speak to those who are serving our Nation, those who are willing to die for this country, that are on food stamps.

To me that is unacceptable. That to me is what I think America stands for, is to help those in uniform who are willing to give their lives for this country.

What I have before me today is a Marine. This Marine is getting ready to deploy to Bosnia. We seem to be able to find $9 million to $10 million for Bosnia. We have already spent $10 billion to $11 billion in Yugoslavia. Yet, this cost to pass H.R. 1055 to get a $500 tax credit for those on food stamps would only cost this government $59 million over 10 years, roughly $5 million a year.

I will be the first to say this will not get them off food stamps, but what I will say is that it will say to those in the military who are on food stamps that we in the Congress are concerned about the fact that they are on food stamps and they are willing to die for this country.

I look at the other bills that we pass in the Senate and the House, and we can find billions of dollars in tax credits for Tysons Food to study chicken manure and how this might help with energy problems. I say, let us take care of those first who are willing to take care of America. They are our men and women in uniform who are on food stamps.

I look at this little girl, Megan is her name. She is standing on the feet of her daddy. Do you know what, that serious look that she has, she is looking at a camera. In his arms he has his daughter Brittany. I am thinking about Megan. She does not know this at her age, but her daddy might not come back. He might not come back. He is willing to give his life for this country.

This Marine represents all of our military in both Air Force, Navy, Army, and Coast Guard that are willing to serve this Nation.

Madam Speaker, I hope that our leadership, working together with the Democratic leadership, will see that we do something to help men and women in uniform on food stamps. I want want to close my comments by sharing with you and the other Members here on the floor today a simple poem but I think a very powerful poem that was written by a Marine, Father Dennis O'Bryan, United States Marine Corps.

His poem goes like this:

It is the soldier, not the reporter,
Who has given us freedom of the press.
It is the soldier, not the poet,
Who has given us freedom of speech.
It is the soldier, not the campus organizer,
Who has given us the freedom to demonstrate.
It is the soldier who salutes the flag,
It is the soldier who serves beneath the flag.

Madam Speaker, it is the soldier whose coffin is draped by the flag who allows the protester to burn the flag.

Madam Speaker, I close by saying to the leadership in the House, please, let us pass this legislation to help those men and women in uniform on food stamps.

LIVABLE COMMUNITIES IN VIRGINIA

The SPEAKER pro tempore (Mrs. BIGGERT). 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. Madam Speaker, this week there is a meeting in Norfolk, Virginia, of the unsung heroes of the efforts to promote Virginia's livability, the town planners and the citizen volunteers who are on the front lines doing one of the hardest jobs in terms of coping with the problems of growth and development and sprawl in Virginia, but sadly, they have fewer tools than almost any State in the country.

They know what to do, but despite those efforts, the State of Virginia has had unbalanced growth over the course of the last 15 years. The 1990s were a disaster. There was a failure in 1990 to adopt minimal State planning goals that would have helped provide form and direction.

In 1995, the legislature in Virginia overwhelmingly defeated Virginia's Strategic Planning Act. Today we have a State administration that is asleep at the switch, and a legislature that is not helping the people of Virginia. There is no tie-in between their transportation investments and land use. There is certainly a head-in-the-sand attitude regarding paying the bill.

Even if you are one of those people who still feel that we can pave our way out of traffic congestion, and that number is a smaller and smaller number across the country, because community after community has proven that we do not have enough concrete to pave our way out of congestion, but even if one believes that, in the State of Virginia there is no plan to deal with over $50 billion of transportation investments that are conservatively required over the course of the next 20 years.

The Virginia Department of Transportation, VDOT, which is behind the curve as it relates to many of the transportation agencies around the country, was seriously damaged in the 1990s. There were ill-conceived programs of downsizing which ended up having a number of people who were terminated as retired, only to be hired back at higher salaries afterwards to try and move transportation projects along.

But I am pleased to say that there are some signs that things are happening in Virginia on the right side of the equation. First and foremost is that the citizens at the grass roots level are pushing back. There is increasing concern about unplanned growth.

In Loudon County we saw a sweep of eight smart growth candidates into county office, four Democrats, two Republicans, two Independents. It was a broad bipartisan effort to try and get back in control of their community.

There were other electoral wins in Fairfax, Prince William, in Stafford, in towns and cities across Virginia.

In the city of Suffolk there is an integrated comprehensive plan and zoning to direct growth towards designated areas that can handle it. The highly respected Mason-Dixon poll in March showed that growth is the number one issue in the Shenandoah Valley. Even the conservative newspaper, the Richmond Times Dispatch, has had a 180-degree change recently, and recently editorialized on behalf of planning smarter.

Madam Speaker, Virginia has given much to this country, the home of Thomas Jefferson, of George Washington. It was a leader in the democratic institutions for the entire world.

It is my hope that their Governor and that their legislature will stop denying the problem, will work with us in Congress, will work more importantly, with people at the grass roots level, all working as partners for livable communities. If they are willing to do so, to deal with those planners, with those citizen volunteers, with simple, commonsense steps and structure to make the planning process work better, Virginia communities will in fact be more livable and all our families can be safer, healthier, and economically secure.

MANY CENSUS QUESTIONS TOO INTRUSIVE

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

Mr. SMITH of Michigan. Madam Speaker, there are too many curiosity questions on the Census long form. Right now, on the average, one out of every six citizens of the United States that are sent the census long form are asked questions that take almost 25 minutes to fill out, very personal questions, very intrusive questions.

What we have been investigating and looking at is should there really be a $100 fine if you refuse to answer all of those personal, intimate questions. It asks all sorts of information that the government does not need to know, such as the number of rooms in your house, when it was built, where your water and utilities come from, how much they cost, how much you paid for your house, the number of cars, telephones, bathrooms you have, how much insurance you carry on the contents of your home.

It asks about your education, the time you leave for work, how you get there, your health, your job. This is simply excessive, and I am suggesting a couple of things.

Number one, I suggest that there should not be a $100 fine if you fill out the pertinent information. This was put in our United States Constitution so every 10 years we could have a new count of the number of individuals in the United States so we could reapportion congressional districts for the 435 Members of Congress.

It was not the intent that we expand this to allow an administration, a bureaucracy, a Washington group to pursue all kinds of personal information that they might want to know sometime about you.

We are suggesting that if you fill out the forms and that if you fill out the number of people and their names, in essence, the questions on the short form, there should not be any fine, or any fine that would exceed $5 or $10.

I think with our new technology in this country, with the ability of government to know so much about us, knowing what doctors we go to, when we go to the doctor, for what reason we are going to the doctor, where we buy, what kinds of goods, where we travel, the danger is a government that, out of curiosity, would like to know more than they really need to know about our individual lives.

I am saying that we need to totally review the Census form. I hope the information that came out yesterday, that a Federal judge in Texas has said that there should be no prosecution for any individual that does not fill out the rest of the long form and those intrusive questions, is correct.

In the meantime, I think it is time that this body and the United States Senate, along with the administration, re-evaluate its intrusiveness. It is bad enough that we are taking 41 cents out of every dollar the average American makes in local, State, and Federal taxes. It is worse when we start getting into their lives, their bedrooms, to try to have the kind of information that we think we need to know to make that kind of policy decision.

It is time we slowed down the intrusiveness of the Federal government. It is time that Americans started asking their Representatives in Congress, in the United States Senate, I include in that, and their potential next President their position on this issue.

AMERICA'S HEALTH INSURANCE INDUSTRY FAILS INDIVIDUALS 55 TO 64

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

Mr. BROWN of Ohio. Madam Speaker, I would just like to mention, in response to the comments of my friend, the gentleman from Michigan, that we could take care of these problems of what he calls intrusive government in the Census by allowing sampling, which is what many people on this side of the aisle have suggested, Census sampling, where we find out by taking some 10,000 or 20,000 or 50,000 or whatever number of people and find this information out and extrapolate it to the rest of the country, which every company and every government agency and every political candidate has done for years in terms of polling and all of that.

Madam Speaker, our health insurance system fails many Americans, no group more so than individuals age 55 to 64. There are 3.4 million Americans in this age range who are uninsured, the fastest growing segment of the uninsured population. Some of them were blind-sided when their employer terminated retiree health coverage. Others are self-employed or work for firms that do not offer health insurance.

Regardless of the reason behind their situation, the prospects of buying individual insurance in the individual market are grim. Only individuals enrolling directly from an employer-sponsored health plan are guaranteed access to private coverage. Companies can and do deny access to self-employed individuals and those whose employer does not offer coverage.

Even if an individual is lucky enough to be guaranteed access to a health plan, she is not guaranteed an affordable rate. As a matter of fact, she can bank on being quoted a rate so high it takes her breath away.

The purpose of health insurance is to pool risk, not to avoid it. The fact that individuals nearing retirement are priced out of the insurance market underscores how far our system has strayed from that basic tenet. Individuals 55 to 64 have entered a period in their lives when health insurance is particularly important, yet 3 million of them cannot secure coverage in the private health insurance market.

If this problem sounds familiar, there is a reason. Before Medicare, 60 percent of Americans 65 and older were uninsured. The public demanded that the Federal government step in when it became clear that insurers would not willingly cover these individuals.

Our challenge now is to help individuals 55 to 64. As long as health insurers can pick and choose those whom to enroll and whom to exclude, as long as they are permitted to use medical underwriting, rate increases, and skillful marketing to cream-skim, to weed out those they do not want to insure, as long as insurers can avoid those most in need of health care protection, there will always be significant gaps in our health insurance system.

□ 1300

It is one of realities this Nation faces in the absence of universal coverage. Eventually, the public will get tired of weak-kneed politicians and incremental strategies and the U.S. will implement that universal medical coverage. Until then, it makes sense to expand programs that work and to help those in most need of coverage.

That is where the Medicare Early Access program comes in. This week the gentleman from California (Mr. STARK), the gentlewoman from Florida (Mrs. THURMAN) and I will introduce revised legislation based on last year's

Early Access bill. The new version provides tax credits to help more individuals 55 to 64 to buy into Medicare or to purchase COBRA continuation coverage.

The mechanisms for providing more individuals age 55 to 64 coverage has not changed. Our bill would enable people 62 to 64 and displaced workers 55 to 64 to pay premiums to buy into Medicare. It would require employers who drop previously promised retiree coverage to allow early retirees with limited alternatives to have access to COBRA continuation coverage until they reach age 65 and, thereby, qualify for Medicare.

To make these initiatives more affordable, this legislation would establish tax credits equal to 25 percent of the premium for participants in the Medicare buy-in and individuals eligible for COBRA coverage. Our legislation provides uninsured individuals between 55 and 64 an opportunity to buy into Medicare since the private market surely has failed them. And it restores some measure of fairness to individuals who have paid for employer-sponsored retiree coverage paycheck after paycheck only to have it terminated when they actually need it.

Some individuals perceive of Medicare expansion as a backdoor means of establishing universal coverage. Expanding Medicare is not a backdoor means of moving towards universal coverage. I would say we are using the front door. Medicare works. We need universal coverage, and if expanding Medicare will help us put an end to the inefficient, gap-ridden patchwork of private and public health plans we are living in now, then I am all for it.

The United States needs universal health coverage. Nothing short of that can assure security, fairness, or economic efficiency. We need a system that does not discriminate against the very individuals that it is supposed to protect. Until we get there, it makes sense to take this step.

CINCINNATI'S SAINT XAVIER BRINGS HOME ANOTHER STATE CHAMPIONSHIP

The SPEAKER pro tempore (Mrs. BIGGERT). Under the Speaker's announced policy of January 19, 1999, the gentleman from Ohio (Mr. CHABOT) is recognized during morning hour debates for 3 minutes.

Mr. CHABOT. Madam Speaker, Cincinnati's Saint Xavier High School went to Columbus over the weekend and returned home with the Ohio State Division 1 basketball championship.

Our hardiest congratulations go out to Coach Scott Martin and all the players whose hard work and dedication made it possible. Their families, their fans, and their community are very proud of them.

Saint X's victory marked the school's second State title this year. Just last month, the Bomber swim team also notched the State championship. It has been quite a year for one of Cincinnati's top schools and a stalwart in the GCL.

Madam Speaker, as a graduate of rival LaSalle High School, I must admit I am slightly envious. Hopefully, next year my Lancers will be back on top. But in the meantime, I tip my hat to the scholar athletes from Saint X.

On a sad note, players and students learned Sunday that assistant principal and teacher of some 30 years, Tom Meyer, who was known as Saint Xavier's number one basketball fan, had succumbed to cancer just a few hours after his favorite team won the title. Knowing he was near death, the players had specially made warm-up suits designed to honor their friend, Mr. Meyer, as they made their final run at the State championship. The back of the shirts had the following message, each of them: ''May his pain be comforting knowing that he has touched the lives of so many. Thank you, Mr. Meyer, for carrying your cross for us.'' A very touching message for a man loved by many.

To all the Bomber players and coaches and families and friends, our hardy congratulations. And to the family of Saint X's number one fan, Tom Meyer, our most sincere condolences.

RECESS

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

Accordingly (at 1 o'clock and 4 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 at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

O God our help in ages past, our hope for years to come, to You we commend ourselves as Your servants and fit instruments to accomplish Your holy will on this day You have given us. Without You, we can do nothing. With Your guidance and grace, we can accomplish great things, because You alone are holy and good. In You, we find wisdom and power. To You alone belongs the glory.

Bless this assembly today. On this new day, bless Your servant whom You have called to minister to the Members of this House. Fill all of us with Your Spirit of love, forgiveness and peace.

May our prayers be broad and deep. May our words spring forth from hearts purified by Your spirit and our actions manifest Your power taking root in us. In all we say and do, may we grow in awareness that You alone live and reign forever and ever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SMITH of Michigan 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.

THE EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT OF 2000

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

Mr. SMITH of Michigan. Mr. Speaker, this week the House is considering H.R. 7, the Education Savings and School Excellence Act of 2000.

For years, we have watched as our education quality has gone way below the standards set by other nations. For example, the U.S. 12th graders currently test among the lowest among the industrialized nations in math and science.

If our Nation is to continue setting the standard for the rest of the world in science, research, and technology, then we must take steps now to help ensure that each child learns to their maximum ability.

Mr. Speaker, this education savings account will allow a Roth-type IRA for investment to help assure the best possible education for academic tutoring, for books, for fees, computers, special education services and other education need.

I understand Vice President GORE has now supported tax credits, tax deductions for contributions that will go into political campaigns, but he has denied support for this bill that allows families to have some kind of tax incentive for savings to help assure the best possible education.

CENSUS BUREAU OUT OF CONTROL

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

Mr. TRAFICANT. Mr. Speaker, the Census Bureau is literally out of control. Check this out: Reports now say that the Census Bureau is, quote/unquote, willing to sacrifice a true head count of American citizens for more personal detailed information. Unbelievable. Forms with questions about your bank account, your cars, how many bathrooms you have, your job. What is next, Congress, your sex life?

The Constitution mandates a simple head count by a Census taker, not an audit by some bureaucratic intrusive nincompoop. I yield back the manipulations of both American citizens and our great Constitution by the Census Bureau.

COMMEMORATING THE LIFE OF LON FOLGER, JR.

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

Mr. BURR of North Carolina. Mr. Speaker, I rise today to pay tribute to the memory of a great man, Mr. Alonzo Folger, Jr., of Rockingham County, North Carolina, who passed away this morning. Lon was the son of one of my predecessors and the nephew of another.

His father, Alonzo Folger, Sr., represented the 5th District of North Carolina from 1939 to 1941, and his uncle, John Folger, represented the district from 1941 to 1949.

Lon Folger was a family man, an attorney, a community leader, a political activist, and a friend to many. I will never forget the support he, a leading Democratic figure in North Carolina, gave me, a Republican, when I ran for Congress in 1994. Lon not only supported me in that election but, from that time until his death, he was always willing to serve as an adviser to me on many issues we dealt with here in Congress.

Lon Folger was the type of person whose word was his bond. A handshake could be counted on to be a valid written contract. Lon was honest and forthright. He was fair in his dealings with people, even those who he disagreed with.

Lon was a leader in his community and, over the years, involved himself in numerous efforts to make his hometown, Madison, North Carolina, a better place to live. He could always be counted on to answer the call when there was a need, and he consistently devoted his time and energy to helping others.

If we are fortunate enough in our lifetimes, we have the occasion to cross paths with a handful of very special people who teach us and are willing to help us understand where they have been before us. Lon Folger was that type of special friend for me, and I will always be grateful for the opportunity to have sought his counsel, knowing that I could trust his judgment.

I extend my sympathy to his wife Elizabeth and to the rest of the family on their loss. Lon Folger's death is a loss not only for his family but for the community and the State he loved so much, and he will certainly be missed by all who knew him.

INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, I rise today to tell the story of Robert Marquette and his children, Ben and Rhea. Their story is the ninth in a series of 1-minutes on more than 10,000 children who have been taken, abducted, to foreign countries.

In 1997, Robert Marquette's ex-wife, Rose Marie Marquette, abducted Ben and Rhea from Irving, Texas, and took them to Germany. Although Robert's home was named as the primary residence, Robert subsequently filed a Hague Convention petition through the State Department. His petition was heard by a German judge who violated the Hague Convention by refusing to return Ben and Rhea. He has filed numerous appeals, but they have all been denied.

On June 15 this year, it will be 3 years since Robert has seen his children or spoken with them. The German authorities refuse to tell him where they are.

Mr. Speaker, I urge my colleagues to help me reunite parents with their children and to support the resolution that I introduced, along with the gentleman from Ohio (Mr. CHABOT), which urges signatories to uphold the Hague Convention on the civil aspects of international child abduction. We must bring our children home.

MISGUIDED LEGISLATION ON ILLEGAL GAMBLING

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

Mr. GIBBONS. Mr. Speaker, legislation has been introduced in this Congress that calls for preempting the State laws of Nevada and closing down legal sports wagering entities.

Certainly the problem of illegal gambling and the results of illegal gambling are serious and must be addressed by this Nation. However, banning the highly regulated and closely supervised legal sports betting located in Nevada is not the solution.

According to FBI experts, the strict regulations on sports betting in Nevada have helped law enforcement officials in their efforts to stop illegal sports betting. Mr. Speaker, legislation banning legal sports' wagering is simply not the solution to stopping illegal betting.

I have introduced H.R. 3800, which calls for the U.S. Justice Department to analyze illegal sports gaming and make recommendations in combating it. Enforcement of our current laws is the solution, outlawing a law that enforces these laws is not a solution.

SUCCESS IN AMERICA BEGINS IN THE CLASSROOM

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

Mr. BALLENGER. Mr. Speaker, every American child has a right to a quality education. Yet our education system, as a whole, has been failing to deliver, particularly to minorities.

For example, 63 percent of nonurban fourth graders can read at a basic level, while only 43 percent of urban fourth graders can meet the same standards. And the dropout rate for African American students is about 15 percent, while the Hispanic student dropout rate is between 30 and 35 percent.

Republicans believe educational opportunities should be the same for all children regardless of race, religion, or economic background. That is why I support H.R. 7, the Education Savings and Excellence Act. This legislation helps parents put aside money tax free for their children's education. This money may be spent on tuition, a computer, or even a tutor. Best of all, 76 percent of all the children who will benefit from the ESAs currently attend public schools.

Success in America begins in the classroom. Let us give all children an opportunity to achieve the American Dream. Let us pass H.R. 7.

EDUCATION SAVINGS ACCOUNTS

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

Mr. PETRI. Mr. Speaker, 2 years ago we approved legislation which allows parents to put aside $500 each year in education savings accounts, where the money can be invested in order to grow tax free and where it can be added to each year so that it can grow enough to help pay for college tuition.

Ever since we managed to get education savings accounts enacted into law, we have been trying to raise the amounts parents are allowed to put into their children's accounts each year. We have been trying to extend education savings accounts so that parents, grandparents, or other interested parties will be able to use them to prepare for private or parochial, elementary or high school expenses.

If a family were able to put $2,000 in an education savings accounts every year, from the time a child was born, and if the account averaged 7½ percent interest annually, it would hold $14,500 by the time the child got to 1st grade. If nothing were withdrawn and annual savings continued, that amount would rise to $46,500 when it was time for high school.

President Clinton vetoed an extension of education savings accounts last September, but I am confident that most of us in the House think parents should be encouraged to save for their kids' futures and that is why we are going to try again.

U.S. MINT'S DENIGRATION OF FOUNDING FATHER IN ADVERTISEMENT PROGRAM SHOULD BE STOPPED

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

Mr. BARTLETT of Maryland. Mr. Speaker, I rise today to take issue with the United States Mint's misguided decision to denigrate our Founding Father in their current advertisements promoting their new $1 coin.

□ 1415

A current television advertisement campaign has an image of George Washington dancing in a night club. And here is an ad from last Sunday's Washington Post which shows George Washington with two drinking women. Here is one from last Thursday in the same newspaper, the Washington Post, which shows George Washington with the phrase, ''Change Happens.''

Now, we all know the origin of this phrase, blank happens, and it is disgusting. I can say with complete certainty that our first President would not approve of this portrayal of himself.

And it gets worse. The Mint has initiated a $45 million advertising campaign of which this is a part. That is the taxpayers' money. These funds come directly out of the Treasury Department's budget. I am quite sure this money could be spent on more productive activities.

Mr. Speaker, it is no wonder many of today's youth have little or no knowledge of our Founding Father and first President, George Washington. This type of treatment by our own Government agencies only goes to further denigrate the image of one of our greatest citizens, and this advertising campaign should be halted immediately.

SOCIAL SECURITY EARNINGS LIMIT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, my colleagues have heard of eliminating the Social Security earnings penalty. Well, we are finally doing it today.

It has been a long fight for our seniors, but today we are going to vote to end the Social Security earnings penalty.

The gentleman from Texas (Chairman ARCHER) has been working on that issue since 1973, and I have been working on it since I got in the Congress in 1991.

Our seniors deserve the right to work without being penalized by the Federal Government. Senior Americans are diligent, experienced, productive; and they want to work without the fear of losing their Social Security benefits.

This country was built by Americans of all ages who labored to realize their dreams. We have always rewarded work in America; and it is high time we rewarded, not penalized, our seniors for their hard work.

CONGRATULATING UNIVERSITY OF WISCONSIN MEN'S BASKETBALL TEAM

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

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to extend my congratulations to the University of Wisconsin's men's basketball team on their first Final Four appearance in 59 years. The Badgers got to the Final Four by winning the Western Regional in the NCAA Tournament over the past 2 weeks.

Led by head coach Dick Bennett, the Badgers pulled off three upsets in a row to make it to the Final Four. The Badgers' style of play proves that defense wins basketball games.

Wisconsin may not be known for having the best athletes in the tournament, but they advanced with a patient and disciplined offense, a tenacious man-to-man defense, and a great deal of heart and perseverance.

The Wisconsin Badgers have exceeded many people's expectations in getting to the Final Four this year. In fact, along with the North Carolina Tar Heels, they are the lowest seed to reach the Final Four since 1986.

Wisconsin's tournament wins can be credited in part to the defensive pressure of Mike Kelley, the three-point sharp shooting of Jon Bryant, and the great front court offensive play of Andy Kowske.

Wisconsin faces a tough assignment on Saturday when we go up against the Michigan State Spartans. I wish the Wisconsin Badgers the best of luck in Indianapolis this weekend in their quest to bring Wisconsin its first championship since 1941.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. PETRI) 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, March 21, 2000.

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

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on March 16, 2000 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

With kind personal regards, I am,

Sincerely,

BUD SHUSTER,
Chairman.

There was no objection.

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:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 27, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 27, 2000 at 4:30 p.m. and said to contain a message from the President whereby he transmits a semiannual report on payments to Cuba related to telecommunications services.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 27, 2000.*

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:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 27, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 27, 2000 at 4:29 p.m. and said to contain a message from the President whereby he transmits a 6-month periodic report on the national emergency with respect to UNITA/Angola.

With best wishes, I am,
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

PERIODIC REPORT ON TELECOMMUNICATIONS PAYMENTS MADE TO CUBA PURSUANT TO TREASURY DEPARTMENT SPECIFIC LICENSES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

As required by section 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6), as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, Public Law 104–114, 110 Stat. 785, I transmit herewith a semiannual report ''detailing payments made to Cuba . . . as a result of the provision of telecommunications services'' pursuant to Department of the Treasury specific licenses.

WILLIAMS J. CLINTON.
THE WHITE HOUSE, *March 27, 2000.*

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he 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 may be taken after debate is concluded on all motions to suspend the rules but not before 6 p.m. today.

SAN GABRIEL BASIN WATER QUALITY INITIATIVE

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 910) to authorize the Secretary of the Army, acting through the Chief of Engineers and in coordination with other Federal agency heads, to participate in the funding and implementation of a balanced, long-term solution to the problems of groundwater contamination, water supply, and reliability affecting the San Gabriel groundwater basin in California, and for other purposes, as amended.

The Clerk read as follows:

H.R. 910

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''San Gabriel Basin Water Quality Initiative''.

SEC. 2. SAN GABRIEL BASIN RESTORATION.

(a) SAN GABRIEL BASIN RESTORATION.—

(1) ESTABLISHMENT OF FUND.—There shall be established within the Treasury of the United States an interest bearing account to be known as the San Gabriel Basin Restoration Fund (in this section referred to as the ''Restoration Fund'').

(2) ADMINISTRATION OF FUND.—The Restoration Fund shall be administered by the Secretary of the Army, acting through the Chief of Engineers (in this Act referred to as the ''Secretary''). The Secretary shall administer the Fund in cooperation with the San Gabriel Basin Water Quality Authority, or its successor agency.

(3) PURPOSES OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), the amounts in the Restoration Fund, including interest accrued, shall be utilized by the Secretary—

(i) to design and construct water quality projects to be administered by the San Gabriel Basin Water Quality Authority and the Central Basin Water Quality Project to be administered by the Central Basin Municipal Water District; and

(ii) to operate and maintain any project constructed under this section for such period as the Secretary determines, but not to exceed 10 years, following the initial date of operation of the project.

(B) COST-SHARING LIMITATION.—The Secretary may not obligate any funds appropriated to the Restoration Fund in a fiscal year until the Secretary has deposited in the Fund an amount provided by non-Federal interests sufficient to ensure that at least 35 percent of any funds obligated by the Secretary are from funds provided to the Secretary by the non-Federal interests. The San Gabriel Basin Water Quality Authority shall be responsible for providing the non-Federal amount required by the preceding sentence. The State of California, local government agencies, and private entities may provide all or any portion of such amount.

(b) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in this section, the Secretary shall comply with any applicable Federal and State laws.

(c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing in this section shall be construed to affect other Federal or State authorities that are being used or may be used to facilitate the cleanup and protection of the San Gabriel and Central groundwater basins. In carrying out the activities described in this section, the Secretary shall integrate such activities with ongoing Federal and State projects and activities. None of the funds made available for such activities pursuant to this section shall be counted against any Federal authorization ceiling established for any previously authorized Federal projects or activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Restoration Fund established under subsection (a) $85,000,000. Such funds shall remain available until expended.

(2) SET-ASIDE.—Of the amounts appropriated under paragraph (1), no more than $10,000,000 shall be available to carry out the Central Basin Water Quality Project.

SEC. 3. PERCHLORATE.

(a) IN GENERAL.—The Secretary, in cooperation with Federal, State, and local government agencies, is authorized to participate in studies and other investigative activities and in the planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates.

(b) INVESTIGATIONS AND PROJECTS.—

(1) BOSQUE AND LEON RIVERS.—The Secretary, in coordination with other Federal agencies and the Brazos River Authority, shall participate under subsection (a) in investigations and projects in the Bosque and Leon River watersheds in Texas to assess the impact of the perchlorate associated with the former Naval ''Weapons Industrial Reserve Plant'' at McGregor, Texas.

(2) CADDO LAKE.—The Secretary, in coordination with other Federal agencies and the Northeast Texas Municipal Water District, shall participate under subsection (a) in investigations and projects relating to perchlorate contamination in Caddo Lake, Texas.

(3) EASTERN SANTA CLARA BASIN.—The Secretary, in coordination with other Federal, State, and local government agencies, shall participate under subsection (a) in investigations and projects related to sites that are sources of perchlorates and that are located in the city of Santa Clarita, California.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out the activities authorized in this section, there is authorized to be appropriated to the Secretary $25,000,000, of which not to exceed $8,000,000 shall be available to carry out subsection (b)(1), not to exceed $3,000,000 shall be available to carry out subsection (b)(2), and not to exceed $7,000,000 shall be available to carry out subsection (b)(3).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Pennsylvania (Mr. BORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules, who is the principal author of this legislation and the driving force behind it.

Mr. DREIER. Mr. Speaker, I would like to begin by saying first, I serve on the Committee on Rules, and it is a great thrill to stand here suspending the rules for consideration of this very important legislation.

I want to congratulate the gentleman from Pennsylvania (Mr. SHUSTER), the distinguished chairman of the Committee on Transportation and Infrastructure, my very good friend, whom I supported in his quest for Whip 2 decades ago; and also the gentleman from New York (Mr. BOEHLERT), the very distinguished chairman of the Subcommittee on Water Resources and Environment; along with the gentleman from Pennsylvania (Mr. BORSKI), the ranking minority member of the subcommittee.

Also, I would like to point to several of my colleagues from the San Gabriel Valley, the gentleman from California (Mr. MARTINEZ), who is here and who, in fact, reminded me of an event out in California that they came to him and talked to him about introducing this legislation, and I am very pleased that he has played a key role in helping to make this possible; our colleague, the gentlewoman from California (Mrs. NAPOLITANO), who joined in cosponsoring; and also a very important driving force behind this legislation has been my colleague, the gentleman from California (Mr. ROGAN), with whom I share representation of the City of Pasadena, which is in the San Gabriel Valley.

We are here for consideration of some legislation that is very, very important not just for Southern California; but, in fact, for the rest of the Nation.

I see the gentleman from Texas (Mr. SESSIONS), my colleague from the Committee on Rules, here on the floor. He is very concerned about the discovery of perchlorates in groundwater, and it poses a very serious threat to many parts of the country. So this legislation is not simply geared towards dealing with the problem that has developed in Southern California but for the entire Nation.

During the 1950s and 1960s, when we were in the midst of our buildup which allowed us to win the Cold War, there were many companies which legally, and I underscore the word ''legally,'' dumped spent rocket fuel; and, in so doing, it has created problems which have just recently come to the forefront.

I will say that we found that the threat of contaminated water in Southern California could affect literally millions of people. Literally millions of people could be affected by this.

And so, a very strong consensus plan was put together among those in Southern California who deal with the water issue. I am pleased that, in looking at that consensus plan, that we were able to come up with legislation which is designed to provide $75 million for the cleanup and then a very important $25 million to deal with research into ways in which we can ensure that this problem will not expand in other parts of the country.

And so I will say that I know that this very important environmental legislation will enjoy strong bipartisan support, as has been evidenced by those who serve on the committee of jurisdiction and other members from around the country who I know are strongly committed to this.

I want to say that I believe we should move this as expeditiously as possible. This is, in fact, a public-private partnership. I believe that those who are responsible for dumping this spent rocket fuel should be responsible. But unfortunately, many of those businesses which are responsible are no longer in operation. And so that is why we have had to step up to the plate and take on part of this responsibility.

Now, we could have embarked on a big load of litigation. But would those lawsuits do anything to clean up the groundwater contamination, the threat that those perchlorates have? No.

And so that is why the responsible thing for us to do is to say to those businesses which are still in existence, like Arrowjet and other companies, that they need to shoulder part of this responsibility. But at the same time, when we have businesses that are no longer there, to make sure that we have clean drinking water in Southern California and in the rest of the Nation, it is important for us to again step up to the plate and take on the responsibility of cleaning it up and making sure that we do not have a threat that is posed.

And so I am pleased with the very, very strong support that we have enjoyed on this legislation. I hope very much that we will be able to move it through both bodies. And while there was early indication that the Army Corps of Engineers and the White House was less than supportive on this, I am convinced that President Clinton will want to join this strong bipartisan coalition and lend his support for this very important measure.

I again thank my very good friend, the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from New York (Mr. BOEHLERT), the gentleman from Pennsylvania (Mr. BORSKI), and the leadership of their committee and the subcommittee for the expeditious way in which they have moved this very responsible legislation.

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

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

Mr. BORKSI. Mr. Speaker, the San Gabriel Basin is facing a serious water quality and public health problem. The groundwater aquifer underlying this basin has been contaminated with a variety of hazardous substances, threatening the primary water supply of over 1.5 million people in Southern California.

There is also evidence that this contamination may be spreading to the surrounding aquifers that supply drinking water for a majority of the residents of Los Angeles County.

I want to commend the gentleman from California (Mr. DREIER), our distinguished chairman of the Committee on Rules; the gentlewoman from California (Mrs. NAPOLITANO); the gentleman from California (Mr. MARTINEZ); and the gentleman from California (Mr. HORN), a valuable member of our committee; and the entire area delegation for bringing this matter to the attention of the committee and for their efforts to address the cleanup of contaminated groundwater in the San Gabriel Basin.

The bill we are considering today would authorize the creation of a restoration fund to approve water quality within the basin. Monies from this fund could be used by the Secretary of the Army in conjunction with local water quality authorities to construct, operate, and maintain projects within the San Gabriel Basin.

□ 1430

This legislation would authorize funding for the design, planning, and construction of water quality projects in the Central Basin region of California. It is envisioned that these projects would be helpful in halting the spread of perchlorate contamination into the neighboring aquifers.

Mr. Speaker, portions of the San Gabriel Basin have been designated as a Superfund site. That program assigns liability for cleanup costs to responsible parties. Nothing in this bill affects the application of Superfund's liability provisions to the recovery of the Secretary's costs under this bill. As the committee report clearly states, nothing limits the authority of the United States to pursue remedial action and to recover its costs from responsible parties, including the costs of work performed under this bill. I fully expect the Secretary of the Army to exercise his fiduciary responsibilities and recover expenditures made under this bill from responsible parties where such costs are recoverable under Federal or State law.

Finally, this bill would include within the existing studies, investigations and projects on perchlorate contamination an authorization that certain amounts be used to address contamination at designated sites in Texas and California. These projects are authorized to develop new and innovative solutions to the problem of groundwater contamination caused by perchlorates. I want to commend the gentleman from Texas (Mr. EDWARDS) and our committee colleagues the gentleman from Texas (Mr. LAMPSON) and the gentleman from Texas (Mr. SANDLIN) for their work on behalf of this provision.

I urge an ''aye'' vote on this bill.

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

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. BOEHLERT), the distinguished chairman of our Subcommittee on Water Resources and Environment.

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

I rise in strong support of H.R. 910, a bill to clean up groundwater contamination and protect water supply in the San Gabriel and Central Basins in California.

Let me start out by first acknowledging the super efforts of the distinguished gentleman from California (Mr. DREIER), chairman of the Committee on Rules, who brought this matter to our attention. He has been a leader in this effort. I also wish to acknowledge the area's bipartisan delegation, including the gentleman from California (Mr. HORN) and the gentlewoman from California (Ms. MILLENDER-MCDONALD), both of whom serve on the Committee on Transportation and Infrastructure. There are a whole lot of people responsible for the success we are going to enjoy today, none more important than the gentleman from Pennsylvania (Mr. SHUSTER) the chairman of the full committee and the gentleman from Minnesota (Mr. OBERSTAR) the ranking Democrat as well as my partner, the gentleman from Pennsylvania (Mr. BORSKI).

Contamination of the groundwater in the San Gabriel Basin was first detected back in 1979. EPA placed the valley on the Superfund's national priorities list in 1984. Here we are 16 years later with very little progress.

At its hearing on this legislation last fall, the Subcommittee on Water Resources and Environment learned that

contamination from the San Gabriel Basin has already spread into the adjacent Central Basin aquifer. This groundwater contamination now threatens the drinking water for half of Los Angeles County. That is totally unacceptable.

Under H.R. 910, the Federal Government would assist the San Gabriel Water Quality Authority in conducting groundwater cleanup projects, and we provide $75 million for that purpose. We also authorize $25 million for investigation into solutions to groundwater contamination caused by perchlorate, a component of rocket fuel. As has been said so eloquently by previous speakers, this is a must-do bill; and we should put it on a fast track.

Mr. BORSKI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. MARTINEZ), a Member representing the San Gabriel area and one who worked very hard on this bill.

Mr. MARTINEZ. Mr. Speaker, I am pleased to join my colleagues on both sides of the aisle today in support of H.R. 910, the San Gabriel Basin Water Quality Initiative introduced by my good friend and San Gabriel Valley neighbor, the chairman of the Committee on Rules the gentleman from California (Mr. DREIER).

It is refreshing to sponsor and cosponsor legislation which not only crosses party lines but is also strongly supported by environmentalists, local government, and business. It is a bill that came together because of the people who were concerned in that area in an effort to try to avoid costly lawsuits and long litigation.

Since contaminants were discovered in the San Gabriel Valley water supply some 20 years ago, there has been a concentrated effort to find a solution that equitably distributes the responsibility for the pollution while removing the contaminants from our water supply as quickly as possible.

The rocket fuel contamination is a by-product of Federal contract work. For years the Federal Government contracted with local firms to produce greatly needed aircraft and rocket parts. Unknown to any at the time, this production led to the leakage of rocket fuel and other substances into the aquifer, polluting the area's groundwater supplies. There is no question that the groundwater in the San Gabriel Valley is contaminated. Over one-quarter of the 366 water supply wells in the San Gabriel Valley have been contaminated, affecting approximately 1.4 million residents of the greater part of Los Angeles County. Much of the water pollution is a product of Federal contract work. These pollutants are rapidly making their way underground into the Central Basin of Los Angeles County.

I strongly support H.R. 910, the San Gabriel Basin Water Quality Initiative. H.R. 910 addresses the importance of researching rocket fuel contamination and aims to stop the spread of contamination in an economical and time sensitive manner. It is time for the Federal Government to catch up with the others in the San Gabriel Basin in assuming responsibility for its actions. Eleven potentially responsible parties have voluntarily agreed to contribute over $200 million in cleanup expenses. While this funding will cover a large portion of the cleanup, Federal funds are necessary to ensure cooperation by the potentially responsible parties and act as an immediate solution to an ever growing problem.

Although there are still many hurdles to overcome in saving our water supply, the time for Federal action is now. The primary responsible parties in the San Gabriel Basin have demonstrated their commitment to saving the region's groundwater with their checkbooks. They are doing it with their checkbooks. It is time for the Federal Government to use this broadly supported bill as an opportunity to do the same.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. HORN), a member of our committee.

Mr. HORN. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for this. The gentleman from Pennsylvania chairs the most bipartisan committee in this House and Members can tell how both sides, the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Pennsylvania (Mr. BORSKI), and the gentleman from New York (Mr. BOEHLERT) have come together and moved this legislation.

Mr. Speaker, the legislation we consider today is absolutely essential. H.R. 910, the San Gabriel Basin Water Quality Initiative, will help restore vital groundwater resources in California where up to 3 million have lost or are in danger of losing access to critical groundwater reserves in our area. H.R. 910 is the key to fixing this problem.

The bill is a product of local cooperation that should be also an example to other areas of the country. Faced with a difficult and expensive problem, the local stakeholders have come together to restore and maintain groundwater for millions of people. H.R. 910 authorizes the closure of a small but critical gap in funding needed to accomplish this goal.

Here in Congress, this bill is also a product of cooperation as I noted earlier. The gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules, has forged a bipartisan coalition to support this bill. If a real cleanup is going to occur in California or elsewhere, it requires the level of cooperation demonstrated in H.R. 910.

Let us pass this model pilot program. If this program is successful, many parts of our Nation will soon follow. Vote for H.R. 910.

Mr. BORSKI. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO), a prime sponsor of the bill.

Mrs. NAPOLITANO. Mr. Speaker, I am so happy that I am hearing the support, the bipartisan support for this measure, and I am also here to join as an original cosponsor of this measure. I would like to also thank my good friend and respected colleague the gentleman from California (Mr. DREIER) for offering this legislation and helping it move quickly through the House.

I thank the gentleman from Pennsylvania (Mr. BORSKI) and others from the Committee on Transportation and Infrastructure for understanding the importance of this particular area of contamination in California that has affected a lot of us that live and work in those areas.

The San Gabriel Basin Water Quality Initiative is of critical importance to the people of my district. Those water aquifers, the underground streams running through the San Gabriel Valley which supply drinking water to 1.4 million people, have been known to be contaminated with volatile organic compounds for over two decades.

I have been working on this issue and trying to bring it to some kind of closure since I served on the local city council and managed to get a water coalition and been following its nonprogress. Then in the past 3 years, perchlorate and other dangerous chemicals related to rocket fuels have also been found in that water. The contamination is seeping below the spreading grounds at Whittier Narrows and into my district. Volatile organic compounds have seeped from the San Gabriel Basin into the Central Basin and it comes down into my area, a large underground water system that provides water for an additional 1.5 million people in Montebello, Pico Rivera, Whittier, Santa Fe Springs, Norwalk, Long Beach, and other communities.

H.R. 910, the San Gabriel Basin Water Quality Initiative, provides the way and the means by which Federal, State and local government agencies and private business can collectively work towards a timely cleanup of the important San Gabriel and Central water basins, and will also serve as my colleagues have heard as an example of how aquifer contaminants can be addressed and effectively implemented to clean up.

Since it was a Federal Government defense contract that led to the introduction of the perchlorate and other rocket fuel related chemicals into our groundwater, I believe that the Federal Government has its share of responsibility and should take a role in helping clean up the contaminated area that threatens our communities.

This legislation will help more than 3 million people in our county that trust the water that flows from their tap.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I appreciate the opportunity to work with the gentleman from Pennsylvania (Mr. SHUSTER) today.

I rise in support of H.R. 910, the San Gabriel Basin Water Quality Initiative. I commend not only the gentleman from New York (Mr. BOEHLERT) but also the gentleman from Pennsylvania (Mr. SHUSTER) for bringing this legislation to the floor in such a quick and expedited manner.

H.R. 910 is sponsored by my colleague the gentleman from California (Mr. DREIER). I believe it provides a national model for protection of our Nation's water supply from perchlorate. Perchlorate is an inorganic chemical used to manufacture solid rocket fuel and other explosives. I want to thank the gentleman from California (Mr. DREIER) for his assistance in addressing this important conservation issue in a part of my district which also impacts the entire Brazos River Corridor in Central Texas by adding funding to the study of perchlorate contamination originating from the former Naval Weapons Industrial Reserve Plant in McGregor, Texas.

With this funding, the Brazos River Authority and the Corps of Engineers will be able to carefully assess the extent of perchlorate contamination in this very critical watershed. By doing so, they will not only protect the drinking water of Central Texas but will also protect the Brazos Basin from Waco to the Gulf of Mexico.

I am grateful to my colleagues in the Brazos Basin including the gentleman from Texas (Mr. DELAY), the majority whip; the gentleman from Texas (Mr. COMBEST); the gentleman from Texas (Mr. THORNBERRY); and the gentleman from Texas (Mr. BRADY), all of whom have united in requesting this provision. Texans are proud to join with our colleagues from not only California but also other areas of the country in creating a national model for addressing this threat of perchlorate.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. ROGAN).

Mr. ROGAN. Mr. Speaker, first I thank the distinguished chairman of the Committee on Transportation and Infrastructure for yielding me this time.

I rise today in strong support of H.R. 910, the San Gabriel Basin Water Quality Initiative. In the Southern California area, like much of the West, water is possibly the most precious commodity for local cities. However, in parts of my district and in water tables throughout the Los Angeles Basin, contamination as a result of industrial runoff has become a serious threat to public safety.

In 1984, this water basin was designated a Superfund site. The problem continues.

□ 1445

Today, cleanup is vital, and it is imperative that government act at all levels.

Mr. Speaker, H.R. 910 is supported by a bipartisan coalition interested in protecting the environmental resources in and around the Los Angeles area. This legislation will establish the San Gabriel Basin Restoration Fund that will be comprised of a unique partnership of State, local and Federal funding sources.

Our measure will authorize $75 million over 5 years and set aside $25 million for research and development of treatment programs to ensure that the mistakes of the past are not the mistakes of the future. This bill will improve the quality of the environment in the San Gabriel Basin region and will put the resources of the Federal Government behind local environmental experts.

Even more significant is the opportunity to make the San Gabriel Valley Water Quality Initiative a test case for similar programs around the country. The Los Angeles area faces unique challenges, but by uniting these officials, we are confident that these challenges can be met and the environment protected. What is more, the San Gabriel Water Quality Initiative can serve as a model for similar areas when they confront cleanup of underground contamination.

Finally, Mr. Speaker, I want to thank the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, for his incredible leadership on this bill and in bringing it before the committee.

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

Mr. SHUSTER. Mr. Speaker, this is a powerful piece of environmental legislation, and I strongly urge its support.

Mr. Speaker, I commend our esteemed colleague from California, Congressman DAVID DREIER, for his leadership on this important environmental legislation.

Ground water contamination was discovered in the San Gabriel Basin in 1979. EPA placed this area on the Superfund national priorities list in 1984. Although this basin provides drinking water to 1.4 million people, EPA is only now getting around to addressing the contamination at this site.

To make matters worse, in 1997, perchlorate was discovered in the groundwater. Percholorate is a component of rocket fuel and is very difficult to treat.

And just this past year, the local community received even more devastating news: The contamination from the San Gabriel Basin has spread into the Central Basin aquifer that provides drinking water for half of Los Angeles County.

On a bipartisan basis, the representatives of the San Gabriel Valley and the Central Basin, led by Representative DREIER, worked with the local community to develop a solution to this problem. I commend their efforts and congratulate them on this legislation.

I also would like to thank the committee's ranking Democratic member, Congressman JIM OBERSTAR, as well as Subcommittee Chairman BOEHLERT and Congressman BOB BORSKI for their help in moving this important legislation forward.

Under the solution advanced by the local community and their congressional delegation, the Army Corps of Engineers will help the local community work with the State and the business community to build water treatment projects that will stop the spread of contamination and protect their water supplies.

These treatment plants will accelerate the cleanup of the San Gabriel Basin in advance of EPA's cleanup schedule. This effort also should reduce the overall cost of the cleanup because it is a lot cheaper to keep groundwater from getting contaminated than it is to clean it up.

This assistance should lead to a true public-private partnership for addressing an historic contamination problem of enormous magnitude.

As we looked at this matter, we also discovered that perchlorate contamination is a national problem, particularly at facilities that have manufactured or tested solid rocket fuels for the Department of Defense or NASA.

To address this, H.R. 910 authorizes $25 million for research into solutions to groundwater contamination caused by perchlorate.

Again, I congratulate the sponsor of this legislation and urge all Members to support H.R. 910.

Mr. GARY MILLER of California. Mr. Speaker, I rise in support of H.R. 910, the ''San Gabriel Basin Water Quality Initiative.'' The San Gabriel Basin supplies drinking water for almost one and a half million people in Southern California. It is a valuable natural asset whose management is vital for all who depend on it.

H.R. 910 encourages the input of local industry and businesses, community and environmental leaders and government officials from the local, state and federal levels. Instead of costly litigation to punish or shield from liability, H.R. 910 provides incentives for these groups to participate in clean up and management efforts for ground water and water sources affecting the San Gabriel Water Basin.

One of the greatest obstacles to ground water clean up is the economic cost incurred by private industry and the controlling government authorities. This bill addresses this problem by authorizing funding for technology research that will allow for more cost-effective clean up. Beyond this effort, it also provides for technology development that will help maintain cleaner groundwater systems.

As our population continues to grow, it is important that we protect our groundwater resources against pollution. H.R. 910 provides $25 million dollars in research funding to study ways to prevent future groundwater contamination in areas, like the San Gabriel Basin, which supply drinking water. Through this research private industry and government agencies will have better resources to devise water management plans for future development.

I believe that this bill provides us with a model for future clean up efforts around the country. It maintains the groups already involved in the clean up while empowering those who have vested interests in this clean up effort. I would like to thank the Chairman of the Rules Committee for his efforts in constructing this legislation, and urge Members of this House to support H.R. 910.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion

offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 910, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 910.

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

There was no objection.

E. ROSS ADAIR FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2412) to designate the Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, as the ''E. Ross Adair Federal Building and United States Courthouse''.

The Clerk read as follows:

H.R. 2412

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, shall be known and designated as the ''E. Ross Adair Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''E. Ross Adair Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from Nevada (Ms. BERKLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, H.R. 2412 designates the Federal building and United States courthouse in Fort Wayne, Indiana as the ''E. Ross Adair Federal Building and United States Courthouse.''

Edwin Ross Adair was born in 1907, attended public schools and graduated from Hillsdale College and the George Washington University Law School. Adair volunteered as a lieutenant in World War II and was awarded battle stars for the Normandy, Northern France, Ardennes, Rhine and Central European campaigns. Congressman Adair was first elected to the 82nd Congress and served for 20 years in the United States House of Representatives. He became the ranking member on the Committee on Foreign Affairs and was active on the Committee on Veterans' Affairs and on the Committee on Committees.

After his service in the United States House of Representatives, President Nixon appointed Adair ambassador to Ethiopia, and he served as ambassador until 1974.

This is a fitting honor for this dedicated public servant. I fully support this bill, and I urge all of my colleagues to support it as well.

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

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

Mr. Speaker, H.R. 2412 is a bill to designate the Federal building and United States courthouse in Fort Wayne, Indiana, as the ''E. Ross Adair Federal Building and United States Courthouse.''

Congressman E. Ross Adair served his country and his State with bravery and distinction for almost his entire life. He was a dedicated teacher, decorated war hero, conscientious civil servant and diplomat. He served in the House of Representatives for 20 years, from 1951, the year that I was born, until 1971, representing the citizens of the 4th District of Indiana. In 1972, President Nixon appointed him as ambassador to Ethiopia, where he was posted until 1974. In 1976, Adair served on the Indiana State Privacy Commission, and in 1976 he was appointed to President Ford's reelection campaign. He was active in many civic organizations as well as in his church.

Mr. Speaker, it is fitting and proper to acknowledge the accomplishments of Congressman Adair with this designation. I support H.R. 2412 and urge my colleagues to join me in supporting this bill.

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

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER), the prime sponsor of the legislation.

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

Mr. SOUDER. Mr. Speaker, it is a great honor for me today to be here with this bill to name the Federal building and U.S. courthouse in Fort Wayne, Indiana, my hometown, after northeast Indiana's longest serving Congressman, E. Ross Adair. He served 20 years in the district, getting elected the year I was born in 1950, and served until 1970, when he was appointed ambassador to Ethiopia.

It is also with great personal satisfaction that I have the honor of doing this, because as a young political activist, when I was still at Leo High School and moving to Indiana Purdue University at Fort Wayne, my first campaign was in Ross Adair's 1968 reelection effort when redistricting had put two Congressmen into the same district. The group that we developed was at that time the second largest youth group ever put together in the country, and as my colleagues can see from this old poster, E. Ross Adair was not necessarily who one would think would attract a lot of young people. In fact, one of my friends, Lauren Smith, did a campaign for Winston Prouty, a Senator in Vermont, and Winston Prouty dressed up in all of these fancy clothes and it said, do we elect Winston Prouty because he is a swinger? You open it up and it says, no, it is because he does a good honest job of representing the people of his district.

That is what E. Ross Adair did, and that is why many, 2,000 young people got involved in that youth campaign to elect him and he won a very close and, quite frankly, unexpected victory in 1968. This particular poster, I collect a lot of Indiana memorabilia, and it is in the 1952 campaign when he still had hair. He lost his hair not too many campaigns after that, as politics is prone to do.

Let me give my colleagues a little bit of his bio. He was born in Albion, Indiana, a small town northwest of Fort Wayne in 1907 to parents Lue and Alice Adair. His mother and father were both educators. His father was a school superintendent and newspaper editor and his mother a school teacher. That newspaper, by the way, still exists in Albion. Ross's parents emphasized the importance of education and encouraged him to be an avid reader. In fact, the family home contained one room solely dedicated to books, which later became the first lending library in Albion. Albion now has one of the most beautiful small-town libraries in the country.

After attending public schools in Noble County, he attended Hillsdale College in Michigan, receiving an AB degree in history in 1928. He was an active member of the debate team, served as fraternity president, was selected to receive a Rhodes Scholarship. But, instead of going abroad, he chose to attend George Washington University School of Law here in Washington from which he received a law degree in 1933. When he was not studying, he actually served as a Capitol Hill police officer, a very honorable profession. In 1934 at age 28, he returned to Indiana to teach history in Noble County before devoting himself full-time to the practice of law in Fort Wayne.

In addition to practicing law, he was a lecturer, giving commencement and holiday addresses. His father was proud of his son, describing him as a country boy living a good and clean life in the city.

Adair later serving as probate commissioner in Albion County until he volunteered on September 15, 1941, to serve in the Army as a second lieutenant in the U.S. Officers Reserve. As my

colleagues have heard, he received multiple medals, five battle stars for Normandy, Northern France, Ardennes, Rhine, and the Central European campaigns during World War II.

After the war, he returned to Indiana to first serve again as Allen County probate commissioner and the practice of private law and began political networking, starting his political campaign first as GOP city chairman in Fort Wayne and later as a precinct committee man. In 1950 at the age of 43 he announced his candidacy for the Republican 4th District Congressman. The Adair campaign became a family affair, run by the Adair Family Enterprise, Incorporated. The partnership included Ross's wife, Marian; the two Adair children, Carol, age 11, and Stephen, age 7. The children were common fixtures at political events, passing out campaign literature and urging folks to vote for their dad.

Marian, who is 92 years old and who is watching us on television today, was a dynamo, not only in that campaign and all the campaigns afterwards, but later in Washington; and she is still quite the organizer even at 92. His granddaughter, Amy Adair Horton, is my legislative director, continuing the Adair tradition here in Washington.

His early campaign themes focused on honesty, decency, economy in government, and a definitive foreign policy to not unduly jeopardize American servicemen and that would promote just and lasting peace; and he won that election over incumbent Congressman Ed Kruse.

In 1951 he began serving 20 years, and nobody else in our district has ever served more than 10. Ross' first office was in 433 Cannon, then called the ''Old House Building.'' Back then, Members received $12,500 annually and had a total of only three to six staff members. Even in 1968, when I was helping his campaign, he had one part-time staff person, Rosemary Hillis, in the district office and added a full-time staff person in 1969, Al Harvey, for field work. That shows my colleagues how much it has changed.

He was elected president of the 82nd Club, which consisted of the 45 Republicans who were elected in 1950. He also wrote to the student newspaper at Indiana Purdue in Fort Wayne in 1953 about his daily professional responsibilities:

''The average Congressman works diligently. We maintain unusual office hours and many times are called upon to attend business or social affairs in the evening. It is not infrequent for us to take material home with us at night to study in preparation for the next day's work. It is a very active and varied life. This is a matter of handling the correspondence and dealing with problems of the people in our district as representatives, in addition to studying legislation and attending meetings of committees. The latter occupies an important place in the life of a Congressman, as legislation is studied and many times redrafted by the committees of the House and Senate.''

In 1959 he sent a postcard: ''When you elect a man to Congress, actually you send a family to represent you. This is my family at our home in Washington. Please let us know if we can be of service in any way, either at home or in Washington.''

Despite being from the Midwest, the home of isolationism, he began building a professional expertise in foreign affairs and began his assignment to the House Committee on Foreign Relations.

At the same time, his wife, Marian, was honing her diplomatic skills socially. In 1959 Mrs. Adair organized and founded a program designed to give hospitality and special interest activities to wives of foreign diplomats. Her earlier organization of six international clubs between 1953 and 1957 grew to 170 members who were spouses of Congressmen, diplomats and government and business officials. These clubs were described in Congressional Quarterly as places where ''first names and small talk made for pretty good foreign relations.''

In 1962 he toured Asia, meeting with high-ranking officials in Taiwan, Pakistan, and Turkey to gauge their loyalty to the West and opposition to the Communist menace in Asia. South Vietnam, he thought, was in trouble because Communist infiltration could not be stopped.

He was also selected as a delegate to the annual sessions of the Interparliamentary Union in 1959, 1963, 1964, and 1965.

During his congressional service, he rose to ranking Republican member on House Veterans by 1966 in the Committee on Foreign Affairs and was also in the Committee on Committees.

Some of his legislative victories, including ushering President Nixon's major proposals on pollution control, introducing legislation to provide tax incentives for voluntary efforts to curb pollution, and assisting the city of Fort Wayne in obtaining funds for storm sewers. He also introduced and helped pass the Peace With Justice resolution, a resolution condemning the treatment of American prisoners of war by the North Vietnamese Communists and a bill to implement President Nixon's plan to curb plane hijacking. He also led efforts which he bragged about in every campaign to slash millions of dollars of wasteful foreign-aid spending.

He lost his final campaign in 1970, but Senator Hruska paid a final tribute to him by saying, ''Ross Adair made his mark as a Congressman's Congressman, quiet, hard-working and effective. One of the great things about Adair was his ability to conciliate differences and effect agreements between bitter political enemies.''

After his departure from Congress, President Nixon appointed Adair as U.S. ambassador to Ethiopia, a post he held until 1974, just before the Ethiopian revolution erupted, deposing American ally, His Majesty, Haile Selassie.

□ 1500

Thereafter, he returned to Indiana, where he continued his practice as a senior partner in the law firm of Adair, Perry, Beers, McAlister, and Mallers.

He was also tapped in 1976 by former Governor Otis R. Bowen to serve on the Governor's Privacy Commission, and he also served on an advisory committee for President Ford's re-election campaign.

Ros Adair received honorary Doctor of Laws degrees from Indiana University of Technology in 1964 and from Indiana University in 1982. He was a member of the Southgate Masonic Lodge, Forest Park Methodist Church, Mizpah Temple, and Scottish Rite Cathedral. In 1966, he received the 33rd Degree, the highest honor in Scottish Rite. He died in Fort Wayne in October of 1983.

I have also received a few letters from some of his long-time friends I want to read.

''Ross Adair spent most of his adult life in service to his country and its citizens. He was a lawyer, soldier, Representative, ambassador. It seems fitting that a Federal building be named to honor his service and his loyalty.''

That was from Susan Prickett, the wife of his longtime chief of staff. She edited the Albion paper after her husband died, and she passed away just a few months ago. I was hoping she would be able to see us name this building. I am glad we got to put her tribute in the RECORD.

Orvas Beers, his longtime law partner, cousin, and close friend, wrote ''I am writing in support of this legislation to designate the Federal building after E. Ross Adair. I think this is a great idea.

''National recognition of our former congressman and United States Ambassador to Ethiopia is long overdue. He dedicated well over 20 years of his life to public service in both Congress and as ambassador. His accomplishments . . . were outstanding. His integrity and statesmanship are unmatched. Ross was among the finest Congressmen ever to represent Northeast Indiana. As a former law partner of Ross, and former chairman of the Republican party of Allen County, I am proud to have known him and worked for his elections.

Ross Adair's word was as good as his name. He meant what he said, and said what he meant. A handshake and his word closed many solid agreements. He served our country during a time when political machines were a big part of how this Nation functioned. Yet, Ross's honesty and integrity were never questioned. He was a fine man. Republicans and Democrats alike were well represented by Ross Adair.''

Ken Meyers writes that E. Ross Adair will finally get the recognition he deserved. He tells a story. He was a Republican County Chairman of Steuben

County, a county to the north of Fort Wayne, in 1950.

He said, at the time Ross was nominated he was not familiar ''outside Allen and Noble Counties—but not for long. His sincere friendly campaigning won him the nomination and election in November.

''E. Ross Adair represented all the people in the district; Republican, Democrat, or Independent received the same attention and consideration. On important legislative matters he was in constant contact with his constituents. He read and studied the legislation before the House.

''One personal incident proved to me that he did his 'homework.' A popular piece of legislation was before the House that would be beneficial to his district. Ross voted against it. As county chairman, I questioned his vote. His reply was, 'Ken, a last-minute amendment was attached to it that made it unacceptable.' When he explained what the amendment was and what it would do, I was proud he was our Congressman.

''The election in 1958 was an indication of his popularity in Steuben County. Statewide, the 1958 election was a disaster for Republicans in Indiana. Ross was roughly 1,100 votes behind until little Steuben County's 1,400 plurality sent him back to Washington, where he remained for 12 more years.

''E. Ross Adair's morals and integrity were of the highest. I have often wondered what our country would be like if all 535 Members of Congress and yes, the President, too, had the same level of morals, integrity, and dedication as E. Ross Adair.''

Walter Helmke, a longtime State Senator, father of the immediate past mayor of Fort Wayne and son of the former district chairman and congressional candidate, wrote, ''Congressman Adair served the Fourth Congressional District with high distinction . . . having been elected 10 times to the office of Fourth District Representative. I knew him well during the entire 20-year period that he served. He was always responsive to his constituents, and, I believe, represented the sentiments and beliefs of his constituents to an extraordinary degree.

''During 8 of the 20 years that Ross served as Congressman, I served as Prosecuting Attorney of Allen County, and had occasion to call on him for assistance and information a number of times. He always provided me with assistance and support without hesitation.

''After his distinguished career in the United States Congress, he ably served the United States government as the U.S. ambassador to Ethiopia until the emperor of Ethiopia was deposed.''

The last letter I would like to read is from Marta Gabre-Tsadick. She is the only female senator to have ever served when Haile Selassie was head of Ethiopia. She writes, ''We at Project Mercy,'' a project that continues today based and working out of Fort Wayne to help those impoverished people who need health care and other things in Ethiopia, ''wholeheartedly support this initiative to commemorate a man who not only gave 20 years of his life to serving his country as Congressman, but reached international boundaries as a great Ambassador to Ethiopia. His service there impacted all African countries through his interaction with the Organization of African Unity, headquartered at Addis Ababa, Ethiopia. We are grateful for his service.

''In retrospect, I can think of no one who has contributed more to this area, or anyone who could possibly deserve this honor more than our mutual friend and mentor, E. Ross Adair.''

When Haile Selassie fell, roughly one-third of the senate in Ethiopia came to Fort Wayne, Indiana, because Ross Adair meant to them America, and where freedom was. I and many others heard the stories of peoples' heads being chopped off and watching their kids die. Ross Adair represented the values, as do so many of our ambassadors, of America abroad, not only here in this Chamber.

It is a tremendous honor and distinction for me today to be the United States Congressman from the Fourth District to sponsor this bill to have our Federal building and courthouse named after E. Ross Adair.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 2412.

The question was taken.

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

The yeas and nays were ordered.

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

AARON E. HENRY FEDERAL BUILDING AND UNITED STATES POST OFFICE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1279) to designate the Federal building and the United States post office located at 223 Sharkey Street in Clarksdale, Mississippi, as the ''Aaron E. Henry Federal Building and United States Post Office,'' as amended.

The Clerk read as follows:

H.R. 1279

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 236 Sharkey Street in Clarksdale, Mississippi, shall be known and designated as the ''Aaron E. Henry Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Aaron E. Henry Federal Building and United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from Nevada (Ms. BERKLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, this bill, H.R. 1279, as amended, designates the Federal Building and United States Courthouse located in Clarksdale, Mississippi, as the Aaron E. Henry Federal Building and United States Courthouse.

Dr. Henry was born in Clarksdale, Mississippi, in 1921, and attended local schools. He served in the United States Army, after which he returned to school and earned a degree in pharmacy from the Xavier University in 1950.

In 1953, Dr. Henry organized the local branch of the NAACP, and served as the State NAACP president from 1960 until 1993. He was instrumental in creating an integrated political system in Mississippi. He also participated in the Freedom Rider Movement, which led to the passage of the public accommodations sections of the Civil Rights Act of 1964.

In 1979, Dr. Henry was elected to the Mississippi House of Representatives, and held this office for 2 additional terms.

The naming of this Federal complex is a fitting tribute to a distinguished African-American. I support the bill. I urge the passage of this bill, and I urge my colleagues to support the bill.

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

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

Mr. Speaker, H.R. 1279 is a bill to designate the Federal building in Clarksdale, Mississippi, as the Aaron Henry Federal Building and United States Courthouse.

Dr. Aaron Henry was a civil rights pioneer, a thoughtful mentor, scholar, and great humanitarian. He led an active, committed, exemplary life.

After attending local public schools, he joined the Armey in 1942 and was a veteran of World War II. After the war, he attended and graduated from Xavier University in New Orleans. In 1953, Dr. Henry organized the Coahoma County Branch of the NAACP, and served as the State NAACP president from 1960 to 1993.

During the 1960s, he participated in the Freedom Rider Movement and in the Mississippi Freedom Summer's nonviolent campaigns of public protest.

Dr. Henry served on numerous boards, such as the Executive Committee of the NAACP, the Federal Council on Aging, and the Southern Christian Leadership Conference. Acknowledging his contributions as a

civil rights leader in 1979, the citizens of Coahoma County elected him to the Mississippi House of Representatives, where he was reelected in 1983 and 1987.

Dr. Henry was instrumental in securing passage of legislation that created the Office of Economic Opportunity, and was a strong advocate and spokesman for the Job Corps and Head Start.

Dr. Henry was an active member of the Haven United Methodist Church, serving as its lay leader. He was committed to his community and educational and civic issues throughout his life.

It is most fitting and proper that we support the gentleman from Mississippi (Mr. THOMPSON) and honor the great contributions of Dr. Henry. I urge passage of this bill.

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

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

Mr. Speaker, I want to congratulate our colleague, the gentleman from Mississippi (Mr. THOMPSON), for bringing this important legislation to the floor of the House.

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

Ms. BERKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), the sponsor of this bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, today is a very special day for me. Today we will vote on the passage of H.R. 1279, a bill to rename the Federal Building and Post Office in Clarksdale, Mississippi, after one of Mississippi's most notable pioneers in the civil rights movement, Dr. Aaron E Henry.

I might add that I have known Dr. Henry all of my adult life. Until his untimely death, Dr. Henry served as a role model for all of us in the State of Mississippi and the country as a whole for those who believed in fair play and justice.

Dr. Henry's role in the civil rights movement is well documented. His role in the political arena in the State of Mississippi is well documented. His legacy lives on.

Many of us could not, as early public officials, go on TV locally. Dr. Henry, through his efforts, challenged the license of local stations in order for African-Americans to buy time on TV. His legacy is one that we all are proud of.

Mr. Speaker, as the sponsor of this legislation and also the Representative of Clarksdale, Mississippi, I am happy to see this legislation move forward. I am happy to see the bipartisan support that it has received. I look forward to the passage of this bill.

Ms. BERKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I am honored to be able to join the gentleman from Mississippi (Mr. THOMPSON) and all of the others who are supporting this legislation.

Mr. Speaker, I first saw Aaron Henry in action in the 1960s, in the battle within the Democratic Party, and at the convention of the Mississippi Freedom Democratic Party for Equality and for Integration.

In the early 1970s, I had the opportunity to work with him in Mississippi as part of what we called the Mississippi-Michigan Alliance. It was an effort to spark registration within Mississippi, and to try to make sure that all voices there were heard.

During those joyful days that I spent with him at his home with his beloved family and at his drugstore on Fourth Street, I had the chance to come to know him firsthand.

Aaron Henry had a dream, a dream of an integrated America, a dream where everybody counted. He lived to achieve that dream. He lived a life of good works. He was instrumental in the founding of the NAACP in Mississippi. He also, as we know, as we have heard, ran for office in Mississippi and was elected to the House of Representatives, which was a proud day for Mississippi.

Aaron Henry came a good long way in his life, and America has come a considerable way on that path of an integrated America because of the likes of Aaron Henry. Today we take another step along that path. I am honored to join the gentlewoman from Nevada (Ms. BERKLEY) and the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Ohio (Mr. LATOURETTE).

Mr. Speaker, I close by just briefly referring back to what I had the chance to enter into the RECORD after the passing of Aaron Henry.

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I said at that point, ''Hopefully, his native State will mourn him across its cities and its farms. He was born in its rural land, toiled in one of its important towns, and journeyed it throughout from border to border. His legacy is his hopefulness. The task now of his beloved State, of his beloved Nation, and of all of us who loved him is to keep his faith and continue his battle.''

Today, with the naming of the building in Clarksdale in his honor, it is another small step in the battle that involved and really enmeshed the life of Aaron Henry.

Ms. BERKLEY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman from Nevada (Ms. BERKLEY) for yielding me this time, and I thank and congratulate the gentleman from Mississippi (Mr. THOMPSON) for sponsoring this bill.

Mr. Speaker, there are many ways to mark a Nation's milestones. Naming a public building for Dr. Aaron Henry is one such way for me.

I first met Aaron Henry in 1963 when, as a law student and member of the Student Nonviolent Coordinating Committee, I went into the delta in Mississippi to work in the civil rights movement one summer. The civil rights movement had circled the South, but had not penetrated the ''Black Belt'' deep in the Mississippi Delta.

I met the President of the NAACP at the time, Aaron Henry. To be President of the NAACP in Mississippi was itself an act of conspicuous courage. It marked a man, both as a marked man and a brave man.

The next year I graduated from law school and became one of the lawyers that summer for the Mississippi Freedom Democratic Party, of which Aaron Henry was the chairman. I went to my files and discovered the brief I filed before the Credentials Committee on behalf of Aaron Henry and the Mississippi Freedom Democratic Party to be admitted into my party, the Democratic Party, on behalf of these Mississippi citizens.

What Aaron Henry and the Mississippi Freedom Democratic Party did is itself a milestone in the Nation's history, because it assured that both parties would now be open to delegates of all races.

Aaron Henry lived such a life to go from the very outside as the head of the NAACP, all the while a working pharmacist in his own drugstore in Clarksdale, to becoming a member of the Mississippi House of Representatives. From the NAACP and civil rights leader, fighting words, in Mississippi, to representative of the people of Clarksdale, Mississippi.

When I went back to Mississippi a number of years later as Chairman of the Equal Employment Opportunity Commission, Aaron Henry had become a true insider. Aaron Henry arranged for a reception for me sponsored by the Governor in the Governor's mansion. Mr. Speaker, when I first met Aaron Henry, the closest he and I could get to the Governor's mansion was to picket it.

Aaron Henry had gone from challenger to change-maker and had himself created much of the change in the State of Mississippi.

He lived to see a peaceful revolution occur in his State, including his own election to the State legislature. All of this was simply unthinkable in the Mississippi in which Aaron Henry was born in 1922. So was naming a building for Aaron Henry.

But naming a Federal building by this body is normally an estimate of the man. However, the Aaron E. Henry Federal Building and Post Office is likely to be regarded as far more than that. The naming of a building for Dr. Henry evokes a milestone in the history of Mississippi and of our country. The triumph of racial struggle and harmony over racial segregation and division. There is no better way, no better person to symbolize this progress than Aaron Henry.

Ms. BERKLEY. Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 1279, as amended.

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

The title of the bill was amended so as to read: ''A bill to designate the Federal building and United States courthouse located at 236 Sharkey Street in Clarksdale, Mississippi, as the 'Aaron E. Henry Federal Building and United States Courthouse'.''.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2412 and H.R. 1279, as amended, the measures just considered.

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

There was no objection.

CONGRATULATING THE PEOPLE OF TAIWAN FOR SUCCESSFUL CONCLUSION OF PRESIDENTIAL ELECTIONS AND REAFFIRMING UNITED STATES POLICY TOWARD TAIWAN AND PEOPLE'S REPUBLIC OF CHINA

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res 292) congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China, as amended.

The Clerk read as follows:

H. CON. RES. 292

Whereas section 2(c) of the Taiwan Relations Act (Public Law 96–8) states ''[t]he preservation and enhancement of the human rights of all the people on Taiwan'' to be an objective of the United States;

Whereas Taiwan has become a multiparty democracy in which all citizens have the right to participate freely in the political process;

Whereas the people of Taiwan have, by their vigorous participation in electoral campaigns and public debate, strengthened the foundations of a free and democratic way of life;

Whereas Taiwan successfully conducted a presidential election on March 18, 2000;

Whereas President Lee Teng-hui of Taiwan has actively supported the consolidation of democratic institutions and processes in Taiwan since 1988 when he became head of state;

Whereas this election represents the first such transition of national office from one elected leader to another in the history of Chinese societies;

Whereas the continued democratic development of Taiwan is a matter of fundamental importance to the advancement of United States interests in East Asia and is supported by the United States Congress and the American people;

Whereas a stable and peaceful security environment in East Asia is essential to the furtherance of democratic developments in Taiwan and other countries, as well as to the protection of human rights throughout the region;

Whereas since 1972 United States policy toward the People's Republic of China has been predicated upon, as stated in section 2(b)(3) of the Taiwan Relations Act, ''the expectation that the future of Taiwan will be determined by peaceful means'';

Whereas section 2(b)(6) of the Taiwan Relations Act further pledges ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people of Taiwan'';

Whereas on June 9, 1998, the House of Representatives voted unanimously to adopt House Concurrent Resolution 270 that called upon the President of the United States to seek ''a public renunciation by the People's Republic of China of any use of force, or threat to use force, against democratic Taiwan'';

Whereas the People's Republic of China has consistently refused to renounce the use of force against Taiwan;

Whereas the State Council, an official organ at the highest level of the Government of the People's Republic of China, issued a ''white paper'' on February 21, 2000, which threatened ''to adopt all drastic measures possible, including the use of force,'' if Taiwan indefinitely delays entering into negotiations with the People's Republic of China on the issue of reunification; and

Whereas the February 21, 2000, statement by the State Council significantly escalates tensions across the Taiwan Straits and sets forth a new condition that has not heretofore been stated regarding the conditions that would prompt the People's Republic of China to use force against Taiwan: Now, therefore, be it

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

(1) the people of Taiwan are to be congratulated for the successful conclusion of presidential elections on March 18, 2000, and for their continuing efforts in developing and sustaining a free, democratic society which respects human rights and embraces free markets;

(2) President Lee Teng-hui of Taiwan is to be congratulated for his significant contributions to freedom and democracy on Taiwan;

(3) President-elect Chen Shui-bian and Vice President-elect Annette Hsiu-lien Lu of Taiwan are to be congratulated for their victory, and they have the strong support and best wishes of the House of Representatives and the American people for a successful administration;

(4) it is the sense of the House of Representatives that the People's Republic of China should abandon its provocative threats against Taiwan and undertake steps that would lead to a substantive dialogue, including a renunciation of the use of force against Taiwan and progress toward democracy, the rule of law, and protection of human and religious rights in the People's Republic of China; and

(5) the provisions of the Taiwan Relations Act (Public Law 96–8) are hereby affirmed as the legal standard by which United States policy toward Taiwan shall be determined.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

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

Mr. GILMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. ARMEY), the distinguished majority leader who has taken a great deal of time in focusing attention on the Taiwan problem.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding me this time.

Mr. Speaker, the House today is commemorating a very, very special event: The first democratic election leading to a transfer of power in the 5,000-year history of the Chinese people.

This is, indeed, a momentous event not only for the Chinese, not only for Taiwan, but for the cause of democracy itself. It was not that long ago, Mr. Speaker, that many people believed that democracy may be a dying creed. I remember as recently as 1984, one French philosopher respected by some friends of mine wrote that the era of democracy may be, and I quote, ''a brief parenthesis that is even now closing before our eyes.''

There was a popular view, shared by conservative pessimists as well as left-wing revolutionaries, that some form of dictatorship was the only alternative to even worse forms of government.

At best, these people believed that democracy was only appropriate for some cultures, but not for most. Though they rarely said so, what they really meant was that it was only suited for some kinds of people and not for others. Certainly, not for Asians who, it was said, had unique ''Asian values.'' That made democracy unsuited for them and they unsuited for democracy.

Well, Mr. Speaker, how wrong they were. The Taiwan elections vindicate once again the great wisdom of the American founding fathers when they wrote these wonderful words that ''All men are created equal'' and all men ''are endowed by their Creator with certain inalienable rights.''

Mr. Speaker, freedom and democracy are not more precious for our culture than they are for the people of other cultures. There are no alien values that lead some people to prefer dictatorship over self-government. Freedom and democracy are, in fact, the shared aspirations of all human beings everywhere, from Athens to England to America indeed to all of Asia.

Taiwan can now serve as a shining example to the unfree people in its part of the world. It shows that democracy works in a Chinese culture. It shows that democracy can resist threats and bullying from abroad. It shows that democracy is the only way that a Nation can be both rich and free.

Mr. Speaker, let me add that even as we rejoice in Taiwan's democratic success, we also wish to aid all the Chinese people as they seek greater freedom, and that includes those in the People's Republic of China. It is for this reason

we are doing everything possible to pass Permanent Normal Trade Relations for China. We know that free and open trade will help make China an open and free society. We will pass PNTR, and we will do it this year.

Mr. Speaker, the House today is pleased to offer our heartfelt congratulations to the people of Taiwan and to their new president and vice president-elect. All the world should know that the people of Taiwan and their democratic government enjoy the friendship, admiration, and support of the government of the United States.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume to thank the gentleman from Texas (Mr. ARMEY) the distinguished majority leader, for his supportive remarks with regard to this resolution.

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

Mr. Speaker, the election of the Democratic Progressive Party's Chen Shui-bian and Annette Lu is truly an historic event with profound and moving implications for Taiwan's people. The race was more than a race between and among candidates. It was a race between the people of Taiwan and the Beijing leadership.

Despite Beijing's protests, despite even its threats, this election signified the long-standing commitment of Taiwan to democratic ideals. I would like to extend my congratulations to the people of Taiwan in their success in conducting a free and a fair election.

On March 15, only three days before the election, the premier of the People's Republic of China, Zhu Rongji, held a news conference which intensified China's threats of violence if Taiwan were to elect a pro-independence candidate and move away from the People's Republic of China ''one China'' policy. This act was only the latest demonstration of China's attempts to corrupt the Taiwanese democratic process. But as a sign of desire for political change and faith in democracy, the voters of Taiwan overcame any fears of foreign threats and elected a candidate they felt would best lead Taiwan into the 21st century.

I applaud President-elect Chen's immediate overtures to improve the situation with China. Already he has invited President Jiang Zemin to visit Taiwan, and he has suggested abolishing Taiwan's ban on direct trade with China.

Beijing must now also exercise restraint and start accepting the reality that there are two sovereign countries facing the Taiwan Strait.

Mr. Speaker, the U.S. should support the strides Taiwan's new leadership is making toward establishing a peaceful Taiwan and toward making it absolutely clear that the issues between China and Taiwan must be resolved peacefully and must be resolved with the assent of the people of Taiwan.

I had the pleasure last April in my office of meeting now President-elect Chen. He is a man of great ability and representative in many ways of modern Taiwan. I am confident his administration will provide the necessary leadership in these difficult and sensitive times for his country.

I look forward to working with him, as I am sure all of us in this body do, in improving relations between the United States and the Republic of Taiwan.

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

Mr. GILMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from San Dimas, California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I congratulate the gentleman from New York (Mr. GILMAN) on this resolution, House Concurrent Resolution 292, and thank him for his leadership on this important issue and his vigorous pursuit of freedom over the many years he has been serving in the Congress. I also thank the gentleman from Ohio (Mr. BROWN) for his support of the resolution.

Mr. Speaker, it is all designed to congratulate the people of Taiwan for the very successful election that they realized a week ago last Saturday. What is important to note, Mr. Speaker, is that this ground-breaking election marks the first transition from one political party to another in the 5,000-year history of the Chinese civilization. Let me say that again. This election that we have just observed marks the first transition from one political party to another in the 5,000-year history of Chinese civilization. That is an extraordinary accomplishment.

In fact, it is important to note that this largely peaceful transition that we have observed over the last decade and a half from an authoritarian regime, to what we have now witnessed as full democracy and a transition from one political party to another, is one of the greatest victories of the 20th century when it comes to our vigorous pursuit of political pluralism worldwide. One which I think it is important to note goes hand in hand with the very important economic reforms and ties that the United States of America has had with Taiwan.

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It does go hand-in-hand. And I think that we all know that the very vigorous public debate that was spawned by competitive elections has played a role in strengthening the foundations for a free and democratic way of life. And we are witnessing that right now on Taiwan.

The recent election of President-elect Chen sends, I believe, a very strong and positive message that democracy works in China. It works in Asia. It works in a Chinese society. We all hope very much that it will be able to expand on to the mainland.

Mr. Speaker, without a doubt, there are many very, very tough domestic challenges that President-elect Chen will be facing as he takes over the reins in Taiwan. However, it is key to recognize that one of his very first public statements came in an interview that he did with my hometown newspaper, the Los Angeles Times, I do not call it the Chicago Tribune yet; but it is the Los Angeles Times, where he did a very, very important interview stating that he strongly supports mainland China's accession to the World Trade Organization, which, obviously, as we all know, is the global, rules-based trading system, which would allow for the elimination of tariff barriers so that the rest of the world can gain access to the 1.3 billion consumers in China.

We know that following China's accession to the World Trade Organization, we will see Taiwan immediately join the WTO. And the People's Republic of China has supported that.

It is important to note that immediately following his election, President-elect Chen said that he strongly supported the idea of China acceding to the WTO. He recognizes that the economic fates of both Taiwan and mainland China are inextricably tied. In fact, not many people are aware of the fact there are nearly 46,000 businesses on mainland China that are owned by Taiwanese.

In fact, the single largest supplier of foreign direct investment to mainland China happens to be the island of 22 million people of Taiwan. The commercial relations with its cross-strait neighbor are vital to the continued prosperity of mainland China and of Taiwan.

Finally, Mr. Speaker, I am certain that this House is united behind the principle that the future of Taiwan be determined in a manner that is both peaceful and mutually agreeable to the people on both sides of the Taiwan Strait.

We as a Nation stand firmly behind the 1979 Taiwan Relations Act. Military action, threatened or actual, is clearly the wrong way to proceed. And I believe that this election sends a strong signal that we can and, in fact, see improved relations there.

I congratulate President Chen for the strong steps that he has taken to bring the temperature down and to work towards what we hope will be peaceful association there.

I thank my friend for yielding me the time. Again, I appreciate his strong leadership on this very important issue.

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman from California (Chairman DREIER) for his strong supportive remarks with regard to the People's Republic of China.

Mr. GILMAN. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Nebraska (Mr. BEREUTER), the distinguished chairman of our subcommittee on Asia and the Pacific.

Mr. BEREUTER. Mr. Speaker, I thank the chairman for yielding me

the time. I rise in strong support of House Concurrent Resolution 292, the resolution introduced by the distinguished majority leader, Mr. ARMEY, which congratulates the people of Taiwan and Taiwan's leaders for the successful conclusion of their presidential election on March 18.

Indeed, this election represents, as the majority leader and the Committee on Rules chairman just indicated, the first such democratic transition to high national office, one elected leader to another, in the very long history of Chinese society. That fact bears repeating.

The people of Taiwan are to be congratulated for their continuing efforts in developing and sustaining a free democratic society which respects human rights and embraces free markets.

Contrary to the claims of those trying to defend Communism and other authoritarian forms of government, this election demonstrates that democracy clearly could work in the People's Republic of China, and it explains the reason why the Chinese people increasingly yearn for democracy and could flourish under it.

The success of democracy in Taiwan is, indeed, a powerful model for the mainland. This resolution, which was expeditiously considered last week without opposition in the Subcommittee on Asia and the Pacific, which this Member chairs, and subsequently in the full Committee on International Relations, also acknowledges that a stable and peaceful security environment in East Asia is essential to the furtherance of democratic developments in the Taiwan area and in other countries. It reaffirms U.S. policy regarding Taiwan as set forth in the Taiwan Relations Act.

In this regard, the resolution appropriately, this Member believes, expresses the sense of Congress that the People's Republic of China should refrain from making provocative threats against Taiwan and should instead undertake steps that would lead to substantive dialogue, including a renunciation of the use of force against Taiwan, the encouragement of democracy, the rule of law, and the protection of human and religious rights in the People's Republic of China.

Mr. Speaker, this Member is encouraged that since the election in Taiwan, Beijing has curtailed, to a certain degree, its aggressive and unhelpful rhetoric and appears again, to a certain degree, to be extending the offer for a renewed dialogue.

It is hoped that this is an offer which is offered in, in fact, good faith. Across the Taiwan Strait, President-elect Chen and others in Taipei are also calling for renewed dialogue and are already proposing the kind of responsible statesman-like policies that could expand and accelerate this dialogue.

Mr. Speaker, this is a timely, necessary, and straightforwardly positive resolution that sends an important message to both Beijing and Taipei. As a cosponsor of H. Con. Res. 292, this Member urges his colleagues to support the resolution.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Nebreska (Mr. BEREUTER) for his supportive remarks.

Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Mr. PETRI). The gentleman from New York has 8 minutes remaining.

Mr. BROWN of Ohio. Mr. Speaker, I have no further speakers, but I reserve the balance of my time.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 292.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of House Concurrent Resolution 292, introduced in the House by the distinguished gentleman from Texas (Mr. ARMEY), the majority leader, who has taken an active role in our international affairs.

I want to take this opportunity to congratulate the people of Taiwan on a successful election and for taking another step in consolidating their democratic evolution. They should be very proud of their achievement, registering a voter turnout of over 80 percent. They have clearly articulated their determination to build a society of freedom and of democracy.

On May 20 of this year, for the first time in Taiwan's history of over 400 years, the mantle of executive power will pass from one democratically elected president to another. This should serve as a source of pride for the Chinese people everywhere.

This peaceful transfer of power will take place despite the misguided attempts by the government of Beijing to intimidate Taiwan's voters and candidates and influence the outcome of their democratic election.

The new government of Chen Shui-Bian faces many challenges as it ascends to office. We look forward to learning more of his vision for his administration.

I want to commend the President-elect for his proposal of embarking on a journey of reconciliation with Beijing and his offer to meet with the Chinese leaders. Talks between Taipei and Beijing should only go forward at a pace and scope that is acceptable to both parties.

I want to encourage the PRC to exercise restraint, to avoid fanning the flames of nationalism over Taiwan in an effort to divert attention from their own internal problems, and to open substantive dialogue with Taipei, and to end its history of military threats toward that island.

As has long been American policy, it is essential that the future of Taiwan be determined in a peaceful and noncoercive and mutually agreeable manner to the people on both sides of the strait.

We hope the world will take adequate notice of what has transpired in Taiwan; that being that another Asian nation has fully embraced democratic principles and practices. This further proves that democracy is not an Eastern or a Western value as some might contend, but it is a universal value of the right of people everywhere.

I especially hope that the 1.2 billion people of the PRC and their unelected government take particular notice of the prosperous, free, and open model Taiwan provides for China's future.

With the new government comes new opportunities. Accordingly, I call upon our administration to work productively with the new government and treat President-elect Chen as an equal partner in addressing the cross-strait issues.

I also urge our administration to adhere to the ''Reagan Six Assurances.'' As my colleagues may recall, in July of 1982, the Reagan administration wisely promised Taipei that it would not: one, set a date for the ending of arms sales to Taiwan; two, consult with China on arms sales; three, play a mediation role between PRC and Taiwan; four, revise the Taiwan Relations Act; five, change its position regarding sovereignty over Taiwan; and, six, exert pressure on Taipei to enter into negotiations with Beijing.

Regrettably, those ''Six Assurances'' have been set aside in part, or completely ignored, by the present administration. These common sense guarantees are a solid basis for American Taiwan policy and should be reinstitutionalized as guideposts of the conduct of bilateral relations with Taipei and with Beijing.

I recommend strongly that our administration take no action to delay or undermine this year's arms sales talks with Taiwan. The talks should be concluded as scheduled on April 24, and Taiwan's legitimate defense needs should be met in light of China's continuing military build-up.

Despite protestations by some to the contrary, China is, in fact, precipitating an arms race in Asia and is working towards achieving military superiority over Taiwan and the ability to influence that island's future through coercion, an action in direct contravention to long-standing American policy and U.S.-Sino communiques.

We can be assured that Beijing will move at some point in the future to test the mettle of the new Taipei government. China is biding its time for the moment while a Permanent Normal Trade Relations hangs in the balance in the Congress.

But once that issue is addressed and a new Taiwanese administration is inaugurated, China may opt to act militarily in some fashion against Taiwan. Such a misguided policy of restricting arms sales by the Clinton administration to Taiwan now will only serve to increase the likelihood of Chinese adventurism, miscalculation, and military confrontation over Taiwan's future.

Any equivocating on this year's arms sales process will send the wrong signal at the wrong time to both China and to Taiwan. Instead of eclipsing a crisis through strength and deterrence, the administration may be in fact fomenting a crisis in the Taiwan Strait through weakness and through indecision.

Finally, Mr. Speaker, I am proud to be a cosponsor of this legislation. I want to thank the majority leader for his good work in bringing it to the floor.

Accordingly, I urge my colleagues to strongly support this measure.

I congratulate the people of Taiwan once again on a free and fair election.

Ms. PELOSI. Mr. Speaker, today I rise in strong support of H. Con. Res. 292—Congratulating the people of Taiwan on their successful presidential elections on March 18. This election serves as a testament to their continuing efforts in sustaining a free society that respects democracy and human rights.

The people of Taiwan deserve our praise and support for conducting this election. They showed that true democracy can be successful even in the face of military threats by the Chinese government. This election is a reminder that the threat of a military attack will not be successful in a political system where the people can exercise the right to determine their own future. The people of Taiwan have taken great risks in sticking to their principles.

The second free election in Taiwan represents a coming of age for this maturing democracy. This is the first time in 50 years that the Nationalist Party (KMT) will have to give up its political power. The peaceful transfer of power is a key turning point for every successful democracy.

In particular, I would like to congratulate the new President of Taiwan, Mr. Chen Shui-bian. Mr. Chen was born in rural Taiwan about the time of the Chinese Communist Revolution. Since then, Mr. Chen has been an outspoken advocate for human rights and has served as a successful mayor of Taipei in recent years.

Over the course of his campaign, Mr. Chen has shown prudence in handling the China issue. In his victory speech, he promised to continue economic relations with mainland China and seek a ''permanent peace.'' It is my hope that China and Taiwan will continue to negotiate their differences in a peaceful manner. I would also like to commend Vice-President elect Annette Liu who has advocated for democratic reform in Taiwan on her visits to Washington, D.C.

This election proves that the Chinese people, like people all over the world, will choose freedom and democracy when given the opportunity. By contrast, the Chinese government continues to escalate the repression and human rights of its own people—despite the thriving democracy across the strait. The Taiwan elections should serve as an example that the only real hope of eventual reunification rests in the possibility of true freedom and democracy in China.

Mr. PAUL. Mr. Speaker, today with H. Con. Res. 292 Congress bestows well-deserved congratulations upon the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and for their continuing efforts to develop and sustain a free republic that respects individual rights and embraces free markets. President Lee Teng-hui of Taiwan should also be praised for his significant contributions to freedom in Taiwan.

Unfortunately, because the bill pronounces the Taiwan Relations Act (P.L. 96–8) as the legal standard by which U.S. policy toward Taiwan is governed, I cannot support the measure. This Taiwan Relations Act, effectuated a United States policy which recognized an attack against Taiwan as inimical to an attack on the United States.

Just as it is wrong to force our preferences on other countries and cultures, it is wrong to dictate politics. The United States has absolutely no moral or constitutional right to do so. In fact, action of that sort could rightfully be considered an act of aggression on our part, and our founding fathers made it very, very clear that war should be contemplated only when national security is immediately threatened. to play the part of policemen of the world degrades all who seek to follow the Constitution. The Constitution does not allow our government to participate in actions against a foreign country when there is no immediate threat to the United States.

Sadly, the U.S. has in recent years played the role of world interventionist and global policeman. Thomas Jefferson stated in his first inaugural address: ''Peace, commerce and honest friendship with all nations—entangling alliances with none, I deem [one of] the essential principles of our government, and consequently [one of] those which ought to shape its administration.'' Instead, the U.S. government has become the government force that unconstitutionally subsidizes one country and then pledges taxpayer dollars and lives to fight on behalf of that subsidized country' enemies. It's the same sort of wisdom that would subsidize tobacco farmers and pay the health care costs of those who then choose to smoke.

Each year the people of the United States write a check to subsidize China, one of the most brutal, anti-American regimes in the world. It has been in vogue of late for everyone in Washington, it seems, to eagerly denounce the egregious abuses of the Chinese people at the hands of the communist dictators. Yet no one in our federal government has been willing to take China on in any meaningful way. Very few people realize that China is one of the biggest beneficiaries of American subsidization. Thanks to the largesse of this Congress, China enjoys the flow of U.S. taxpayers cash into Beijing's coffers. Yet, today we are asked to pledge support for Taiwan when we could best demonstrate support for Taiwan by terminating subsidies to that country's enemies.

Again, my congratulations to the Taiwanese on their continuing efforts to develop and sustain a free republic that respects individual rights and embraces free markets and to President Lee Teng-hui for his contributions to that end.

Mr. LARSON. Mr. Speaker, I rise today in strong support of H. Con. Res. 292 to congratulate the people of Taiwan on the successful presidential elections on March 18th and for their continuing efforts in developing and sustaining a democratic society which embraces free markets and respects human rights. I am a proud co-sponsor of this bill and encourage my colleagues to vote in favor of it.

I believe that the freedom of Taiwan's 22 million Chinese people to participate in the competitive election of their president is surely a reason for Congress to pass this resolution in celebration of democracy. The bill congratulates Taiwan's current President Lee Teng-hui, Taiwan's ''Father of Democracy,'' who presided over Taiwan's twin miracles of economic development and political reform. It also congratulates Taiwan's President-elect, Chen Shui-bian, and Vice President-elect, Annette Hsiu-lien Lu, on their election, which ended a half-century of one-party rule there.

I have followed these historic events in Taiwan closely and with interest. I have also been assisted in understanding these issues by the Taipei Economic and Cultural Representative Office here in Washington. This Office, and the very capable Benson Wang in particular, have provided me and my staff with straight-forward information on Taiwan and events there, which I appreciate greatly. I am hopeful that the companion measure we will vote on today, to authorize $75 million to upgrade the American Institute in Taiwan's facilities in Taipei, will allow the U.S. to have the same high quality of representation in that country.

This peaceful transfer of power brings Taiwan to the forefront of democratic nations in Asia, and provides a shining example of freedom for mainland China and other nations in the region to follow. This free election took place despite Beijing's clumsy and counterproductive attempts to intimidate President-elect Chen and his supporters. Perhaps the government in Beijing is more concerned that this election will result in further democracy movements in China than they are about the possibility of Taiwan's independence. This is why I especially support this measure's provisions to encourage China to make progress toward democracy, the rule of law, and the protection of human and religious rights.

Mr. Speaker, let me conclude by saying that I believe that it is important for the United States to salute and support Taiwan's democracy, and I therefore urge my colleagues to join me in voting for this resolution. Thank you.

Mr. CROWLEY. Mr. Speaker, I rise today in support of H. Con. Res. 292 and to congratulate the people of Taiwan on their successful presidential elections on March 18, 2000.

The election results impressively demonstrate the strength and vitality of Taiwan's democracy. I strongly support the right of the people of Taiwan to decide their own political future.

The victory for president-elect Chen Shui-bian, the candidate of the Democratic Progressive Party, and vice-president-elect, Annette Lu, a pioneering feminist and former political prisoner, symbolize the beginning of a new era in Taiwanese politics after 51 years of rule by the Nationalist Party.

The development of Taiwan from authoritarian rule to a vibrant democracy during only two decades has been truly inspiring. The

pace of political reform accelerated in the middle and late 1980s. Martial law was ended in July 1987 and in 1992, for the first time in Taiwanese history, a new parliament was elected.

In its second direct presidential election almost 83 percent of Taiwanese voters cast their ballots—an impressive turn-out that underlines the great support among the population for the democratic process.

I commend the people of Taiwan for this peaceful transition and their commitment to democratic values and ideas. The consistent growth of the Taiwanese economy is closely related to the success of Taiwanese democracy.

I firmly believe that a democratic Taiwan is the best guarantee for prosperity, peace and security in the region.

Taiwan has been a valued and reliable partner to the United States during the previous decades and I am sure this constructive relationship will continue, after president-elect Chen Shui-bian takes office.

Mr. DELAY. Mr. Speaker, I rise today in strong support of the resolution offered by the Majority Leader, Mr. ARMEY, and am proud to be an original cosponsor.

The people of Taiwan should be commended for their brave and inspiring show of courage in support of democratic values.

The people of Taiwan stood in the face of tremendous intimidation and constant threats from the tyrants in Communist China, and they refused to back down. About 80 percent of the people went to the polls to exercise the most sacred of democratic freedoms—the right of citizens to choose their own leaders. Mr. Speaker, that is the essence of democracy.

Undoubtedly, this new administration in Taiwan will face many challenges. For the first time, Taiwan will experience a peaceful transition of executive power. This transition will not be easy, but the peaceful passing of power is at the core of democracy. The United States must support this transition in every way possible.

This expression of freedom should not serve as a threat to Beijing, but as an inspiration. Hopefully, the day will soon come when the people of communist China, for so long fettered by the chains of communism and tyranny, will be able to determine their own destiny through free and fair elections.

Until that time, it should be clear that the United States is firm in its commitment to Taiwan, and I urge the Administration to use this occasion to signal to the world that we will stand by and support our democratic allies. In the meantime, Taiwan should meet future threats by Beijing with the same strength and determination that guided this most recent election.

Mr. PORTER. Mr. Speaker, I rise today in support of this resolution. I want to thank the gentleman from Texas (Mr. ARMEY) for bringing this important resolution to the floor in such a timely manner.

I want to congratulate Taiwan on its recent free and fair elections. In a region of the world where democracy is not widely accepted, it is important that milestones like the elections of March 18th do not go unrecognized. Despite threats from Beijing, the Taiwanese set themselves apart from their neighbors by going to the polls and voting for the candidate who they wanted to be their leader. It is welcoming to see that there are peoples around the world who do not succumb to threats and pressure and instead exercise their guaranteed rights. Also the record number of the eligible voters who went to the polls, 82.7 percent, is very encouraging.

Taiwan has proven itself to be one of the true democracies in a region surrounded by dictators, military regimes, and human rights abusers. The United States must do everything within its power to stand behind these defenders of democracy and human rights around the world.

President Lee Teng-hui is to be commended for leading his country during a tenuous time. When he took office in 1988 martial law in Taiwan had just ended. He successfully built a strong foundation on which democracy and freedom has flourished. On May 20th of this year, the first peaceful transfer of power to a popularly elected opposition leader by Chinese anywhere will take place. President Lee Teng-hui of the Nationalist Party will turn the presidency over to the recently elected Chen Shui-bian of the Democratic Progressive Party. For the first time in half a century, all of Taiwan's history, the governing party will change.

I wish to convey congratulations to President-elect Chen Shui-bian and Vice-President-elect Annette Hsiu-lien Lu. Leading Taiwan into the next century, and being at the helm during the first changing of a political party in Taiwan's history, will be a great challenge. However, I am confident that with the support of the Taiwanese people and the continued support of the international community, Taiwan will continue to be a pillar in the region for democracy and freedom.

Again, I congratulate Taiwan. I hope and believe that Taiwan can be a window into the future of Asia. A future where everyone is free—free from abuse, free to speak, free to practice the religion of choice and free to vote. A free, stable and prosperous Taiwan serves as a positive example in a region where none of these qualities are widely accepted.

Mrs. MINK of Hawaii. Mr. Speaker, I am pleased to have this opportunity to join my colleagues in congratulating President-elect Chen Shui-bian and Vice President-elect Annette Lu of Taiwan on their impressive victory. The election results are testament to the strength of Taiwan's democracy, which has witnessed the peaceful transition of power from the Nationalist Party that ruled China for 50 years.

The election results are also a testament to the courage and independence of the people of Taiwan, who refused to be intimidated by the increasingly bellicose threats from China on the eve of the election.

I commend President-elect Chen Shui-bian for his constructive and positive statements on relations with China since his election. His sensitivity and statesmanship will be critical to lowering the level of tension between China and Taiwan.

I am especially delighted at Vice President-elect Annette Lu's election. She will be the highest-ranking female government official in Taiwan's history! Her new position and her impressive accomplishments as an advocate for women, human rights, and democracy make her an exciting leader to watch.

Mr. ORTIZ. Mr. Speaker, I rise today to thank the House, particularly Chairman BEN GILMAN and Ranking Member SAM GEJDENSON, for bringing this important resolution to the floor.

I join all in this Congress in congratulating the Republic of China for the success of their recent elections. A successful election is one which is fair to all and whose results are respected by everyone. In fact, in a democracy, the most important election is the second election, not the first. The second election is the truest test of commitment to democracy. If a nation can watch the peaceful transfer of power from one party to another, their journey as a democracy is indeed on solid ground.

President-elect Chen Shui-bian of the Democratic Progressive Party won the presidential election, replacing President Lee Teng-hui. The Far East is a favorite destination of mine when I lead trade delegations, and I have met and worked with President Lee. He has made immeasurable contributions to the solid foundation of democracy in Taiwan, and he will hold a prominent place in Taiwan's history as the first democratically elected president in Taiwan's history.

While the purpose of today's resolution is to congratulate President-elect Chen Shui-bian and Vice President-elect Annette Hsiu-lien Lu on their victory, I am pleased we are also remembering the most important element of this election: the people of the Republic of China. When a democracy freely votes, respects human rights and embraces free markets, they are a democracy among the established democracies of the world.

The United States is hopeful that Taiwan will make use of its new power as a growing democracy to lead a substantive dialogue in that part of the world about democracy, the rule of law, and the protection of human and religious rights.

Again, I thank the Majority Leader and the International Relations Committee for bringing this important resolution to the attention of the House of Representatives.

Mr. LANTOS. Mr. Speaker, I wish to commend the Majority Leader (Mr. ARMEY) for the resolution we are considering today which congratulates President-elect Chen Shuibian and Vice President-elect Annette Lu on their victory in a free and open and democratic election in Taiwan. I also want to commend my distinguished colleague and friend from Nebraska, the Chairman of the Subcommittee on Asia of our International Relations Committee, Mr. BEREUTER, for his leadership on this issue.

Mr. Speaker, Taiwan is one of the great success stories of the post-World War II era. At the end of the war, Taiwan was a destitute, primitive, backward society. Today, it is one of the great economic triumphs of this century—a vibrant, innovative, creative economy, the 18th largest in the world. The strength of Taiwan's economy is reflected in the fact that it is our nation's 7th largest trading partner.

Taiwan is also one of the great political success stories of the twentieth century. During the last two decades, Taiwan had become a full-fledged democracy. From an American point of view, there is nothing more desirable than to see an economically under-developed autocracy become a full functioning, vibrant democracy as we have seen in Taiwan.

In this regard, Mr. Speaker, the recent election marks another important milestone in the consolidation of democracy in Taiwan. This election marks the first peaceful transfer of power from the KMT (Nationalist) party, which has played the dominant political role in Taiwan for the past half century, to Mr. Clen, the candidate of the Democratic Progressive Party. This peaceful change of political power

is reflection of the maturation of Taiwanese democracy.

I do want to pay tribute to President Lee Teng-hui, the first democractically elected President in the history of the Chinese people. He has ably and faithfully served the people of Taiwan during his tenure as president, and as he steps down now at the completion of his presidential term, we owe him our thanks for the friendship he has shown the United States.

I also want to pay tribute to President-elect Chen for the responsible and thoughtful way which he has approached the difficult issue of Taiwan's relationship with mainland China. We in the United States welcome his statesmanship and see it as a further reflection of the maturity of Taiwan's democracy.

Mr. Speaker, these important changes in Taiwan stand in sharp contrast with the continuing authoritarian and dictatorial government which rules the People's Republic of China. I think this resolution we are considering today needs to be viewed as one that congratulates the people of Taiwan on having attained a high degree of economic development and creating a functioning political democracy and starkly contrasts these positive developments with those in the People's Republic of China. There is a free press in Taiwan, unlike the PRC. There are political alternatives in Taiwan, but not in mainland China.

Taiwan also recognizes the desire of its people to function in a free and democratic fashion, unlike China. In particular Taiwan permits religious groups freedom of worship. In China, on the other hand, the practitioners of Falun Gong continue to be persecuted. Those who seek to practice their faith are prohibited or are limited to officially recognized and officially organized churches which have more to do with securing political support for the communist regime than they do with religious worship. The followers of all faiths—in China, as well as Taiwan—must have the freedom to practice their religion. The handful of incredibly courageous individuals in China who have expressed views contrary to the communist regime must be released.

Mr. Speaker, the resolution we are considering today acknowledges the outstanding contributions of the Chinese people. I personally have the highest regard for Chinese civilization and what it has contributed to the culture of all humankind. It is one of the great tragedies of history that these wonderful and cultured people are ruled by an autocratic and dictatorial regime.

Mr. Speaker, I strongly urge my colleagues to join me in supporting this resolution, which recognizes the enormous achievements of the people of Taiwan and holds out great hope for the people of China.

Mr. WU. Mr. Speaker, I rise to congratulate the people of Taiwan on the successful March 18th, 2000 presidential election. Taiwan's decades-long political transformation and the recent election are indeed great examples of Taiwan's commitment to a government of the people, by the people and for the people.

As the first member of the United States Congress born in Taiwan, I observed with great interest Taiwan's extremely competitive presidential campaign. The open process is a tribute to the people of Taiwan, and to the island's real, working democratic process. Taiwan has indeed achieved democracy under adversity and joined the great democracies of the world.

Once again, I would like to congratulate the people of Taiwan on their courage and commitment to forming a more democratic and complete society. In addition, I would also like to congratulate all the candidates, especially President-elect Chen Shui-bian and Vice President-elect Annette Lu, for a very open and competitive campaign. I wish the Taiwanese people well and hope to work together with all people in the region for a peaceful and prosperous future.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 292, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

□ 1545

AMERICAN INSTITUTE IN TAIWAN FACILITIES ENHANCEMENT ACT

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3707) to authorize funds for the site selection and construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan, as amended.

The Clerk read as follows:

H.R. 3707

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''American Institute in Taiwan Facilities Enhancement Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) in the Taiwan Relations Act of 1979 (22 U.S.C. 3301 et seq.), the Congress established the American Institute in Taiwan (hereafter in this Act referred to as ''AIT''), a nonprofit corporation incorporated in the District of Columbia, to carry out on behalf of the United States Government any and all programs, transactions, and other relations with Taiwan;

(2) the Congress has recognized AIT for the successful role it has played in sustaining and enhancing United States relations with Taiwan;

(3) the Taipei office of AIT is housed in buildings which were not originally designed for the important functions that AIT performs, whose location does not provide adequate security for its employees, and which, because they are almost 50 years old, have become increasingly expensive to maintain;

(4) the aging state of the AIT office building in Taipei is neither conducive to the safety and welfare of AIT's American and local employees nor commensurate with the level of contact that exists between the United States and Taiwan;

(5) because of the unofficial character of United States relations with Taiwan, the Department of State is not responsible for funding the construction of a new office building for the Taipei office of AIT;

(6) AIT has made a good faith effort to set aside funds for the construction of a new office building, but these funds will be insufficient to construct a building that is large and secure enough to meet AIT's current and future needs; and

(7) because the Congress established AIT and has a strong interest in United States relations with Taiwan, the Congress has a special responsibility to ensure the AIT's requirements for safe and appropriate office quarters are met.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated the sum of $75,000,000 to AIT—

(1) for plans for a new facility and, if necessary, residences or other structures located in close physical proximity to such facility, in Taipei, Taiwan, for AIT to carry out its purposes under the Taiwan Relations Act; and

(2) for acquisition by purchase or construction of such facility, residences, or other structures.

(b) LIMITATIONS.—Funds appropriated pursuant to subsection (a) may only be used if the new facility described in that subsection meets all requirements applicable to the security of United States diplomatic facilities, including the requirements in the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986 (22 U.S.C. 4801 et seq.) and the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted by section 1000(a)(7) of Public Law 106–113; 113 Stat 1501A–451), except for those requirements which the Director of AIT certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate are not applicable on account of the special statue of AIT.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3707.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of H.R. 3707, a bill to authorize funds for the construction or acquisition of a new facility for the American Institute in Taiwan.

I would like to thank the distinguished sponsor of the bill, the vice chairman of our committee, the chairman of the Subcommittee on Asia and the Pacific, the gentleman from Nebraska (Mr. BEREUTER), for his efforts

in framing this bill and in amending it to improve it further for consideration by the full committee.

Mr. Speaker, the American Institute of Taiwan serves the important function of maintaining relations with Taiwan, and the mission should be appropriately supported by the Congress. There is no doubt that the current facility is inadequate and does not meet security standards. This bill authorizes $75 million for a suitable location for a new facility and for necessary construction costs.

We are looking forward to a long future with Taiwan and it is time to make the long-range commitment and invest in a new facility to support this relationship. Accordingly, I am urging my colleagues to support the bill.

Mr. Speaker, I provide for the RECORD information on a cost estimate done by the Congressional Budget Office on this matter:

H.R. 3707—AMERICAN INSTITUTE IN TAIWAN FACILITIES ENHANCEMENT ACT

H.R. 3707 would authorize $75 million for the design and construction of a new facility in Taipei to be used by the American Institute in Taiwan. The American Institute in Taiwan is a nonprofit corporation that facilitates programs and relations between the United States and Taiwan. CBO estimates that implementing H.R. 3707 would cost $6 million in 2001 and $63 million over the 2001–2005 period, assuming appropriation of the authorized amount. (We estimate that the remaining $12 million would be spent after 2005.) Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

H.R. 3707 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact is Sunita D'Monte. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

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

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding me this time and, as the author of H.R. 3707, the American Institute Enhancement Act, this Member rises in strong support of what he regards as timely and responsible legislation.

Before commenting on it, though, this Member would like to express his sincere appreciation to the Subcommittee on International Operations and Human Rights, the distinguished gentleman from New Jersey (Mr. SMITH), for his much appreciated assistance in moving this bill forward so quickly and for suggested refinements that were incorporated in the bill during the markup of the Committee on International Relations.

This Member would also like to thank the distinguished chairman of the committee, the gentleman from New York (Mr. GILMAN) and the ranking minority member, the gentleman from Connecticut (Mr. GEJDENSON), for supporting this bill and moving it expeditiously.

Additionally, I express my appreciation to the ranking minority member of the Subcommittee on Asia and the Pacific, the distinguished gentleman from California (Mr. LANTOS), for his cosponsorship and special cooperation in expediting the consideration of this legislation.

Mr. Speaker, this Member believes it is important to note that the United States' commitment to the security and well-being of the people of Taiwan is enshrined in the Taiwan Relations Act of 1979, the TRA, a congressional initiative of that year, responding to a controversial Carter administration initiative of that previous year.

The TRA, which continues to be the guide of our unofficial relations with Taiwan, is an important document for us to consider and to reaffirm from time to time and also to reexamine to make sure that we understand exactly what it is that controls our relationship with Taiwan and, in effect, the relationship between Taiwan and the People's Republic of China.

The TRA established the American Institute in Taiwan, AIT, as a nonprofit corporation to implement on behalf of the United States Government any and all programs, transactions and other relations with Taiwan. In other words, to function as our unofficial embassy in Taiwan. The current AIT facilities, which in some cases consists of aging quonset huts, are grossly inadequate and were not designed for the important functions of AIT. They were built or occupied as temporary facilities almost 50 years ago, and are increasingly difficult and expensive to maintain.

From the perspective of security, AIT fails miserably, surrounded by taller buildings and lacking adequate setbacks. Major, very cost-ineffective enhancements would be required to bring it into compliance with security requirements. In fact, it is an impossibility, and the site is entirely inappropriate for our new construction for the AIT.

Because of our unique relationship with Taiwan, characterized by the agreement itself, the State Department is not able, under routine authority, to proceed with the planning and the construction of a new facility for AIT. The Congress must specifically authorize and appropriate the necessary funds. While AIT has made a good faith effort to set aside funds for the construction of a new office building complex, these funds, while very significant, will never be sufficient for even a modest complex that is sufficient and secure enough to meet AIT's needs.

H.R. 3707, which this Member introduced, has bipartisan support. Although only recently introduced, the resolution is cosponsored by the distinguished ranking member of the committee, the gentleman from Connecticut (Mr. GEJDENSON), as well as other distinguished members of the committee, including the gentleman from California (Mr. LANTOS), the gentleman from New Jersey (Mr. SMITH), the gentleman from Ohio (Mr. BROWN), and the gentleman from California (Mr. ROHRABACHER). The bill authorizes the appropriation of $75 million for planning acquisition and construction of a new facility for AIT.

Over 20 years after the enactment of the Taiwan Relations Act, our unofficial relations with the people of Taiwan are stronger, more robust, and more important than ever. In order to reflect the importance of these relations, as well as for very practical reasons of efficient and secure operations, the Congress needs to act now to authorize the lengthy effort to upgrade our diplomatic facilities on Taiwan.

Mr. Speaker, recently, as is apparent to all, we have been seized with issues involving our relationship with Taiwan and China. Today, relatedly, we just considered another resolution, House Concurrent Resolution 292, that once again congratulates the people of Taiwan on the success of their historic democratic elections. We have also been concerned by the bellicose rhetoric from Beijing that once again preceded the Taiwanese presidential election. The House also recently passed a properly amended version of the Taiwan Security Enhancement Act, while at the same time we are preparing for the upcoming debate on granting permanent normal trade relations for China as a part of the country's accession to the WTO.

In view of all these developments, now is the appropriate time to send another signal of our unshakable, long-term commitment to our critically important relations with Taiwan. We are there in Taipei with the citizens of Taiwan for as long as it takes to assure that any reunification with the mainland is voluntary and as a result of peaceful means. In the judgment of this Member, the Congress should and will work with the administration to approve permanent normal trade relations with the People's Republic of China, the PRC, as part of our support for its accession to the World Trade Organization, just as we support and will lead in the near simultaneity of Taiwan's accession to the WTO, a long-justified accession to the WTO that has been too long delayed.

We will support the accession of the PRC to the WTO because it is in our clear national interest to do so. At the same time, it is very important that we make it crystal clear to the PRC and the world that we are calmly but resolutely standing at the side of Taiwan, providing for the sale of necessary defensive weapons to it for its defense against any hostile or coercive action to force its reunification with the PRC through any process that is not a peaceful noncoercive one.

We are, by our recent actions regarding Taiwan making our continued positive, supportive, TRA-driven relationship with Taiwan unambiguous. We are proceeding in a two-track Taiwan-PRC policy; resolutely, unflinchingly, and

unabashedly standing by Taiwan's side while demonstrating our willingness to engage with the PRC in a variety of ways when it is in our national interest to do so and when it is consistent with our region-stabilizing role to do so. We have benign motives for our great and many interests in Asia, but as a superpower, we will act like one and defend our national interest in the region and support all of our loyal allies.

Mr. Speaker, this Member urges his colleagues to join him in supporting the American Institute in Taiwan Facilities Enhancement Act.

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

Mr. Speaker, I rise in support of H.R. 3707. I thank my friend, the gentleman from New York (Mr. GILMAN) and the gentleman from Nebraska (Mr. BEREUTER) for their good work on this legislation.

The recent election of President Chen was a monumental event in Taiwan's history. The peaceful transfer of power will stand as a model for all other nations struggling for the Democratic ideals that our Nation holds so dear. Under threats of violence from the People's Republic of China, the people of Taiwan demonstrated their desire to elect the candidate with the ability and the vision to lead them into the 21st century.

The United States must recognize its responsibility to assist the Taiwanese leadership in establishing a peaceful Taiwan. Any resolution to the dispute between China and Taiwan will be through peaceful negotiation with the ascent of the Taiwanese people.

Assisting Taiwan in their pursuit of a Democratic future, we must provide the American Institute in Taiwan with the necessary resources to perform all of their functions properly. The allocation of funds for planning, for acquisition, and for construction for a new facility is a clear gesture of the U.S.'s long-term commitment to the people of Taiwan.

The American Institute in Taiwan plays a valued role in U.S.A.-Taiwan relations. For more than 20 years, the AIT has implemented all programs and transactions for the United States Government in Taipei. But the current conditions of the AIT's facilities are undoubtedly inadequate. Built as temporary structures some 50 years ago, the cost of maintenance and repair are becoming increasingly more expensive. The facilities also have virtually no setback, and steps to meet security standards are not cost effective.

The AIT needs a modern and effective base of operations to perform its duties in these historical times. I urge my colleagues to support this measure.

Mr. LANTOS. Mr. Speaker, I wish to commend my distinguished colleague and friend from Nebraska, the Chairman of the Subcommittee on Asia of our International Relations Committee, Mr. BEREUTER, for his leadership in introducing H.R. 3707, the American Institute in Taiwan Facilities Enhancement Act.

Under the provisions of the Taiwan Relations Act, the American Institute in Taiwan (AID) is the unofficial entity through which we maintain our unofficial relationship with Taiwan. For the past twenty years, the AIT has served us well. I want to commend the individuals who have played such an important role in the activities of the AIT. In particular, I want to express appreciation for the current head of AIT, Richard Bush, who is a former outstanding member of the staff of the Subcommittee on Asia of the House International Relations Committee.

Mr. Speaker, as several of my colleagues have already emphasized, the current AIT facilities in Taipei are grossly inadequate. They were not designed for the important functions which AIT performs. They are old, having been built over 50 years ago, and the facilities are increasingly difficult and expensive to maintain. Furthermore, authorities in Taiwan want back the land on which they are located.

From a security perspective, the facility is even more seriously inadequate. Following the bombings of our nation's embassies in Nairobi and Dar es Salaam, the concern for the security of all American facilities has increased. The AIT buildings in Taipei are dangerously inadequate. There is virtually no setback, and major security enhancements would be necessary to bring the facilities into compliance with current security standards. The legislation we are considering today requires that the new facility meet the embassy security standards set forth in the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (commonly referred to as the Inman Standards) and the Security Embassy Construction and Counter Terrorism Act of 1999.

The Congress has already recognized the need to improve AIT's facilities, and the FY 2000 appropriations legislation included $5 million for the design of a new facility. AIT staff, using standard cost factors unofficially provided by the State Department, have estimated that constructing a new facility would cost in the range of $80 to $100 million. This estimate is in line with recent construction costs of new embassy facilities, such as our Embassy in Nairobi. The staff of AIT has made a good faith effort and has set aside funds for capital construction, managing to accrue approximately $25 million thus far. Therefore, an authorization of $75 million, plus the $25 million AIT already has on hand, should be sufficient to cover construction costs.

Mr. Speaker, United States relations with Taiwan are extremely important, and it is critical that AIT have an appropriate facility in Taipei. We must also protect the safety of those Americans and Taiwanese who work or conduct business at AIT in Taipei. This legislation represents a reasonable and responsible effort to deal with the inadequate facilities currently in use. I urge my colleagues to support this important piece of legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 3707, as amended.

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

The title of the bill was amended so as to read: ''A bill to authorize funds for the construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan.''

A motion to reconsider was laid on the table.

COMMENDING LIBRARY OF CONGRESS FOR 200 YEARS OF OUTSTANDING SERVICE

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 269) commending the Library of Congress and its staff for 200 years of outstanding service to the Congress and the Nation and encouraging the American public to participate in bicentennial activities.

The Clerk read as follows:

H. CON. RES. 269

Whereas the Library of Congress, America's oldest Federal cultural institution, was established on April 24, 1800, and in its 200 years of existence has become the largest and most inclusive library in human history;

Whereas the Library's mission is to make its resources available and useful to the Congress and the American people and to sustain and preserve a universal collection of knowledge and creativity;

Whereas, in furtherance of its mission, the Library has amassed an unparalleled collection of 119 million items, a superb staff of ''knowledge navigators'', and networks for gathering the world's knowledge for the Nation's good;

Whereas the Library, the Congress, and the Nation have benefitted richly from the work of thousands of talented and dedicated Library employees throughout the Library's 200-year history;

Whereas the citizens of the United States have generously contributed to the Library's collections through their own creativity, social and scholarly discourse, donation of materials in all formats, and generous philanthropic support;

Whereas the goal of the Library's bicentennial commemoration is to inspire creativity in the centuries ahead and remind Americans that all libraries are the cornerstones of democracy, encouraging greater use of the Library of Congress and libraries everywhere;

Whereas this goal will be achieved through a variety of national, State, and local projects, developed in collaboration with Members of Congress, the staff of the Library of Congress, libraries and librarians throughout the Nation, and the Library's James Madison Council and other philanthropic supporters;

Whereas the centerpiece of the bicentennial celebration is the Local Legacies Project, a joint effort of Congress and the Library of Congress to document distinctive cultural traditions and historic events representing local communities throughout the country at the turn of the 21st century; and

Whereas the bicentennial commemorative activities also include symposia, exhibitions, publications, significant acquisitions, the issuance of a commemorative coin and stamp, and enhanced public access to the collections of the Library of Congress through the National Digital Library: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress commends the Library of Congress and its employees, both past and present, on 200 years of service to the Congress and the Nation and encourages the American public to participate in activities to commemorate the Library's bicentennial.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

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

□ 1600

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

Mr. Speaker, it is a pleasure to speak on this resolution today. I hope the Chair will indulge me as I go through some of my history of involvement in libraries and why I believe this is a very important resolution.

This story goes back many years to the time when I was a young lad in Minnesota. I had chronic asthma. I was unable to go to school, and did all my schoolwork at home. I was home schooled before people knew that term. And that left me with a great deal of time to read because I could do most of my schoolwork in 3 hours a day.

I lived in a small town of 800 people. We had a library that contained probably that same number of books, about 800 books. I believe I read every book in that library at least once, except for those that the librarian kept hidden under her desk, as they did in those days. This led me to a great interest in reading and a great appreciation for libraries.

As I grew up, I continued to value and treasure libraries and the resource they represent for our communities and for our country. Little did I know at that time that I would become involved in politics. I never expected to, never intended to, and yet here I am. But, on the way, I have served as a member of a county library board. I have served as a member of a city library board. I also served as a member of the Board of the State Library of Michigan. And now I am on the Joint Committee of the Library of Congress.

My experience with all these libraries increased my appreciation of libraries and librarians. Tremendous resources are available in libraries, and I found this out as I got into the academic world first at Calvin College and then at the University of California at Berkeley.

Coming from a very small town, I was just amazed at what I could find in a library not only in terms of books to read but also in material useful for research.

I also remember the first time I used the Library of Congress. I was engaged in academic research on energy resources sometime after the energy crisis of 1973, and I studied various aspects relating to scientific analysis of energy resources, the use of energy, alternatiave sources of energy, improving efficiency of energy use, and so forth.

On a trip to Washington, I spent a day at the Library of Congress doing research. I was just delighted with all the materials that I found there which were very, very useful in my research. I could easily have spent a couple of weeks devouring the material there and condensing it for use in my work.

I was truly astounded at the resources of the Library of Congress but also very, very pleased at the way the employees helped me and treated someone from a small town in Michigan trying to do research on a major national issue. They were extremely helpful. They determined what I needed to find and they helped me find it.

My appreciation of the Library of Congress increased even more after I came to the Congress and observed firsthand the services they provide to our country and to our Congress. It is a marvelous institution and is blessed with a good administration, and is blessed now and has been blessed for 200 years with an outstanding staff.

It is a venerable institution that started in a small way in this building and then was burned out when the British came in and burned the Capitol and the White House some years ago. Thanks to Thomas Jefferson, who after the fire willingly offered his personal library of some 20,000 volumes to the Congress for purchase at a reasonable price, the Library of Congress was revived and eventually developed into what we have today, the largest collection of books and materials in the entire world.

The Library and its employees have also advanced into the modern age with the addition of the Internet, which first of all helps make all public documents of the House of Representatives and the Senate available to every person in this country and indeed on this planet.

In addition to that, they make much other information available; they have developed what is called the digital library. With the help of grants from various good citizen and corporations in this country, much of the material in the Library of Congress is available to schoolchildren everywhere.

So the Library continues to adapt to the changing times and changing technology, and they are doing a marvelous job of not only providing that information but training the staff to enter the digital age.

I am very appreciative of all that they have done, and I rise to support this resolution and urge its passage. It recognizes not only the history of the institution and the contributions they have made but, in particular, the contributions that the staff has made working very diligently to meet the needs of our citizens.

I must confess to a little personal interest here as well. I have a daughter who became a librarian and has been the manager of a branch library in Grand Rapids, Michigan, and was recently promoted to become the head of the reference section in the main library there; she also has enlightened me about many of the problems of modern-day libraries, and she is my personal consultant on matters relating to libraries.

So it is with great pleasure that I recognize the major role that libraries have played but, in particular, what the Library of Congress has meant to this Nation and, indeed, to all academic institutions worldwide and, in addition to that, recognize the staff and administration for the outstanding work they have done for 200 years.

We welcome their contributions, and we admire them and congratulate them as they reach their bicentennial. We wish them a wonderful bicentennial year as they engage in many different celebrations.

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

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

Mr. Speaker, I rise to join my very distinguished colleague, the gentleman from Michigan (Mr. EHLERS). I might say that he started out with saying that he had a long history in dealing with libraries and was going to go back to his childhood; and I want to tell my friend I was going to jump to my feet and yield him more time on the theory that it might take some time. He is a distinguished scholar and a distinguished Member of this body, and I want to join in his remarks.

Mr. Speaker, I am proud to support this concurrent resolution which honors the Library of Congress and its extraordinary staff. As the oldest Federal cultural institution and the largest library in the world, the Library of Congress serves a unique role in American life. It is the keeper of our past and a teacher of our future.

The Library archives America's cultural history through its collections of 119 million items, including books, films, musical recordings, prints, maps, and photographs.

Make no mistake, though, the Library is not simply a collection of documents wasting away in a Federal warehouse. Due to an extraordinarily talented and dedicated staff, the Library, as the gentleman from Michigan (Mr. EHLERS) has pointed out, is a true American treasure. The employees of the Library of Congress make millions of items in the collection come to life as a living history of our Nation.

Through its 22 reading rooms on Capitol Hill and its extensive web site, the Library, as I said, educates America. Whether it is a Member of Congress examining an issue, a school child researching a report, or an author writing a book, the Library of Congress will have what they are looking for and its staff of ''knowledge navigators'' will make sure they find it.

Just last month, Mr. Speaker, I introduced my new web site at the James Madison Middle School in Upper Marlboro, Maryland. The student who was

helping me demonstrate the site was doing a paper on the Gold Rush. Through my site, we linked to the Library of Congress' American Memory web site.

The student searched for information on the Gold Rush and emerged with a treasure trove of information, letters from frontiersmen, pictures of the Old West, lyrics from music sung on the trail. I saw a light, Mr. Speaker, in that young boy's eyes as history came alive for him.

This is but one small example of the power and impact of the Library of Congress. It is an example that is repeated daily in classrooms all across America. The answers that boy found, the answers the Library helps all of us find, do not come to us simply because we click the mouse or pick up a phone or visit the reading room. The answers, Mr. Speaker, come because of the hard work and dedication of the staff of the Library of Congress.

We do not always know their names, but it is impossible not to know their work. They are the ones who find the books, who organize the materials, who research the issues, who write the summaries, and, yes, who update the web site. Our lives and the American people's lives are richer for their work.

I am proud to join my friend, the gentleman from Michigan (Mr. EHLERS), in honoring them today and the Library itself. I am honored and privileged to support this resolution.

The Library of Congress is among the finest institutions in our land and, yes, even more so than that, probably the finest library in the world and one of the finest institutions in the world.

It is led by an extraordinary American, Dr. Jim Billington, my friend, a scholar himself, one of the intellectuals of this Nation, one of the experts on Russia and many other subjects. But he and the staff with whom he works have brought alive the information so necessary to succeed in our society today.

Mr. Speaker, the Library of Congress was relevant when it was founded 200 years ago. In the information age, I suggest to my colleagues, the Library is more relevant today than it has ever been. It is opening up the gateway to knowledge, knowledge essential not just to the young but to all of us if we are to succeed and to enjoy this information age in which we live. Mr. Speaker, as I said earlier, I rise in strong support of this concurrent resolution.

Mr. Speaker, I do not have any requests for time, I tell the gentleman from Michigan (Mr. EHLERS). I know my colleagues on the committee, the gentleman from Pennsylvania (Mr. FATTAH) and the gentleman from Florida (Mr. DAVIS), join me in my comments and in the comments of the gentleman from Michigan (Mr. EHLERS) and in their congratulations to the Library of Congress and to its staff.

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

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

Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) for his comments about the Library. He truly recognizes the value of the Library of Congress and what it has done for this Nation. But one comment in particular rang true, that this has truly become the library of the world.

When I was a youngster, it was a library of Congress. It soon became the library of this country. And now, through the Internet and through its leadership, it has truly become the library of the world. I personally believe it is having as much or more impact on what is happening in the world around us today than the Library of Alexandria over two millennia ago had on the known world at that time.

It is truly a venerable institution and filled with very good people, good scholars, helpful scholars; and it has meant so much to this Congress and to this Nation. I am very pleased that the Congress will be joining us in honoring them for their good work. Mr. Speaker, I urge passage of this resolution.

Mr. LANTOS. Mr. Speaker, I welcome the effort of our colleague from Michigan (Mr. EHLERS) for this legislation we are considering today commending the Library of Congress and its employees, both past and present, on 200 years of service to the Congress and the Nation and encouraging the American public to participate in activities to commemorate the Library's bicentennial.

As my colleagues have noted, Mr. Speaker, on April 24 of the year 1800, President John Adams signed legislation establishing the Library of Congress and appropriating $5,000 for this modest effort. The year after President Adams and the Congress established our nation's national library, 740 volumes and three maps purchased from a London bookseller comprised the initial holdings of the library.

By 1812, the collection had grown to 3,076 books. During the War of 1812, however, the British military occupied Washington, D.C., and burned the Library of Congress as well as torching a number of other prominent Washington buildings, including the White House and the Capitol.

The nature of the institution was transformed in 1815 when Thomas Jefferson sold his personal library to the Library of Congress to reconstitute the collection. The Jeffersonian purchase was fortuitous because it permitted the Library to re-establish a collection, but it also fundamentally changed the nature of the Library of Congress. Before 1814, the Library was a narrow collection of books dealing with legal and historical topics. Jefferson's personal library was a broad collection which included literature on a wealth of topics and fields of knowledge, including literature.

In 1815, some Members of Congress objected to books in foreign languages and books on spiritualism, architecture, and other topics that they considered to be of no interest to the Congress. But Jefferson argued that "there is, in fact, no subject to which a Member of Congress may not have occasion to refer." Fortunately, Jefferson's conception of the Library of Congress won out, and that concept still guides the accessions of the Library today.

The library today comprises almost 119 million items—18 million books, 12 million photographs, 5 million maps, millions of technical reports, music, movies, prints, manuscripts, microfilm. The collection includes items in 490 languages. The library collection requires some 530 miles of bookshelves and the collection increases by 10,000 items each day.

Mr. Speaker, I want to pay particular tribute to Dr. James Billington, the 13th and current Librarian of Congress, who has played such a critical role in the modern transformation of the Library. Dr. Billington has taken the lead in emphasizing the continuing importance of knowledge in the modern world, and he has undertaken a number of critical innovations to bring the library into line with our digital and Internet era.

When he launched the bicentennial of the Library of Congress three years ago, Dr. Billington gave the celebration the theme "Libraries, Creativity, Liberty." That theme is particularly appropriate, Mr. Speaker. Libraries are the knowledge they preserve and disseminate are fundamental to our nation's creativity and innovation in this age of rapid change. At the same time, libraries and their repository of knowledge are essential for the function of a democratic society. Knowledge available to a nation's citizens is a requirement for a free people and for a democratic society to function.

Mr. Speaker, I urge my colleagues to join in supporting this important resolution.

Mr. Speaker, I submit Dr. James Billington's personal reflection, "The Library of Congress turns 200" which appeared in the April 2000 issue of the magazine American History. Dr. Billington reflects his insight regarding the role and position of the Library of Congress in the United States. At the same time, he provides a personal insight as one of our nation's foremost historians.

On April 24 of this year the Library of Congress—America's national library and oldest federal cultural institution—will turn 200. The Library was founded in 1800 with the primary mission of serving the research needs of the United States Congress, but during the past two centuries the collections have evolved into the largest repository of knowledge in the world. The Library now houses more than 115 million books, maps, manuscripts, photographs, motion pictures, and music.

The Library's history reflects in many ways the story of the passions of its builders—beginning with Thomas Jefferson and James Madison. Initially the Library's holdings were no bigger than some home libraries. A mere 740 volumes and three maps ordered by Congress from London booksellers arrived in 1801 and were kept in the office of the secretary of the Senate. A year later Thomas Jefferson appointed the first Librarian of Congress, John J. Beckley, who also was the clerk of the House of Representatives. Little did Jefferson know at the time that his own library would be the seed from which the present collections would grow.

On August 14, 1814, British soldiers burned the U.S. Capitol and with it the contents of the Library of Congress, that by then contained more than 3,000 items. Following the conflagration, Jefferson offered to sell Congress his personal collection of 6,487 volumes for $23,950. Congress approved the purchase, though not without some debate. Several members believed Jefferson's library included books unrelated to legislative work, to which he retorted: "There is, in fact, no subject to which a member of Congress may

not have occasion to refer.'' That statement has guided the collecting policies of the Library of Congress to this day and is one of the main reasons why the institution's collections have a breadth and depth unmatched by any other repository.

Disaster struck the Library again on Christmas Eve 1851 when a faulty chimney flue started a fire that destroyed nearly two-thirds of the Jeffersonian collection. Over the years, the Library has worked, with some success, to find duplicates of these volumes. An aggressive campaign to acquire the remaining missing tomes is currently under way in conjunction with Gifts to the Nation, a bicentennial program that encourages donations of rare and important materials to the national collection. All books found will be featured in ''Genius of Liberty,'' an exhibition about Jefferson that will open in April.

Over the years Congress has generously supported the Library and the Librarians of Congress in their pursuit of building this grand house of knowledge. For example, when Abraham Lincoln appointed Ainsworth Rand Spofford Librarian of Congress in 1864 (he served until 1897), he selected the man, more than any other individual, who transformed a legislative library into an institution of national importance. At the time of Spofford's appointment, the Library's collections numbered only 82,000 volumes. That number was to explode to roughly 900,000 by Spofford's retirement.

In March 1865 Congress followed Spofford's recommendation and changed the copyright law to require that one printed copy of every copyrighted ''book, pamphlet, map, chart, musical composition, print, engraving or photograph'' created in the United States must be sent to the Library for its use. That law is chiefly responsible for the growth of the institution's collections. In 1870, President Ulysses S. Grant approved an act of Congress requiring that two copies of every copyrighted item be sent to the Library and that all U.S. copyright activities be centered there.

Spofford also persuaded Congress to appropriate funds for a separate Library of Congress building, since space in the Capitol had been exhausted. The new structure, now known as the Thomas Jefferson Building, opened in 1897. Some have called it the most beautiful public building in America. Since then, the Library has constructed two more buildings on Capitol Hill. The John Adams Building opened in 1939, and the James Madison Memorial Building was completed in 1981. The Madison is not only the Library's third major structure but also the nation's official memorial to its fourth president, the ''father'' of the Constitution and Bill of Rights. While a member of the Continental Congress in 1783, Madison was also the first person to sponsor the idea of a library for Congress, and he was president when Jefferson's personal library became the foundation of the renewed Library of Congress.

Since 1987 I have served as the 13th Librarian of Congress. The position has given me unique access to this vast treasure house, and I have found some items in the collections that stand out for me personally. As a student of Russian history and culture I am intensely interested in the Prokudin-Gorskii Collection of Imperial Russia. Sergei Prokudin-Gorskii was one of the first Russians to experiment with color photography. At the outset of the revolution in 1917, the photographer escaped to Paris with 1,900 glass-plate negatives, providing a remarkable look at Russia from 1909–1911.

Other items of personal interest include the Presidential Papers Collection, which features documents from 23 U.S. presidents, beginning with the Founding Fathers and continuing through to the twentieth century's Calvin Coolidge. The documents constitute the foremost source for the study of American leaders and provide a personal view of history that no textbook can offer.

In 1996, the Library acquired the Marian Carson Collection of Americana, believed to be the most extensive existing private assemblage of rare materials relating to the nation's history. The Carson family of Philadelphia had collected such precious materials as an extremely rare broadside printing (only one other copy is known to exist) of the Declaration of Independence, believed to have been printed circa July 10–20, 1776; an 1839 photographic self-portrait of Robert Cornelius, the earliest extant U.S. portrait photograph known; and a chalk-drawing of George Washington, made within a year of his death in 1799. These and the many other items in the collections have reinforced the Library's preeminence as a source of materials relating to American history.

Established by an act of Congress in 1976, the American Folklife Center holds the largest archives of the nation's distinctive cultures. The center's collections will increase significantly with Local Legacies project, which is providing a snapshot of American creativity at the turn of the century. Local Legacies is the premiere project of the Library's bicentennial effort and is jointly sponsored by Congress.

Among the many resources of the Library's Rare Book and Special Collections Division, the Lessing J. Rosenwald Collection of illustrated books from the fifteenth through twentieth centuries stands out. It features an amazing number of books of great rarity. Two of this collection's many treasures include the magnificent fifteenth-century manuscript known as the Giant Bible of Mainz, kept on permanent display in the Library's Great Hall, and one of only two known copies of the 1495 edition of Epistolae et Evangelia, sometimes called the finest illustrated book of the fifteenth century.

During the 1990s, the Library moved into the digital age, with its award-winning and widely popular web site (www.loc.gov), which now handles more than 80 million ''hits'' per month. In April internet users will find information on five million items relating to American history that the Library is making available on the site as its Gift to the Nation. This technology makes the collections at the Library of Congress accessible to people from across the country who are unable to make the trip to Washington, D.C. ''America's library'' has truly become the nation's library.

Mr. THOMAS. Mr. Speaker, on April 24, 2000, the Library of Congress will celebrate its bicentennial. With House Concurrent Resolution 269, we commend the Library and its staff for two hundred years of service to the Congress and to the American people, and encourage all Americans to participate in the Library's bicentennial activities.

On April 24, 1800, President John Adams approved legislation appropriating funds for purchasing ''such books as may be necessary for use of the Congress.'' The first collection of 740 books and 3 maps arrived in 1801 and was stored in the U.S. Capitol, the Library's first home. On January 26, 1802, President Jefferson approved the first law which defined the role and functions of this new institution, creating the post of Librarian of Congress and creating the Joint Committee on the Library to oversee the Library's activities.

Since then, the Library's collections have grown to some 119 million items, making it the largest library in the world. The Library's collections now consist of over 18 million books, 53 million manuscripts, 12 million photographs, 4.5 million maps, 2.4 million sound recordings, nearly a million moving images and millions of other items.

Mr. Speaker, on April 24, 2000, the Library will begin a yearlong program of bicentennial activities, which will be a national celebration of all libraries and the important role they play in our society. The centerpiece of this effort is a project called Local Legacies, which created an opportunity for citizens to participate in the Library of Congress Bicentennial celebration.

Senators and Representatives, working with their constituents and local libraries and cultural institutions, have selected at least one significant cultural event or tradition that has been important to their district or state. These events have been documented and forwarded to the Library to be added to the American Folklife Center's archives to provide a cross section of the grassroots creativity of America that will be preserved and shared with future generations.

Members will be able to provide links on their webpages to the Local Legacies projects they have chosen and to the main Local Legacies Project page on the Library of Congress' website. Materials selected for Internet access will encompass the widest possible range of contributions, including video, sound, print, manuscript, and electronic formats.

Several months ago, I requested that the Library consider further enhancing public participation in the bicentennial by holding an exhibit of the Library's top treasures during the summer when the greatest number of constituents visit our Nation's capital. I am pleased to report that some of the most exciting items from the Library's enormous holdings will be on display throughout the summer at the Library and I would encourage all Members to direct visiting constituents to this once in a lifetime exhibit.

Mr. Speaker, I once again would like to congratulate the Library of Congress, the Librarian of Congress, Dr. James Billington, and all of the Library's staff on two hundred years of outstanding service to the Congress and the American people.

Mr. LARSON. Mr. Speaker, today I rise to honor one of our nation's most revered cultural treasures: the Library of Congress. This year marks the 200th year of the library's compilation of America's history and human knowledge. In this bicentennial year, I am honored to take a moment to extend my deep appreciation to Dr. James H. Billington, the Librarian of Congress. I would be remiss, Mr. Speaker, if I didn't also commend Dr. Billington's fine staff, especially Geraldine M. Otremba, Pamela J. Russell, Ralph Eubanks, Norma Baker, Peter Seligman, and Judy Schneider, who serve the Library so well and have been so helpful during my tenure in Congress. It is through their creative and dedicated efforts that our nation is reminded this year about the importance of libraries, and is encouraged to celebrate the uniqueness of their communities.

The Library's historic architecture may be deceiving to some, but once inside its marble walls the building continues to stimulate and inspire all who visit. It is that inspiration, that re-connection with American culture, which is the focus behind one of the Library's key bicentennial programs, the Local Legacy Project.

The Local Legacy Project was created to give hometown libraries, cultural institutions,

and other groups, in concert with their United States Senator or United States Representative, an opportunity to document the unique customs and cultures that make us Americans. I think of the Local Legacy Project as a patchwork quilt of American communities; no two are exactly alike, but each is a true treasure.

I am very pleased that the First Congressional District in Connecticut will be participating in the Library's Local Legacy Project with four projects of our own: The Legacy of Our Education will feature six historic and influencial institutions: American School for the Deaf, Trinity College, University of Connecticut School of Law, University of Hartford, Teaching Hospitals and St. Joseph's College; The Legacy of Our Natural Resources includes the Riverfront Recapture—Connecticut River and Elizabeth Park Rose Garden; The Legacy of Our Proud Heritage includes the First Congressional District Foot Guard, Old State House, Mark Twain House, Harriet Beecher Stowe House, Noah Webster House, Oliver Ellsworth Homestead, Cheney Homestead, Warehouse Point Fife and Drum Corps, and the Eighth Connecticut Regiment Fife and Drum Corps; and The Legacy of the Creative Spirit includes the following organizations: Wadsworth Atheneum, Hartford Stage, Bushnell Memorial Hospital, Hartford Symphony, and Real Art Ways.

I am optimistic that our ''creative spirit'' will not be limited to our Legacy projects alone. One of the Library's other bicentennial programs includes the exhibition of its unparalleled collection of Thomas Jefferson materials, documents, books, drawings, and prints. I am hopeful that a collection of his works may make their way to Hartford, Connecticut, our state's capital, to be displayed.

While much is taking place in communities across America to preserve our culture, I am pleased to have played a role in the preservation of our legislative culture here in the House of Representatives. As a former high school history teacher, I was heartened by the support I received from Dr. Billington and his staff last year as I worked to obtain passage of my History of the House Awareness and Preservation Act. This bill authorizes the Library of Congress to commission eminent historians to assemble a written history of the House. Presently, the Library is beginning the process by gathering the names of eminent historians.

The largest rare book collection in North American, the largest and most diverse collections of scientific and technical information in the world, and the most comprehensive collection of American music in the world, are just a fraction of the unique documents housed in the Library. I addition, the Library receives 22,000 items each day. How could Thomas Jefferson ever imagine that his personal library of 6,487 books would one day grow to be such a tremendous source of knowledge.

The Library of Congress: an institution that has touched the world, and an institution that has touched history. Congratulations on your bicentennial, and may you continue to make America proud.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 269.

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. EHLERS. Mr. 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. 269.

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

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 5 p.m.

Accordingly (at 4 o'clock and 14 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1702

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 o'clock and 2 minutes p.m.

SENIOR CITIZENS' FREEDOM TO WORK ACT OF 2000

Mr. SHAW. Madam Speaker, I ask unanimous consent that it be in order at any time today to take from the Speaker's table H.R. 5, with a Senate amendment thereto, and to consider in the House a motion offered by the Chairman of the Committee on Ways and Means, or his designee, that the House concur in the Senate amendment, that the Senate amendment and the motion be considered as read; that the motion be debatable for 1 hour equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means, or their designees; and that the previous question be considered as ordered on the motion to final adoption without intervening motion.

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

There was no objection.

Mr. SHAW. Madam Speaker, pursuant to the unanimous consent request just agreed to, I call up the bill (H.R. 5) to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. SHAW

Mr. SHAW. Madam Speaker, I offer a motion.

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

The text of the motion is as follows:

Mr. SHAW moves to concur in the Senate amendment to H.R. 5.

The text of the Senate amendment is as follows:

Senate amendment:

Page 2, line 1, strike out all after ''**SECTION**'' over to and including line 3 on page 7 and insert:

1. SHORT TITLE.

This Act may be cited as the ''Senior Citizens' Freedom to Work Act of 2000''.

SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c)(1), by striking ''the age of seventy'' and inserting ''retirement age (as defined in section 216(l))'';

(2) in paragraphs (1)(A) and (2) of subsection (d), by striking ''the age of seventy'' each place it appears and inserting ''retirement age (as defined in section 216(l))'';

(3) in subsection (f)(1)(B), by striking ''was age seventy or over'' and inserting ''was at or above retirement age (as defined in section 216(l))'';

(4) in subsection (f)(3), by striking ''age 70'' and inserting ''retirement age (as defined in section 216(l))'';

(5) in subsection (h)(1)(A), by striking ''age 70'' each place it appears and inserting ''retirement age (as defined in section 216(l))''; and

(6) in subsection (j)—

(A) in the heading, by striking ''Age Seventy'' and inserting ''Retirement Age''; and

(B) by striking ''seventy years of age'' and inserting ''having attained retirement age (as defined in section 216(l))''.

SEC. 3. NONAPPLICATION OF RULES FOR COMPUTATION OF EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) IN GENERAL.—Section 203(f)(8) of the Social Security Act (42 U.S.C. 403(f)(8)) is amended by adding at the end the following new subparagraph:

''(E) Notwithstanding subparagraph (D), no deductions in benefits shall be made under subsection (b) with respect to the earnings of any individual in any month beginning with the month in which the individual attains retirement age (as defined in section 216(l)).''.

(b) CONFORMING AMENDMENT.—Section 203(f)(9) of the Social Security Act (42 U.S.C. 403(f)(9)) is amended by striking ''and (8)(D),'' and inserting ''(8)(D), and (8)(E),''.

SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c), in the last sentence, by striking ''nor shall any deduction'' and all that follows and inserting ''nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60.''; and

(2) in subsection (f)(1), by striking clause (D) and inserting the following: ''(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60,''.

(b) CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by striking ''or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit'' and inserting ''or, if so entitled, did not receive benefits pursuant to a request by such individual that benefits not be paid''.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to taxable years ending after December 31, 1999.

The SPEAKER pro tempore. Pursuant to the order of the House today, the gentleman from Florida (Mr. SHAW) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. SHAW).

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

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I strongly support H.R. 5, legislation to repeal the earnings penalty for hard-working seniors age 65 and over.

Madam Speaker, I am especially pleased that the Senate acted quickly and unanimously in support of this important legislation. The technical changes made in the Senate improve on the legislation passed unanimously by this House, and I urge all Members to once again support this excellent bill.

Due to this quick work, seniors will soon receive all the benefits that they are owed, even if they continue to work after reaching the age of 65. That is their choice. As the name of our legislation suggests, they deserve the freedom to choose to work without losing Social Security benefits.

It is worth noting that many seniors now affected by the earnings limit will receive back payments from months this year that they have lost their Social Security benefits. That will be a welcome relief for many, including some who have lost Social Security benefits for years due to this unfair penalty. Seniors can save this money for their future, use it to help with their grandchildren's college education, or buy prescription drugs. Again, it is their money and it should be their choice.

Madam Speaker, ending the earnings penalty is the right thing to do. It is also an affordable thing to do, as the Social Security Administration's independent actuaries have told us. They agree this legislation will not affect the soundness of the Social Security program and its trust funds.

We still must address Social Security's long-term financial imbalance, but we were very careful to ensure this legislation does not make that task any more difficult than it already is.

I would like to congratulate the gentleman from Texas (Mr. SAM JOHNSON), our colleague, and the gentleman from Minnesota (Mr. PETERSON) who first introduced this legislation at the beginning of this Congress. I also congratulate the gentleman from Texas (Chairman ARCHER) for his years of tireless work in relaxing and now repealing the earnings penalty. He is a personal testament to what hard-working seniors can do. In large part, passing this legislation is a tribute to his tireless devotion to helping our Nation's taxpayers, including the seniors who have spent decades working to support their families, their businesses, and this great country.

Madam Speaker, I urge all Members to support this outstanding legislation. Our hard-working seniors deserve no less. I would also like to pay tribute to the minority side and thank the gentleman from New York (Mr. RANGEL) and the gentleman from California (Mr. MATSUI) for making this really a landmark bipartisan bill and one that every Member of the House can be very proud to support.

Mr. Speaker, since there will be no House-Senate conference, and the Senate manager's amendment to H.R. 5 proceeded without a full committee report being filed by the Finance Committee, I believe a brief explanation is in order of the differences between the legislation before us today and the version of H.R. 5 that was approved by the House on March 1, 2000.

First, some background is needed. Under current law there are two separate senior earnings limits: a stricter limit that affects those who start drawing Social Security benefits before reaching the full retirement age (which is currently age 65) and a more lenient limit affecting seniors who have reached the full retirement age. After reaching age 70, seniors are no longer affected by an earnings limit. The stricter earnings limit is $10,080 this year, with a 50% benefit offset for earnings above the limit. The more lenient limit is $17,000, with a 33% benefit offset for earnings above the limit. H.R. 5 repeals the earnings limit for seniors who reach the full retirement age.

The legislation before the House today is slightly modified from the version that passed unanimously on March 1 with respect to the earnings limit for the first months of the calendar year during which a senior reaches the full retirement age. For seniors turning 65 in 2000, the issue is what earnings limit will apply for months prior to their 65th birthday (that is, while they are still 64)? Under the legislation previously approved by the House, the more lenient limit would apply for such months for seniors who turn 65 in 2000; for seniors who reach the full retirement age in future years, the stricter limit would apply during those months. Under the legislation we are considering today, the more lenient limit would apply for such months in all years.

I am pleased that the House is supporting this change today, which has the effect of slightly broadening the relief from the earnings penalty afforded by the version of H.R. 5 the House has already passed. It is worth noting that this change will not affect Social Security's long-run financial soundness, just as the underlying H.R. 5 would not affect program solvency. This change is certainly in keeping with the spirit of H.R. 5, which is designed to help seniors who want or have to work to better support themselves and their families. These hardworking seniors deserve to keep the benefits they have paid for, as this legislation provides.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would like to congratulate the gentleman from Florida (Mr. SHAW) and the gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, for the cooperation that they gave to us in the minority in indicating that this would be a priority piece of legislation. It gave those of us on the Committee on Ways and Means the opportunity to get the support of our Members on this side of the aisle and to demonstrate how cooperation can have both sides of the aisle working a lot more closely.

We hope that this sign of cooperation means that before this year ends, that we will have the opportunity to show that there are plenty of differences between our parties and how we achieve the goals, and we do not challenge each other's intent in terms of what is good for this country, but certainly there should be a lot of things that we can agree upon. I think it would be healthy and it would be the right political thing for us as an institution to bring those things forward, Democrats and Republicans, to show the House, to show the other body, and indeed to show the President and the country that we are a body that can work.

This is a good piece of legislation. It is long overdue. The manner in which it has received overwhelming support is just indicative of what we can do when we put our minds to it.

Madam Speaker, I ask unanimous consent to yield the balance of my time to the distinguished gentleman from California (Mr. MATSUI), ranking member of the Subcommittee on Social Security, and that he may control the time.

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

There was no objection.

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

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

Madam Speaker, first of all, I would like to just reiterate what the gentleman from New York (Mr. RANGEL), ranking member on the Committee on Ways and Means, has said. First of all, I want to commend the gentleman from Texas (Chairman ARCHER) for his bipartisan approach on this legislation. And, of course, the gentleman from New York (Mr. RANGEL) for his leadership on the Democratic side.

I want to pay particular thanks and commendation to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security. I think he did a tremendous job on moving the bill from the subcommittee

to the full committee and the floor of the House.

Obviously, Democrats and Republicans working together made sure that the other body kept their amendments to a minimum. We just appreciate the cooperation and the bipartisan spirit, I think, that both sides of the aisle have had. But I do want to take that moment to make that observation.

Madam Speaker, I would just like to very briefly reiterate some of the things that have been said before. The Senate had two technical amendments to our legislation. Both were very technical in nature and actually improved the basic underlying legislation.

As a result of that, we think that this bill should have, as it had when it left the House, unanimous approval. 422 Members voted for it and no Member voted against it.

This will go a long way in encouraging senior citizens who are so needed when the unemployment rate is under 5 percent, to stay in the workforce. These are people that undoubtedly have years and years of experience and a wealth of knowledge to pass on to their co-workers, and to ensure that they can stay in the workforce and garner the same wages without any penalty is something that the Congress is now about to do in sending this bill to the President.

Certainly, I think it is a major achievement. Obviously, we have a long ways to go in terms of ultimately the comprehensive Social Security reform. And I think the gentleman from Florida and myself and others such as the gentleman from Texas (Mr. STENHOLM) that have been working on comprehensive reform know that that is a task that looms before us. This action, in and of itself, should not deter us from trying to grapple with that very difficult and complex subject. And we know that there is partisan undertones to it. We also know that it is very difficult to deal with. But we are going to have to address that particular issue.

So, again, I urge my colleagues to vote in favor of this conference report so we can send it immediately to the President. And, again, I want to commend all individual Members who have worked on this legislation, including, I might add, I saw him come in, the gentleman from Texas (Mr. SAM JOHNSON), a member of the Committee on Ways and Means, and, of course, the gentleman from Minnesota (Mr. PETERSON) on the Democratic side who were the original two cosponsors of this legislation.

Madam Speaker, I want to congratulate my colleagues for all their hard work on this bill. I am very pleased to be here today to see this bill through another step toward becoming law.

Our vote today signals the end of the Social Security retirement earnings test for people who have reached the normal retirement age. This is a remarkable event because as the title of the bill indicates, we are freeing our seniors from the work limits imposed by current law.

No longer will the most experienced members of our labor force have to experience a reduction in their Social Security benefits if they choose to work. No longer will seniors have to calculate just how many months and days each year they can work without hitting that earnings limits.

This is good for senior citizens who want to work, good for our workforce which benefits from the experience and knowledge of older workers, and of course good for the economy.

Repealing the retirement earnings test will allow thousands of Social Security recipients to work without a reduction in their benefits. The Social Security Administration estimates that in 1999, 793,000 beneficiaries between the ages of 65 and 69 had some or all of their benefits withheld because of the retirement earnings tests.

By allowing beneficiaries to work without suffering a reduction in benefits, more older workers may decide to remain in, or to return to, the labor force.

Repealing the retirement earnings test will not affect Social Security's finances over the long run and would not change the date by which the Social Security Trust Funds are projected to be exhausted. Repealing the retirement earnings test for beneficiaries above the normal retirement age has a short-run cost, but over the long run, that cost is entirely offset.

Further, repealing the retirement earnings test will make the Social Security program easier and less expensive to administer. The Social Security Administration estimates that savings from the cost of administering the earnings test could be as high as $100 million.

I am particularly pleased that the only modification to the bill that the Senate accepted was a relatively minor one and one that improves the bill. The amendment adopted by the Senate changes the way in which the bill applies to Social Security beneficiaries during the year in which they reach the normal retirement age and ensures that no one will be worse off under this bill than under current law. I am certain that no Member of the House will have an objection to this change and I look forward to sending this bill quickly to the President for his signature.

I'd like to point out that not a single Member of Congress has voted against this bill, a clear testament to the bipartisan support it has received. When the bill was first considered by the House, it passed 422–0.

When the bill was considered by the Senate, it passed 100–0. I expect the outcome of our vote today to be the same.

Additionally, our support for H.R. 5 sends a clear signal that by working together, Democrats and Republicans, we can accomplish much more than we could by working at odds.

Over the past several weeks, as this bill moved through the Ways and Means Committee, the House floor, and the Senate, Members have set aside their differences so that this bill could proceed and we could achieve a victory for seniors who need to work without penalty. I am proud of our accomplishment.

I am extremely pleased that the Congress has addressed the earnings test in a bipartisan manner, and I remain hopeful that the Congress might address other much-needed Social Security legislation in the same fashion to deal with the shortfall that the system will face in the coming decades.

Again, I want to thank my colleagues again for all their hard work. This is truly an historic day and a big victory for our senior citizens.

Madam Speaker, I reserve the balance of my time.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a respected member of the Committee on Ways and Means.

Mr. ENGLISH. Madam Speaker, I would like to thank the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security, and the gentleman from Texas (Mr. SAM JOHNSON), my distinguished colleague, for their extraordinary efforts as well as my colleagues on the other side of the aisle.

Madam Speaker, right now the Social Security system places a higher tax penalty on working seniors than on billionaires. We have been sending seniors the message that when they hit retirement age, we do not want them anymore. The earnings limit that was created 60 years ago is a relic of Depression era economics that says that seniors should make room for younger workers. But we all know, seniors add more to the workforce and more to the economy than they could ever take away. They add their years of experience and their talents.

H.R. 5 repeals the earnings limit which unfairly punishes seniors who earn more than $17,000 a year. That is not a lot. This legislation has received virtually unanimous support in the House and Senate, but more importantly, a ground swell of support from our constituents. After all, a 65-year-old who works as a barber or a cashier currently loses $500 in benefits just because they have earned $18,500 a year. That is absurd. This arbitrary limit serves as a barrier to many low- and middle-income seniors who need to work in order to improve their quality of life or even to make ends meet.

The Social Security Administration reports that more than 800,000 working seniors between the ages of 65 and 69 lose part or all of their Social Security benefits due to this outdated earnings limit.

□ 1715

My own State of Pennsylvania ranks sixth with the number of seniors adversely affected by that earnings limit. It is important that Congress protect the dignity of retirement. The time has come for us to unshackle the creative energies of America's seniors.

Today, by supporting this legislation, Congress says to seniors, you may choose to work, choose to remain part of the productive economy, and choose to share your talents, and we will not punish you.

Mr. MATSUI. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means.

Mr. CARDIN. Madam Speaker, let me thank the gentleman from California (Mr. MATSUI) for yielding me this time and for his work on bringing this legislation forward and the gentleman from

Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security.

This is a very important piece of legislation. It will be enacted, I think, very shortly once we complete our action and it is forwarded to the President. It will affect 800,000 seniors who have had their Social Security checks reduced just because they decided to continue to work. That makes no sense at all.

We need more workers in the workforce, not less. In today's economy and with the shrinking workforce that we have of more people retiring and less people working, it makes common economic sense to allow those 65 years of age who want to work to be able to work.

Without this legislation, the marginal tax rate is 33 percent. That is unacceptable. That is why we are changing it. It is interesting that this particular legislation will have no impact on the long-term solvency of the Social Security system, for it is a plus in having people work and contributing to the system.

It also benefits women more than men, because women's work history is not as strong, generally, as men. This will allow women to be able to continue to work without being penalized under the Social Security system.

Madam Speaker, this legislation becomes effective January 1. It is retroactive to the current year, as it should be, so that individuals in this current year will be able to get their full Social Security benefits without the reduction for their work.

As the gentleman from Florida (Mr. SHAW), Chair of the Subcommittee on Social Security, pointed out, we are able to do this even though we cannot bring forward at this point comprehensive Social Security reform. I think we would all like to do that. We know that we need to deal with the Social Security system in a broader context, but we have an agreement on this very important piece of legislation, so we are bringing that forward. We are doing it in a bipartisan way.

Madam Speaker, as the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means, said, we should use this as a model to work together, Democrats and Republicans, to bring other legislation forward.

I think about the need for seniors for prescription drugs. We may not be able to agree on Medicare reform; but we can agree, I would hope, on prescription drugs.

Let us in a bipartisan way bring that forward, which will also help our seniors.

This is a good day for seniors. It is a good day for our Nation. I congratulate all involved.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. SAM JOHNSON), a member of the Committee on Ways and Means and one of the original sponsors of H.R. 5.

Mr. SAM JOHNSON of Texas. Madam Speaker, I thank all on both sides of the aisle for their support.

Today, 800,000 seniors are one step closer to gaining their freedom to work. It sounds unbelievable, does it not? To think that, since 1935, when Social Security was first proposed, we have been penalizing our seniors for working. That is right. Since the inception of the Social Security system, our seniors have lost $1 in benefits for every $3 they earn over a set amount.

Currently, as was stated, seniors may only earn $17,000 before losing their benefits.

But today, thanks to the hard work and dedication of the gentleman from Texas (Chairman ARCHER); Speaker HASTERT; the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security, we find ourselves ready to pass the Senior Citizens' Freedom To Work Act, a bill I introduced last year.

I know that 64,500 seniors in Texas alone, including Tony Santos and his family, whom I spoke of earlier, are going to celebrate their new-found freedom to work.

I fought in both Korea and Vietnam for freedom, and I believe that includes the freedom for our seniors to work without being penalized by the Federal Government.

Our seniors are dedicated, experienced workers who have endured this Depression-era law for far too long. We are in a new century, 60 years past the Great Depression, where laws passed in 1935 are no longer relevant.

This Nation was built by generations of Americans who believed in the free enterprise system. In the words of Thomas Edison, ''There is no substitute for hard work.'' This legislation will make sure that our seniors have the freedom to work, save, and invest in a better America for tomorrow.

Mr. MATSUI. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM), the distinguished ranking Democrat on the Committee on Agriculture, who has been really one of the leaders in the whole Social Security reform issue.

Mr. STENHOLM. Madam Speaker, I thank the gentleman from California for yielding me this time, and I appreciate the leadership of him and the gentleman from Florida (Mr. SHAW) on this effort and other efforts regarding Social Security.

I strongly support repeal of the Social Security earnings limit. In fact, repeal of the Social Security earnings limit has been part of the comprehensive Social Security legislation that the gentleman from Arizona (Mr. KOLBE) and I introduced in the last two Congresses.

However, I do want to take this time to reiterate my disappointment that we are considering legislation to increase Social Security benefits without even discussing the long-term financial challenges facing Social Security. We should have spent the last year working on a comprehensive plan to strengthen Social Security that would restore solvency, reduce unfunded liabilities, give workers greater control of their retirement income, improve the safety net, and reward work.

But we, both the President and Congress, have ignored our opportunity to deal with the long-term challenges facing Social Security.

Later this week, the Social Security trustees will issue their annual report which will show that the short-term outlook for Social Security has improved slightly. We cannot afford to let this good news distract us from the problems that remain. While the short-term outlook for the Social Security Trust Fund may be improved, the long-term problems and the pressures facing the rest of the budget may actually be worse.

When the Senate considered this legislation, Senator JUDD GREGG proposed an amendment which would have made a modest step in advancing the discussion about the challenges facing Social Security among policy makers and the public. The Gregg amendment would have required the commissioner of Social Security to provide the public and policy makers with easily understood and readily available information about the financial challenges facing Social Security. The purpose of the amendment was simply to encourage a more honest discussion of the challenges facing Social Security.

Unfortunately, the Senate did not have time to discuss these issues when it considered the earnings bill. However, the Senate Finance Committee chairman did indicate his willingness to work with Senator GREGG on this issue later this year.

I would respectfully encourage the gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, and the gentleman from Florida (Mr. SHAW), chairman of the Subcommittee on Social Security, to conduct hearings on these recommendations so that they may receive the attention they deserve.

More importantly, I encourage all of my colleagues to remember that we still have serious financial problems facing Social Security that must be addressed. So while all Members should vote for the earnings limit repeal today for the reasons we have so eloquently heard made already, we should not forget that we still have much hard work to do in making sure that Social Security remains financially sound for our children and for our grandchildren.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a respected member of the Committee on Ways and Means.

Mr. HAYWORTH. Madam Speaker, I thank the gentleman from Florida, the chairman of the Subcommittee on Social Security from our Committee on Ways and Means, for yielding me this time.

Madam Speaker, I appreciate the gentleman from Texas (Mr. SAM JOHNSON) lamenting a long-term solution to the Social Security challenges that we

face. But I think a word is in order to put this debate and this challenge in context. One of the elemental lessons we learn in civics class is that the President proposes; the Congress disposes.

Sadly, executive leadership has been lacking and, indeed, missing when it comes to a serious, long-term solution of Social Security challenges we face.

Now it is true the gentleman from Texas (Mr. SAM JOHNSON), along with the gentleman from Arizona, have one remedy that they have proposed. The gentleman from Florida (Mr. SHAW), the chairman of the subcommittee, and the gentleman from Texas (Mr. ARCHER), the chairman of the full committee, likewise, have a long-term solution.

But, again, the missing ingredient, sadly, is effective leadership from the administration; and it looks like it will take a verdict of the people on the first Tuesday following the first Monday in November to make that change.

However, Madam Speaker, it is well worth asking the question, what took us so long to correct the injustice that at long last this House will correct tonight? Since the mid-1930s, since the advent of the Social Security program, those seniors who chose to work past retirement age have been penalized to the tune of $1 out of every $3 of benefits earned, simply because they chose to work.

Now, with a labor shortage, with so many senior Americans, healthy, willing and able to work, at long last, this House has moved to correct this inequity.

Again, Madam Speaker, I welcome my colleagues on the left who join with us at long last in this bipartisan effort. But, again, Madam Speaker, the question that so many Americans will continue to ask is, why did it take so long? Even as we deal with the responsible question of a long-term remedy for Social Security, the question remains, why did it take the denizens of the left so long to join with us?

Even as we extend the hand of bipartisanship, we welcome now this newfound coalition. We hope that it will result in other moves to restore tax fairness and balance for all Americans. But this important step we take, and we welcome the newcomers to this endeavor with the hand of bipartisanship.

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

Madam Speaker, one of the issues I think that the gentleman from Arizona (Mr. HAYWORTH) raised of why are we doing this now, if we would have done it 3 or 4 years ago, we would have had either taken it out of Defense or perhaps other domestic programs or else increased the deficit. We have a surplus now. As a result of that, we were able to do it without cutting other programs, including the Defense budget.

In addition, I would just add that, over the length of the Social Security program itself, we will not see any lost revenues because there is a pick up of revenues in terms of the credit that is given.

So the reason we did it is quite simple, we have a surplus. We did not have a surplus before.

Mr. KLECZKA. Madam Speaker, will the gentleman yield?

Mr. MATSUI. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Madam Speaker, the only reason I rise is to ask if the gentleman from California (Mr. MATSUI) would respond to a question.

Mr. MATSUI. Yes, Madam Speaker.

Mr. KLECZKA. Madam Speaker, the gentleman from Arizona (Mr. HAYWORTH), the previous speaker, indicated that there was no initiative coming from this administration on this proposal. I believe the gentleman from California served during the Bush administration and Reagan administration. Does he recall similar legislation coming down from either President Reagan or President Bush asking Congress to repeal the earnings limit?

Mr. MATSUI. Madam Speaker, I think President Reagan did, but I do not know if President Bush did. I am not quite sure.

Mr. KLECZKA. Okay, Madam Speaker.

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

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

Madam Speaker, I think the old adage comes to mind of never ask a question that you do not know the answer to.

Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means.

Mr. ARCHER. Madam Speaker, I thank the gentleman from Florida for yielding me this time.

Madam Speaker, today is a great day for hundreds of thousands of working seniors across this country. It is also a special day for me personally, because it is a culmination of my 27-year effort to repeal the earnings limit.

In fact, I introduced a bill to do so in 1973, and we have taken out of the archives a copy of that bill, H.R. 10148. The reason to repeal the earnings penalty then was the same as it is today, it is simply wrong.

Twenty-seven years is a long time to wait for me. But I am more thrilled that working seniors will not have to wait any longer to be free from this punishing tax.

I also want to thank the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Florida (Mr. SHAW), chairman of the subcommittee on Social Security, for their tireless efforts on this bill.

The Social Security earnings limit is not only wrong, it is unfair, and it is backwards.

□ 1730

The earnings penalty actually cuts Social Security benefits from many working seniors over the age of 65 and gives them the highest effective tax rate of their entire lives at a time when senior citizens should be realizing lower taxes. It discourages them from working. And why in the world would we want to discourage any American, whether they are 16 or 67, from working?

Clearly, repealing this penalty is the right thing to do. More seniors are choosing to work today past their retirement for many reasons: for their own financial needs, to help their families or their grandchildren through school, or for their own personal fulfillment. The point is Americans are living longer now and older Americans can and do make a great contribution to our society. They should not be punished.

In addition, repealing the earnings penalty will now unleash the productivity of one of the most experienced and talented workforces in this country at a time when our growing economy needs it and will need even more of it in the new century. This is clearly a win-win for everyone, which is why the bill today enjoys widespread bipartisan support.

In summary, repealing the earnings penalty is based on the fundamental principles of fairness and freedom. Seniors can now be free to work without penalty and be treated fairly by a program that they paid into their entire lives.

The victory today goes to the hundreds of thousands of older Americans who do not see retirement as an end but as a new beginning.

Mr. SHAW. Madam Speaker, may I inquire as to how much time remains on either side?

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from Florida (Mr. SHAW) has 17½ minutes remaining, and the gentleman from California (Mr. MATSUI) has 19 minutes remaining.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentlewoman from Washington (Ms. DUNN), a member of the Committee on Ways and Means.

Ms. DUNN. Madam Speaker, I thank the gentleman for yielding me this time, and I rise today in enthusiastic support for H.R. 5, the Senior Citizens' Freedom to Work Act.

It is really a joy to be on the floor and be debating this bill in concert with the minority. It is a great feeling that we all believe this is something that needs to be changed for the fairness of our Nation's valued seniors.

The Social Security earnings penalty is yet another aspect of the Social Security System that just no longer applies to today's society. It is a 60-year old system. It was written in the 1930s, and it just does not work any longer, and that is why we unite today in wanting to change this provision.

Seniors are living longer, healthier lives and we need their strength and their experience in our communities. We need their examples and their institutional memories to provide the example to young new workers who are moving into the job market.

In my State, Washington State, some of our very best workers right now are sitting in rocking chairs because they cannot afford the loss of their Social Security income that would come with their continuing in their jobs. Thirteen thousand seniors in my State are being forced to choose between the jobs that they love or need and losing the retirement income for which they have worked all their lives. This is not only wrong, as our chairman said, but it keeps an intelligent and productive part of the work force at home.

Seniors who are currently retired have been called the greatest generation for the sacrifices they made in defending freedom and building America into the world's only remaining economic and military superpower. It is time that we honor their contributions to America by allowing them to continue to give one of the most precious gifts of all to us: Their work ethic.

Madam Speaker, I urge my colleagues to support this very important bill.

Mr. SHAW. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

Mr. GILMAN. Madam Speaker, I thank the gentleman for yielding me this time, and I rise today to strongly support the Senate amendments for H.R. 5, the Senior Citizens' Freedom to Work Act.

This modified bill removes earnings limits for working seniors who receive Social Security. For too many years seniors aged 65 to 69, who chose to continue to work, had their Social Security benefits deducted by $1 for every $3 earned when their total earnings exceeded $12,500 annually.

The 104th Congress, with my support, made a needed change, raising the earnings limit to $30,000 by the year 2002. This year's earnings limit went up to $17,000. I have long believed that more needed to be done on this issue. Ever since coming to Washington in our 93rd Congress, I have introduced legislation to either raise the earnings limit or eliminate it all together.

The Social Security earnings limit only serves to discourage seniors from working and diminishes their potential impact on society. It is a condescending regulation. It conveys a message that seniors have nothing to contribute and are better off not serving in the workforce. And, of course, that is not true.

It is gratifying the President has voiced his support for eliminating the earnings limit. I commend the Committee on Ways and Means for their attention to this issue; and, likewise, the Senate should be commended for their rapid attention in bringing the measure to the floor, making their legislation retroactive to December 31, 1999, so that those seniors who turn 65 this year may take full advantage of this bill's benefits.

Accordingly, Madam Speaker, I urge my colleagues to join in supporting this worthy legislation.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Michigan (Mr. CAMP), a member of the Committee on Ways and Means.

Mr. CAMP. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of H.R. 5.

I am proud that today we are moving forward in eliminating the Social Security earnings limit. Today, one of the biggest problems facing our country is not lack of jobs but lack of workers. This is in direct contrast to the 1930s, when the earnings limit was enacted and imposed a tax on working seniors.

H.R. 5 is important to seniors in the State of Michigan, where nearly 653,000 adults age 65 and older depend on Social Security to make up half their total income. At least one in 11 seniors in my State are still working. These seniors have earned their Social Security benefits through a lifetime of contributions, and the government does not have the right to impose a 33 percent tax on them.

The earnings limit is unfair and discriminates against working seniors. No retiree should be penalized for choosing to work. Our proposal would eliminate this tax penalty on earnings and would allow seniors to collect their full Social Security benefits if they choose to work. After all, it is their money.

I am pleased that my colleagues on both sides of the aisle are supporting this legislation. It is time to stop penalizing our seniors with such an unjust tax, and I urge my colleagues to vote ''yes'' on H.R. 5.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. WELLER), a respected member of the Committee on Ways and Means.

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

Mr. WELLER. Madam Speaker, what a great day. We have legislation before us that is all about fairness and it is legislation, I believe, that will pass with overwhelming bipartisan support.

In Illinois there are 800,000 senior citizens between the ages of 65 and 70 who, because of their circumstances, either want to continue working or need to work because their savings and retirement plans did not work out quite the way that they had wanted. But these seniors suffer what is called the Social Security earnings penalty limit. Essentially, their Social Security benefits are taxed away if they continue working. That is just wrong.

This has gone on for far too long. In fact, this was put into place back in the 1930s to discourage senior citizens from working. We are fortunate today to have a pretty good economy. But many times employers who are looking for workers are told by senior citizens who would like to work that if they are hired and they begin working, they are going to lose their Social Security.

I am sure my colleagues can recall conversations they have had with their neighbors or constituents where that has been a statement that they have heard. In my home State of Illinois, 58,000 senior citizens between the ages of 65 and 70 are currently punished because they are working. They are losing almost one-third of their Social Security benefits if they make more than $17,000 a year. Essentially, they are being taxed at Donald Trump's rates. That is not right. That is not fair.

Senior citizens today are working longer; they are living longer; and they want to be active longer, but our Tax Code punishes them. That is just wrong. It is an issue of fairness. Just like elimination of the marriage tax penalty, where 25 million married couples pay higher taxes just because they are married. This is a case where, if a senior citizen wishes to continue working, they must pay higher taxes and lose their Social Security benefits.

My colleagues, this legislation passed the House with a unanimous vote, it passed the Senate with a unanimous vote. Let us send this legislation with this little modification to the President. I am pleased the President is going to sign this legislation. It is nice to see a bipartisan effort work around here.

My colleagues, it is all about fairness. Let us vote today to eliminate the Social Security earnings limit. Please vote ''aye.''

Mr. SHAW. Madam Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. MCCRERY), an esteemed member of the Committee on Ways and Means.

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

Mr. MCCRERY. Madam Speaker, I thank the chairman of the Subcommittee on Social Security for yielding me this time.

As I was listening to speakers here on the floor extol the virtues of this legislation, I was reminded of what I think is an old Chinese proverb that I am going to paraphrase, that victory has many fathers, defeat is an orphan. We are all claiming credit for this bill, which is good for us all to claim credit for something that the Congress is doing and makes sense. It is just common sense not to penalize seniors who make work.

But the gentleman from Texas (Mr. ARCHER) is not the only one who took this as a personal project. When I first came to Congress in the spring of 1988 as a Member of the 100th Congress, I was adopted by my colleagues who were elected in the regular election which constituted the 100th Congress. And in one of our early meetings as a class, the gentleman from Illinois (Mr. HASTERT), who was a member of our class, came up with the idea for a class project. And our class project was to introduce legislation and fight to repeal the earnings limit for seniors, for

Social Security recipients. So we took that upon ourselves to do, and we introduced legislation.

So I rise today to give the gentleman from Illinois (Mr. HASTERT) and the class of the 100th Congress our due credit for pushing this issue for the last 12 years and, finally today, we gain victory here on the House floor.

But surely every member of the Committee on Ways and Means who saw the benefit of finally doing away with this antiquated law deserves credit; and I do not mind at all Democrats, Republicans, everybody in the House coming to the floor and taking credit for doing this.

It is certainly a happy day for seniors in this country, and I think a happy day for the Congress to finally do something that makes a lot of good old-fashioned common sense to all of us in this country but particularly our seniors, our Social Security recipients.

I thank the Chair for yielding and encourage him to keep up the good work.

Mr. MATSUI. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. BISHOP).

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

Madam Speaker, I feel it is a blessing that many people today are able to continue working and leading productive lives when they reach their golden years. That is why I urge my colleagues to support the Senate amendments to this bill.

Productivity helps give meaning to life. For many it helps prolong life.

□ 1745

We should honor our seniors, not deny them what is rightfully theirs. The earnings penalty is a disincentive to work. In today's world, many seniors need the extra income, particularly when burdened with the high cost of prescription drugs and other essential needs. With so many seniors needing every single penny, Madam Speaker, we must help them in any way we can.

It is about time that we reach out and help our mothers, our fathers, and all those who have helped to shape this Nation. Currently, the amount of income withheld from Georgia beneficiaries exceeds $91.2 million yearly and more than $4.2 billion is withheld nationally. This measure will not only put money in the pockets of nearly 17,000 Georgians but more than 700,000 seniors nationwide.

Let us send this bill to the President and eliminate this burdensome earnings penalty.

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

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

Madam Speaker, I would again just urge my colleagues to vote for the conference report. Only two changes were made that were technical in nature. Obviously, we want to move this bill on to the President, who strongly supports this legislation.

Again, I want to commend my colleagues on both sides of the aisle for a job well done and for the bipartisan cooperation I think that we saw on both sides of the aisle. That is why we were able to get 422 votes when the bill left the House. I am sure the vote will be unanimous here.

So, again, I urge a yes vote.

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

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

Madam Speaker, when I was in my district this last weekend, an older lady was working where we were eating, and she was waiting on tables. I had helped her some years ago with a matter concerning her son, who is very badly retarded on an SSI matter.

I mentioned it to her, and I asked her her age. Her age is a little above 65 but below 70. She is working waiting on tables, very hard work for someone that age, on her feet all day long, never complains. And yet we are taxing her at such an unconscionable rate. I told her that we were going to be passing this and that she would not only no longer be penalized but that she was going to receive back the penalties that she has incurred from the first of this year.

I do not know whether she really believed me or not, but I am going to be very pleased to go home and tell her that indeed we did. And then I will go home again and tell her indeed that the President joined with this Congress and signed this great piece of legislation.

This is a first step, only a first step, towards Social Security reform, but it is one that is purely one of fairness. It is so unfair for us to have continued to penalize older workers just simply because they were between the age of 65 and 70, saying that they could not keep their entire benefit. So many of them had to work. Whether they were waiting on tables, whether they were working in construction, no matter what they were doing, these wonderful people were working, many because they just wanted to work and many because, as the case of Mary, she had to work.

This is very important that we stay together on this legislation. And I also want to compliment the other body. That is something we do not hear very often in this House is compliments for the other body, but they kept this legislation clean.

The President asked for it to be clean. We asked for it to be clean, and they obliged us and they passed a clean bill. So I think this is really a landmark day for this House. We are coming together in complete cooperation with the Democrats in the White House and with the Republicans controlling the legislative branch.

It is a wonderful day, and I would urge all Members to vote yes and make this again a unanimous statement by this House of Representatives showing our commitment to American seniors.

Again, I want to thank the gentleman from California (Mr. MATSUI), the ranking member on the Democratic side, and the gentleman from New York (Mr. RANGEL).

Of course, again, I want to compliment the gentleman from Texas (Mr. ARCHER), who has steadfastly stood for elimination of the earnings penalty for many, many years now, as he demonstrated on the House floor earlier.

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

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the order of the House of today, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida (Mr. SHAW) to concur in the Senate amendment to H.R. 5.

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

Mr. SHAW. 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.

RECESS

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

Accordingly (at 5 o'clock and 51 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the motion to concur in the Senate amendment to H.R. 5 and on each motion to suspend the rules on which further proceedings were postponed earlier today in the following order:

H.R. 2412, by the yeas and nays;

House Concurrent Resolution 292, by the yeas and nays;

House Concurrent Resolution 269, by the yeas and nays;

Concurring in Senate amendment to H.R. 5, by the yeas and nays.

The Chair may reduce to 5 minutes the time for any electronic vote after the first such vote in this series. The Chair intends to conduct this series of four votes as one 15-minute vote followed by two 5-minute votes followed in turn by another 15-minute vote.

E. ROSS ADAIR FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2412.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 2412, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 17, as follows:

[Roll No. 76]

YEAS—417

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Combest
Crane
Deal
Fowler
Franks (NJ)
Gillmor
Jones (NC)
Klink
McIntosh
Meeks (NY)
Metcalf
Miller, George
Mollohan
Obey
Quinn
Salmon
Taylor (NC)

□ 1828

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

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 clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

CONGRATULATING THE PEOPLE OF TAIWAN FOR SUCCESSFUL CONCLUSION OF PRESIDENTIAL ELECTIONS AND REAFFIRMING UNITED STATES POLICY TOWARD TAIWAN AND THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 292, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 292, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 15, as follows:

[Roll No. 77]

YEAS—418

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)

Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—15

Crane
Deal
Fowler
Franks (NJ)
Gillmor
Klink
McIntosh
Meeks (NY)
Metcalf
Miller, George
Mollohan
Pickett
Quinn
Salmon
Taylor (NC)

□ 1837

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMENDING LIBRARY OF CONGRESS FOR 200 YEARS OF OUTSTANDING SERVICE

The SPEAKER pro tempore (Mrs. BIGGERT). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 269.

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. EHLERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 269, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 78]

YEAS—416

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Burr
Crane
Deal
Fowler
Franks (NJ)
Gillmor
Hastings (WA)
Herger
Johnson (CT)
Klink
McIntosh
Meeks (NY)
Metcalf
Miller, George
Mollohan
Quinn
Salmon
Taylor (NC)

□ 1846

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:

Mrs. JOHNSON of Connecticut. Madam Speaker, on rollcall No. 78, I was inadvertently, detained. Had I been present, I would have voted ''yea.''

SENIOR CITIZENS' FREEDOM TO WORK ACT OF 2000

The SPEAKER pro tempore (Mrs. BIGGERT) The pending business is the question of agreeing to the motion offered by the gentleman from Florida (Mr. SHAW) to concur in the Senate amendment to H.R. 5.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW), on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 16, as follows:

[Roll No. 79]

YEAS—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—16

Canady
Crane
Deal
Franks (NJ)
Gillmor
Klink
Linder
McIntosh
Meeks (NY)
Metcalf
Miller, George
Mollohan
Quinn
Salmon
Taylor (NC)
Weldon (PA)

□ 1904

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3252

Mrs. MYRICK. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3252.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCKEON). 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 Indiana (Mr. BURTON) is recognized for 5 minutes.

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

TRIBUTE TO HENRY W. MCGEE

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to pay tribute to an outstanding American, Mr. Henry W. McGee, who passed away on March 18 at the age of 90.

Mr. McGee was a trailblazer and an advocate for equal rights and justice throughout his entire life. He worked 44 years as an employee of the United States Postal Service, delivering mail through the rain, sleet, and snow. His entire life was representative of someone who came in at the bottom but worked his way to the top.

In 1952, he was promoted general foreman and later served as superintendent of the largest finance station in the U.S. Postal Service.

In 1976, he became the first African American appointed Chicago Regional Postmaster by President Lyndon B. JOHNSON, upon the recommendation of U.S. Senator Paul Douglas. Under his leadership, the Chicago Postal Service was able to improve its delivery rates and effectiveness in meeting the needs of its consumers.

There is an old adage that says of life: ''It is not how long one lives, but how much one gives.'' This statement really is the epitome of the life that Henry McGee led. He found time to get involved in the community and take on issues greater than himself, despite his busy career.

In 1946, he was selected to serve as president and acting executive director of the Chicago chapter of the NAACP. While there, he dedicated himself to the causes of ending segregation and fighting for equal justice.

In addition to the NAACP, he became one of the charter members of the

Joint Negro Appeal, a self-help organization that was organized by such individuals as Truman Gibson and Judge Odas Nicholson.

As president, Mr. McGee served diligently for more than 17 years and raised thousands of dollars to help such organizations as the Beatrice Caffey Youth Service League, the Good Shepherd Neighborhood Club, and other organizations.

After he retired from the postal service, Mr. McGee still found time to give of himself and his talents, as Mayor Richard J. Daley appointed him to a 5-year term on the Chicago Board of Education. It was an opportunity for him to give back to Chicago and, more importantly, give back to the next generation, our children.

The legacy that Mr. McGee leaves behind is both inspirational and impressive. I am so pleased that the gentleman from Illinois (Mr. RUSH) has determined to name a post office in his honor.

I ask that all of America join me in paying tribute to the life and legacy of Henry McGee, and may his loved ones be comforted in knowing this his life touched thousands of citizens throughout not only Chicago but, indeed, throughout America. He lived a great and inspirational life.

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 Extensions of Remarks.)

EXPLOSION AT PHILLIPS PETROLEUM PLANT IN PASADENA, TX

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

Mr. GREEN of Texas. Mr. Speaker, I rise tonight with a great deal of sorrow and concern because yesterday an explosion and fire occurred at Phillips Petroleum Company plant in Pasadena, Texas, which is part of the district that I represent. This tragedy resulted in the death of one worker and the injury of 71 others.

According to the Houston Chronicle, at least three of the injured were listed in critical condition, and six were listed in serious condition. Our thoughts and our prayers are with the men and women of the Phillips plant and their families.

The cause of this accident has not been determined. In fact, just today were they allowed to go back into the plant except for the suppression personnel.

About 850 Phillips employees and about 100 subcontractors work at the Pasadena plant complex. Phillips Petroleum officials said about 600 workers were on duty when the explosion occurred yesterday afternoon about 1 p.m.

As a result of the fire and smoke, 23 campuses in the Pasadena Independent School District and 8 campuses in the Galena Park Independent School District were forced to turn off their air conditioning and close their doors and windows and keep the children inside.

According to Phillips, the chemicals that burned in the fire could irritate one's eyes and nose and throat if inhaled in high concentrations, but the air monitors that were around the plant and in the community found no signs that anyone outside the plant was exposed to these toxic chemicals.

The explosion occurred in the section of the Phillips plant that produces K-Resin. K-Resin is the chemical used to make cups, lids, toys, shower doors, coat hangers, and clear packaging materials, such as shrink wrap that we wrap our groceries in and leftovers, bread wrappers, bottles for drinking water, clear boxes and trays.

I have visited the Phillips plant on several occasions and have met numerous times, not only with the management, but with the employees who are represented by PACE, the Paper, Allied-Industrial, Chemical and Energy Workers, International Union, formally, known as the OCAW.

I have also attended annual events, including the annual memorial that both the industry and the union plan every year in tribute to workers who have lost their lives in workplace accidents.

The work of the chemical plant is dangerous. The employees who work at the Phillips plant and the many others along the Houston Ship Channel know the impact an explosion can make.

That is why we need stronger worker protections. We cannot prevent every accident, but we can ensure that every worker has a reasonable expectation that he or she will be safe.

The Phillips Petroleum plant has a long history of accidents that have resulted in facilities and many safety violations. We hope that again we learn from our experiences.

In the last year, this facility has experienced three other explosions. The worst of these occurred last June and resulted in the death of two employees. The other two explosions occurred in August and April of last year.

By far the deadliest year for Phillips Petroleum was in 1989. On October 23, 1989, an explosion resulted in 23 deaths and 130 injuries. A few months before this explosion, six employees were injured when a natural gas pipeline near the plant's boiler room exploded. Two of the injured workers later died of their injuries.

Producing the products that our Nation and our world require is inherently dangerous. It is important that OSHA inspectors move quickly to investigate the cause of this most recent explosion. We need to do everything we can to ensure that accidents like this will never happen again.

In closing, our prayers are for the speedy recovery for those injured and also for the loss of that one life. The loss of one life is one too many.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. 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 the subject of my special order this evening.

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

There was no objection.

GREEK INDEPENDENCE DAY

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

Mr. BILIRAKIS. Mr. Speaker, I rise proudly to celebrate Greek Independence Day, an event which marks the symbolic rebirth of democracy.

On March 25, 1821, Archbishop Germanos of Patras raised the flag of freedom and was the first to declare Greece free. We honor the valiant Greek freedom fighters who began an arduous struggle to win independence for Greece and its people 179 years ago.

Although many Greeks died, they were undeterred from their ultimate goal. ''Eleftheria I Thanatos,'' liberty or death, became the Greek patriots' battle cry, a cry all too familiar to us because of the similar pronouncement of Patrick Henry, who said ''Give me liberty or give me death.''

One particular story best signifies the spirit which existed then. A significant wave of rebellion against Turkish oppression was ignited by the fiercely patriotic Suliotes villagers who took refuge from Turkish authorities in the mountains of Epiros.

□ 1715

When the Suliotes women, left alone, learned that Turkish troops were fast approaching their village, they began to dance the ''Syrtos,'' a patriotic Greek dance. One by one they committed suicide by throwing themselves and their children off Mount Zalongo. They chose to die rather than surrender and face slavery.

When news of the revolution arrived in the United States after the initial uprising, there were widespread feelings of compassion. This sentiment was shared by several American presidents, including James Monroe and John Quincy Adams. Each conveyed his support for the revolution through his annual messages to Congress.

William Harrison, our ninth president, expressed his belief in freedom for Greece, saying, and I quote him, ''We must send our free will offering. The Star-Spangled Banner,'' he went on to say, ''must wave in the Aegean, a message of fraternity and friendship to Greece.''

So we should not overlook the fact that American leaders have always

been drawn to Greece's democratic ideals. In drafting our constitution, American colonial leaders cited Greek and Roman sources. The very basis of our constitution derives from Aristotle and was put into practice in ancient Rome. As Thomas Jefferson once said, ''To the ancient Greeks we are all indebted for the light which led ourselves, American colonists, out of Gothic darkness.''

Mr. Speaker, I would now like to yield to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding to me. Every year the gentleman faithfully executes his special order for remembrance of March 25 and what it means to Americans of Greek descent.

The recollections I have as a young person in attending the Greek Orthodox church in my community was that this particular holiday was a blend of two momentous events in the life of a Greek Orthodox Christian. One was the Celebration of the Annunciation and, at the same time, the ethnic revolutionary epic of the revolution to which the gentleman has referred. This blending of both faith and nationalism has made this particular holiday very distinct and very unusual. And it evokes memories not only of those two events simultaneously occurring but the fact that they helped us, those young Americans of Greek descent, recognize the value of being Americans.

We, as Americans, were able to see that democracy's home, Greece, had an inexorable link with the founding of our country, our United States, and continues to have this absolutely wonderful bond between the democracies that we both cherish.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for always joining me year after year after year in this special order.

Mr. Speaker, we all know that the price of liberty can be very high, hundreds of thousands of lives. Socrates, Plato, Pericles, and many other great scholars throughout history warned we maintain democracy only at great cost. The freedom we enjoy today is due to a large degree to the sacrifices made by men and women in the past, in Greece, in America, and all over the world.

Unfortunately, there are several countries where the struggle for freedom continues, and tensions persist in the former Yugoslavia, Kosovo, the Middle East, Africa, Greece, and Turkey, and particularly in the Republic of Cyprus. Turkey still illegally occupies a large part of Cyprus, as it has since its brutal invasion in 1974. The United States has exerted its influence to improve chances for peace in the Middle East and Northern Ireland. Now it is time for the U.S. to promote a fair solution for Cyprus.

Turkey continues to refute U.N. resolutions on Cyprus. Our Nation has the influence to encourage to Turkey to abide by the U.N. resolutions which set out conditions and suggestions for a settlement. Turkey also needs to respect international law regarding Greek sovereignty in the Aegean.

Mr. Speaker, on a more optimistic note, the chronically strained relations between Greece and Turkey have recently become less in the aftermath of severe earthquakes that hit both countries last summer. The acts of humanity that Greece and Turkey demonstrated in aiding each other generated a new favorable world sentiment and opened a new chapter in the relations between the two countries. Consistent with this new spirit of cooperation, Greece has moderated its previous inflexible objection to Turkey's acceptance to membership in the European Union. Hopefully, this new spirit will gain momentum and thereby help to restore harmony and peaceful coexistence between the two countries.

Mr. Speaker, we celebrate Greek independence to reaffirm the common democratic heritage we share. Greek Independence Day, like the Fourth of July, reminds us that we have the duty to defend liberty—whatever the cost. To maintain our freedom, we can take neither it nor its architects for granted. That is why we honor those who secured independence for Greece so many years ago.

Mr. CROWLEY. Mr. Speaker, it is with great respect and profound admiration that I rise today to recognize the 179th anniversary of Greek Independence.

March 25th is a date that will live forever in the hearts and minds of Greeks and Greek-Americans. On March 25, 1821, after nearly 400 years under the Ottoman yoke, the Greeks revolted against the Turks and after a fierce struggle won their independence. During all these years of occupation the people of Greece kept their language, their religion and their sense of identity.

We share with the people of Greece this fierce spirit of independence and love of freedom.

A country with a history stretching back almost 4,000 years, Greece is the cradle of democracy and its great philosophers were an invaluable inspiration for our founding fathers. In ancient Athens they found a model for the new democracy they were going to establish in America.

For many years, Greece has been a reliable ally of the United States. During World War II, the Greeks sided unanimously with the Allies. The years of German occupation were a particularly hard time for Greece. Starvation decimated the population while executions and deportations contributed to the catastrophe. But from the first moments of the occupation a mass resistance movement came into being, bravely fighting the Nazi conquerors.

After enduring a military dictatorship, the Greek people from 1974 onwards devoted all their efforts to consolidating democracy in the land of its birth and laying the foundations for a better life. Today, Greece is a member of NATO and the European Union and remains faithful to the cause of peace and democracy.

My fellow colleagues, please join me as we celebrate Greek independence and remember those of Greek heritage who are living in the United States and have contributed so greatly to our communities and our country.

Mr. TIERNEY. Mr. Speaker, I am pleased to speak today in honor of the 179th anniversary of Greek independence. As a member of the Congressional Caucus on Hellenic Issues, I join my colleagues in paying tribute to the Greek nation and its people.

Over the last year, Greece has continued to be an active and important member of the international community. During the devastating earthquakes that ravaged Turkey last year, Greece reached out its hand to help its neighbor. This act of kindness was inspiring to us all, proving that it is possible to set aside differences in times of need. We should not be surprised, though, by Greece's actions. As a member of NATO and the European Union, Greece has continually shown its commitment to international peace and security.

The United States and Greece share a common philosophy that promotes democracy. Of course, it was Greece that paved the way for the great experiment which became the United States of America. Every American who enjoys freedom and democracy owes the Greek people a debt of gratitude for inspiring our founding fathers.

On behalf of the people of the Sixth Congressional district of Massachusetts and myself, I wish to extend congratulations to the people of Greece on this happy occasion. I am honored to have been selected to be one of two Grand Marshals in this year's Independence Day parade in Boston and know the day will be enjoyed by many. I look forward to many more years of happy and productive relations between the United States and Greece.

Mr. COYNE. Mr. Speaker, I rise today to join in this special order commemorating Greek Independence Day.

As a Member of Congress representing a district with a great many Greek-American constituents, I am well aware of the many contributions that Greek Americans have made to our nation. Today I join over 1 million Greek Americans and the people of Greece in commemorating the fight for Greek independence.

It is only fitting that the Congress of the United States commemorate the struggle that led Greek independence. The ancient city-states of Greece made many vital contributions to western civilization. The foundations of Western literature, drama, science, architecture, and philosophy were laid by the people of ancient Greece. The Greek language has enriched other languages with words and concepts like philanthropy, harmony, music, techne, sophistication, architecture, ecology and thousands of others. But perhaps ancient Greece's most important gift to the modern world was the creation of the concept of democratic self-government. The Founding Fathers of this country, educated in the classics, looked to the ancient Greeks, among others, for insight and inspiration when they were working to form a new national government.

179 years ago, however, when our country was prospering under its newly established democratic government, Greece—the cradle of democracy—was a subjugated nation ruled by the Ottoman Empire. In fact, at that point, the Ottoman Empire had dominated the Greek people for over 400 years, and many Greeks were finding Ottoman rule to be increasingly oppressive and unacceptable.

Greek patriots rose up against the Ottomans in March of 1821. The struggle of the courageous Greek patriots against a powerful empire won the support of many influential figures in Western Europe and the United States. Europeans and Americans identified with the Greek people—the descendants of the nation that had so strongly influenced western civilization. The French, British, and

Russian governments eventually intervened in the conflict on the Greeks' behalf and forced the Ottoman Empire to recognize Greece as an independent state in 1829.

Mr. Speaker, thousands of Greek patriots fought and died for their country's freedom with the same passion that inspired the Founding Fathers. Consequently, it is appropriate that we remember them today, the 179th anniversary of the beginning of the struggle for Greek independence. I am pleased to join my colleagues in commemorating this very special day.

Mr. GILMAN. Mr. Speaker, I am pleased to rise on this occasion on which we salute the great nation and people of Greece, the Hellenic Republic as they celebrate the 179th anniversary of Greece's independence. I commend the gentleman from Florida, Mr. BILIRAKIS for taking the initiative once again to ensure that members have the opportunity to convey our thoughts on this important day. The United States and Greece have enjoyed a long and close relationship. The people of the United States recognize and revere Greece as the cradle of the democratic tradition that has allowed this country to rise to the heights of its greatness.

We are fortunate to have benefitted from the contributions of those immigrants from Greece who have contributed their toil, their knowledge and their culture to our American civilization, and we appreciate the warmth of the citizens of Greece reflected in the welcome they provide to Americans that are fortunate enough to be able to visit the shores of Greece, its beautiful islands and countryside.

Greece plays an important role in helping to stabilize the Balkans, one of the more dangerous neighborhoods of Europe. In our International Relations Committee we keep the relations between Greece and the United States under close review. I am pleased to report that the state of those relations is healthy. I am calling on this occasion for our government to support the process of reconciliation that is now underway between our two NATO allies, Greece and Turkey. The Congress is fully supportive of this effort, and we hope for an outcome that will produce lasting stability in this strategically vital part of the world.

I hope that all my colleagues and fellow citizens will avail themselves of this occasion to reflect upon the blessings of democracy, for which we will be forever indebted to the ancient Hellenes, and upon our good fortune today in having such a close and reliable ally as the great nation of Greece.

Mr. KENNEDY of Rhode Island. Mr. Speaker, it is with great enthusiasm that I stand before you today to recognize the 179th anniversary of Greece, one of our nation's closest allies. I want to praise my colleagues from Florida and New York for their efforts in organizing this special order and also for organizing the Congressional Caucus on Hellenic issues.

It is no secret that the democratic principles of equality and freedom were advocated by great Greek thinkers. These principles served as an inspiration to our founding fathers and were heavily relied upon as they drafted the Declaration of Independence and the United States Constitution. In the words of Thomas Jefferson: ''to the ancient Greeks * * * we are all indebted for the light which led ourselves out of * * * darkness.'' Just as today's youth is educated on our nation's humble beginnings by studying the lives of the framers, they should also learn about the great Greek thinkers whose visions of democracy helped our nation advance towards a free society.

The ties that bind Greece and the United States also extend towards the common role that our respective countries played in revolting against oppressive rule. Borrowing from the successful experience that our young nation utilized to free itself of English rule, the people of Greece rose up and declared their independence from the Ottoman Empire. After a long decade of struggle, freedom came to Greece. Just as it did in the democratic world at the time, their victory continues to inspire us today.

Greece has contributed to this nation in many other ways. The hard work of Greek-Americans has made an impact on our nation, especially in Greek communities such as Providence, Pawtucket and Newport, Rhode Island. It is a great honor to be able to represent the people of these communities in the United States Congress.

As the birthplace of classical political thought, as a strong ally to the United States, and as the motherland to the many valuable Greek immigrants who reside within our borders, Greece is indeed a country worthy of much praise. Again, I thank my colleagues for all their hard work in making this Special Order and I look forward to working with the Hellenic Caucus for the advancement of Greek issues.

Mr. WEYGAND. Mr. Speaker, I rise proudly in recognition of the 179th anniversary of Greek Independence and for the common democratic heritage shared by Greece and the United States. The struggle and victory of the Greek people against their Ottoman oppressors deserves special recognition for its contribution to human freedom and the trumplh of demcratic ideals and self-determination over those of tyranny and empire.

In 1821, the people of Greece, inspired by the American Revolution, broke out in open rebellion against four centuries of foreign occupation in an effort to rule themselves in accordance with the principles of democracy first developed in ancient Greece. Fully cognizant and proud of their past, the Greeks strove for their own traditions and engaged in an independence movement that can only be described as heroic and inspirational to all free peoples.

The Greeks defeated not only the Ottoman Turks to gain their independence, but also the Concert of Europe established at the Congress of Vienna following the Napoleonic wars. After decades of chaos and revolution, the Great Powers created an international system based upon conservative, counter-revolutionary rule designed to empower the monarchs and imperial states of the Continent with the primary goal of stability. Freedom, democracy and self-determination were not recognized by the statesmen of Europe as legitimate claims to independence.

However, the people of Europe, in spite of their leaders beliefs, were inspired by the Greek cause and their struggle for freedom over tyranny. Recognizing that nothing would stop the Greek people from realizing their dreams and faced with a popular, just cause, the Great Powers of Europe embraced a free and independent Greece. It is a testament to the Greeks that they, and they alone were the only people to achieve independence in the first quarter of the 19th century despite many attempts by other peoples of Europe.

The Greek patriots' battle cry ''Eleftheria I thanatos''—liberty of death—brings immediately to mind Patrick Henry's revolutionary speech ''Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!'' As we know America's revolutionaries of the 18th century were inspired by the traditions and philosophy of Greek antiquity. The influence and contributions of the Greeks to modern democracy, are to say the least, incalculable. We, as Americans, cannot place enough emphasis on the political and social contributions of the Greeks to our own nation.

''Our Constitution is called a democracy because power is in the hands not of a minority but of the whole people. When it is a question of settling private disputes, everyone is equal before the law; when it is a question of putting one person before another in positions of public responsibility, what counts is not a membership of a particular class, but the actual ability which the man possesses''.

The statement, Mr. Speaker, was not made by our Founding Fathers, but by Pericles in an address more than two thousand years ago. With that, I would like to thank my colleagues for holding this special order and once again congratulate Greece on the anniversary of it's independence.

Mr. MCGOVERN. Mr. Speaker, it is a privilege once again to take time to reflect and honor Greek Independence Day from the floor of the U.S. House of Representatives. March 25, 2000 marked the 179th Anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire.

For almost 400 years, from the fall of Constantinople in 1453 until the declaration of Greek Independence in 1821, Greece remained under the rule of the Ottoman Empire. These were dark centuries for the nation that was the cradle of Western democracy, philosophy and art. During this time, Greeks were deprived of all civil rights. Their schools and churches were shut down. Greek Christian and Jewish boys were kidnapped from their families and raised as Moslems to serve the Sultan.

Shortly after Greece regained her independence, in December 1823, the great and famous U.S. Representative from Massachusetts, Daniel Webster, reflected on this time in Greek history, ''This (Greek) people, a people of intelligence, ingenuity, refinement, spirit and enterprise, have been for centuries under the atrocious unparalleled Tartarian barbarism that ever oppressed the human race.'' We are all proud of the fact that many volunteers from across the United States went to Greene to participate in the war for Greek independence.

Greece and the United States have always been linked by their common histories of waging wars for independence, their beliefs in freedom and basic human rights, and their commitment to democracy. We are also closely tied by blood. During the 1900s, one in every four Greek males between the ages of 15 and 45 departed for the United States. Today, American society flourishes and benefits from the contributions of the descendents of these original Greek immigrants. Further forging the links of blood and sacrifice, over 600,000 Greeks died fighting on the side of the Allies during World War II and in the civil war that followed—that was nine percent of the entire population of Greece at the time.

Massachusetts, with such famous Greek Americans as Governor Michael Dukakis and Senator Paul Tsongas, has a rich Greek American culture. In my hometown of Worcester, Massachusetts, the Greek Orthodox Cathedral of St. Spyridon, under the leadership of Father Dean Paleologos, reminds us of this vibrant Greek American community. Each year, in Worcester, this important day is celebrated by teaching children to recite poetry and songs commemorating their past and their heritage.

Today, we see the generous heart of Greece at work again, as President Stephanopoulos and Foreign Minister Papandreou endeavor to end decades of hosility between Greece and Turkey. The improved climate of relations between Greece and Turkey cultivated by these Greek leaders continues to sustain hopes that some of the long unresolved issues between these two nations may eventually be tackled.

In a concrete way, Greece has moved toward better relations with Turkey. Following an arrangement made when Mr. Papandreou visited Ankara last January, a delegation of Greek Foreign Ministry officials, headed by Secretary-General Stelios Perrakis, opened discussion in the Turkish capital on February 28th to impart Greece's knowledge and experience, as a member of the European Union, on the measures and methods Turkey needs to pursue in its own quest to become a member of the EU.

In conclusion, Mr. Speaker, I would like to express my gratitude and respect to the gentleman from Florida (Mr. BILIRAKIS) and the gentlelady from New York (Mrs. CAROLYN MALONEY) for their leadership of the Hellenic Caucus. Through their hard work, all Members of this House are better educated on and involved in the challenging issues facing modern Greece today.

Mrs. LOWEY. Mr. Speaker, today I am honored to commemorate the 179th anniversary of Greece's independence from the Ottoman Empire, and to celebrate the shared democratic traditions of Greece and the United States.

Greece declared its independence on March 25, 1821, ending nearly 400 years of domination by the Ottoman Empire and restoring a democratic heritage to the very cradle of democracy.

The special relationship between the people of Greece and the United States has been reinforced throughout our country's short history. Our Founding Fathers established this nation based on the teachings of ancient Greek philosophers and their struggle to build a democratic society. And, in turn, the American experience inspired the Greek people in their struggle for independence nearly 180 years ago.

Our shared democratic ideals have formed the basis of a strong and sustained friendship between Greece and the United States, and even today, Greece remains one of our most important allies and trusted partners in the global community.

And the many contributions of Greek-Americans to shaping our society and building our cultural heritage have been as critical to the United States as its friendship with Greece. My district in New York has benefitted immeasurably from the many contributions of our Greek-American community over the years.

I am proud to join my colleagues today in commemoration of Greek Independence Day, and in celebration of the many contributions of Greece and Greek-Americans to the United States and the world.

The SPEAKER pro tempore (Mr. MCKEON). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

IN CELEBRATION OF GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Mr. Speaker, I too would like to join my colleagues, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Pennsylvania (Mr. GEKAS) in honor of the 179th anniversary that marks the Greek's national day of independence, and I thank the gentleman from Florida (Mr. BILIRAKIS) for organizing a special order each year to celebrate Greek Independence Day.

Greece had remained under the Ottoman empire for almost 400 years; 400 years that Greek people were deprived of all their civil rights. Even under the threat of death, Greeks fought back by continuing to educate their children in their culture, their language, and their religion. On March 25, we celebrate this courage; this the 179th anniversary of freedom and independence for Greece.

I wish we had more to celebrate today, to be able to celebrate the return of the Elgin Marbles to their homeland. The Elgin Marbles are magnificent sculptures that were created to adorn the Parthenon. Their detail and beauty are even more profound when one knows these sculptures were actually carved into the Parthenon itself after it had been constructed. However, in 1806, these sculptures were removed, sometimes broken in half, and transported to England. They are now in view in the British museum, far away from their native land.

In this age of open communication, friendship, and a unified Europe, we must work together to see that these marbles will soon be returned to their homeland. In this respect, I join my colleagues, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from New York (Mr. GILMAN) in their House Resolution stating the importance of returning the Elgin Marbles back to Greece.

I am also very pleased to have welcomed today Dimitris Avramopoulos, the mayor of Athens, to Washington. He joined members of the Hellenic Caucus and other Members of Congress today for a discussion on the progress that Athens has made in becoming a global partner and leader and city. Through his efforts, the mayor's, he has made Athens a leading contributor to cities around the world in policy; and he has diligently worked to create a forum for mayors from other cities and capitals throughout the world to work together on their common goals.

I am very fortunate and privileged to represent the largest Hellenic community outside of Athens, one of the most vibrant communities of Hellenic Americans in our country. It is truly a very great pleasure for me to co-chair the Hellenic Caucus and to represent so many fine friends from Greece in my district. The caucus now has a record 72 bipartisan membership who are committed to bringing the voices of Hellenic Americans to the floor of the United States capitol, as we are tonight. We continue to strengthen the voice of Hellenic Americans in promoting legislation, monitoring and arranging of briefings on current events and handing out information to all Congressional Members on such important developments as the renewed talks between Greek Cypriots and Turkish Cypriots, U.S. aid to Greece and Cyprus and the continued dispute in the Aegean.

In the coming year, we hope to see peace and justice in the Aegean, and justice, finally, in Cyprus after so many years of illegal occupation and invasion. And we need to see not only peace in northern Greece, but the restoration of human rights to the many cultures and people suffering throughout the world.

As we celebrate the 179th anniversary of Greek independence and the special bond of friendship between our two great countries, I would like to leave my colleagues with a quote from Percy Shelley, and he said, ''We are all Greeks. Our laws, our literature, our art have their roots in Greece.''

So I join him and many others in not only paying tribute to Greek Independence Day, but also the many contributions of Greek Americans to our culture here in America.

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

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

GREEK INDEPENDENCE DAY

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

Mr. SHERMAN. Mr. Speaker, it is indeed a pleasure to address the House while our presiding officer is a fellow representative from the San Fernando Valley, the area that can best be described currently as the center of world culture. Throughout the ages, however, Greece has been the center of world culture; and that is why I am proud to join with so many members of the Hellenic Caucus in addressing the House with regard to the 179th anniversary of Greek independence.

Mr. Speaker, 179 years ago, on March 25, 1821, the Greek people declared their independence, throwing off the yoke of over 400 years of Ottoman oppression. Greek patriot Regas Fereos issued the rallying cry of the struggle, shouting that it is better to be free for an hour than to have 40 years of imprisonment and enslavement.

Greek freedom fighters looked to the American revolution and American democracy for inspiration, and adopted their own declaration of independence. At the same time, our Founding Fathers were guided by the democratic principles that first arose in Greece, and they took to heart the Hellenic ideals of ancient Greece, the birthplace of democracy.

This is a day for us to reflect on the vital alliance between Greece and the United States and to pay our debt to Hellenic ideals and to Hellenic culture. It is a day for Greek Americans to take pride in the independence of Greece and in the ancient culture of all Hellenians.

Mr. Speaker, as we take note of Greece's great victory in its war of independence, we must also remember that there remain problems in the eastern Mediterranean, problems between Greece and the successor to its former colonial master, Turkey, the successor to the Ottoman empire. We must work to bring peace to the Aegean and the eastern Mediterranean, and to do that we must deal with some of the remaining problems.

A Greek-Turkish dialogue can go forward, and I and my colleagues, so many of us, have called upon Turkey to stop making invalid claims on Greek sovereign territory and take respect for international law regarding the Aegean.

We have passed the Peace in Cyprus resolution, which calls upon a full withdrawal of Turkish troops from Greece. We must also recognize the importance of having Turkey adhere to human rights standards and to respect the ecumenical patriarchy of the orthodox churches in Istanbul, also known as Constantinople. So as we look at history, we must also look at the current situation in the Aegean.

But returning, Mr. Speaker, to the historical ties between Greece and the United States, I should note that since its liberation, Greece has stood by America in each of our involvements in Europe; and America should continue to stand by Greece. Greece is one of only three nations outside of the British Empire that has been allied with the United States in every major international conflict of this century.

□ 1930

One out of every nine Greeks lost his or her life fighting the Nazis in World War II. Through the Marshall Plan, Greeks were able to rebuild; and the Marshall Plan stands as a monument to the close relations between the United States and Greece.

Grease remains a staunch NATO ally in a region of grave concern and, as I have noted, deserves American support.

Mr. Speaker, I would like to join with Greece and the Greek American community and the Hellenic Caucus in celebrating the 179th anniversary of Greek independence. I look forward to working with my colleagues in strengthening relations with this important ally.

The SPEAKER pro tempore (Mr. MCKEON). Under a previous order of the House, the gentleman from New York (Mr. GILMAN) is recognized for 5 minutes.

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

EDUCATION SAVINGS ACCOUNTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from New Mexico (Mrs. WILSON) is recognized for 60 minutes as the designee of the majority leader.

Mrs. WILSON. Mr. Speaker, I am the gentlewoman from Albuquerque, New Mexico; and I have been asked to lead a discussion this evening about a bill that will be coming to the floor of the House this week. The bill is H.R. 7, and it is about education savings accounts.

What I would like to do tonight is talk a little bit what about they are, how the current law is set up with respect to education savings accounts, and what the proposed changes are that we are going to be considering on Thursday. Because there is quite a bit of misperception about what these changes will do. But before I do that, I would like to try to set this in the context of where we need to go in America with respect to public education.

In 1900 in this country, at the turn of the last century, 15 percent of American adults had a high school degree. When we turned this century into the 21st century last New Year's Eve, 85 percent of American adults had a high school degree.

The big difference, though, was that, back in 1900, a third of Americans still lived on the farm. They could get a good job and support a family without having a high school degree.

My grandparents did not graduate from high school. My parents graduated from high school but did not go on to college. Like many Americans, I was the first generation in my family to go to college and get a college degree.

But what was good enough for us and what was good enough for our parents or our grandparents is not going to be good enough for our kids. And the reason is that Americans do not work on the farm anymore, except for about 2 percent of us; and the jobs that will be available for our children who graduate in 2010, 2012 and beyond are going to be profoundly different than they were for us when we graduated from high school, in my case, over 20 years ago.

They are going to require more education, more technical training, the ability to read and understand and solve problems, which means that, if we are going to make the 21st century just as much an American century as the 20th century was, we need to recommit ourselves as a Nation to public education.

In my hometown of Albuquerque, New Mexico, a third of our students do not graduate from high school. We have one of the highest drop-out rates in the Nation. We can no longer afford to let any child lag behind; and so we have to recommit ourselves as individuals, as parents, as teachers, as administrators, as communities, and as a Nation to make sure that, by the end of the next decade, 95 percent of our children graduate from high school and three-quarters of them go on to college or technical training or into the military. We need to commit ourselves to a decade of dreams for public education.

The bill that we are going to consider on Thursday is really only one little piece of that dream, but it is designed to encourage private investment in education and savings by parents and families and even corporations to invest in public schools and public education.

What does this do? It is called H.R. 7, and it is the Education Savings and School Excellence Act. But it builds on something that is already in public law.

Back in 1997, which was before I was elected to Congress, the Congress passed a law to establish education savings accounts.

So what is an education savings account? About 110 million Americans now have IRAs. To put it in its simplest terms, an education savings account is an IRA for our kids' college education. The way that the law works now is that we can put money into an education savings accounts, into one of

these education IRAs, every year, up to $500, we can put into this account for each child that we have up to the age of 18.

When that child turns 18, they cannot keep contributing into that account, but then the child can use that money that has been saved while he has been growing up to go to college.

Now, they can use the money for a private college or a public college or even a technical school as long as they use the money before they turn 30. So a parent can put $500 a year, a kind of annual Christmas present to put in the education savings account to save for college. And the money that goes into it, they have to pay the taxes on the money that they earn to put in in the first place, but as the money sits there in that education IRA, they do not have to pay taxes on the interest that it earns. So the interest accrues tax free.

Now, the money that is saved up in that education savings account can be used for tuition or fees or books or supplies or equipment and, in some cases, for room and board, as long as it qualifies under the rules, but only for post-secondary education, post-high school. It can be used for college. And it does not matter if it is a public university or a private university or religious school, as long as it is for post-secondary education, public, private or vocational.

So that is what education savings accounts are. They have been in place as part of public law since 1997 in this country.

There have been two previous attempts to expand education savings accounts in important ways. Both of the attempts were bipartisan efforts. In both cases, they were vetoed by the President.

We are going to go back at it again. The principal sponsors of this piece of legislation on the Senate side are Senator TORRICELLI and Senator COVERDELL of Georgia. Those two men have really led this effort to try to encourage savings and expand education savings accounts for more Americans.

So what are the problems with the current bill and where do we want to go with this bill that we are going to be considering on the floor of the House this Thursday?

Right now, a family can only put $500 a year per child into an education savings account in order for it to get the tax benefits, to not have to pay taxes on the interest in that account. $500 a year is not a lot of money when we consider how much college costs have escalated over the last 20 years.

Indeed, if a family puts $500 a year starting when a child is born and does that every year until they are 18, even if they get 7½ percent interest or so, they really are going to only have about $15,000 in that account by the time the child turns 18 and is likely to go to college.

Well, unless they are going to a State university where they get State subsidized tuition, that is not going to go very far when it comes to tuition and room and board and books and fees to pay for college.

So the first thing that the bill will do that we are going to take up on the floor here on Thursday is to change that from allowing $500 per child in savings every year to allowing $2,000 per child, the same that we do now for regular IRAs.

Now, what will that mean in terms of the amount that a family can save? Well, there have been some folks who have done some analysis on this and have gotten out their stubby pencils and computers to do interest rates, which I do not do very well. But if a family started saving $2,000 a year from when a child is born, by the time that child is in first grade there will be over $14,000 in that account. By the time that child reaches middle school, there will be $36,000 in that account. By the time they get to high school, assuming that they had not used it already in elementary and middle school, there would be $46,000 in that account.

If that family put in $2,000 a year and did not withdraw any of it, by the time that that child graduated from high school and turned 18 years old, was a college freshman, they would have almost $72,000 in college savings; and that would all have accrued with the interest tax free. $72,000 is a pretty good chunk of change to save for college and is something that I think most Americans would like to have when their son or daughter gets that important acceptance letter to go to the school of their choice.

So it would expand the ability to save, and it would allow that savings to accrue at a higher rate so that it is more reasonable by the time that somebody finishes high school and gets ready to go to college from an expanded $500 per year per child to $2,000 a year per child.

Now, the second thing that this bill will do on Thursday that we are considering and probably the most controversial aspect of it is that it would allow these education savings accounts to be used not just for college tuition but for tuition and fees and expenses associated with education for kindergartners through 12th-graders. That is a big change, but it is also I think an important change.

The reality is that most parents contribute to their child's education around the edges, whether it is tutoring or summer school or buying books for the classroom or participating in the fund-raiser to buy new equipment for the playground.

Encouraging that kind of savings and investment in schools and giving people a tax break for doing that is a good thing, and we should expand that ability to save and invest in public education from kindergarten through 12th grade.

I see one of my colleagues, the gentleman from Missouri (Mr. HULSHOF), has joined me here and is one of the principal supporters and sponsors of this piece of legislation, and I yield some time to him since he has worked so hard on it.

Mr. HULSHOF. Mr. Speaker, I appreciate my friend from New Mexico yielding and especially for taking the initiative to really focus on what I believe should be a national dialogue, and that is the education of our kids.

I am not embarrassed to admit that I am a 5-month-old parent. And, of course, as a new parent, one's attention begins to focus maybe on different priorities. I know in our household we have, and we have begun to think about the education of our daughter Casey Elizabeth.

Here in Washington, as my friend knows, too often I think we begin to focus on or define our Nation's educational success by how many dollars that we put toward public education. If that were the yardstick, then I think the Republicans here in the House deserve great credit. Since 1995, public funding education has been increased by 27 percent over those several years.

But that is not how I think we should define educational success. To me, it is much simpler than that; that success is defined by how much our children learn. And, of course, I think key in that is trying to get parents to become more involved in the education of their kids.

Now, as my colleague knows, as a mother, we cannot pass a law in this body that mandates parents' attendance at PTA meetings. Some wish maybe we could force that mandate on families, but that is not the role of the Government. But I think there are things that we can do. And as my friend has talked about, the bill that we have on the floor on Thursday this week, H.R. 7, I think is a key component. It is not the answer to all of our educational problems; but I think as far as parental control, we do provide some incentives, yes, through the Tax Code.

Our idea of this bill is very simple. We think that the Federal tax should be eliminated if they are saving for education. As my colleague was pointing out just a few minutes ago, current law that this President signed into law, this education savings account, says that up to $500 a year can be contributed by a family member into an account.

□ 1945

But as you also very ably pointed out that even if, let us say, over the course of the lifetime of your child, from the moment they were born every year until they go to college, the money they would have saved for college is about $15,000 and that is assuming compound interest at about 7½ percent. So I think first and foremost, we have to sort of take that limit off to really encourage parents to be saving even more for the education of their kids.

To me, the perfect bill that the President should sign into law would be,

number one, an elimination of the marriage penalty tax; and since most of that is about $1,400 more per couple, then that family with children can plug that money into an expanded education savings account. As you pointed out, the point is saving for higher education is important.

And yes, perhaps the controversy in this bill as we are probably going to hear in less measured tones as we debate this bill in the next couple of days is, we think that elementary and secondary education expenses should qualify. If your first grader is having a tough time reading, why not use the proceeds of an education savings account to maybe purchase Hooked on Phonics to help bring your child up to the reading level that he or she should be in a particular grade. If you are having trouble with math, maybe a home computer or a computer program that might help a child learn math better, or maybe a foreign language. It could even be expenses like car pooling or transportation expenses. The beauty of an expanded savings account is, it is not the government saying how money should be spent. It is the parents. I think what a powerful ally that a parent can be working with a teacher in addressing the special needs of that particular child.

Mrs. WILSON. I was just sitting here thinking about the tremendous opportunities and possibilities that this brings for more parents who are trying to work with a teacher, whether that teacher is in public school or private school or parochial school or wherever, to meet the individual needs of that child. It is not unusual for a teacher to say, well, we think this is what your child needs and he is not a special ed kid but there are some additional materials or some additional help that might be available and to be able to use tax-free money to do that so that you are reinforcing what the teacher and the school are trying to do with your child so that they can learn and achieve, whether that is kids who are gifted or kids who are having a little bit of trouble or even if your school does not have a foreign language program and your child is particularly interested in it, or there is not music available at the elementary school level and you can bring music into the schools, whether it is parents getting together to do it or a parent doing that individually alongside the school and wrapping educational experiences around a child.

All of us have looked at, what are we going to do this summer. What besides Little League or AYSO soccer or swim lessons are we going to do this summer. There are tremendous opportunities for summer school for kids, whether your child needs some extra help or whether it is that enrichment opportunity that you have really just been working for and saving for. If parents are willing to work and save for that opportunity, we should not be penalizing them by taxing them before they do so.

So this change that we are looking at Thursday is going to do a couple of things: Will go from $500 to $2,000 for the amount you can save per child per year. Will expand it, not just college expenses but kindergarten through 12th grade as well. Expenses so that if it is tuition or fees or materials or supplies or computers, whether they are in a public school, private school, home school, it does not matter. It would be kindergarten on up.

The other interesting change, I think this is an important one when we talk about investing in education beyond what the government does at State, Federal and local levels, is that it will allow corporations to contribute to education savings accounts. The current law says that parents or family members can put money in a child's name in an education savings account. But this bill will expand that and say that if your employer wants to make an annual contribution to the education savings accounts for the children of its employees, it would be allowed.

You can very easily see where that will become a potential corporate benefit that employees will look for, just as they look for health benefits and other kinds of things when they decide who they are going to be working for. I think that that provision could encourage corporations to really make those contributions, and that is particularly important for families that may not be able to save that full $2,000 a year, but their employer is going to help to make up the difference.

Mr. HULSHOF. If the gentlewoman will yield on that point, not just businesses and corporations but not-for-profits would also be allowed under this expanded savings account to provide a contribution as you have suggested, perhaps for that low-income child. It could be a church who might establish on behalf of a parishioner an expanded education savings account to really provide an incentive for that child to continue to go on.

One of the arguments that I hear and probably that we will hear more over the course of the debate on this bill is that allowing, and again we are talking about the interest buildup or the earnings, first of all these are after-tax dollars going into an education savings account and then the power of compound interest being used to create additional earnings, we are talking about allowing those earnings to accumulate tax-free if used for a qualified education expense.

Now, one of the arguments against elementary and secondary education expenses is that only the affluent, or we are taking money away from public education. I think as my friend from New Mexico has the chart right next to her, it speaks volumes. The reductions that we would see in Federal education spending would be zero. No money would be diverted away from public education.

In fact, the official scorekeeper that we work under, the Congressional Budget Office along with the Committee on Joint Taxation, says that we will have additional resources committed to the education of our kids coming from the private sector, that is, coming from families that we do not see now. In fact, they tell us some of these numbers. Fourteen million families would benefit from this expanded savings account, and about 11 million of those families have kids going to public school. So, in other words, we are committing even additional resources from the private sector, from the families for education expenses at the elementary and secondary education level.

The other point I would make, current law restricts education savings accounts to be used just for public college, obviously a worthy goal, higher education, but that means education savings accounts are useless in addressing problems that are being experienced in elementary school or in high school. And so while you may try to get to college, it might be that if we could have parents working with teachers as allies in the lower grades, then children will be more prepared to enter college. So I think it is a little bit of a myth as far as the argument on the other side that somehow we are taking money out of the Federal education system. Just the contrary. We are committing more private funds, that is, private savings funds committed to the education of our kids, both primarily in public education and yes, perhaps private education or even home schooling. The idea is simple. We do not think any child should be discriminated against based on where he or she chooses to attend school.

Mrs. WILSON. This issue of, well, would it be draining resources from the public schools in some ways. There are some people who disagree with this, but we have for many years in this country used the Tax Code to encourage people to do things, to encourage people to make choices, to encourage people to save for their retirement, to encourage people to invest and buy a home.

What we are doing in this bill with the Tax Code is encouraging them to invest in the education of their children. While some people disagree with using our Tax Code that way, I have to say that I think it is a noble goal. The folks who work at the Joint Committee on Taxation have estimated that this kind of a program based on what is happening in other similar kinds of tax changes would result in $12 billion of investment in our schools that is not there now. $12 billion nationwide, 70 percent of which would go to kids who are in public school to wrap those additional things around them that maybe the public school just could not directly afford but parents working together with teachers might be able to do. I think that that is a noble goal.

There is one other change in the bill that I think is worth discussing a little

bit. Right now, many States have prepaid tuition accounts for State colleges. New Mexico has that kind of a system where you can decide to save pretax and prepay your tuition if you are sending your child to UNM or New Mexico State. There are probably 20 or so States that have similar things set up under State law.

Under the current Federal law, you are not allowed to take advantage of the education savings account if in the same year you are taking advantage of the prepaid tuition account that your State may offer. In other words, you cannot do both for the same child in the same year.

The piece of legislation that we will be voting on on Thursday eliminates that restriction. So if in New Mexico I have a child that I am determined is going to be a Lobo when he is 18 years old and go to the University of New Mexico, I can make a prepaid tuition contribution but I could also be saving money in the education savings account in that same year. It allows parents who are committed to making those contributions up-front and making those savings up-front to do both under Federal law for one and under the State tax law for the other.

Mr. HULSHOF. In addition, and that is so critically important, what a popular idea that is in place in your State and in other States as far as prepaid State tuition plans, to be used again as a tool focusing on higher education.

Here are a couple of other perhaps noncontroversial measures in H.R. 7 that I think deserve some mention in addition to the prepaid tuition plans, ending that taxation on both public and private plans. We also help those that are saddled with heavy student loans. How many of us in this body perhaps have used student loans to invest in ourselves in education to maybe go on to higher education or to postgraduate studies. What we do to try to give some relief to those under that heavy burden of student loans is that we continue, we expand the student deduction, the loan interest deduction under current law, we expand that, allow more time for that deduction to be made possible.

In addition, there is a lot of discussion about school construction. Interestingly as we debated this bill in our committee, in the Committee on Ways and Means last week, we had a representative from the U.S. Treasury, obviously from the administration, and I pointed out in a document that was printed in 1996 that the statement of the administration was they believed the construction of schools is a local initiative. Yet I guess over the course of the last couple of years, we have suddenly changed or at least the White House has changed into thinking that suddenly school construction and modernization should be a Federal initiative. Without getting into the merits of whether it is a State, and I happen to think it is a State and local initiative, in fact in my home county, Boone County, Missouri in the Ninth Congressional District on the April ballot, we will be going to the polls to decide a bond issue as it appropriately should be done at the local level.

But what we also do is provide in this bill relief from some of the complicated rules called bond arbitrage rules that both States and localities use when they make that decision, when they go to the local voters and decide whether to renovate or to build or modernize their school structures, we provide some relief for them. That is also in this bill. Finally, we encourage the private sector to donate computers to schools. And so we have that provision in H.R. 7, as well. Probably not as controversial as some of the other things we have discussed.

As a final point, and I see we have got one of our other classmates here, then I will yield to the two of you. You mentioned the policy, and I want to talk about the policy, about using the Tax Code for certain incentives. Let me tell you why I think that it is just good policy generally to encourage savings. Right now, and for those, Mr. Speaker, that may be wrestling with their 1040 forms and maybe have C–SPAN on in the background, if you look at your 1040 form on line 8A and line 8B, you plug into, as far as part of your taxable income, your adjusted gross income, any interest you may have earned, whether on a certificate of deposit, whether it is on a savings account, the old traditional savings account or any dividends you receive, you have to add that obviously to your taxable income according to current law and Uncle Sam wants his share.

□ 2000

There is no wonder that we are the lowest savings Nation among industrialized countries. We have already precedent in existing law. We encourage people to put aside money after tax dollars for their retirement, with the Roth IRA, a very popular idea. That is, one puts aside one's after-tax dollars, it accumulates interest or earnings, and then it is not taxed when used for retirement.

We had a provision that we sent to the President called the SAFE Act that would shield about the first $500 of interest or dividend income again, to help the small or moderate investor, not the Wall Street types that make a living at investment, but really trying to help middle-class families.

Along that line, this education savings account, I think, falls right in that good tax policy, and that is trying to provide this incentive to encourage people, especially families, to plug away more money, whether it is putting nickels and dimes or a monthly set-aside from their paycheck into an education savings account for their child or children. Again, what could be more of a worthy exercise than to invest in your own children's future, not rely upon the Federal Government?

Again, I commend the gentlewoman for bringing this issue to the attention of the full House. I look forward to the debate. I hope we can have the debate on policy; and I hope the rhetoric does not get too harsh or hot, although that may be asking for a lot; but nonetheless, I urge, Mr. Speaker, my colleagues to support H.R. 7 when it gets to the floor. I thank my friend for yielding me time this evening.

Mrs. WILSON. Mr. Speaker, I thank the gentleman from Missouri for his leadership on the Committee on Ways and Means, the tax committee that deals with these bills. I also congratulate him on being a new father. I know that that brings a real focus to his commitment to a great education for all kids in this country.

Now we are joined here tonight by one of my other colleagues, the gentleman from Pennsylvania, and I would be happy to yield him some time to talk about this issue.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I thank the gentlewoman from New Mexico, and I congratulate her on her efforts tonight to talk about this issue. I have been listening to both the gentlewoman and the gentleman from Missouri discuss this issue and my first thought is, how could anybody be against this. Why would anybody oppose this? The gentlewoman has talked about all of the new changes, expanding the limits, the usability, and tying it into the State prepaid programs that are already out there. All of that makes sense.

But I think we ought to talk a little bit about why the President and the Vice President are opposed to this legislation and why they have vetoed this legislation twice. It just seems incredible to me that anyone could be opposed to this legislation.

The interesting part, I find, is that when it comes down to the parents and the families who have accumulated this money to prepare for their children's future, someone in government wants to tell them what they can purchase and what they cannot purchase. It just seems so incredible.

I am a product of public education; my children and grandchildren are going to public education, I think as the vast majority of Americans do. But it seems so farsighted to think that if parents would choose on how to spend the money they have saved, their families have put together, would be some threat to public education. But we know, because twice the President and the Vice President have vetoed this legislation because of that fear.

I would use the example of maybe a young lady or a young gentleman that is in high school preparing to go to a certain college, and they find out they need to strengthen their English and so they want to take honors English, and maybe nobody in their family is really good in English so they go down the street and hire a tutor so that they can get into the college, get into the program they want. I am constantly talking to parents who are dismayed because their kids have good grades, but

some weakness that prevented them from getting the courses at the competitive university that they wanted to go to, and why they could not use a little bit of their savings account to hire a tutor down the street who might not have been in the public school system, might have been a university professor down the street who would be glad to assist. It just seems incredible to me that anyone would fear people saving their money to be able to use it for how they want to educate their child in some small way, other than the public system.

Mr. Speaker, I know that when we debate this bill in a day or two, that will be the big issue, that this bill will be destructive to public education. Nothing could be further from the truth, because as parents plan and families save, sacred to education is family involvement. And if we have families involved, putting a little away for their grandchildren, their nieces and nephews, or an employer who is very futuristic and says I would like to help with your children's education, I mean these are all the sorts of things, helping Americans to be self-sufficient.

Middle-class America can only get loans. If you have a decent income, you only get loans; you do not get grants, and college education is becoming more and more expensive. Young people and families are indebted for years. I have staff people who have been out of school for a long time and still have big education loans, paying on them monthly, because they made the effort to get a good education, grants were not available, they had to borrow all of the money, did not come from a family with cash, did not have the money in the bank. This will enable a lot more Americans to participate in the higher education system. It also will help them in the elementary years if they need some extra help, or if they need to go to a special school to strengthen art or strengthen music so that they can get into the famous program at some university that they want to get into. It will help them.

To take away the options of parents like the President and Vice President want to do, in my view, is the basic argument. This whole thought concept is getting people to save for their future and the future of their children. I just find it incredible that anyone would think that we should then control how parents spend that money. Yes, they should spend it for educational efforts, but whether they would hire a private tutor or whether they would go to a private school for a short period of time or in the summertime take some summer classes and not be able to use money out of their educational savings accounts if they did not have the cash available just seems incredible to me. I will never understand the fear of giving Americans a choice once they have had the foresight to save for their children's education.

Mrs. WILSON. Mr. Speaker, I thank the gentleman, and I appreciate his comments here tonight.

We are talking about education savings accounts and a bill that is going to be on the floor this Thursday. It is called H.R. 7, and it would expand current law which allows education savings accounts only for college expenses and only allows a 500 per-ear, per-child contribution. The bill we are going to consider on Thursday has already passed the Senate; a very similar bill has passed the Senate. It passed the first week of March, so now this is our opportunity in the House to do the right thing with respect to allowing families to save for education.

I would like to talk a little bit about some of the myths and some of the attacks that this legislation has been subjected to. I think we are probably going to hear more of it over the next couple of days here in the House. But the thing that bothers me about it is that it is like throwing chaff, it is just trying to throw any argument out there, even if it is not valid at all, just to try to block the legislation, when really a lot of it just is not true. I want to talk about it a little bit.

One of the major attacks on this piece of legislation is that it is just another tax break for the rich. I think that that sentence is etched in marble somewhere around Washington. Whatever we want to do, it is just another tax break for the rich. The reality is that one cannot even qualify for an education savings account if one's family income, it starts to phase out at $150,000 a year. So this is for that section of folks who are middle-income Americans, the ones who do not qualify for the grants, the ones who are looking at huge college loans or incredible expenditures, particularly when one gets more than one kid in college at the same time, who want to plan for that in advance.

So the Joint Committee on Taxation looked at this and their estimates are that 70 percent of the people who benefit from this have a family income of less than $75,000 a year. This is about saving for middle-class kids. It does not affect the wealthy kids at all, really.

The other interesting thing about that analysis is that three-quarters of the kids are going to be going to public school. It is about giving families the incentive to save and wrap things around kids that the public schools may not offer.

It is science fair season in New Mexico. I do not know how that is in Pennsylvania, but it is a really big deal in New Mexico. My son is in kindergarten in a public school in Albuquerque, and he is doing his first science fair project. It is not that big a deal in kindergarten, but for some of these kids who are in middle school and high school, some of these science fair projects are both a huge commitment of their time, but also a fair commitment in resources too. Would it not be nice to be able to use tax-free dollars that one had been saving for those kinds of expenses, or when one's kid gets to be in middle school and high school and joins the band and really gets committed to music and wants to take private lessons in addition to playing in the band or the orchestra. It seems to me that if one is willing to support that, one should have the option to use tax-free money to do that in an education savings account.

So that is one myth, that it is for the rich. It is not. The rich do not even qualify, and 70 percent of the folks who are going to benefit from this make less than $75,000 a year, hardly rich in America.

The second myth is that we are going to deplete money from the public schools, that this will all be taken away in some way for the public schools. That is just absolutely flat out not true. Frankly, I got involved in public life because of a commitment to public education and a belief that we have to improve public education and make sure that all of our kids are benefiting from public education.

The idea that doing something like this would take away from the public schools really bothers me. I find that myth to be personally offensive, particularly given that we just passed a budget last week that will increase, yet again, the Federal commitment to education. Mr. Speaker, almost 10 percent this year in increased funds to education. Now, that is more than our State government has been able to do for the last several years, and we will continue our commitment to funding schools. But we should also do things that encourage corporations and nonprofits and parents to save and invest in public education too. That is, I think, good public policy.

The quote here that I have up next to me is from United States Senator BOB TORRICELLI, who is one of the principal sponsors in the Senate. He makes it very clear: this is using private money. It is using a family's own resources. By our estimation, after 5 years, $12 billion in private money will be used to educate children kindergarten to 12.

This cannot be a bad thing. Yet, critics argue it is a diversion of money from public schools. Not one dime of money that is now going to a public school goes anywhere else but to that same school on that same basis. This is new money, private money, a net increase of $12 billion in education. That has to be a positive thing and it does not take a dime away from the school in your neighborhood.

Mr. PETERSON of Pennsylvania. Mr. Speaker, if the gentlewoman would yield, if my math is still good, 75 percent of $12 billion would be those who oppose this legislation for the reasons we have talked about, their fear, are saying no to $9 billion that would flow into the public educational system from private families, not government money, but private money would say no to that because they could not be guaranteed every dime of it.

Mr. Speaker, I had a father yesterday just really upset because his son was

unable to attend a Pennsylvania college that he and all of his family had graduated from. He had very high grades, but he was weak in art and music. And if he would have known that, he would have had him tutored, but he had taken all the art and music that was available to him. But for some reason, he, being unaware of that, was unable to enter the program at the school of his choice. His grades were just under 4.0, so it was not the total, it was the lack of some special needs. Here is a situation where they could have used some of the money they had put away for their children's future to prepare him so that he could enter the field.

I do not think that is uncommon. I hear a lot of parents talking about how their children are doing wonderfully, but there is something missing in their local school program to allow them to be prepared for some very competitive national programs where they may only take 30 a year from across the country, and to enter that select rank, they have to have all of the credentials that that university requires. In those situations, they talk about again taxing the rich. The middle class, many of them are so dedicated about preparing their children for their future and really sacrificing.

□ 2015

I have had friends who really were poor for a decade, and yet they had a good income because they had two and three children in college at the same time. By the time they wrote those tuition checks year after year after year, they were driving a much older car than they used to, they were going without any new furniture, they were taking smaller and shorter vacations, but their priorities were to educate their youngsters. They can call them rich because they have a good income, but by the time they pay three college tuitions, they are poor when it comes to spending dollars for other things.

So I guess I still go back to the turning away of $9 billion of investment in public education because $3 billion might go to private education. That seems to me to be very shortsighted and just not having one's eyes on the ball and not looking at this in the big picture. Because we all know that public education, probably in our lifetime, will continue to provide the education for most of our youngsters.

Mrs. WILSON. I thank the gentleman for his comments.

There are some other myths I think we are going to hear some more about. There is one that the gentleman started to touch on. That is the issue of, well, this will just mean that money is going to private schools and it is going to go to parochial schools, and not only is this wrong as a matter of public policy, but it might be unconstitutional. That is also, I think, kind of a red herring. This passes all of the constitutional tests because the benefit accrues to the family and the child. They decide what to use that money for.

I find it amusing that we could say that the current law, which allows education savings accounts to be used in saving, and a child can go to Notre Dame, but it would be unconstitutional to use that same money to send that child to St. Pious High School, which is a Catholic high school in my district. It is fully constitutional and complies with all of the constitutional mandates for use of public funds.

This is not about vouchers, though some people are going to argue that, as well. If we are allowed to take money after we have paid taxes on it and put it in an account so it can accrue interest without paying taxes on that interest, that is our money. We use that money. The only thing that is different about it is that they are not going to take the taxes on it if we say we are going to use that money to invest in our child's education.

That is the only thing that is going on here. This is not about taking public money and funding private or parochial schools. So I think that that is an important myth that we are going to need to deal with over the next couple of days.

I think there is another myth, too. It is really kind of the one that is not spoken. We might as well just come right out and say it.

There are folks who believe that there is a desire to fund these kinds of things and not public schools; that what this really is about is about changing the debate and changing the flow of funds and abandoning public education.

Nothing could be further from the truth. I think this Congress over the last 4 or 5 years has reaffirmed its commitment to great education in this country and great public schools in this country, because every one of us in this room, no matter what party we belong to, benefited from public education, for the most part. There are some folks here on both sides of the aisle who went to Catholic schools, but we all know that America would not be the great Nation it is today without a strong public school system. We have known that in this country, that democracy cannot thrive without a great system of public schools.

The biggest chunk of Federal funding for education here goes into special ed, the IDEA funds. I think it is important to talk about a few facts here on the commitment to education.

The brown bar here is what the President has requested since 1996. In every single year, Congress has appropriated more funds for special education than has been requested in the President's budget. We will do that again this year. In the budget resolution we passed last week, we will increase special education funding this year by $2.2 billion, and $20 billion over the next 5 years. We are committed to a great system of education.

But that also means doing things with the Tax Code to encourage others to be equally committed, whether they are corporations or whether they are parents trying to plan for the future of their children.

The final myth is that what this really is about is encouraging folks to leave the public schools; that this will somehow make it possible for a kid who is in third grade in Albuquerque to go to St. Mary's, rather than to the local public school. That may happen on the margins, but frankly, it is really probably not enough to make that happen in a large sense. If that is what works for that kid, I am not sure that that bothers me at all.

We are not going to see, no matter what we do, a huge exodus from the public schools. The reason is that parents want a great school in their neighborhood. They want to be able to have their kid walk to a school that is safe, that will educate them for the 21st century. They do not want to abandon the public school system any more than we do in this body. But what they do want to do is be able to spend some money on their child's education without being penalized for it under the Tax Code.

Mr. PETERSON of Pennsylvania. Mr. Speaker, if the gentlewoman will yield, she mentioned the IDEA funding, special education funding. I think Congress has really stepped up to the plate there.

When this legislation was passed, special education is a mandate that every child receives the same kind of education, the same quality of education. Some people with serious problems are a lot more expensive to educate than those who do not have those difficulties.

Yet, just back in 1996, if I look at this correctly, we were only paying 3.5 percent of special education costs. If my memory is correct, the legislation that was passed by this Congress before that some years said we would pay 40 percent of the costs of special education. We were at 3.5, and I think we are up to, looking at that chart it is a little hard to tell, it is over 6. So we have almost doubled the Federal commitment.

These are dollars that follow the student and go to all of our schools. That is not true of all Federal money. Much of the Federal education dollar is not spread equally across this country. Some large urban districts do pretty well. There are a few suburban districts which do pretty well. I have lots of districts that get 1 percent of their funding. Yet, we say we are funding 6.8 percent of education.

So the biggest frustration I have had with Federal programs is the complexity. To reach them, you have to have consultants or you have to have specialists on your staff. My rural school districts often do not have an assistant superintendent, let alone a grantsman. They do not have educational consultants nearby, because it is rural. So many of my districts have no idea how to apply to the hundreds of Federal programs that are available, and do not have the expertise to do that.

I will find an occasional anomaly where you will have a school superintendent who worked in a suburban district who was very good at getting Federal money and he brought that expertise to the school with him, but that is the rarity. That is not common.

With the IDEA, when we fund that instead of another Federal program such as construction of schools, which would have only gone to a few schools in this country, the average school never would have seen it, which would have complicated the process, which would have made building of schools more costly, we need to free up those Federal education dollars and get them into the classroom, and get away from all the bureaucratic mumbo-jumbo that is there.

But back to the issue that we were talking about, the education savings accounts, again, it is our chance to give people a chance to prepare for their children's education and have some money set aside that can grow tax-free. They have paid the tax on it first, but it can grow tax-free. Then they can choose to use it when they feel it is necessary and they cannot afford it out of their general income.

Under the President's and the Vice President's plans, we might have someone who is a senior. The parents do not have the money for a special needed program so their daughter or son could go to a certain school of their choice, and they would miss that opportunity, because it would be somehow wrong for them to choose to pay for that program that would prepare them for their college education.

Again, as I said when I had listened to the earlier discussion, as the gentlewoman began this evening, how anybody could really oppose this bill, how anybody could be fearful that this is going to crush public education or harm public education when it has the potential of contributing $9 billion to public education is just not being honest.

I think when we have this debate on Thursday, I hope that people will be honest, because if they are honest they will not be making those kinds of statements. Allowing parents to save their money and let it grow and then spend it on their child for educational purposes that they think is appropriate is exactly how America should function. To oppose this legislation, I think they are saying, parents, you do not know how to spend your money that you have saved for your children, and just because we did not charge you taxes on the increase in value, you cannot spend it where you think it ought to be spent.

That is taking control from our families and putting it in Washington bureaucracy, in a Washington educational establishment that in my view is afraid of something that they should not be afraid of at all.

Mrs. WILSON. I thank the gentleman from Pennsylvania. I thank him for joining us here tonight.

Just to sum up before the hour ends here, we have been talking about the education savings accounts. We are going to be having a bill on the floor of the House on Thursday about education savings accounts. They exist under current law, but they are limited to only $500 a year per child. They can only be used for college expenses.

We would like to make some changes to that. The Senate has already passed a bill, and we are going to work on it and hopefully pass it here on the floor of the House on Thursday, that would do a couple of things. It would allow you to save not $500 a year per child but to put $2,000 per year per child into that account and allow it to grow, allow the interest to accrue without paying taxes on that interest.

We are going to try to extend it from college expenses down to kindergarten through 12th grade and college expenses, so it can cover tuition or tutoring or supplies or computers or books, whether that is for a child in public school or private school or parochial school or home school.

The estimates are that 70 percent of the kids who are going to benefit from that at the elementary and secondary level are going to be in public school, and that parents will use those funds to wrap things around a child that they may not be getting, or they may be having trouble with in public school.

The third change that the law is going to try to make on Thursday is to let corporations or nonprofits contribute to education savings accounts set up for low-income kids. One of the criticisms is that there is really no advantage to this if you are low-income or low enough income that you are not paying taxes.

Of course, those generally are the kids who qualify for the grants to go to college in the first place. It is middle-income families that are really strapped when it comes to paying for education expenses.

The other thing that the change will do is for those States and for those families who are making pre-paid college tuition payments who have set up an account to go to State school, as many States already have, they would be able to contribute to their educational savings account for that child, also. They would not have to choose either one or the other. That change will be in the law that we hope to pass on Thursday.

They still will not be able to qualify for this if they are rich. They will still have to save and pay interest on the savings if they are making over $150,000 a year as a family. But this is really targeted towards middle-class Americans, to the kids who are wondering when they are in high school how they are ever going to pay for college, and to the parents who are despairing about the same thing. Those are the families that need the help and the encouragement through the Tax Code to invest in education.

I started out talking this evening almost an hour ago now about our commitment to public education and our commitment to our kids in the 21st century. What was good enough for us and what was good enough for our parents and for our grandparents is not going to be good enough for our kids. We need to redouble our efforts and redouble our commitment to education for our children.

Ten years from now, I hope that we are standing here able to celebrate the reality that 95 percent of our kids are graduating from high school and three-quarters of them are going on to college or technical school or into the military.

We are not there yet, but we cannot afford to leave any child behind. No child must be left behind. We have to narrow the gap between rich and poor and black and white and brown, because in America, we will not have a 21st century that is an American century, just as much as the 20th was, unless we do.

□ 2030

I want to thank my colleagues for joining me here this evening.

THE NEED FOR MEDICARE PRESCRIPTION DRUG BENEFITS AND OTHER VITAL ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, this evening, I would like to talk for a little bit about the issue of a Medicare prescription drug benefit, because I believe that it is imperative that this Congress, this House of Representatives in particular, pass a prescription drug benefit that is affordable and that every American, every senior citizen, everyone that is eligible for Medicare, would be able to take advantage of.

Mr. Speaker, so far we hear the Republican leadership talking about the need for a prescription drug benefit in the context of Medicare, but yet we have seen no action. No action in committee, no action on the floor in either House.

President Clinton has rightly pointed out that the government must subsidize drug coverage for all Medicare beneficiaries, not just for those who have modest incomes or use large amounts of medicine. Some of my Republican colleagues want to give Federal grants to the States to help low-income elderly people buy prescription drugs. But my point tonight is that that approach is unacceptable, because more than half of the Medicare beneficiaries who lack prescription drug coverage have incomes more than 50 percent above the official poverty line.

Another Republican proposal that I hear from some of my colleagues would give tax breaks to elderly people so they can buy private insurance covering prescription drugs. But again this

proposal would benefit the wealthiest seniors without providing any help to low- and middle-income seniors.

The point I am trying to make, Mr. Speaker, and President Clinton has made it over and over again, and Democrats on our side of the aisle will continue to make the point, that we need to provide prescription drug coverage for all seniors and we need to end the drug price discrimination which so many of our seniors are witness to and suffer from.

Just by way of background, Mr. Speaker, some information or some factual background about why this prescription drug benefit is necessary. Fifteen million Medicare beneficiaries right now have no prescription drug coverage, requiring them to pay their outpatient prescription drug costs entirely themselves. Millions of other seniors are at risk of losing coverage or have inadequate, expensive coverage. Indeed, the Consumers Union has found that seniors currently receiving prescription drug coverage through private Medigap policies are not getting a good deal.

Specifically, in 1998, Consumers Union analysis found that a typical 75-year-old is paying an additional premium of $1,850 per year for a prescription drug benefit that is capped at $1,250 a year. Hence, the typical 75-year-old is paying in premiums more than the value of the prescription drug coverage.

There are so many problems with the so-called coverage that we have out there in terms of its being inadequate and consumers having to pay too much, as well as a large amount of seniors that have no coverage at all. The problem of seniors paying prescription drug costs out of pocket has become particularly acute because the costs of prescription drugs continue to soar. The cost of prescription drugs rose by 14 percent in 1997 compared to 5 percent for health services overall.

The pinch on seniors is especially hard because people buying prescription drugs on their own, such as the seniors who have no or inadequate insurance coverage, usually have to pay the highest prices for them and they are unable to wield as much leverage as health plans and insurance companies that often can negotiate discounts. They do not have that opportunity to negotiate the discounts.

Seniors are the portion of the population that is the most dependent on prescription drugs. Whereas seniors are only 12 percent of the total population, they use more than one-third of the prescription drugs used in the U.S. every year. When Medicare was created back in 1965, prescription drugs did not play a significant role in the Nation's health care; and that is why it was not included in the time when Medicare was started. However, due to the great advances in pharmaceuticals in the past 34 years, prescription drugs now play a central role in the typical senior's health care.

As President Clinton has pointed out, if we were creating Medicare today, no one would ever consider not having a prescription drug benefit. Drugs that are now routinely prescribed for seniors to regulate blood pressure, lower cholesterol, ward off osteoporosis, these kinds of drugs had not been invented when Medicare began as a Federal program in 1965. Today, the typical American age 65 or older uses 18 prescription drugs a year.

Mr. Speaker, the bottom line that I am trying to get across, and that so many of my colleagues on the Democratic side have been trying to get across, is essentially that too many seniors find themselves unable to pay for their prescription drugs. The Democrats want to address this crisis and we want to enact a prescription drug plan this year to help all seniors afford the overwhelming cost of medication.

Now, I do not insist, and Democrats in general have not insisted, on any particular plan as long as it covers everyone and it is affordable. But because of the fact that the Republican leadership has so far refused to take any action on the prescription drug issue in the context of Medicare, we have been forced to essentially move to a procedure in the House called the discharge petition. If a bill is not released from committee or does not come to the floor, the Members of the House of Representatives have the option of signing a discharge petition at the desk here to my right that would essentially force the bill to come to the floor for a vote.

So, because of the Republican inaction on the prescription drugs issue in the context of Medicare, we have been trying to get as many Democrats, as well as Republicans, as possible to sign a discharge petition on two bills that would address the problem in a comprehensive way.

Mr. Speaker, I want to spend a little time talking about those two bills, because I think they may not be the only answer, but they are certainly a good answer to the problem that so many seniors face in terms of their inability to afford or have access to prescription drugs.

The first bill is sponsored by the gentleman from California (Mr. STARK) and the gentleman from California (Mr. WAXMAN), H.R. 1495. It would add an outpatient prescription drug benefit to Medicare; basically provide for the benefit. The bill covers 80 percent of routine drug expenditures and 100 percent of pharmaceutical expenditures for chronically ill beneficiaries who incur drug costs of more than $3,000 a year.

This legislation would create a new outpatient prescription drug benefit under Medicare Part B. The benefit has two parts: A basic benefit that would fully cover the drug needs of most beneficiaries; and, as I mentioned, a stop-loss benefit that will provide much-needed additional coverage to the beneficiaries who have the highest drug costs.

After beneficiaries meet a separate drug deductible of $200, coverage is generally provided at levels similar to regular Part B benefits with the beneficiary paying not more than 20 percent of the program's established price for a particular product. The basic benefit would provide coverage up to $1,700 annually. Medicare would provide stop-loss coverage; Medicare would pay 100 percent of the costs once annual out-of-pocket expenditures exceed $3,000. Seniors with drug costs in excess of the basic benefit but below the stop-loss trigger would be allowed to self pay for additional medications at the private entity's discount price.

As I said, there are two aspects of this that the Democrats as a party have tried to address. One is the need for a basic prescription drug benefit, and the other issue relates to the price discrimination that seniors face right now if they are not part of a plan, in which case they have to pay a lot more for the coverage because they cannot negotiate a good price for prescription drugs.

In the second bill that we have been seeking to discharge to the House floor, and various Democrats have signed the discharge petition for, this bill is the bill sponsored by the gentleman from Maine (Mr. ALLEN) and the gentleman from Texas (Mr. TURNER), H.R. 664, that calls for drug companies to end price discrimination and make their products available to seniors at the same low prices that companies give the Federal Government and other favored customers.

If I could just talk about this bill in a little more detail. It is called the Prescription Drug Fairness for Seniors Act. Basically, it was put together by the gentleman from Maine (Mr. ALLEN) and the gentleman from Texas (Mr. TURNER) because of various studies that were done by the Committee on Government Reform and that Democrats have looked into in order to suggest an answer to the problems that seniors have with price discrimination.

There have been studies in congressional districts across the country that have shown that drug manufacturers engage in widespread price discrimination. Seniors and others who buy their own prescription drugs are forced to pay twice as much for their drugs as are the drug manufacturers' most favored customers such as the Federal government and, of course, the large HMOs.

For some prescription drugs, seniors must pay 10 times more than these favored customers. This price discrimination has a devastating effect on older Americans. Although they have the greatest need and the least ability to pay, senior citizens without prescription drug coverage must pay far more for prescription drugs than the favored buyers and, as a result of these high prices, many senior citizens are forced to choose between buying food and paying for medication they need.

I do not have to mention, Mr. Speaker, there are so many cases like this in my district and throughout the country where seniors are forced to make

this decision and choose between the drugs and the medication and buying food.

The Prescription Drug Fairness for Seniors Act will protect senior citizens from drug price discrimination and make prescription drugs available to Medicare beneficiaries at substantially reduced prices. The legislation achieves these goals by allowing pharmacies that serve Medicare beneficiaries to purchase prescription drugs at the low prices available to the Federal Government and other favored customers. The legislation has been estimated to reduce prescription drug prices for seniors by more than 40 percent.

Again, if I could summarize what the Allen-Turner bill would do, it would allow pharmacies to purchase prescription drugs for Medicare beneficiaries at low prices. Pharmacies will be able to purchase prescription drugs for Medicare beneficiaries at the same prices available to the Federal Government and these other favored HMOs. It also uses a streamlined, market-based approach. It would allow pharmacies to use the existing pharmaceutical distribution system and will not establish a new Federal bureaucracy. And the new access to discounts by pharmacies will enhance economic competition.

Mr. Speaker, I am not saying, and I want to stress again, I am not saying that these two bills, the Stark-Waxman bill or the Allen-Turner bill, the subject of the Democrats' discharge petitions, are the only approach. But I believe that something has to be done soon along the lines of the approach that these two bills take, and that is a comprehensive benefit for every senior under Medicare and a way to achieve affordable prices.

The problem of the lack of an affordable prescription drug benefit is really the biggest problem facing the Medicare program today. As I mentioned before, Medicare is a good program but this is a huge gap that must be filled in the program. And I do not think it can be corrected piecemeal by simply devising a plan that covers the poorest seniors as some of my Republican colleagues have suggested. It should be a comprehensive and affordable drug benefit available to all seniors, regardless of income.

It is not clear to me whether the Republican leadership is prepared to move away from this idea of covering only one-third of Medicare beneficiaries who lack any prescription drug coverage at all. The Speaker has appointed a partisan task force to study the issue, and I hope this is not a mere diversionary tactic to stall any action to move legislation forward and to end price discrimination.

Hopefully, this task force will report soon and we will see some action that will come into committee and eventually be marked up and come to the floor. I just want to stress that when it comes to an examination of who has taken the lead in trying to fix this problem, the record is very clear. The Republicans have done very little on this issue. Democrats, on the other hand, have been on the House floor day after day since the 106th Congress began pushing for consideration of legislative solutions such as those that have been offered by the gentleman from Maine (Mr. ALLEN) and the gentleman from California (Mr. STARK), as I mentioned.

The key is that both the Stark and the Allen plans would increase the negotiating power of those seeking to provide a Medicare drug benefit allowing pharmaceuticals to be purchased at cheaper prices and passing the savings on to all interested seniors. The President, we also know, has a comprehensive plan. His plan would also provide pharmaceuticals to seniors who need them at discounted prices. I want to stress that I also support his plan, and his plan also will accomplish the goal of covering all seniors and affordability.

On the other hand, I do not know of any Republican proposals or expressions of support for confronting the issue of pharmaceutical price discrimination. And we cannot, we cannot address this problem without dealing with that price discrimination issue.

Before closing with regard to the prescription drug issue, because I do want to move on to a couple of other subjects, I just want to express my view that it is also important to bring in the pharmaceutical companies in our efforts to pass a Medicare prescription drug benefit. I thought that it was very encouraging earlier this year when the drug companies dropped their initial opposition to a benefit and specifically to the President's proposal. That was refreshing.

In my home State of New Jersey, of course, there are a lot of pharmaceutical companies; and I was contacted by some of the New Jersey pharmaceutical executives who expressed their willingness to sit down and help come up with a plan.

□ 2045

I think that the reason that they did that is because they realize we need action. They realize that seniors are suffering, and they realize that it is possible to put together, hopefully in a bipartisan way, a Medicare prescription drug benefit that will cover all seniors and that will be affordable.

I would simply urge my colleagues and the Republican leadership that are in charge of the House of Representatives to act quickly on this. Until they do, I and other Democrats will come to the House floor on a regular basis demanding action, because seniors need it. This is a major issue for them. They are suffering, and they need to have our attention focused on this issue before the Congress adjourns this year.

LESSONS FOR UNITED STATES DIPLOMACY: INDIA RESPONDS TO CLINTON MESSAGE, BUT NOT PAKISTAN

Mr. PALLONE. Mr. Speaker, I wanted to spend some additional time this evening, if I could, on two other international issues. I just returned last week with the President from an official state visit to India as well as Bangladesh. I thought that the trip and the visit by the President was very worthwhile. There is no question in my mind that it was a historic visit that managed to bring the United States and India closer together. This was the first visit by an American President to India and to the subcontinent in more than 2 decades.

I wanted to just, if I could, in the little bit of time tonight, assess what was accomplished and also make my analysis of how much work still needs to be done.

The key outcome of the President's trip is the message, I think, that should be sent to our administration, our State Department, about which South Asian nation can be relied upon to be an effective partner for the United States in the years to come. That Nation, of course, is India. Then, on the other hand, which South Asian nation stands in direct opposition to America's interests and values. I do not think there is any question, based on that trip, that the Nation in that category is Pakistan.

President Clinton went to South Asia with an agenda of promoting peace, stability, regional integration, democracy, trade, market reforms, and the settlement of disputes through negotiations. Well, India's elected leaders clearly embraced President Clinton's agenda. Pakistan's military dictatorship, on the other hand, clearly ignored it.

Mr. Speaker, I hope this lesson is not lost on the policy makers in our State Department and the National Security Council. During the Cold War, military and intelligence links were established between the United States and Pakistan. But we live in a changed world now. Unfortunately, there are many who are still set in the old ways, both here in Washington as well as in Pakistan. I hope what we have witnessed in the past week with the President's trip to the subcontinent will be taken seriously by our policy makers and that we will see significant changes in U.S.-South Asia policies.

I participated in the President's visit to India, but also to his visit to Bangladesh. I want to report that that trip to Bangladesh was also valuable and productive.

In addition to the goodwill that we generated between India and the United States and Bangladesh and the United States, there were some substantive accomplishments on initiatives that will improve the quality of life for the people of South Asia and create new opportunities for American businesses in this important and emerging region of the world.

One of the President's top priorities in making the trip to South Asia was to call for a peaceful solution to the Kashmir conflict that has divided India

and Pakistan for decades. India's elected leaders have long made it clear that they seek the same thing.

Well, last Monday, not yesterday, but the previous Monday, Mr. Speaker, on his first full day in India's capital of New Delhi, President Clinton and India's Prime Minister Vajpayee signed a vision statement outlining the direction of the partnership of the world's two largest democracies in the 21st century.

In their joint appearance, Prime Minister Vajpayee stated that India remains committed to resolving its differences with its neighbors through peaceful bilateral dialogue and in an atmosphere free from the thought of force and violence.

The prime minister stressed the need for neighboring countries to respect each other's sovereignty and territorial integrity and to base their relationship on agreements solemnly entered into.

Unfortunately, Mr. Speaker, President Clinton did not hear the same message during his brief visit to the Pakistani capital of Islamabad. President Clinton stressed to General Musharraf, the military leader who seized power in Pakistan in a coup last October, that there could be no military solution in Kashmir by incursions across the line of control, the de facto border between India and Pakistani-controlled territory in Kashmir.

Our President called for restraint, respect for the line of control, and rejection of violence and return to dialogue.

In a speech to the Pakistani people, broadcast on national television and radio, President Clinton stated, ''We want to be a force for peace. But we cannot force peace. We cannot impose it. We cannot and will not mediate or resolve the dispute in Kashmir. Only you and India can do that, through dialogue.''

Now, in marked contrast, Mr. Speaker, to India's elected prime minister, Pakistan's military dictator did not echo the call for a peaceful resolution of the Kashmir conflict. Instead, despite overwhelming evidence to the contrary, the general fell back on the old claim that Pakistan had nothing to do with sending forces across the line of control last year. As a matter of fact, in a recent interview with the Washington Post prior to President Clinton's visit to India, General Musharraf himself admitted the Pakistani government's involvement in last year's attack against India's side of the line of control.

Mr. Speaker, in yesterday's New York Times, yesterday being Monday, the 27th of March, an editorial stated, and I quote, ''In his six-hour stop in Islamabad on Saturday, including a 90-minute meeting with General Musharraf and an unflinching television address to the Pakistani people, Mr. Clinton delivered the right messages, but he did not get a helpful response. Indeed, General Musharraf, in a surreal news conference following the visit, sounded as if he had not heard a word Mr. Clinton said.''

That New York Times editorial, entitled ''Perils in Presidential Peacemaking,'' cited the disappointing results of the meeting with General Musharraf and of the meeting in Geneva with Syrian President Assad. The meetings accomplished little, quoting from the Times, ''because neither interlocutor was in the mood to do business. America may be the sole superpower today, but that does not guarantee cooperation from intransigent leaders like General Musharraf and Mr. Assad.''

Mr. Speaker, one of the things that leaders like General Musharraf and President Assad have in common was they were not elected to their post and they do not face the institutions of accountability that we expect in a democratic society. Obviously, we have to deal with such authoritarian leaders around the world, and sometimes we can accomplish productive things with them. But the results are often frustrating. In light of India's willingness to enter into a process of dialogue with Pakistan, it is truly a shame that General Musharraf let this opportunity go by without making any effort at reconciliation.

One of the key challenges of President Clinton's visit was to make it clear to the Pakistani junta that his visit did not constitute American support for the coup that overthrew the civilian government. While maintaining respect for Pakistani sovereignty, the President stated that, ''The answer to flawed democracy is not to end democracy, but to improve it.''

But on the eve of President Clinton's visit, in what I would characterize as largely a public relations move, General Musharraf announced a timetable for local elections between December of this year and August 2001. But the General refused to provide a time frame for national elections. The bottom line is that the general appears intent on holding on to power for the foreseeable future.

This is a stark contrast, Mr. Speaker, between India and Pakistan. India again proved itself to be the thriving democracy with a free press and respect for what we Americans call first amendment rights. While President Clinton's visit was widely hailed throughout India, there were opponents of the U.S., and peaceful demonstrators were allowed to express their views.

During the President's speech to the Parliament, those of us who were part of the bipartisan delegation in New Delhi that accompanied President Clinton had an opportunity to interact with our counterparts in India's parliament. We sat on the floor with them just as we would in the House of Representatives here. How different was that from the closed door meetings with an unelected general that took place in Pakistan.

Two other huge areas of concern in the U.S.-Pakistani relationship are Pakistan's disturbing close relationship with terrorist organizations, many of which operate on Pakistani soil, and the proliferation of nuclear weapons technology with some of the world's most unstable and dangerous nations. Again, the response of General Musharraf was not encouraging.

Casting a shadow over President Clinton's trip was the tragic and shocking massacre of 36 innocent Sikh villagers in India's state of Jammu and Kashmir. This terrible incident took place while we were in India with the President. It was the first large-scale attack against the Sikh community in Jammu and Kashmir. But it is consistent with this ongoing terrorist campaign that has claimed the lives of thousands of peaceful civilians in Kashmir. This terrorist campaign has repeatedly and convincingly been linked to elements operating within Pakistan, often with the direct or indirect support of Pakistan.

Mr. Speaker, I believe it is no coincidence that this massacre in Kashmir took place during Clinton's visit to South Asia. I believe these terrorist groups and those who support them in Pakistan wanted an incident that would draw attention to the Kashmir issue while stepping up the campaign of fear intended to drive Hindus, and now Sikhs, out of Kashmir.

There have been also crude attempts to blame the massacre on India, which is an outright untruth, in an effort to try to turn the Sikh community against India. As always, these actions backfire in terms of their intended propaganda effect.

What is tragic, besides the loss of innocent lives, is the fact that Pakistan continues to squander resources on weapons and support for terrorism in Kashmir.

Estimates have put the average income in Pakistan at about a dollar a day. Democracy has been squelched. President Clinton tried to approach the Pakistani leadership with a message of friendship, but with serious expectations about what steps Pakistan must take to be a full-fledged member of the community of nations. But that message, President Clinton's message, was ignored or rejected by the Pakistani dictatorship.

Lastly on this subject, Mr. Speaker, I wanted to say, in India and Bangladesh, President Clinton outlined a number of programs for increased trade and investment in the United States, as well as ways to increase cooperation among the nations of the region in the energy sector and other areas.

Some day, it is to be hoped that Pakistan will be able to be a part of this new-found cooperation with the United States and with its neighboring countries. But this cannot happen under the terms Pakistan has set for itself. I regret that the current government in Pakistan did nothing to encourage the hope for progress, but it was certainly not for the lack of trying by both the United States and India.

179TH ANNIVERSARY OF GREEK INDEPENDENCE

Mr. PALLONE. Mr. Speaker, lastly today, if I could just spend a few minutes, I noticed that, earlier this evening, a number of my colleagues on both sides of the aisle made statements on the floor addressing the 179th anniversary of Greek independence. I wanted tonight, before I conclude, to just congratulate the people of Greece and, of course, Americans of Greek descent, on this 179th anniversary, which occurred over the weekend, last Saturday, March 25.

I think we all know that, throughout our country's history, Greece has been one of our greatest allies, joining the U.S. in defending and promoting democracy in the direst of circumstances.

The Greek people have also made invaluable contributions to the betterment of American's society. Following traditions established by their descendants, Greek-Americans have reached the highest levels of achievement in education, business, the arts, politics, and athletics, to name just a few; and American culture has been enriched as a result.

But I wanted to take the opportunity this evening on the anniversary of Greek independence today to discuss an issue that is of great concern to Greece and to Greek Americans, and that is the proposed $4 billion of attack helicopters to Turkey by the United States and the current negotiations and the Cyprus issue.

Let me just say in unambiguous terms that the U.S. should not go forward with the sale of attack helicopters to Turkey for a variety of reasons. Chief among them are the continued human rights abuses by the Turkish military against the Kurdish people in Turkey and the potential to undermine the recent thaw in relations that has occurred between Turkey and Greece.

Human rights abuses by the Turkish military against the Kurdish minority in Turkey have been well documented, not only by human rights organizations, but by the U.S. State Department as well. These abuses are systematic and in and of themselves are reason enough not to go forward with the sale of U.S. attack helicopters to Ankara.

In 1998, the administration outlined the progress in human rights Turkey would need to make in order for such a sale to go through. Those conditions have certainly not been met, Mr. Speaker. To ignore this fact would be to violate our country's own deeply held beliefs about human rights. This, however, is hardly the only reason why the sale should not go forward.

Moving forward with the sale would undermine our long-standing policy to help ease tensions in the region between Greece and Turkey. The U.S. credibility with Greece will surely suffer if we urge them to take steps to reduce tensions with Turkey at the same time we sell Ankara attack helicopters. Such a sale could hardly come at a worse time. There had been a thaw in relations between Greece and Turkey sparked by the humanitarian gestures each country made to the other following earthquakes that rocked both nations last year. The helicopter sale could well be seen by Greece as a destabilizing step and upset the fragile progress that has been made in this regard.

□ 2100

Similarly, the proposed sale could have an equally harmful effect on the new round of peace negotiations in Cyprus. With these talks recently underway, it would be particularly foolish to sell Turkey high-tech offensive U.S. weapon systems.

The United States' long-standing policy has been that any settlement of the Cyprus problem be consistent with innumerous U.N. resolutions that have been passed on the Cyprus situation over the last two and a half decades. As my colleagues know, that is also the position of the Cyprus government. In other words, the U.S. position on Cyprus is consistent with that of Cyprus and Greece themselves. Moving forward with the helicopter sale would undercut the U.S.'s long-standing position on this issue and it simply should not happen.

The United States, Mr. Speaker, should be doing exactly the opposite of what the administration is proposing. Rather than cozying up to the Turkish military through the sale of attack helicopters, the U.S. should be publicly and privately coming down hard on Ankara and the Turkish military. In unequivocal language, and through both private and public mediums, the U.S. should communicate to Turkey, and particularly to the Turkish military, that there will be immediate and severe consequences in U.S.-Turkish relations if progress is not made on the Cyprus issue.

I do not have to repeat, but I will say that the illegal occupation of Cyprus is now almost 26 years old. Those of us who have worked on this issue in the House of Representatives must take advantage of every opportunity to reaffirm our commitment to bringing freedom and independence back to the Cypriot people. Indeed, reaffirming our commitment to standing firm with the Greek people, just as they have stood with us throughout our history, is a very appropriate thing to do on Greek Independence Day. Indeed, this is precisely why I wanted to talk about the issues I have raised today.

I can think of no better occasion to speak against the proposal to sell American attack helicopters to Turkey than on Greek Independence Day, a day when we should be honoring Greece for its commitment to our shared values and celebrating ways to strengthen the ties between our two countries, not weaken them. To that end, Mr. Speaker, I once again congratulate Greek Americans and the people of Greece on the 179th anniversary of Greek independence.

I urge all my colleagues to do the same and to join me in opposing the sale of attack helicopters to Turkey, in working for a just resolution to the Cyprus problem, and in working to strengthen the special bond that the United States and Greece have shared for so long.

IMPORTANT ISSUE FACING HOUSE-SENATE CONFERENCE ON HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes.

Mr. GANSKE. Mr. Speaker, tonight I am going to talk about a very important issue before the House-Senate conference committee on HMO reform. I think it is important for the members of the conference to understand the issue of medical necessity. It is probably one of the two or three most important issues that they will have to deal with.

I think it would be useful for those members to know about testimony that occurred before the Committee on Commerce on May 30, 1996. We have been working on this for many years now. On that day, a small nervous woman testified before the House Committee on Commerce. Her testimony was buried in the fourth panel at the end of a very long day about the abuses of managed health care. The reporters had gone, the television cameras had packed up, most of the original crowd had dispersed.

Mr. Speaker, she should have been the first witness that day, not one of the last. She told about the choices that managed care companies and self-insured plans are making every day when they determine ''medical necessity.'' Her name was Linda Peno. She had been a claims reviewer for several HMOs. Here is her story.

''I wish to begin by making a public confession. In the spring of 1987, I caused the death of a man. Although this was known to many people, I have not been taken before any court of law or called to account for this in any professional or public forum. In fact, just the opposite occurred. I was rewarded for this. It brought me an improved reputation in my job and contributed to my advancement afterwards. Not only did I demonstrate that I could do what was asked, expected of me, I exemplified the good company employee. I saved a half a million dollars.''

Now, Mr. Speaker, as she spoke, a hush came over the room. The representatives of the trade associations who were still there averted their eyes. The audience shifted uncomfortably in their seats, both gripped by and alarmed by her story. Her voice became husky, and I could see tears in her eyes. Her anguish over harming patients as a managed care reviewer had caused this woman to come forth and to bear her soul. She continued:

''Since that day, I have lived with this act and many others eating into my heart and soul. The primary ethical norm is do no harm. I did worse, I caused death. Instead of using a clumsy bloody weapon, I used the simplest, cleanest of tools: my words. This man died because I denied him a necessary operation to save his heart.'' She continued: ''I felt little pain or remorse at the time. The man's faceless distance soothed my conscience. Like a skilled soldier, I was trained for the moment. When any moral qualms arose, I was to remember, 'I am not denying care, I am only denying payment.' ''

Well, by this time, Mr. Speaker, the trade association representatives were staring at the floor. The Congressmen who had spoken on behalf of the HMOs were distinctly uncomfortable. And the staff, several of whom subsequently became representatives of HMO trade associations, were thanking God that this witness came at the end of the day when all the press had left.

Linda Peno's testimony continued: ''At the time, this helped me avoid any sense of responsibility for my decision. Now I am no longer willing to accept the escapist reasoning that allowed me to rationalize that action. I accept my responsibility now for that man's death, as well as for the immeasurable pain and suffering many other decisions of mine caused.''

She then listed the many ways managed care plans deny care to patients, but she emphasized one particular issue, the right to decide what care is medically necessary. She said, ''There is one last activity that I think deserves a special place on this list, and this is what I call the 'smart bomb of cost containment,' and that is medical necessities denials. Even when medical criteria is used, it is rarely developed in any kind of standard, traditional, clinical process. It rarely is standardized across the field. The criteria is rarely available for prior review by the physicians or members of the plan.'' She continued: ''We have enough experience from history to demonstrate the consequences of secretive unregulated systems that go awry.''

Well, Mr. Speaker, after exposing her own transgressions, she closed by urging everyone in the room to examine their own conscience. ''One can only wonder how much pain, suffering and death will we have before we have the courage to change our course. Personally, I have decided that even one death is too much for me.''

The room was stone quiet. The chairman mumbled thank you. Linda Peno could have rationalized her decisions, as so many do ''Well, I was just working within guidelines''; or ''I was just following orders''; or ''We just have to save resources''; or ''Well, this isn't about treatment, it's really just about benefits.'' But this brave woman refused to continue that denial, and she will do penance for her sins for the rest of her life by exposing the dirty little secret of HMOs determining medical necessity.

My colleagues on the conference committee, please keep in mind the fact that no amount of procedural protection or schemes of external review can help patients if insurers are legislatively given broad powers to determine what standards will be used to make decisions about coverage. As this HMO reviewer so poignantly observed, ''Insurers now make treatment decisions by determining what goods and services they will deliver, they will pay for.''

The difference between clinical decisions about medically necessary care and decisions about insurance coverage are especially blurred. Because all but the wealthy rely on insurance, the power of insurers to determine coverage gives them the power to dictate professional standards of care. And make no mistake, along with the question of health plan liability, the determination of who should decide when health care is medically necessary is the key issue in patient protection legislation.

Now, Mr. Speaker, contrary to the claims of HMOs that this is some new concept, for over 200 years most private insurers and third-party payers have viewed as medically necessary those products or services provided in accordance with what is called prevailing standards of medical practice. And the courts have been sensitive to the fact that insurers have a conflict of interest because they stand to gain financially from denying care. So the courts have used ''clinically derived professional standards of care'' to reverse insurers' attempts to deviate from those standards.

This is why it is so important that managed care reform legislation include an independent appeals panel with no financial interest in the outcome, a fair review process utilizing clinical standards of care guaranties that the decision of the review board is made without regard to the financial interest of either the HMO or the doctor. On the other hand, if the review board has to use the health plan's definition of medical necessity, there is no such guaranty.

In response to the growing body of case law, and their own need to demonstrate profitability to shareholders, insurers are now writing contracts that threaten even this minimal level of consumer protection. They are writing contracts in which standards of medical necessity are not only separated from standards of good practice but are also essentially not subject to review.

Let me give my colleagues one example out of many of a health plan's definition of medically necessary services. ''Medical necessity means the shortest, least expensive or least intense level of treatment, care or service rendered or supply provided as determined by us.'' Well, Mr. Speaker, contracts like this demonstrate that some health plans are manipulating the definition of medical necessity to deny appropriate patient care by arbitrarily linking it to saving money, not the patient's medical needs.

Now, on the surface some may say, well, what is wrong with the least expensive treatment? Well, let me show my colleagues just one example out of thousands I could cite. Before coming to Congress, I was a reconstructive surgeon. I treated children with cleft palates, like this baby. Clinical standards of care would determine that the best treatment is surgical correction. But under this HMO's definition of medical necessity, the shortest, least expensive and least intense level of treatment, that HMO could limit coverage for correction of this child's roof of his mouth to a piece of plastic to fill the hole.

□ 2115

After all, a piece of plastic would be cheaper. However, instead of condemning this child to a lifetime of using a messy prosthesis, the proper treatment, reconstruction using the child's own tissue, would give this child the best chance at normal speech and a normal life.

But now, Mr. Speaker, now the conference between the House bill, the Norwood-Dingell-Ganske bill, a good strong bill, and the Senate bill, which is a joke, could paradoxically give insurers legislative changes that displace even case law.

Last year, the patient protection legislation that passed the Senate would grant insurers the explicit power to define ''medical necessity'' without regard to current standards of medical practice. This would be accomplished by allowing insurers to classify as medically unnecessary any procedures not specifically found to be necessary by the insurer's own technical review panel.

The Senate bill would even give insurers the power to determine what evidence would be relevant in evaluating claims for coverage and would permit insurers to classify some coverage decisions as exempt from administrative review.

Now, I know that many of our colleagues in the Senate who supported that Senate bill had no idea about the implications of the ''medical necessity'' provisions in that bill.

Specifically, insurers now want to move away from clinical standards of care applied to particular patients to standard linking medical necessity to what are called population studies or to ''guidelines'' by companies like Milliman & Robertson.

Now, on the surface this may seem to be scientific and rational. However, as a former medical reviewer myself who worked with many insurers, large and small, let me explain why I think it is critical that we stick with ''medical necessity'' as defined by clinical standard of care and that we not bind the independent review panel to the plan's own guidelines.

In the version of patient protection that passed this House, if there is a dispute on a denial of coverage and it goes

through internal review and then goes to external review and to that independent external review panel, unless there is a specific exclusion of coverage, that independent panel can use in its decision many things.

It can use medical literature, the patient's own history, recommendation of specialists, NIH statements. It can even use the plan's own guidelines. But, critically, it is not bound by the plan's own guidelines. That is the provision that we should have come out of conference.

Here are some reasons why we should not rely solely on what are called outcome studies or guidelines. First, sole reliance on broad standards from generalized evidence is not good medical practice. Second, there are practical limits to designing studies that can answer all clinical questions. And third, most of the studies are not of sufficient scientific quality to justify overruling clinical judgment.

Let me explain these points further. And for anyone who wants more depth on this discussion, I refer them to an article by Rosenbaum, et al., in the January 21, 1999, edition of the New England Journal of Medicine.

First, while it may sound counterintuitive, it is not good medicine to solely use outcomes-based studies or guidelines for ''medical necessity,'' even when the science is rigorous. Why? Because the choice of the outcome is inherently value laden.

The medical reviewer for the HMO is likely, as shown by the above-mentioned contract, to consider cost the essential value. But I would ask my colleagues, what about quality?

Now, as a surgeon, I treated many patients with broken fingers simply by reducing the fracture, putting the bones back in the right place, and splinting the finger. And for most patients, that would restore adequate function. But what about the musician, what about the piano player or the guitar player who needs a better range of motion? In that case, surgery might be necessary. So I would ask, which outcome should be the basis for the decision about insurance coverage, playing the piano or routine functioning?

My point is this: taking care of patients involves much variation. Definitions of ''medical necessity'' have to be flexible enough to take into account the needs of each patient. One-size-fits-all outcomes make irrelevant the doctor's knowledge of the individual patient; and that is bad medicine, period.

Second, there are practical limitations on basing medical necessity on ''generalized evidence'' or on ''guidelines,'' particularly as applied by HMOs.

Much of medicine is as a result of collective experience, and many basic medical treatments have not been studied rigorously. Furthermore, aside from a handful of procedures that are not explicitly covered, most care is not specifically defined in health plans because the numbers of procedures and the circumstances of their applications are infinite.

In addition, by their very nature, many controlled clinical trial study treatments are in isolation, whereas physicians need to know the benefits of one type of treatment over another in a particular patient.

Prospective randomized comparison studies, on the other hand, are expensive. Given the enormous number of procedures and individual circumstances, if coverage is limited to only those that have scientifically sound generalized outcomes, care could be denied for almost all conditions.

Mr. Speaker, come to think of it, maybe that is why HMOs are so keen to get away from prevailing standard of care.

Third, the validity of HMO guidelines and how they are used is open to question. Medical directors of HMOs were asked to rank the sources of information they used to make medical decisions. Industry guidelines, generated by trade associations, or printed by companies like Milliman & Robertson ranked ahead of information from national experts, government documents, NIH consensus conferences.

The most highly respected source, medical journals, was used in less than 60 percent of the time. Industry guidelines are frequently done, as I mentioned, by a company by the name of Milliman & Robertson. This company is a strategy shop for the HMO industry. This is the same firm that championed drive-through deliveries and outpatient mastectomies. Many times these practice guidelines are not grounded in science but are cookbook recipes derived by actuaries to reduce health care costs.

Here are two examples of the errors of their guidelines. Remember their drive-through deliveries? Remember their outpatient mastectomies? Well, the National Cancer Institute released in June a study that found that women receiving outpatient mastectomies face significantly higher risks of being rehospitalized and have a higher risk of surgery-related complications like infections or blood clots that could be life threatening.

A 1997 study published in the Journal of the American Medical Association showed that babies discharged within a day of birth faced increased risks of developing jaundice, dehydration, and dangerous infections. So much for those specific guidelines from Milliman & Robertson.

The objectivity of medical decision-making requires that the results of studies be open to peer review. Yet, much of the decision-making by HMOs is based on unpublished ''proprietary'' and unexamined methods and data. Such secrets and potentially biased guidelines simply cannot be called scientific.

Now, this is not to say that outcomes-based studies do not make up a part of how clinical standards of care are determined, because they do. But we are all familiar with the ephemeral nature of new ''scientific,'' quotes, studies such as those based on the dangers of Alar.

There has recently been a report in one of the medical journals about discharging patients from a hospital within a day or two of having a heart attack. There was also an editorial in that medical journal expressing severe reservations about that and expressly saying that HMOs and managed care companies should not use this article out of context as an excuse to send heart attack patients home within a day or two of being in the hospital.

Clinical standards of care do take into account valid and replicable studies in the peer-reviewed literature, as well as the results of professional consensus conferences, practice guidelines based on government funded studies, and even guidelines prepared by insurers that have been determined to be free of conflict of interest.

These are all things that can be considered by that independent review panel in the House bill. But they are not bound by any one of them. But most importantly, they also include the patient's individual health and medical information and the clinical judgment of the treating physician.

Well, Mr. Speaker, Congress should pass legislation defining the standard of medical necessity. Because first, the Employee Retirement Income Security Act, ERISA, shields plans from the consequences of most decisions about medical necessity. Second, under ERISA, patients generally can only recover the value of the benefits denied. And third, even this limited remedy is being eroded by insurance contracts that give insurers the authority to make decisions about medical necessity based on questionable evidence.

To ensure those protections, Congress should provide patients with a speedy external review of all coverage disputes, not merely those that insurers decide are subject to review. It is time for Congress to defuse what former HMO reviewer Linda Peno described as the smart bomb of HMOs.

Now, Mr. Speaker, for years Milliman & Robertson, the company that has created the practice guidelines of HMOs, has operated sort of in the background. I think it is time, Mr. Speaker, to shine a spotlight on Milleman & Robertson's role in setting HMO standards that are the smart bombs that this HMO reviewer described as giving her authority to kill a man.

The operating practices of this company are just becoming public because of fact-finding in a lawsuit that has been filed by two pediatricians, two pediatric doctors, Tom Cleary and Bill Riley, who charged that the company falsely credited them as coauthors of a book on pediatric utilization review.

These pediatricians are filing suit not just because they did not write the sections that Milliman & Robertson credits to them, but to get the book off the market because they consider the

length-of-stay criteria in the book to be dangerous.

Dr. Cleary said, ''Milliman & Robertson limits hospital stays for serious diseases such as meningitis, that is infection of the covering of the brain and the spinal cord, and endocarditis, infection of the heart, to just 3 days, when it should be more than a week.''

''I want Milliman & Robertson to get out of the business of writing pediatric guidelines,'' says Dr. Cleary. But the company is not budging. It has not recalled thousands of copies of those pediatric guidelines or agreed to stop publishing so-called guidelines.

□ 2130

Let me remind you what Milliman & Robertson is. That is the company that proposed one-day limits on delivery of babies. That caused such an outcry that Congress and 41 States passed laws overriding drive-through deliveries. Milliman & Robertson's guidelines are cited in class action HMO liability suits against Humana in Florida and Prudential in New York.

Why is it that Milliman & Robertson continues to write the type of rules that Linda Peno cried out against? Mr. Speaker, because they make so much money from the denial of care business. Milliman & Robertson's book Pediatric Health Status Improvement and Management, 1998, is part of a nine-volume set on utilization management. The company has sold more than 20,000 copies, charging $500 for each book, while at the same time selling consultant services to help HMOs implement those guidelines. Its list of customers includes Anthems, Incorporated; Signa Health Care; Kaiser Foundation Health Plan; and Pacific Care among many others. Although Milliman & Robertson says its length of stay limits are ''best case scenarios,'' its own promotional material maintains that they apply to fully 80 percent of hospitalized patients younger than the age of 65.

Plus, a company official told the AMA Council on Scientific Affairs that 90 percent of admissions exceed guidelines. I ask you, how can a guideline described as a best case be exceeded 90 percent of the time? The suit brought by Drs. Cleary and Riley gives us a rare glimpse into how Milliman & Robertson creates its utilization review guidelines.

The company produced the pediatrics book with the paid help of Dr. Robert Yetman, who Milliman & Robertson officials found when he agreed with their assertion that lead screenings are unnecessary in Texas because few homes have lead paint. In his deposition, Dr. Yetman said that he did not ask for written authorization from 17 department colleagues listed as coauthors. Getting written authorization is customary in academic studies. But Dr. Cleary says he never orally agreed, either, to join the study and his only relation to it was to review one page of material for Dr. Yetman. Dr. Cleary said he first learned his name was being used as an author 10 months after publication, and he immediately asked Yetman to remove it. Dr. Yetman said the company refused until a new edition was printed. Well, this made Dr. Cleary furious. He was the only infectious disease subspecialist listed as an author for that volume on pediatric utilization management, and he felt that everyone would assume that he wrote the hospitalization limits for his subspecialty, such as endocarditis and meningitis, even though he never reviewed them.

Dr. Riley had similar concerns as the only pediatric endocrinologist listed. Dr. Riley says that the lengths of stay in his field are ''so clearly outside any reasonable approach to the standard of care as to be wholly reckless.'' Dr. Riley says that he fears that Milliman & Robertson's length of stay goals, quote-unquote, are fast becoming standards of care, and I would add that this is exactly the problem with these HMO guidelines. They are not peer reviewed nor published in respected medical journals.

Dr. John Neff, the chair of the Hospital Care Committee of the American Academy of Pediatrics, calls guidelines such as Milliman & Robertson's ''opinions.'' Dr. Neff points out that patients' conditions vary tremendously and that there are not enough reliable scientific studies on lengths of stay for specific conditions to form objective standards. Exactly what I was speaking about earlier in this talk.

I know that most physicians have no idea what is in this company's guidelines. They may even be cited as authors without their consent, as happened to Dr. Riley and Dr. Cleary. Here is a brief list of conditions with Milliman & Robertson's length of stay compared to commonly accepted standards for length of stay. For diabetic ketoacidosis, that is a child who goes into coma from diabetes. Milliman & Robertson says that child only needs to stay in the hospital 1 day. One day. Mr. Speaker, the standard would be 3 days. But Milliman & Robertson can save that HMO 2 days in the hospital.

How about osteomyelitis. That is an infection in the bone. Milliman & Robertson says this child can only stay in the hospital 2 days. Mr. Speaker, do you know what the standard of care is for a child with a serious bone infection? Four to 6 weeks in the hospital on IV antibiotics. But Milliman & Robertson says 2 days is enough.

Neonatal sepsis. That is a child who has an infection that is in the blood. Milliman & Robertson's guidelines say only need to keep that child in the hospital 3 days. The standard of care is 2 to 3 weeks. How would you feel if you were a parent with a child with these diseases? How about bacterial meningitis. That is a bacterial infection of the meninges. This is the covering of the brain, the covering of the spinal cord. According to the Milliman & Robertson standards, you only need to keep that child in the hospital for 3 days. Anything over that, that is excessive. What is the standard? Ten to 14 days. How about an infection in your heart, an infection in the heart of a baby? Milliman & Robertson says only need to keep that child in the hospital 3 days. What is the standard of care? One week.

Mr. Speaker, these ''guidelines'' are not just scary. In my opinion, they represent malpractice. I urge my colleagues to consider this information when they deal with medical necessity in conference. And, my friends, the next time you read a Milliman & Robertson study on HMOs supplied to you by the American Association of Health Plans, or the Health Insurance Association of America, just remember that this company is a flak for the industry and has a significant financial tie to HMOs and health plans. Do you think they are going to say anything that critical of HMOs when their business depends on HMOs?

Mr. Speaker, the conferees on patient protection in the conference committee should adopt the language of the House bill. Any less on this medical necessity issue will not be worth the paper that it is printed on. I hope that my colleagues on the conference committee are listening, because the lives of a lot of people in this country are depending on how you write that section.

ILLEGAL NARCOTICS

The SPEAKER pro tempore (Mr. OSE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes.

Mr. MICA. Mr. Speaker, I come before the House on the floor tonight to talk once again in regard to what I consider the most serious and devastating social issue facing not only the Congress but our entire Nation and that is the problem of illegal narcotics and the heavy toll they have taken on our Nation, particularly our young people.

Tonight, I am going to try to cover some material some may have covered before but I think in light of tomorrow's action on the proposal for an emergency supplemental in the House of Representatives, I will focus some on the story of how we got to an emergency situation, particularly as it involves narcotics and the primary source of those narcotics, Colombia, the country of Colombia, and the South American region where those illegal narcotics are coming from.

Then I hope to also touch upon some of my committee work for the benefit of my colleagues and the American people as chair of the Criminal Justice, Drug Policy and Human Resources Subcommittee. I know the hour is late. Many folks are tired. But I hope that they will listen tonight, because the message I have is an important one for the Congress and again for the American people. It will really detail some

of what has taken place, how we got ourselves into a situation where tomorrow the House of Representatives must bring forward a record funding emergency proposal to deal with a problem that has been festering, and I submit caused by very specific actions and policies and directives of this administration and now the American taxpayer will pay the bill.

It would not be bad enough if I just came here and talked about a price tag of $1.5, $1.6, $2 billion in emergency assistance that is going to go into an effort to stop the conflict, the trafficking, the production of most of the illegal hard narcotics coming into the United States. Talking about just that cost is bad enough. I have not translated that into the human toll in which we have in the last recorded year, 1998, I do not have the 1999 figures yet, 15,973 Americans dying as the direct result of illegal narcotics.

The toll is heavy. We are probably reaching 100,000 since the beginning of this administration. And I submit our action tomorrow will be just as important in shoring up the defense of this Nation for the many deployments that have been ordered by the chief executive but also to stop the biggest threat coming into our country. No American was killed in Kosovo in fighting there. Fifteen to 16,000 were killed last year in the streets, communities and schools of our Nation. No one died in Kosovo as a result of action of this Congress.

We tried our best to deal with this administration to stop death and destruction in that region of the world. It is in some of our national interest to do it, and if that is in our national interest to do it as far away as Kosovo where we have no direct American casualties and we did have disruption of that region and killing in that region, certainly an area to the south of us that produces the death and destruction of thousands and thousands of Americans annually, and the toll continues to rise.

We have imprisoned close to 2 million Americans in our jails and prisons across the country, and 60 to 70 percent, I am told, in some areas I am told even higher, 80 percent of those individuals are incarcerated because of narcotics-related offenses and many of them there for many felonies committed and crimes committed not only while under the influence but also trafficking in illegal narcotics. So again we have an area that is of extreme importance, an issue that is of extreme importance and we must deal with that tomorrow.

□ 2145

The record, as I said, is a rather sad action of this administration. I will detail some of the time it has taken to get the supplemental from this President. I was interviewed on an NPR radio program this afternoon and they had, I believe, a Time or Newsweek reporter also on the program. They were citing that this administration did not act until the information they had, because a poll was conducted and found that Americans are alarmed. Maybe my colleagues have read about that poll that was conducted. That poll said that the Democrats could be held accountable in the election and that this administration would pay the penalty for not attacking and taking action on the drug war.

We finally had word that a proposal was coming back in the late fall last year and again, that was delayed; and finally, not until a few weeks ago did we receive the President's budget proposal for emergency assistance to Colombia. We will deal with that matter in just a second.

Mr. Speaker, it is absolutely startling to me how the President of the United States can talk about everything except illegal narcotics and their impact on our young people. Most recently we had two incidents, and those incidents involved, first of all, a 6-year-old that killed a 6-year-old and took a gun to school; and the focus immediately was on legislation to impose trigger locks and a host of other peripheral laws to deal with the question of gun control.

What the President failed to mention, and attention was not focused by the media on it, is this 6-year-old came from a crack house. The father was in jail. The gun was stolen. He lived in a pig sty. Now, this is the family setting that this child came from. We can put all the trigger locks in the world on, and we can pass all of the additional laws in other areas; but if we do not focus on the root of the problem, illegal narcotics, and I am certain that that is what destroyed that family. Illegal narcotics in that crack house sent that father, and drug dealing, sent that family into despair and disruption, and illegal narcotics provided a stolen weapon and access and a destroyed family for that child. Where is the thinking in the leadership of this Nation?

Then, most recently, we had a 12-year-old who brought a gun into school. This was in an elementary school in Lisbon, Ohio, I believe was the town, and the child, a 12-year-old, brings a gun into the school. He brought it in school and immediately it was broadcast across the country that this child had brought that gun there and we must immediately do something about, again, gun control.

Now granted, we may need to impose some additional laws and restrictions, but a simple look, even a simple examination of the situation, and let me read from the account: The boy said before that his biological mother was in jail and he wanted to visit her. Authorities did not release information on the mother's situation, but the Akron Beacon Journal said that the mother was in prison on a drug-related charge.

Where is the media? Where is the leadership of this country in ignoring the illegal narcotics problem? A 12-year-old taking his father's weapon into school, and it had been stored, according to this report, on a dresser top with a fully-engaged trigger lock. It was absolutely incredible to hear the Vice President of the United States commenting on this situation and then asking for more gun control.

Mr. Speaker, I have never in my life seen more diversionary tactics to get away from the root problem of 12-year-olds who have parents in jail, when they have their family disrupted, when the parent is in jail for drug trafficking, when there is no family structure to support them. When we have had a society that has become tolerant of illegal narcotics trafficking, we will have, no matter how many laws this Congress passes, these situations. I still cannot believe that the media will not focus on this, nor will the leadership of this Congress or this administration.

Mr. Speaker, I really want to also focus tonight on a tale of two cities. I have had the opportunity to spend time since I took over chairmanship of the Subcommittee on Criminal Justice and Drug Policy a little over a year and several months ago now to look at again some of the problems we hear about in the media, and focus on what different communities are doing to deal with that problem.

Once again, I was absolutely stunned by a recent article by a columnist, Judith Mann, and Judith Mann, who I believe is the columnist in the Washington Post. She did a column that absolutely caused me to come unglued last week attacking, in her liberal fashion, Mayor Rudy Guiliani, without a hint of facts, just dealing in fiction, to try to put forth liberal propaganda and unsubstantiated fiction about what Mayor Guiliani has done.

Last year, after taking over this subcommittee, I called Mayor Guiliani in to testify. There had been comments and questions about what he had done in New York City and we held an entire hearing on what was happening there. At the time we had two cases, very controversial cases. I think it was the Diallo case and another case of police brutality that got tremendous national and international attention. We also were interested in what Mayor Guiliani had done, because his community had been successful in curtailing on an unprecedented basis the murders in New York City since taking office, in stemming crime in that community, and in developing innovative programs.

The first part of Judith Mann's recent piece, which was entitled ''The War on Drugs Can't Help Run Amok,'' which criticized New York City's mayor and the police force on their program. Again, I believe this is an affront to facts. It is manufactured fiction. In this article, in this little editorial piece, she had the audacity to try to say that murders were up in New York City under Mayor Guiliani. What she tried to do was take one comparison of 2 years, the last 2 years, and

blow that into something that the mayor's program had not worked on.

In fact, this is the record of Mayor Guiliani as far as murders are concerned: just before he took office they were in the 2,000 range; right in the 2,000 range. He has brought murders down in New York City. In 1998 and 1999, between 629 and I think about 679 the last recorded year. She took the slight increase last year and tried to make it look like crime was out of control, like the police program that he instituted and zero tolerance program he instituted somehow failed.

Now, where is the liberal mentality when Mayor Guiliani has saved, since just from coming into office in 1993, somewhere on average of 1,000 lives, every one of these years; if we average this out, how many thousands of lives he has saved with his policy. People who live in New York City can now live and work in that community and have one of the lowest crime rates in the entire Nation. What the mayor did in New York City has had so dramatic an impact, they also impact even the national statistics. The gall of the liberal media is absolutely astounding.

The facts are, since Mayor Guiliani took office, and this is murder, listen to the rest of these in the seven major crime areas in New York City: crime overall is down 57.6 percent. I would match that among any community of any size in the Nation. Murder is down 58.3 percent. Judith Mann should get a life. Rape is down 31.4 percent. Robbery down 62.1 percent. Think of the thousands and thousands of New York City residents and tourists and other people who visit from around the country and around the world. Robbery down 62.1 percent. Felony assaults are down 35.4 percent. Burglaries are down 61.7 percent. These are the facts, Judith Mann, Miss Liberal. These are the facts the American people should be paying attention to, the people in New York State should be paying attention to. Grand larceny down is 41.9 percent. Grand larceny auto is down 68.8 percent. These are some of the most dramatic figures, and rather than applauding someone who has accomplished so much, we see the liberal diatribe on Mayor Guiliani and the police of New York.

What is absolutely astounding is if there is any reason for a slight increase in murders last year, I can tie it directly to actions of this administration in failing to provide surveillance, failing to provide equipment, stopping the flow of assistance to Colombia in a repeated fashion, and helping to close down one of the most successful programs we have had in Peru, which has slashed 66 percent of the cocaine production in just a few years, and now is being sabotaged by withdrawal of U.S. surveillance information to Peruvians and a lack of equipment getting to Colombia. Even equipment we requested several years ago and appropriated several years ago still has not been adequately delivered to that country to combat the flow of illegal narcotics.

I am surprised it is not up more in New York City. In my community it is up slightly, even in central Florida, as a result of, again, this administration letting down its guard in stopping illegal narcotics at their source or interdicting them before they come to our shores is certainly a Federal responsibility.

Here is a local responsibility taken on in an unbelievable fashion. I hope every American, every Member of Congress can look at this chart and see how the policy of Mayor Guiliani, not just in this program, but in other innovative programs, has dramatically curtailed murders, robberies, rapes, every type of crime that I mentioned and the numbers that I mentioned.

Mr. Speaker, I have to again just be amazed at the liberal media and the trash that they peddle to the American people. Again, Miss Mann talks about a policy that has run amok and the drug war cannot help but run amok. Now, the facts are for Miss Mann and other die-hard liberals. Let me read from the testimony of Mayor Guiliani and just see historically where Mayor Guiliani fits in in this question of police brutality and incidents involving force or, again, violence from police officers.

□ 2200

This is the testimony from our hearing when the mayor appeared last year after the Diallo case. This is Mr. Giuliani speaking:

''First of all, I do not think you have ever listened to my voice.'' How prophetic for him to say that, and he could say it again. ''I have said over and over again, including that—'' he was responding to a question—''that was a long question. You've got to give me a chance to answer it, if you are being fair.'' This was a question about police brutality at that time in the city.

Listen, again, to his testimony: ''The fact is that I have over and over again said that police officers have to be respectful. We have taken action against police officers who have acted improperly. One of the cases that you mention, it was my administration that fired the police officer in question, even though he had been kept on by prior administrations. We have worked very, very hard to make this police department more respectful and more restrained. In your selective use of statistics,'' and they did it to him last year, and people like Ms. Mann and others are doing it to him now, ''you leave out the fact that incidents such as the one you are talking about have occurred in New York City for the last 20 to 35 years.'' Again, with some 30,000 or 40,000 police officers historically, I just add that, those are not his words, you do have incidents of police misconduct.

Back to Mayor Giuliani's statement: ''That police brutality and the issue of police brutality has not been an issue just exclusively of my administration, or while I have been mayor of New York City. You've got to start looking at, if you are interested in fairness rather than demagoguery, you have to look at the number of incidents. The number of incidents of police brutality, for example, are less in my administration,'' he is speaking about the Giuliani administration, ''than in the administration of Ed Koch or David Dinkins.''

Now, I am sure that Ms. Mann would not want to deal with the facts, and reveal to her reading public or the people out there that deserve the truth and the facts that the number of incidents of police brutality are less in the Giuliani administration than the Ed Koch or David Dinkins. She wants to say that Giuliani's war on drugs has failed.

''That is something you did not mention,'' again, I am quoting from the mayor, ''1993 was the last year of David Dinkins' administration. I just happen to have these statistics with me.'' He brought the statistics, and under oath to the Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the House of Representatives, this is the testimony and the facts he submitted and we checked.

''There were 62 percent more shootings by police officers per capita in the last year of David Dinkins' administration than the last year, which was my administration.'' Why does she not print that, Ms. Mann and other diehard liberals?

''Where were they when there were 62 percent more shootings by police officers under David Dinkins' administration? In every year of my administration, something you left out of your statement, in every single year of my administration the police officers have grown more restrained in their use of firearms, even as we have added 10,000 police officers and given them automatic weapons.''

He increased by 10,000 the number of police officers, gave them automatic weapons, and the record is one of less incidents, more constraint. Again, these are the facts that liberal reporters do not want to deal with, or those inclined to bad-mouthing the mayor's efforts and those who support zero tolerance in these types of programs. These are the exact numbers.

''In 1993, there were 212 incidents involving police officers in intentional shootings. In 1994,'' the mayor's first year, ''there were 167.'' He testified, I believe, in early 1999. ''In 1998, it was down to 111, just about half the incidents from the Dinkins' administration. These are incidents involving police officers and intentional shootings.

Members will not read this in Ms. Mann's liberal column or any of the other liberal trash that is pumped out by the other side. They will be telling us, well, we have to introduce more gun laws, we have to introduce more laws in the Congress, we have to put trigger locks on for kids, and this will solve the problem.

We do not hear that with even a zero tolerance policy, that they were able to

have less than half the number of incidents. Let me again continue with what Mayor Giuliani testified and the liberals will not listen to, or the media will not report.

''In 1993, David Dinkins' last year in office, there were 7.4 shooting incidents per officer.'' That is 62 percent less per capita with Giuliani. We have to take it on a per capita basis. Also, we have to remember, again, Rudy Giuliani increased the police by some 10,000, probably a 20 percent increase in police officers in that city.

''Yes, we do have difficulties. Yes, we do have lots of things that we have to work on. Yes, I have spoken about it a hundred times or a thousand times. I was at a police graduation last week. I said to the 800 police officers that what we expect of them is restraint, almost an inhuman ability to be restrained when they have to be.''

Can Members imagine the incidents, can Members imagine the pressure on police officers in New York City, one of the most densely populated, probably the most difficult area to govern, not only in the United States but the entire world? Here is a record, and I take great offense at the trash the media pumps out, particularly Ms. Mann, who knows that Mr. Giuliani and everyone who supports a zero tolerance in a tough enforcement policy that we know works beyond a reasonable doubt.

The mayor not only had a zero tolerance policy that was successful and resulted in fewer murders, but let me just cite, and again this is part of the testimony that he submitted in February of 1999 to our subcommittee, facts that were submitted.

''In New York City in 1991, 1992, and 1993 when crime was at historic heights, narcotics arrests were at a 10-year low. In 1993, the city made just 65,043 narcotics arrests. Last year, with the city dramatically safer, that number had risen to 124,000, a 91 percent increase in arrests.''

Some people are confused by this statistical correlation. This is information that was given to me by the DEA former administrator Tom Constantine. It is an interesting chart because it shows narcotics arrests and the crime index comparison in New York City.

In 1993, the figures I spoke to, 64,000, or 65,000, this is the number, I believe, and let us make sure we have this, all other commands and the narcotics division. The narcotics arrests here again are low. As Mayor Giuliani takes office and he gets up to this point that we talked about, we see the index of crime, and this is where the crimes were 432,000 crimes, almost 433,000 crimes, start to drop.

If that does not show us a correlation, that as we increase narcotics arrests, the crime goes down, I am a monkey's uncle. It is absolutely unbelievable, again, that people do not look at what has been achieved by the most outstanding mayor this Nation has seen in this decade of death and destruction with illegal narcotics, and use this as a model.

Drug confiscations increased 166 percent between 1993 and 1998, rising from 11,470 pounds to 30,510 pounds. Surprise, Mr. Speaker. We seize illegal narcotics, we seize hard drugs, and the crimes go down. It is not a magic formula, it is a simple formula. It is just beyond me how the liberals can twist and turn. They will tell us that the war on drugs is a failure. That is their next line.

I tell the Members that the war on drugs was closed down by the Clinton administration in January of 1993, when they came into office. How can we fight a war on drugs when we first of all do not target the source or cut out the source programs, to stop drug production at their source?

It does not take a rocket scientist to figure out where narcotics are coming from. Seventy-five percent of the cocaine and heroin, back in 1993 there was almost zero cocaine grown in Colombia, almost zero poppies which produce heroin in Colombia, and today it is up over the 70 percent range grown in Colombia. Again, it does not take a rocket scientist, it is coming out of Colombia.

So where would we target? We would spend a few dollars in international programs to target Colombia.

Let me take this chart first, which deals with, and again, we know where the drugs are coming from. It is not rocket science. That is why we are going to be here talking about Colombia, because the drugs are produced in Colombia.

This is the record of the Clinton administration. They came in in 1992–1993 here, and we have to remember, we still had a Democrat-controlled Congress in this period. We did not take over until somewhere in 1995. In 1995, we have to get or we are already with the budget passed by a previous Congress.

Look what they did. This chart is Federal drug spending for international programs. That is stopping drugs at their source, and the entire program is like $633 million back in 1999, $660 in 1992 under President Bush.

Tomorrow we are going to be talking about two and three times that for just the mistake they made in closing down these programs in Colombia. They closed them down. They closed down the international programs, the most cost-effective. We were spending the smallest amount of money. Every time we get away from the field where that peasant is getting a couple of pesos or less than a few dollars for the coca, for the poppy, for the raw material or even processed material down there, they stop the programs.

I have to bring this chart up. I wish I had an overlay. I need to get an overlay, because this chart shows, again under the Reagan administration, developing a war against drugs. They did a real war against drugs. They put resources in the source country, they started the Andean strategy. The Vice President's task force occurred. They went after drugs at their source, and they put some dollars behind the effort to eradicate crops there.

Do Members see what took place? Every year, and this is the long-term trend in lifetime prevalence of drug use. This is so important, because this is the measure of long-term drug involvement with our population.

We see this during the Bush administration, and we see a takeoff like a rocket with Clinton, here. If Members look back here, they will see the takeoff is a result of stopping the international programs. We have a flood, a supply.

I asked the question to somebody today, do you have an HDTV? They said, no. Most Americans do not have an HDTV. Why? Because there is not a supply and the price is high.

□ 2215

This is, again, simple economics. We have flooding into this country an unprecedented amount of cocaine, which is only grown three places in the world: Bolivia, Peru, Colombia. Only three places, and it cannot transfer to that many other areas. There are a few other Andean locations. In the bill tomorrow at the insistence of the Speaker of the House, who had that responsibility who started the successful programs in Peru and Bolivia, where we have had 55 to 66 percent reduction when we had a program in effect, until the administration also messed that program up in the last year or so, we had dramatic decreases of cocaine flowing into this country. This is an incredible record.

But what should also be looked at is the interdiction. Stop drugs at their source and then stop them before they get to our borders. Is that or is that not a Federal responsibility? We see here again gutting of the figures for interdiction. Taking the military out. They have great offense to begin with for anything military in this administration, except to deploy them around when there is a lot deployment to demand it for some reason or another distraction.

But we see here an incredible pattern of slicing the spending. This is the slowdown. This is the sabotaging. This is the destruction of the war on drugs. Again, we take this, invert it and see what has happened to our young people. Look back at this chart and we can see what this Republican Congress has done with this light blip downward in some of the programs that we have instituted, again, in Peru and Bolivia that have been so successful.

I said I would tell the ''tale of two cities.'' We had heard the tale of New York City and we received the facts about New York City. I have talked quite a bit about the contrast in Baltimore and the liberal mayor that, thank God, they got rid of who is a disgrace to Baltimore, and what he did to Baltimore driving Baltimore into despair

with his liberal policy. We saw the figures I showed for New York City with dramatic decreases. This is the liberal Judith Mann policy that drugs are okay, and this is a health problem. Do not pay any attention to it. The police are going to be brutal and it is going to be horrible, even though the actual facts show to the contrary.

Mr. Speaker, these are the facts. These are the dead in Baltimore, 312, 1998. In 1999, it is also 310, 308 range. This is a record of a liberal policy in which they went for needle exchange. They went for all of these liberal programs. I heard the new police chief say they did not participate in the high-intensity drug trafficking area on a basis in which they had entered into an agreement on. So they basically had let up enforcement, adopted a liberal policy and the slaughter in Baltimore has been horrible.

We heard from the new mayor, and thank God there is a new mayor, a new mayor that recognized that the liberal policy, and he testified to it, was a failure. That the lack of enforcement, he showed a playground with bullet holes in the door a few months before he took office and they have already started enforcement and starting to clean up 10 drug markets. Hopefully, they will even clean up additional open air markets. But this is the policy.

The testimony is absolutely astounding on the liberal policy of what it created for this city. It created a population of addiction almost unparalleled in the history of the United States. The statistics we have are from 40,000 back here with this chart in 1996 to somewhere between 60 and 80,000 drug addicts today in Baltimore, Maryland. One of the most historic, beautiful cities. It decimated the population of that city. Who wants to live in Baltimore?

A judge, Judge Noelle, testified before our subcommittee in Baltimore that in fact his best success in rehabilitating individuals that he got into court and were involved in drugs was to get them out of Baltimore, because there is no hope there.

Who would invest? What individual, what businessperson would invest in Baltimore when we have murders and mayhem and disruption? The same thing is true in South America in Colombia. The peasants will never have jobs or opportunities and the right wing and the left wing will be killing each other down there. We have in Colombia, from that region, 20 percent of the oil supply that we have in the United States. We have 15,900-plus Americans who died from the drugs.

If we just took 75 percent of the illegal narcotics which we can trace to the fields in Colombia, we, in fact, know that those drugs are coming from there, we could attribute 75 percent of the deaths in my community, 75 percent of the deaths in Baltimore, and 75 percent of the deaths to the failed policy of this administration, which to this day still cannot get the equipment that this Congress asked for several years ago to Colombia.

This is an article, it would almost be a joke, ''The Delay of Copters Hobbles Colombia in Stopping Drugs.'' We acknowledge the drugs are coming from Colombia. It is not rocket science. We have the DEA Signature program which can identify the fields where the heroin is coming from. No heroin produced there in 1993; now coming in in droves.

What do we need to stop it? Helicopters that can get in there and do eradication and assist both the national police and the military, which President Pastrana has radically reformed in going after the people who are financing the disruption of that Nation on both the right and the left by drug trafficking.

Back in 1998, the helicopters that we requested and appropriated before still were not delivered. And it is almost farcical to announce to the Congress that after we did get a handful of these Blackhawk helicopters that can do the job, they were not provided with armor so they were not usable until just a few days ago. The ammunition was delivered to the back-door loading gate of the State Department during the holidays rather than to Colombia.

Then we requested let us get our surplus material to Colombia if we are going to have a war on drugs, and the administration reacted by getting some of the equipment there and only a fraction of the equipment. Some back to 1998 still was not delivered. I held numerous behind-closed-door meetings so as not to embarrass the administration asking when is the stuff going to be there? This almost became a joke last December, Colombia turns down dilapidated U.S. trucks. They sent trucks that were being used in the Yukon Territory, not suitable to Colombia.

So that is why we are here. That is why we are here tonight. That is why the Committee on Rules is meeting to develop a rule to bring forth a bill to be discussed on the floor of this House tomorrow about Colombia. That is the inheritance that this administration has provided this Congress, the American people. And it would not be so bad if they just learned by some of their mistakes. This is not only the gang that cannot shoot straight; this is the gang that could mess up a one-car funeral.

We asked, in order again to fight a real war on drugs, one has to have intelligence. We stop drugs where they are grown, so we have to have overflights and surveillance information. Why does some reporter or liberal person like Judith Mann not say, ''Mr. Vice President, I understand you moved some of the AWACS out of that area to look for oil spills in Alaska''? Why does some reporter not ask the President of the United States, ''I understand you moved some of the surveillance capability over to your various deployments.'' The information so critical getting to Peru and Colombia and Bolivia to go after the production of that stuff at its source, that is the most cost effective. And we do not even have to do that. All we have to do is give them the information. Give the country the information and they will do it.

Here is the latest. This is just March 23. I cannot believe this crowd. It says, it is a response from Claudio De La Puente, the Charge d'Affaires of the Embassy of Peru. It said, ''In the past 4 years, Peru has decreased area production of cocaine by 66 percent.'' Which I stated before. This was due to a strategy to strengthen borders against drug trafficking. The Peruvian Air Force intercepted 91 aircraft involving drug trafficking between 1992 and 1997. Key to these results was the provision of monitoring of U.S. intelligence information.''

Mr. Speaker, there was one period in here when Clinton came into office, they even stopped the surveillance stuff. We had to pass, Congress, and clarify the law to allow the information sharing, because some liberal attorney in one of the departments, Department of Defense or Department of Justice, had misinterpreted and said we cannot share that information. They might shoot somebody down. It was the intent of the Congress of the United States to shoot down people who were carrying death and destruction. When we gave that information to President Fujimora and to the Peruvian Air Force, they acted and shot down.

That may be tough for some people to deal with, but these people had death and destruction on those planes. They were given every warning, but they never succeeded in bringing that death and destruction to our borders.

What is absolutely stunning is that the United States, since 1998, it says, the Peruvian Air Force has not been able to continue its interdiction operations because of lack of monitoring formerly provided by the U.S. AWACS and other aircraft.

We saw in Mr. Giuliani's and my community we are having more murders, a few more murders in the past year. Here is 1998 when they stopped providing that information. Here is a report that our subcommittee asked from GAO about what was going on with DOD assets. Is there a war on drugs? They replied to me, the flying hours had declined from 1992 to last year 68 percent. The maritime tracking had gone down some 62 percent. This is the report. I did not produce it. We had GAO produce it.

So stopping drugs at their source is not a priority or interdicting drugs at their source and helping countries that are producing to deal with the problem.

Here is the United States ambassador. Let me read from this report. The United States Ambassador to Peru warned in an October 1998 letter to the State Department that the reduction in air support would have a serious impact on the price of coca. And then we see here in news reports the price of

coca has gone down. That is because the supply is up. Again, a no-brainer. And we see murders and crimes up even slightly in those areas that have tough enforcement policies.

So this is a no-brainer. With 12 minutes left, I do want to try to cover a couple of the areas that I have not in the bill. Some people may say this is just a partisan Republican coming up and commenting tonight. And I will admit to being partisan. I do not think this drug issue is a partisan issue. I have tried to work with my colleagues on both sides of the aisle. I have tried my best, and heaven knows we have tried our best to work with this administration. Holding numerous closed door sessions so I would not embarrass them by revealing the bungling in this effort.

But we are here now on a very serious matter. This stuff is coming in. They have diverted assets. I spent 6 hours in Puerto Rico and met with DEA and Customs and other officials and all of the band that the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, set up several years ago has been dispersed. Haiti, which we will be doing a hearing on in a few more weeks, has become the Atlanta for drug trafficking in the Caribbean. This is a country in which we spent billions and billions of taxpayers dollars building the police force and so-called ''nation building'' and judicial system and legislative building. The legislature does not even meet. We have replaced one dictator with another and turned Haiti, with all of this money, into one of the biggest trafficking points in the Caribbean.

The situation in Puerto Rico is back to disaster level, and again heroin flooding in through Haiti, the Dominican Republic, over to Puerto Rico. Once it is in Puerto Rico, it is in the United States and it is flying to our airports.

□ 2230

Again, a record which is just incredible, a record which defies logic, but a record we are going to have to pay for with a very big price tag tomorrow as the House of Representatives considers this monumental piece of legislation to fund these programs.

Again, we know what it will take to stop illegal narcotics. We have asked GAO to look at what took place, and they tell us basically that the war on drugs is closed down.

Here is the facts. Assets DoD contributes to reducing the illegal drug supply have declined. Pretty clear. What is sad is, even those who are charged with trying to stop drugs again at their source are coming into the United States, interdicting them. In this case, it is SouthCom, the Southern United States Military Command. Again, they are not firing at anyone. They are not going after drugs. They are providing surveillance and basic information which we share with those countries.

We heard what is going on with the countries not getting the information. In the Clinton administration these past few years, we have seen the requests in this, I am a little color blind so it is either blue or purple here depending on one's ability to detect colors. But I definitely know this is red. The red is the assets provided by DoD declined. Requested and provided by DoD.

So we know that the job has not been done. We know that the Congress must intercede at this important juncture; that we must pass this. We must not get into a debate about getting this equipment here.

Unfortunately, the bill has been added to. We have had a series of natural disasters in North Carolina and other areas. We have had problems in agriculture. Certainly nothing has been more impacted than the military.

The reason why DOD assets have declined is because we have got them off in some dozen deployments that the President has chosen as a priority. The priority, I submit, is not to Kosovo today. The priority is in our own backyard. It is in our neighborhoods. It is in our school.

When I go to areas like Sacramento, where the gentleman from California (Mr. OSE) lives and his family resides, and hear the stories of illegal narcotics and how parents in a community of 200,000, 600 abandon their children, there is a program to restore their children back to their families. Less than 5 out of 35 take their children back because drugs have so destroyed their minds and their lives and their capability even to care for their offspring. There is something wrong.

But we are going to take this message to the floor tomorrow. We are going to take this message to the American people during this campaign. I am going to conduct hearings across the country from now until the last day of my term in office this year.

We will get some results. We will make a difference. If Rudy Giuliani can do it in New York, if one wants to say a tough town, New York is a tough town with tough people. We can have a mayor with the success that he has had. But how disappointing it must be, how deflating it must be to him, he who has worked so hard, had made so many tremendous improvements, when we went to Baltimore, what did we use as a drug treatment example? The people from Baltimore asked to hear what they were doing in New York City in drug treatments. So not only was there success in stopping the murders, but in treating the individuals and successful programs they developed.

But it is not found on the liberal pages of the Washington Post and the other publications that want to demean the mayor of New York and others who are on the frontline who have successful programs. But they will not ask any questions to those who have left us behind and who have destroyed real war on drugs, who have dismantled any efforts to stop most cost effectively, before they ever get to the streets of our communities, illegal narcotics.

Well, we can have a Baltimore or we can have a New York City. We can have a nation. If we had 80,000 drug addicts in Baltimore with 600,000, a declining population, we can certainly have one out of eight Americans. Certainly that has a tremendous toll.

We can have people, like in California we heard in testimony at field hearings in the district of the gentleman from California (Mr. OSE), abandon their children. Is that what we want?

Well, the choice will be ours tomorrow. The choice will be ours in the next few months. Some serious mistakes have been made. If we do not learn by those mistakes, they will be the cries of the families and mothers and sisters and brothers and relatives of more than the 15,973 that were lost in 1998. They will be the cries and sadness of a whole nation.

We must move together on this. We must learn by the mistakes of the past. I know we can do a better job. Certainly that is our responsibility.

SUPPORT FIRE AND EMS COMMUNITY WITH AMENDMENT TO EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 15 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise this evening in an unanticipated move to rally the support of our colleagues on both sides of the aisle and the constituents of our colleagues on both side of the aisle who are involved in the Nation's fire and emergency services and those who support those brave men and women who protect our communities, our cities, and our counties all across America.

Mr. Speaker, there are 32,000 organized departments in this country, 85 percent of whom are totally volunteer, who every day across this Nation, respond to every conceivable disaster that the American people face, not just fires, floods, hurricanes, tornados, missing children, problems in the community. They are there. Incidents involving chemical plants, oil refineries, people who are there when there are problems on our waters.

The Nation's 1.2 million men and women who serve as our domestic defenders have an opportunity this week that they have not had in the 250 year history of this body and this country. Tomorrow, Mr. Speaker, when the supplemental appropriation bill comes to the floor, I expect that an amendment will be offered by myself, by the gentleman from Maryland (Mr. HOYER), by the gentleman from Michigan (Mr. SMITH), the chairman of the appropriate subcommittee from the Committee on Science, by the gentleman from New Jersey (Mr. ANDREWS), by

the gentleman from New Jersey (Mr. PASCRELL) who has a major piece of legislation pending, all of us coming together, along with the gentleman from Texas (Mr. ARMEY), the Majority Leader, and the gentleman from Texas (Mr. DELAY), the Majority Whip, to support the first major comprehensive appropriation for the Nation's emergency response community.

Mr. Speaker, I have been in this body for 14 years. Before coming to this body, I was the mayor of my town; and before that, I was the volunteer fire chief and spent a good part of my life working as a volunteer fire fighter, fire instructor, trainer for 80 fire companies as a volunteer in southeastern Pennsylvania.

It was 13 years ago that I helped organize what is today the largest caucus in this body and the other body, and that is the Congressional Fire and EMS Caucus. Our role has been to raise the awareness of these brave Americans who every day of every year have protected our country from domestic tragedies.

Mr. Speaker, there is no other group of people largely volunteer who, each year, lose 100 of their members who are killed while responding to disasters, because that is what happens in America every year. On average, 100 fire and EMS personnel are wiped out either in fires, in accidents, hazmat incidents, floods, tornados, responding to emergency situations, who are just doing their job. There is no other profession where 85 percent of the people are volunteers and yet 100 of them are killed each year.

We have an opportunity, Mr. Speaker, to recognize these people on the House floor tomorrow. Our bipartisan amendment will put forth $100 million of emergency supplemental funds to help these men and women better prepare to serve their communities.

Now, a cynic might ask, why would the Federal Government want to help what is basically a local responsibility? We are not trying to federalize the fire service. But we are asking the fire and EMS people across this country to do more and more every day.

We are asking them to respond to incidents of terrorism involving chemical or biological weapons. We are asking them to respond to large natural disasters like earthquakes, floods, and tornados. Yet the bulk of the money to buy the equipment and do the training of these people comes from chicken dinners, tag days, and suppers in the fire halls.

We have an opportunity tomorrow, Democrats and Republicans, to come together with an overwhelming vote in support of our American heroes. These brave men and women who, for 250 years, have protected America's towns and cities, a unique aspect of this group, Mr. Speaker, is they protect our inner city urban areas and they protect our rural farming districts. They are all over America.

We have missed the boat. We created the AmeriCorps program, a great idea to promote volunteerism. Do my colleagues know, Mr. Speaker, the volunteer fire service cannot even qualify for the hundreds of millions of dollars that AmeriCorps gets each year?

We support the law enforcement, the police departments in AmeriCorps, in fact about $3 billion a year. We even use Federal funds to help buy the police vests for the local police officers. But we have done nothing for the fire and EMS community.

The President wants 100,000 new teachers. He wants 100,000 new police officers, not a mention of the fire and EMS personnel departments and people across America.

Tomorrow, Mr. Speaker, in this body, our colleagues can have a chance to support the first major appropriation of real dollars to help these brave men and women: $10 million to fully fund the rural fire protection program, for small rural departments, $10 million for burn research, and $80 million for a national grant program to be competitively based, where every fire department in America can compete for a dollar-for-dollar match for funds to provide communications, training, equipment, to help them better protect their towns.

Finally, we will change the provision of one of the largest Federal block grant programs to our cities and counties across America, the Community Development Block Grant Program, to allow that money to be used if the local leaders so choose for fire and EMS. That could mean the availability of up to $4.8 billion this year of money already going out to our cities and counties across America.

I would ask our colleagues, Mr. Speaker, to respond affirmatively. I would ask our constituents all across America to make those phones ring tomorrow morning from 8 o'clock on to make sure that all of our colleagues are aware that it is time that this body step up and support these brave American heroes, people who every year have fought to keep our towns and our cities safe.

The supplemental bill is important. It will put more money into defense. It will put more money into FEMA. But for the first time, we have an opportunity to put money into those organizations that have been there in each of our towns protecting our citizens. Each congressional district has, on average, 80 fire and EMS departments, ambulance organizations, organizations involving rescue and fire departments. Tomorrow is our chance in this body to support that legislation.

So, Mr. Speaker, in closing I ask our colleagues to support the amendment that will be offered by myself, the gentleman from Maryland (Mr. HOYER), the gentleman from New Jersey (Mr. PASCRELL), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from Michigan (Mr. SMITH) with the support of the gentleman from Texas (Mr. ARMEY) and the gentleman from Texas (Mr. DELAY), the support of people like the gentleman from Delaware (Mr. CASTLE) and the gentleman from New York (Mr. BOEHLERT), as we come together in a bipartisan message of support for these brave and true American patriots, the men and women we call our domestic defenders.

I urge our colleagues and our constituents again to make sure that we hear that message loudly and clearly tomorrow. Get on the phone. Make those calls. Be heard so that this government responds with a token amount of money to allow these people to continue to serve America most of them being volunteers.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0108

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 1 o'clock and 8 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3908, 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–549) on the resolution (H. Res. 450) providing for consideration of the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRANKS of New Jersey (at the request of Mr. Armey) for today and the balance of the week on account of a death in the family.

Mr. METCALF (at the request of Mr. ARMEY) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

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

Mr. BILIRAKIS, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today and March 29.

Mr. BURTON of Indiana, for 5 minutes, April 4.

Mr. FOSSELLA, for 5 minutes, today.

Mr. DELAY, for 5 minutes, today.

Mr. GILMAN, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1731. An act to amend the Clean Air Act to provide that certain environmental reports shall continue to be required to be submitted; to the Committee on Commerce.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 1000. To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes a.m.), the House adjourned until today, Wednesday, March 29, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6816. A communication from the President of the United States, transmitting requests for FY 2000 supplemental appropriations for the Department of Health and Human Services, Labor, and Transportation; the Social Security Administration; and, the Presidental Advisory Commission on Holocaust Assets in the United States; (H. Doc. No. 106–218); to the Committee on Appropriations and ordered to be printed.

6817. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting A report identifying the percentage of funds that were expended during the two preceding fiscal year for performance of depot-level maintenance and repair workloads, pursuant to Public Law 105–85 section 358 (111 Stat. 1696); to the Committee on Armed Services.

6818. A letter from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Interim Rule for the Assessment of Civil Penalities Under Section 502(c)(5) or ERISA (RIN: 1210–AA54) received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6819. A letter from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Interim Rule Governing Procedures for Administrative Hearings Regarding the Assessment of Civil Penalties under Section 502(c)(5) of ERISA (RIN: 1210–AA54) received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6820. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Section 11(c) of the Cable Television Consumer Protection and Competition Act of 1992; Horizontal Ownership Limits [MM Docket No. 92–264] received March 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6821. 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 (Paxton, Nebraska) [MM Docket No. 99–159 RM–9616] (Overton, Nebraska) [MM Docket No. 99–160 RM–9617] (Hershey, Nebraska) [MM Docket No. 99–161 RM–9565] (Sutherland, Nebraska) [MM Docket No. 99–162 RM–9566] (Ravenna, Nebraska) [MM Docket No. 99–192 RM–9633] received March 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6822. 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. (Colony and Weatherford, Oklahoma) [MM Docket No. 99–190 RM–9631 RM–9689] received March 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6823. 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. (Denmark and Kaukauna, Wisconsin) [MM Docket No. 99–36 RM–9372] received March 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6824. 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), FM Table of Allotments, FM Broadcast Stations. (Pleasanton, Bandera Hondo, and Schertz, Texas) [MM Docket No. 98–55 RM–9255 RM–9327] received March 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6825. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia [Transmittal No. DTC 014–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6826. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report to describe the extent to which commercial and industrial type functions were performed by DOD contractors during the preceeding fiscal year, pursuant to 10 U.S.C. 2461; to the Committee on Government Reform.

6827. A letter from the Benefits Manager, CoBank, transmitting the annual report of the Comptrollers' ACB Retirement Plan for the year ending December 31, 1998, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

6828. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the FY 1999 Inventory of Commercial Activities; to the Committee on Government Reform.

6829. A letter from the Administrative Officer, Office of Independent Counsel, transmitting the annual report on Audit & Investigative Activities, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

6830. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on the activities of the Office of Inspector General, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

6831. A letter from the Public Printer, Government Printing Office, transmitting a copy of the Biennial Report to Congress on the Status of GPO Access, an online information service of the Government Printing Office, pursuant to Public Law 103–40, section 3 (107 Stat. 113); to the Committee on House Administration.

6832. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Extension of the Interim Rule [Docket No. 990422103–9209–02; 031099B] (RIN: 0648–AL75) received March 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6833. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Child; Educational Institution (RIN: 2900–AJ54) received March 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6834. A letter from the Director, Holocaust Memorial Museum, transmitting a report entitled, ''A Study of Governance and Management''; jointly to the Committees on Resources and Ways and Means.

6835. A letter from the Administrator's of Federal Aviation Administration and National Aeronautics and Space Administration, transmitting an amendment to the joint report to Congress on the progress being made under the Subsonic Noise Reduction Technology Program, Fiscal Year 1998, pursuant to 49 U.S.C. app. 1353 nt.; jointly to the Committees on Transportation and Infrastructure and Science.

6836. A letter from the Administrator's of Federal Aviation Administration and National Aeronautics and Space Administration, transmitting a joint report to Congress on the progress being made under the Subsonic Noise Reduction Technology Program, Fiscal Year 1998, pursuant to 49 U.S.C. app. 1353 nt.; jointly to the Committees on Transportation and Infrastructure and Science.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEACH: Committee on Banking and Financial Services. H.R. 3519. A bill to provide for negotiations for the creation of a trust fund to be administered by the International Bank for Reconstruction and Development of the International Development

Association to combat the AIDS epidemic; with an amendment (Rept. 106–548). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOSS: Committee on Rules. House Resolution 450. Resolution providing for consideration of the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–549). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. JOHNSON of Connecticut (for herself, Mr. RANGEL, Mr. HOUGHTON, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. BECERRA, Mrs. THURMAN, Mrs. MORELLA, Mr. GEPHARDT, Mr. GILCHREST, Mr. BONIOR, Mr. GILMAN, Mr. TRAFICANT, Mr. QUINN, Mr. DOYLE, Mr. NEY, Mr. CAPUANO, Mr. HORN, Mr. MEEKS of New York, Mr. LEACH, Mr. FORBES, Mr. BOEHLERT, Mr. BALDACCI, Mr. EHLERS, Mr. FATTAH, Mrs. KELLY, Mr. ENGEL, Mr. MCHUGH, Mrs. LOWEY, Mr. FRANKS of New Jersey, Mrs. CAPPS, Mr. WALSH, Mrs. MALONEY of New York, Mr. SAXTON, Mr. BARCIA, Mr. CROWLEY, Mr. CONYERS, Mrs. CLAYTON, Mr. FARR of California, Mrs. TAUSCHER, Mr. BLAGOJEVICH, Mr. NADLER, Mr. MOAKLEY, Mr. HINCHEY, Mr. PASTOR, Mrs. MCCARTHY of New York, Mr. ABERCROMBIE, Mr. BROWN of Ohio, Ms. VELAZQUEZ, Mr. SKELTON, Mr. WEINER, Mr. ETHERIDGE, Mrs. CHRISTENSEN, Mr. DIXON, Mr. MASCARA, Mr. OBERSTAR, Mr. PALLONE, Mr. BISHOP, Mr. SANDLIN, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Ms. ROYBAL-ALLARD, Ms. LOFGREN, Ms. WOOLSEY, Mr. TIERNEY, Mr. FILNER, Mr. BORSKI, Mr. FROST, Mr. PAYNE, Mrs. NAPOLITANO, Mr. BACA, Mr. BLUMENAUER, Mr. WEYGAND, Ms. WATERS, Mr. OWENS, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Ms. NORTON, Mr. WAXMAN, Mr. DINGELL, Mr. STRICKLAND, Ms. SANCHEZ, Mr. LANTOS, Mr. ALLEN, Mr. BAIRD, Mr. BARRETT of Wisconsin, Mr. BERMAN, Ms. CARSON, Mr. DEUTSCH, Mr. GREEN of Texas, Mr. HOYER, Mr. SNYDER, Mr. SHERMAN, Mr. TOWNS, Mr. REYES, Mr. MALONEY of Connecticut, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. WU, Mr. CLAY, Mrs. MEEK of Florida, Mr. ACKERMAN, Mr. MCGOVERN, Mr. MENENDEZ, Mr. MCINTYRE, Mr. JEFFERSON, Mr. POMEROY, and Ms. BERKLEY):

H.R. 4094. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS:

H.R. 4095. A bill to provide for the establishment of the Great Sand Dunes National Park and the Great Sand Dunes National Park Preserve in the State of Colorado, and for other purposes; to the Committee on Resources.

By Mr. BACHUS:

H.R. 4096. A bill to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments, and security documents at the request of the individual States or any political subdivision thereof, on a reimbursable basis, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BACHUS:

H.R. 4097. A bill to define the value of items that are used in the production of securities by the Bureau of Engraving and Printing; to the Committee on the Judiciary.

By Mr. HOEKSTRA (for himself, Mr. ROEMER, Mr. NORWOOD, Mr. KIND, Mr. HILLEARY, Mr. FORD, Mr. SCHAFFER, Mr. MORAN of Virginia, Mr. TANCREDO, Mr. TAYLOR of Mississippi, Mr. WOLF, Mr. GUTKNECHT, and Mr. BASS):

H.R. 4098. A bill to require the Secretary of Labor to issue regulations specifying the application of the Occupational Safety and Health Act of 1970 to home office employment to foster 21st Century telework opportunities, to maximize public participation in the formulation of such regulations, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON (for herself, Mr. DAVIS of Virginia, Mr. HOYER, Mrs. MORELLA, and Mr. WYNN):

H.R. 4099. A bill to amend the District of Columbia Retirement Protection Act of 1997 to include certain service longevity payments in the amount of Federal benefit payments made under such Act to officers and members of the Metropolitan Police Department; to the Committee on Government Reform.

By Mr. PITTS (for himself, Mr. BOEHLERT, Mrs. CAPPS, Mr. PETERSON of Pennsylvania, Mr. DEMINT, Mr. ENGLISH, Mr. GOODE, Mr. HOEFFEL, Mr. GOODLING, Mr. WELDON of Pennsylvania, Mr. GILMAN, Mr. TANCREDO, Mr. RYUN of Kansas, Mr. FRANKS of New Jersey, Mr. KINGSTON, and Mr. DEAL of Georgia):

H.R. 4100. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale or exchange of certain farmland the use of which is restricted in perpetuity to use as farmland; to the Committee on Ways and Means.

By Mr. PITTS (for himself, Mr. BOEHLERT, Mrs. CAPPS, Mr. PETERSON of Pennsylvania, Mr. DEMINT, Mr. ENGLISH, Mr. GOODE, Mr. HOEFFEL, Mr. GOODLING, Mr. WELDON of Pennsylvania, Mr. GILMAN, Mr. TANCREDO, Mr. RYUN of Kansas, Mr. FRANKS of New Jersey, Mr. KINGSTON, and Mr. DEAL of Georgia):

H.R. 4101. A bill to amend the Internal Revenue Code of 1986 to exclude from estate taxes the value of certain farmland the use of which is restricted in perpetuity to use as farmland; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 4102. A bill to direct the Secretary of the Treasury to instruct the United States Executive Director at the International Monetary Fund to oppose any new loan by the International Monetary Fund to any country that is acting to restrict oil production to the detriment of the United States economy, except in emergency circumstances; to the Committee on Banking and Financial Services.

By Mr. SESSIONS (for himself and Mr. DUNCAN):

H.R. 4103. A bill to amend the Federal Activities Inventory Reform Act of 1998 to improve the process for identifying the functions of the Federal Government that are not inherently governmental functions, for determining the appropriate organizations for the performance of such functions on the basis of competition, and for other purposes; to the Committee on Government Reform.

By Mr. TAYLOR of Mississippi:

H.R. 4104. A bill to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality and barrier island restoration projects for the Mississippi Sound, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TRAFICANT:

H.R. 4105. A bill to establish the Fair Justice Agency as an independent agency for investigating and prosecuting alleged misconduct, criminal activity, corruption, or fraud by an officer or employee of the Department of Justice; to the Committee on the Judiciary.

By Mr. PITTS (for himself, Mr. STENHOLM, Mr. KASICH, Mr. HALL of Ohio, Mr. SOUDER, Ms. DELAURO, Mr. CAMP, Mr. LARSON, Mrs. MALONEY of New York, Mr. TANNER, and Mr. BARRETT of Wisconsin):

H.R. 4106. A bill to provide for the establishment of Individual Development Accounts (IDAs) that will allow individuals and families with limited means an opportunity to accumulate assets, to access education, to own their own homes and businesses, and ultimately to achieve economic self-sufficiency, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 4107. A bill to amend title XVIII of the Social Security Act to provide for coverage of a program of coordinated lifestyle changes to reverse individuals at significant clinical risk for a heart attack under part B of the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN (for himself, Mr. ROEMER, Mr. HYDE, Mr. SCOTT, Mr. HUTCHINSON, Mr. WEINER, Mr. CANADY of Florida, Mrs. MCCARTHY of New York, Mr. CONYERS, Mrs. BONO, and Ms. JACKSON-LEE of Texas):

H.R. 4108. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to make grants to improve security at schools, including the placement and use of metal detectors; to the Committee on the Judiciary.

By Mr. PAYNE:

H. Con. Res. 294. Concurrent resolution expressing the sense of the Congress that the Parthenon Marbles should be returned to Greece; to the Committee on International Relations.

ADDITIONAL SPONSORS

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

H.R. 49: Mr. WEXLER, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. HOOLEY of Oregon, Mr. SKELTON, Mr. SERRANO, and Mr. MCHUGH.

H.R. 175: Mr. LINDER.

H.R. 225: Mr. BACA.

H.R. 252: Mr. TERRY.

H.R. 254: Mr. SESSIONS.

H.R. 303: Mr. ALLEN, Mr. EWING, Mr. KANJORSKI, and Ms. BERKLEY.

H.R. 306: Mrs. NAPOLITANO.

H.R. 372: Mr. FOLEY.

H.R. 374: Mr. ANDREWS and Mr. PALLONE.

H.R. 394: Mr. BAIRD.
H.R. 395: Mr. BAIRD.
H.R. 397: Mr. BAIRD.
H.R. 403: Mr. LAFALCE and Mr. CANNON.
H.R. 515: Mr. BORSKI, Mr. JEFFERSON, and Mr. UNDERWOOD.
H.R. 568: Ms. MILLENDER-MCDONALD.
H.R. 583: Ms. KILPATRICK.
H.R. 612: Mr. BACA and Ms. SCHAKOWSKY.
H.R. 701: Mr. EDWARDS.
H.R. 710: Mr. ISAKSON.
H.R. 730: Mr. GUTIERREZ.
H.R. 783: Mr. OWENS.
H.R. 803: Mr. SAXTON.
H.R. 827: Mr. BACA.
H.R. 828: Mr. WELLER.
H.R. 840: Ms. MCKINNEY.
H.R. 879: Ms. BERKLEY.
H.R. 894: Mr. SANDLIN.
H.R. 904: Mr. PETERSON of Pennsylvania and Ms. LOFGREN.
H.R. 1041: Mr. RYAN of Wisconsin, Mr. OXLEY, and Mr. PETERSON of Minnesota.
H.R. 1055: Mr. ROGAN, Mr. WALDEN of Oregon, Mr. ROHRABACHER, and Mr. GIBBONS.
H.R. 1082: Mr. SERRANO.
H.R. 1168: Mr. HINOJOSA, Mr. GOODLING, Mr. POMEROY, and Mr. SERRANO.
H.R. 1194: Mr. FOLEY.
H.R. 1217: Mr. BILBRAY, Mr. KING, Mr. PETRI, Mr. UDALL of New Mexico, and Mr. BOEHLERT.
H.R. 1304: Mr. BACA.
H.R. 1337: Mr. SMITH of Washington.
H.R. 1387: Mr. LAHOOD, Mrs. BIGGERT, and Mr. BARTON of Texas.
H.R. 1413: Mr. CAMP.
H.R. 1592: Mr. BRADY of Texas.
H.R. 1660: Mr. BACA.
H.R. 1776: Mr. PRICE of North Carolina.
H.R. 1816: Ms. JACKSON-LEE of Texas, Mr. BACHUS, and Mr. MOORE.
H.R. 1885: Mr. HEFLEY and Mr. BACA.
H.R. 2059: Mr. ENGEL.
H.R. 2129: Mr. GILCHREST and Mr. WHITFIELD.
H.R. 2136: Mr. SANDLIN.
H.R. 2141: Mr. TANCREDO and Mr. OWENS.
H.R. 2149: Mr. MOORE.
H.R. 2166: Mr. SANDERS, Mr. CLYBURN, Mr. DEUTSCH, Mr. GEJDENSON, and Mr. WEYGAND.
H.R. 2265: Mr. GONZALEZ and Ms. ROYBAL-ALLARD.
H.R. 2298: Mr. BACA.
H.R. 2308: Mr. ENGEL and Mr. DEUTSCH.
H.R. 2341: Mr. HUTCHINSON, Ms. MCKINNEY, Mr. DIXON, Mr. ANDREWS, Mr. PAYNE, Mr. HINOJOSA, Mr. SABO, Mr. DEFAZIO, and Mr. HOEKSTRA.
H.R. 2382: Mr. GILCHREST and Mr. SHAYS.
H.R. 2397: Mr. NEAL of Massachusetts, Mr. LAFALCE, Mr. DIXON, Mr. STUPAK, Mr. REYES, and Mr. PRICE of North Carolina.
H.R. 2402: Mr. DICKEY, Mr. BRYANT, and Mr. ROGERS.
H.R. 2457: Mr. EVANS.
H.R. 2511: Mr. THORNBERRY, Mr. SHADEGG, Mrs. CHENOWETH-HAGE, and Mr. STEARNS.
H.R. 2588: Mr. DELAHUNT and Ms. MCKINNEY.
H.R. 2749: Mr. WELLER and Mr. DEAL of Georgia.
H.R. 2776: Mr. KUCINICH and Mr. HINCHEY.
H.R. 2788: Mrs. EMERSON.
H.R. 2789: Mr. ENGEL and Ms. MCKINNEY.
H.R. 2790: Mr. LANTOS.
H.R. 2810: Mr. BLAGOJEVICH.
H.R. 2814: Mr. BRADY of Pennsylvania, Mr. DAVIS of Virginia, and Mr. BAIRD.
H.R. 2825: Mr. CANNON.
H.R. 2832: Mr. DELAHUNT.
H.R. 2867: Mrs. MYRICK.
H.R. 2870: Mr. DIAZ-BALART, Mr. WALSH, and Mrs. MORELLA.
H.R. 2883: Ms. PRYCE of Ohio, Mr. SHIMKUS, and Mr. EVANS.
H.R. 2892: Mrs. WILSON, Mr. CUNNINGHAM, and Mr. KLECZKA.
H.R. 2907: Mr. FORBES, Ms. SCHAKOWSKY, and Mr. BACA.
H.R. 2939: Ms. SCHAKOWSKY.
H.R. 2953: Mr. CRAMER.
H.R. 2973: Mr. RAMSTAD, Mr. ENGLISH, and Ms. MCKINNEY.
H.R. 3043: Mr. MINGE.
H.R. 3084: Mr. SOUDER.
H.R. 3102: Mr. MANZULLO.
H.R. 3113: Mr. ADERHOLT, Mr. GOODLATTE, Mr. WELLER, and Mr. MOORE.
H.R. 3294: Mr. BONILLA.
H.R. 3301: Mr. GILMAN, Mr. MCDERMOTT, Mr. GREEN of Texas, Mr. OWENS, and Mr. WEYGAND.
H.R. 3315: Mr. LAFALCE.
H.R. 3327: Mr. HILL of Montana.
H.R. 3377: Ms. CARSON and Mr. ANDREWS.
H.R. 3392: Mr. SMITH of Washington.
H.R. 3439: Mr. HILLEARY, Ms. DUNN, Mr. WALDEN of Oregon, Mr. FLETCHER, and Mr. NUSSLE.
H.R. 3519: Mr. RANGEL.
H.R. 3558: Mr. KUCINICH.
H.R. 3565: Mr. METCALF and Mr. PAUL.
H.R. 3571: Mr. NADLER, Mr. CROWLEY, and Ms. PELOSI.
H.R. 3572: Mr. CONYERS, Ms. JACKSON-LEE of Texas, and Mr. MCCOLLUM.
H.R. 3573: Mr. CLYBURN, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, and Mr. OXLEY.
H.R. 3575: Ms. CARSON.
H.R. 3590: Mr. HERGER.
H.R. 3593: Mr. SIMPSON, Mr. WALDEN of Oregon, Mr. METCALF, and Mr. MCHUGH.
H.R. 3608: Mr. STUPAK and Mr. RUSH.
H.R. 3621: Mr. SPRATT and Mr. GONZALEZ.
H.R. 3634: Mr. DAVIS of Florida, Mr. WEXLER, Mr. STARK, Mr. SHAYS, Ms. BERKLEY, Mr. MINGE, Mr. LEVIN, Mr. SCOTT, Mr. HOEFFEL, Mr. SHERMAN, Mr. ANDREWS, Ms. LOFGREN, Mr. INSLEE, Mrs. JOHNSON of Connecticut, Mr. HORN, Mr. BENTSEN, Mrs. MCCARTHY of New York, Mr. FARR of California, Ms. DELAURO, Mr. ABERCROMBIE, Mr. BOEHLERT, Mr. TOWNS, Mr. MEEHAN, and Mr. GEJDENSON.
H.R. 3660: Mr. HULSHOF, Mr. SMITH of Texas, Mr. SAM JOHNSON of Texas, Mr. THUNE, Mr. ROGERS, Mr. CALLAHAN, Mr. GOODLATTE, and Mr. STENHOLM.
H.R. 3680: Mr. BURR of North Carolina, Mr. DOOLEY of California, Mr. GEJDENSON, Mr. HASTINGS of Washington, Mrs. MCCARTHY of New York, Mr. CAMPBELL, Ms. STABENOW, Mr. SALMON, Mr. MCGOVERN, Mr. PETRI, and Mr. BOUCHER.
H.R. 3694: Mr. DOOLITTLE.
H.R. 3695: Mr. DUNCAN.
H.R. 3698: Mr. KUYKENDALL, Mr. WELDON of Pennsylvania, Mr. LUCAS of Kentucky, Mr. BROWN of Ohio, and Mr. BOUCHER.
H.R. 3705: Mr. PASTOR, Mr. DINGELL, Mr. BENTSEN, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Mr. DAVIS of Illinois, Mr. CAPUANO, Mr. EVANS, Mr. LANTOS, Ms. PELOSI, Mr. RUSH, Mr. ENGEL, Mr. WAXMAN, and Mr. GREEN of Texas.
H.R. 3707: Mr. BROWN of Ohio.
H.R. 3710: Mr. LUCAS of Kentucky, Mr. UDALL of Colorado, Mr. BOUCHER, Mr. CONYERS, Mr. NADLER, Mr. SANDLIN, and Mr. NEAL of Massachusetts.
H.R. 3766: Mr. MINGE, Mr. NEAL of Massachusetts, Mr. ENGEL, Mr. WEINER, and Mr. UDALL of New Mexico.
H.R. 3767: Ms. BERKLEY, Mr. MARTINEZ, and Ms. MCKINNEY.
H.R. 3806: Mr. GUTIERREZ and Mr. ROMERO-BARCELO.
H.R. 3826: Mr. HINOJOSA and Mr. FROST.
H.R. 3831: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3842: Mr. LUCAS of Kentucky, Mr. SANDERS, Mr. ALLEN, and Mr. GORDON.
H.R. 3844: Mr. OSE.
H.R. 3863: Mr. SANDERS.
H.R. 3864: Mr. SANDERS.
H.R. 3873: Mr. RANGEL and Mr. WU.
H.R. 3883: Mr. BONIOR.
H.R. 3889: Ms. PELOSI, Mrs. MALONEY of New York, Mr. CROWLEY, Mr. KLECZKA, and Ms. WOOLSEY.
H.R. 3916: Mr. WATKINS, Mr. HOBSON, Mr. FOLEY, Mr. RAMSTAD, Mrs. JOHNSON of Connecticut, Mrs. MYRICK, Mr. SAM JOHNSON of Texas, and Mr. BLUNT.
H.R. 3980: Mr. SOUDER, Mr. BRYANT, Mrs. CUBIN, Mr. SAM JOHNSON of Texas, and Mrs. MYRICK.
H.R. 3981: Mr. RUSH.
H.R. 4003: Mr. MCINNIS, Mr. RAMSTAD, and Mr. SWEENEY.
H.R. 4018: Mr. MCHUGH.
H.R. 4021: Mr. HERGER.
H.R. 4025: Mr. EHLERS and Mr. BAKER.
H.R. 4033: Mrs. LOWEY, Mr. MENDENEZ, Mr. LEVIN, Mr. FILNER, Mr. STARK, Mr. TIERNEY, Mr. DICKS, Mr. REYES, Mr. GEORGE MILLER of California, Mr. BORSKI, Mr. CLAY, Mrs. MYRICK, Mr. SPRATT, Mr. BARCIA, Mr. GILMAN, Mr. PRICE of North Carolina, Mrs. CHRISTENSEN, Mr. RILEY, Mr. DIXON, Mr. FLETCHER, Mr. CROWLEY, Mr. INSLEE, Mr. TANNER, Ms. SLAUGHTER, Mr. COOK, Mr. EVANS, and Mr. LAMPSON.
H.R. 4057: Mr. BERMAN, Mr. COYNE, Mr. WALSH, Mr. YOUNG of Alaska, Ms. SLAUGHTER, Mr. MORAN of Virginia, Ms. CARSON, Mr. WEXLER, and Mr. CONYERS.
H.R. 4059: Mr. LARSON and Mrs. MALONEY of New York.
H.R. 4066: Mr. SHERMAN, Mr. BECERRA, Mr. ABERCROMBIE, and Mr. CROWLEY.
H.R. 4067: Mr. KANJORSKI AND MS. HOOLEY of Oregon.
H.R. 4069: Ms. GRANGER, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. UPTON, Mr. BOEHLERT, Mr. SANDLIN, Mr. HOBSON, Mr. ENGLISH, Ms. PRYCE of Ohio, Mr. FORBES, Mr. SMITH of New Jersey, Mr. BARRETT of Wisconsin, Mr. PORTMAN, Mr. RILEY, Mr. MATSUI, Mr. KUYKENDALL, Mr. LANTOS, Mr. MALONEY of Connecticut, Mr. HILLIARD, Mr. FRELINGHUYSEN, Mrs. NORTHUP, and Mr. NETHERCUTT.
H.R. 4082: Mrs. ROUKEMA, Mrs. JONES of Ohio, Mr. BACHUS, Mr. ISAKSON, Mr. PICKERING, and Mr. BOUCHER.
H.R. 4085: Mr. DOOLITTLE.
H.R. 4093: Ms. JACKSON-LEE of Texas.
H.J. Res. 64: Ms. STABENOW, Mr. BURTON of Indiana, and Mr. BACA.
H.J. Res. 90: Mr. COBURN.
H. Con. Res. 74: Ms. SCHAKOWSKY.
H. Con. Res. 114: Mr. LAMPSON.
H. Con. Res. 229: Mr. OWENS.
H. Con. Res. 249: Ms. PELOSI, Mr. GUTIERREZ, and Mrs. MINK of Hawaii.
H. Con. Res. 260: Mr. SHIMKUS, Mrs. CUBIN, and Mr. THUNE.
H. Con. Res. 266: Mr. DOYLE, Mr. FILNER, Mr. PAUL, Mr. LEACH, Mrs. JONES of Ohio, Mr. PASTOR, Mr. TERRY, Mr. RADANOVICH, Mr. ISAKSON, Mr. DEMINT, Mr. SANDLIN, and Mr. GUTIERREZ.
H. Con. Res. 167: Mr. CAMPBELL.
H. Con. Res. 269: Mr. GIBBONS and Mr. LANTOS.
H. Con. Res. 271: Mr. SMITH of New Jersey, Mr. GALLEGLY, Ms. SCHAKOWSKY, Mr. DIXON, Mr. FROST, Mr. LANTOS, and Mr. GREEN of Texas.
H. Con. Res. 273: Ms. HOOLEY of Oregon.
H. Con. Res. 285: Mr. SHERWOOD and Mr. ISAKSON.
H. Con. Res. 292: Mr. RADANOVICH, Mr. CASTLE, Mr. CUNNINGHAM, Mr. JONES of North Carolina, Mr. LAHOOD, Mr. SMITH of Michigan, Mr. TANCREDO, Mr. SOUDER, Mr. TERRY, Mr. THUNE, Mr. BERMAN, Mr. LAZIO, Mr. SMITH of Texas, Mr. ORTIZ, Ms. PRYCE of Ohio, Mr. HOBSON, Mr. HAYES, Mr. GEKAS, Mr. MARTINEZ, Mr. KUYKENDALL, Mr. BASS, Mr. RILEY, Mr. BROWN of Ohio, Mr. SWEENEY, and Mr. DEUTSCH.

H. Res. 107: Mr. SCOTT, Mr. RANGEL, Mr. DEFAZIO, and Mr. UDALL of New Mexico.

H. Res. 213: Mr. NETHERCUTT, Mr. THOMPSON of California, Mr. SKELTON, and Ms. PELOSI.

H. Res. 237: Mr. MATSUI.

H. Res. 415: Mr. ALLEN, Mr. KENNEDY of Rhode Island, Mr. GREENWOOD, Mr. FARR of California, and Mr. FALEOMAVAEGA.

H. Res. 420: Mr. GEJDENSON, Mr. PRICE of North Carolina, Ms. BERKLEY, and Mr. FILNER.

H. Res. 437: Mr. PRICE of North Carolina and Mr. MCNULTY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3252: Mrs. MYRICK.

AMENDMENTS

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

H.R. 7

OFFERED BY: MR. GALLEGLY

AMENDMENT NO. 1: At the end of the bill insert the following new section:

SEC. 10. INCREASED LIFETIME LEARNING CREDIT FOR ADDITIONAL TRAINING FOR SECONDARY TEACHERS.

(a) IN GENERAL.—Subsection (c) of section 25A of the Internal Revenue Code of 1986 (relating to lifetime learning credit) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR FIELD OF STUDY TRAINING FOR CERTAIN TEACHERS.—

''(A) IN GENERAL.—If any portion of the qualified tuition and related expenses to which this subsection applies—

''(i) is paid or incurred by an individual who is a full-time teacher in the classroom in a secondary school and is certified or licensed to teach by the State in which the individual is teaching, and

''(ii) is incurred for the enrollment or attendance of such individual in a course of instruction directly relevant to the subject matter currently taught by such individual that is offered for credit by an eligible educational institution,

paragraph (1) shall be applied with respect to such portion by substituting '40 percent' for '20 percent'.

''(B) ELIGIBLE EDUCATIONAL INSTITUTION.—For purposes of subparagraph (A), the term 'eligible educational institution' has the meaning given to such term by subsection (f)(2), except that such term includes a public institution that provides a 2-year educational program which is acceptable for full credit toward a bachelor's degree.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to expenses paid after December 31, 1999, for education furnished in academic periods beginning after such date.

H.R. 3908

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 3: Page 80, after line 11, insert the following:

SEC. 5109. None of the funds appropriated or otherwise made available by title I of this Act may be made available for military or police assistance for Colombia.

H.R. 3908

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 4: Page 80, after line 11, insert the following:

SEC. 5109. None of the funds appropriated or otherwise made available by title I of this Act may be made available for military or police assistance for any foreign country.

H.R. 3908

OFFERED BY: MR. PAUL

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. (a) The amounts otherwise provided in title I for the following accounts are hereby reduced by the following amounts:

(1) ''DEPARTMENT OF JUSTICE—Drug Enforcement Administration—Salaries and Expenses'', $293,048,000.

(2) ''DEPARTMENT OF DEFENSE–MILITARY—OTHER DEPARTMENT OF DEFENSE PROGRAMS—Drug Interdiction and Counter-Drug Activities, Defense'', $185,800,000.

(3) ''BILATERAL ECONOMIC ASSISTANCE—Funds Appropriated to the President—Department of State—Assistance for Plan Colombia and for Andean Regional Counternarcotics Activities'', $1,099,000,000.

(b) None of the funds made available in title I for ''Military Construction, Defense-Wide'' may be used for construction outside of the United States or any of its territories or possessions.

(c) None of the funds made available in title II may be used for operations in Kosovo or East Timor, other than the return of United States personnel and property to the United States.

H.R. 3908

OFFERED BY: MR. RAMSTAD

AMENDMENT NO. 6: Page 2, strike line 1 and all that follows through page 9, line 4.

H.R. 3908

OFFERED BY: MR. RAMSTAD

AMENDMENT NO. 7: Page 55, after line 21, insert the following:

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For an additional amount for ''Substance Abuse and Mental Health Services'' for additional grants under section 1921 of the Public Health Service Act, $700,000,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the entire amount is available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted by the President to the Congress: *Provided further*, That of such amount, $233,100,000 shall be for such additional grants for fiscal year 2000, and $466,900,000 shall be for such additional grants for fiscal year 2001.

H.R. 3908

OFFERED BY: MR. SANFORD

AMENDMENT NO. 8: Page 2, strike lines 3 through 21 (and redesignate the subsequent chapters and sections accordingly).

Page 3, line 8, after the dollar amount, insert the following: ''(reduced by $87,400,000)''.

Page 5, line 17, after the dollar amount, insert the following: ''(reduced by $281,000,000)''.

Page 8, lines 18 and 25, after each dollar amount, insert the following: ''(reduced by $77,923,000)''.

Page 11, strike line 8 and all that follows through page 13, line 21.

Page 44, strike line 19 and all that follows through page 46, line 3.

Page 46, strike lines 5 through 22 (and redesignate the subsequent sections accordingly).

Page 49, line 25, after the dollar amount, insert the following: ''(reduced by $8,100,000)''.

Page 52, strike lines 7 through 17.

Page 52, line 22, after the dollar amount, insert the following: ''(reduced by $59,000,000)''.

Page 56, strike line 14 and all that follows through page 57, line 15.

Page 62, strike line 11 and all that follows through page 64, line 6.

Page 79, strike lines 9 through 14 and insert the following:

SEC. 5104. (a) INAPPLICABILITY OF EMERGENCY DESIGNATIONS.—A proviso in this Act shall not have effect if the proviso—

(1) designates an amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985; or

(2) makes the availability of an amount contingent on such a designation by the President.

(b) EXEMPTION OF DEFENSE FUNDS FROM SEQUESTRATION.—Accounts for which amounts are made available in title III of this Act, and accounts previously within the defense category of discretionary appropriations under the Balanced Budget and Emergency Deficit Control Act of 1985, shall be exempt from any sequestration that is required under section 251(a)(6) of such Act to eliminate any fiscal year 2000 breach caused by the appropriations or other provisions of this Act.

H.R. 3908

OFFERED BY: MR. TAYLOR OF MISSISSIPPI

AMENDMENT NO. 9: Page 5, after line 7, insert the following new section:

SEC. 1202. (a) LIMITATION ON NUMBER OF MILITARY PERSONNEL IN COLOMBIA.—The number of members of the Armed Forces of the United States in Colombia at any time may not exceed 300.

(b) EXCEPTIONS.—(1) The limitation in subsection (a) does not apply to members of the Armed Forces of the United States in Colombia for the purpose of rescuing or retrieving United States military or civilian Government personnel. The period for which a member of the Armed Forces of the United States may be in Colombia under this paragraph may not exceed 30 days unless expressly authorized by law.

(2) The limitation in subsection (a) does not apply to a member of the Armed Forces assigned to the United States Embassy in Colombia as an attache or as a member of the Marine Corps security detachment.

H.R. 3908

OFFERED BY: MS. WATERS

AMENDMENT NO. 10: Page 46, after line 3, insert the following:

MULTILATERAL ECONOMIC ASSISTANCE

DEBT RELIEF

CONTRIBUTION TO THE HIPC TRUST FUND

SEC. ____. (a) For payment to the Heavily Indebted Poor Countries Trust Fund of the International Bank for Reconstruction and Development, but only for purposes of debt relief, there are authorized to be appropriated such sums as may be necessary for fiscal years 2000 through 2004, for payment by the Secretary of the Treasury.

(b) For an additional amount for payment to the Heavily Indebted Poor Countries Trust Fund of the International Bank for Reconstruction and Development, but only for purposes of debt relief, $210,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to

section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

H.R. 3908

OFFERED BY: MR. WU

AMENDMENT NO. 11: Page 49, after line 20, insert the following:

WEST COAST GROUNDFISH FISHERIES DISASTER

In addition to the other amounts appropriated by this Act, there are appropriated $14,200,000, to remain available until expended, for use for the disaster in the West Coast groundfish fisheries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. Of such amount—

(1) $1,000,000 shall be available to the Secretary of Commerce for providing assistance under section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147);

(2) $2,500,000 shall be available to the Secretary of Commerce for providing grants under such section;

(3) $3,500,000 shall be available to the National Oceanic and Atmospheric Administration for a vessel buyback program;

(4) $7,200,000 shall be available to the National Oceanic and Atmospheric Administration operations, research and facilities—

(A) of which $2,000,000 shall be available to the National Oceanic and Atmospheric Administration to improve biological studies and stock assessments;

(B) $4,500,000 shall be available to the Pacific States Marine Fisheries Commission to plan and implement a coast wide observer program; and

(C) $700,000 shall be available to the National Oceanic and Atmospheric Administration for making grants to States to adjust and improve monitoring of landings, biological sampling, and aging work.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, TUESDAY, MARCH 28, 2000 No. 36

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, You have called the men and women of this Senate to glorify You by being servant-leaders. The calling is shared by the officers of the Senate, the Senators' staffs, and all who enable the work done in this Chamber. Keep us focused on the liberating truth that we are here to serve You by serving our Nation. Our sole purpose is to accept Your absolute lordship over our lives and give ourselves totally to the work of this day. Give us the enthusiasm that comes from knowing the high calling of serving in government. Grant us the holy esteem of knowing that You seek to accomplish Your plans for America through the legislation of this Senate. Free us from secondary, self-serving goals. Help us to humble ourselves and ask how we may serve today. We know that happiness comes not from having things nor getting recognition, but from serving in the great cause of implementing Your righteousness, justice, and mercy for every person and in every circumstance in this Nation. We take delight in the ultimate paradox of life: The more we give ourselves away, the more we can receive of Your love. In our Lord's name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable GEORGE V. VOINOVICH, a Senator from the State of Ohio, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. VOINOVICH). The acting majority leader is recognized.

SCHEDULE

Mr. HATCH. Mr. President, today the Senate will resume consideration of the pending flag desecration resolution. Under the order, there are 2 hours of debate remaining on the Hollings amendment, to be followed by an additional hour for general debate.

At 2:15, following the party caucus luncheons, the Senate will proceed to two consecutive votes on the pending amendments to the flag desecration resolution. Cloture was filed on the resolution during yesterday's session; therefore, under the provisions of rule XXII, a cloture vote will occur on Wednesday. However, it is hoped that an agreement can be reached with regard to a vote on final passage of the resolution and that the cloture vote will not be necessary.

I thank all Members for their attention.

MEASURE PLACED ON THE CALENDAR—H.R. 2366

Mr. HATCH. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 2366) to provide small businesses certain protections from litigation excesses and to limit the product liability of nonmanufacturer product sellers.

Mr. HATCH. Mr. President, I object to further proceedings on this bill at this time.

The PRESIDING OFFICER. Under the rules, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

FLAG DESECRATION CONSTITUTIONAL AMENDMENT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S.J. Res. 14, which the clerk will report by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 14) proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

Pending:

McConnell amendment No. 2889, in the nature of a substitute.

Hollings amendment No. 2890, to propose an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

Mr. ASHCROFT. Mr. President, I rise today in support of the proposed amendment to the United States Constitution to permit Congress to prevent the desecration of our greatest national symbol: the American flag. I want to thank Chairman HATCH for his leadership on this important issue. Last year, Senator HATCH, on behalf of myself and many others, introduced S.J. Res. 14, a constitutional amendment to authorize Congress to protect the flag through appropriate legislation. Since 1998, the Judiciary Committee has held four hearings on this issue. I am pleased that this resolution now has 58 Senate sponsors. In addition, the House of Representatives has already passed an identical resolution, H.J. Res. 33, on June 24, 1999, by a vote of 305 to 124.

Throughout our history, the flag has held a special place in the hearts and minds of Americans. Even as the appearance of the flag has changed with the addition of new stars to reflect our

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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growing nation, its meaning to the American people has remained constant. The American flag symbolizes an ideal for Americans, and or all those who honor the great American experiment. It represents freedom, sacrifice, and unity. It is a symbol of patriotism, of loved ones lost, and of the American way of life. The flag stands in this Chamber, in our court rooms, and in front of our houses; it is draped over our honored dead; and it flies at half-mast to mourn our heroes. It is the subject of our national anthem, our national march and our Pledge of Allegiance. In short, the flag embodies America itself. I believe that our nation's symbol is a unique and important part of our heritage and culture, a symbol worthy of respect and protection.

This is not a new perspective. The American flag has enjoyed a long history of protection from desecration. Chief Justice Harlan, upholding a 1903 Nebraska statute proscribing use of the Flag in advertisements states,

> [To] every true American the Flag is a symbol of the nation's power—the emblem of freedom in its truest, best sense. It is not extravagant to say that to all lovers of the country it signifies government resting on the consent of the governed; liberty regulated by law; the protection of the weak against the strong; security against the exercise of arbitrary power; and absolute safety for free institutions against foreign aggression. *Halter* v. *Nebraska*, 205 U.S. 34, 41 (1907).

It is for these reasons that Americans overwhelmingly support preserving and protecting the American flag. During a hearing I chaired in March 1998, entitled ''The Tradition and Importance of Protecting the United States Flag,'' the witnesses noted that an unprecedented 80 percent of the American people supported a constitutional amendment to protect the flag. Recent polls show that support unchanged. In addition, the people's elected representatives reflected that vast public support by enacting flag protection statutes at both the State and Federal levels. In fact, 49 State legislatures have passed resolutions asking Congress to send a constitutional amendment to the States for ratification.

Regrettably, the Supreme Court has chosen instead to impose the academic and elitist values of Washington, DC, on the people, instead of permitting and upholding the values that people attempted to demand of their government. In 1989, the Supreme Court ignored almost a century of history and thwarted the people's will in the case of Texas v. Johnson by holding that the American flag is just another piece of cloth for which no minimum of respect may be demanded.

In response, the Congress swiftly attempted to protect the flag by means of a statue, the Flag Protection Act of 1989, only to have that statute also struck down by the Supreme Court in United States v. Eichman. In 1989, 1990 and 1995 the Senate voted on proposed constitutional amendments to allow protection of the flag—and each time the proposal gained a majority of votes, but not the necessary two-thirds super-majority needed to send the amendment to the States for ratification. And so we are here today to try again.

Critics of this measure urge that it will somehow weaken the rights protected by the first amendment. I would draw their attention to the long standing interpretation of the first amendment prior to Texas v. Johnson. At the time of the Supreme Court's decision, the tradition of protecting the flag was too firmly established to suggest that such laws are inconsistent with our constitutional traditions. Many of the state laws were based on the Uniform Flag Act of 1917. No one at that time, or for 70 years afterwards, felt that these laws ran afoul of the first amendment. Indeed, the Supreme Court itself upheld a Nebraska statute preventing commercial use of the flag in 1907 in Halter v. Nebraska. As Chief Justice Rhenquist noted in his dissent in Texas v. Johnson, ''I cannot agree that the First Amendment invalidates the Act of Congress, and the laws of 48 of the 50 States which make criminal the public burning of the flag.''

Mr. President, I also reject the notion that amending the Constitution to overrule the Supreme court's decisions in the specific context of desecration of the flag will somehow undermine the first amendment as it is applied in other contexts. This amendment does not create a slippery slope which will lead to the erosion of Americans' right to free speech. The flag is wholly unique. It has no rightful comparison. An amendment protecting the flag from desecration will provide no aid or comfort in any future campaigns to restrict speech.

Moreover, an amendment banning the desecration of the flag does not limit the content of any true speech. As Justice Stevens noted in his dissent in Texas v. Johnson, ''[t]he concept of 'desecration' does not turn on the substance of the message the actor intends to convey, but rather on whether those who view the act will take serious offense.'' Likewise, the act of desecrating the flag does not have any content in and of itself. The act takes meaning and expresses conduct only in the context of the true speech which accompanies the act. And that speech remains unregulated. As the Chief Justice noted, ''flag burning is the equivalent of an inarticulate grunt or roar that, it seems fair to say, is most likely to be indulged in not to express any particular idea, but to antagonize others.''

But what if we fail to act? What is the legacy we are leaving our children? At a time when our nation's virtues are too rarely extolled by our national leaders, and national pride is dismissed by many as arrogance, America needs, more than ever, something to celebrate. At a time when too many Americans have lost respect because of disrespectful actions of elected leaders, we need a national symbol that is beyond reproach. At a time when Hollywood, which once inspired Americans with Capra-esque tales of heroism, integrity, and national pride, now bestows its highest honors on works that glorify the dysfunctional, the miserable, the materialistic, and the amoral. America needs its flag untainted, representing more than some flawed agenda, but this extraordinary nation. The flag, and the freedom for which it stands, has a unique ability to unite us as Americans.

In sum, there is no principal or fear that should stand as an obstacle to our protection of the flag. The American people are seeking a renewed sense of purpose and patriotism. They want to protect the uniquely American symbol of sacrifice, honor and freedom. The genius of our democracy is not that the values of Washington would be imposed on the people, but that the values of the people would be imposed on Washington. I urge my colleagues to join me in letting the values of the American people affect the work we do here. It is my earnest hope that by amending the Constitution to prohibit its desecration, this body will protect the heritage, sacrifice, ideals, freedom, and honor that the flag uniquely represents.

Mr. HAGEL. Mr. President, I rise today to speak I support of the joint resolution, introduced by my distinguished colleague from Utah, Senator ORRIN HATCH, proposing an amendment to the Constitution authorizing Congress to prohibit physical desecration of the American flag.

From the birth of our nation, the flag has represented all that is good and decent about our country. On countless occasions, on battlefields across the world, the Stars and Stripes led young Americans into battle. For those who paid the ultimate price for our nation, the flag blanketed their journey and graced their final resting place.

Mr. President, the Flag is not just a piece of cloth. It is a symbol so sacred to our nation that we teach our children not to let it touch the ground. It flies over our schools, our churches and synagogues, our courts, our seats of government, and homes across America. It unites all Americans regardless of race, creed or color. The flag is not just a symbol of America, it is America.

Those who oppose this constitutional amendment say it impinges on freedom of speech and violates our Constitution. As a veteran who was wounded twice in Vietnam protecting the principles of freedoms that Americans hold sacred, I am a strong supporter of the first amendment. However, I believe this is a hollow argument. There are many limits placed on ''free speech,'' including limiting yelling ''fire'' in a crowded theater. Other freedoms of speech and expression are limited by our slander and libel laws.

In 1989 and 1990 the Supreme Court struck down flag protection laws by

narrow votes. The Court has an obligation to protect and preserve our fundamental rights as citizens. But the American people understand the difference between freedom of speech and ''anything goes.''

When citizens disagree with our national policy, there are a number of options available to them other than destroying the American Flag to make their point. Let them protest, let them write to their newspaper, let them organize, let them march, let them shout to the rooftops—but we should not let them burn the flag. Too many have died defending the flag for us to allow it be used in any way that does not honor their sacrifice.

Mr. President, in a day where too often we lament what has gone wrong with America, it's time to make a stand for decency, for honor and for pride in our nation. I urge my colleagues to support the flag amendment. Mr. President, I yield the floor.

Mr. GORTON. Mr. President, with some hesitancy I will vote in favor of the flag protection constitutional amendment. My hesitancy stems not from any doubt that our Nation should provide specially protected status to our flag—I firmly believe the flag should be protected from desecration. I am hesitant because we are voting to amend our Nation's Constitution and every Senator should exercise extreme caution when considering such changes.

I have given careful consideration on the important amendment currently before the Senate. A decade ago, when the Supreme Court issued its 5-to-4 decision invalidating flag desecration statutes, I read each of the three opinions filed by Justices of the Court. I was convinced then, and remain convinced now, that the Court erred in its decision and that such statutes, if properly written, are constitutional. For this reason, I shall vote in favor of both the constitutional amendment to protect our flag and the proposed amendment to substitute a flag protection statute for the constitutional amendment.

Mr. JEFFORDS. Mr. President, I rise today to discuss my thoughts on a constitutional amendment to ban flag burning and other acts of desecration.

As a veteran of 30 years in the United States Navy and United States Naval Reserve, I know the pride members of the Armed Forces have in seeing the United States flag wherever they may be in the world. I share the great respect most Vermonters and Americans have for this symbol.

I personally abhor the notion that anyone would choose to desecrate or burn the flag as a form of self-expression. Members of the Armed Services place their lives at risk to defend the rights guaranteed by the United States Constitution, including the First Amendment freedom of speech. It is disrespectful of these past and present sacrifices to desecrate this symbol.

It seems highly ironic to me that an individual would desecrate the symbol of the country that provides freedoms such as the first amendment freedom of speech. However, in my opinion the first amendment means nothing if it is not strong enough to protect the rights of those who express unpopular ideas or choose a distasteful means of this expression.

I have given this issue a great deal of thought. I must continue to oppose this amendment since I do not think that a valid constitutional amendment, one that does not infringe on the first amendment, can be crafted. The first amendment right of freedom of speech is not an absolute right though as we have in the past recognized the legitimacy of some limits on free speech.

I do not think, however, that we should open the Bill of Rights to amendment for the first time in our history unless our basic values as a nation are seriously threatened. In this case, in recent years there have not been a significant number of incidents of this misbehavior.

In my view, a few flag desecrations or burnings around the Nation by media-seeking malcontents does not meet this high standard and I therefore cannot support the adoption of this amendment.

Mr. HUTCHINSON. Mr. President, as an original cosponsor, I rise today in support of S.J. Res. 14, which would amend the United States Constitution to prohibit the desecration of our flag. Opponents to this measure contend that the right to desecrate the flag is the ultimate expression of speech and freedom. I reject the proposition as I believe that the desecration of our flag is a reprehensible act which should be prohibited. It is an affront to the brave and terrible scarifies made by millions of American men and women who willingly left their limbs, lives, and loved ones on battlefields around the world.

It is an affront to these Americans who have given the greatest sacrifices because of what the flag symbolizes. To explain what our flag represents, former United States Supreme Court Chief Justice Charles Evans Hughes in his work, ''National Symbol,'' said.

> The Flag is the symbol of our national unity, our national endeavor, our national aspiration.
> The flag tells of the struggle for independence, of union preserved, of liberty and union one and inseparable, of the sacrifices of brave men and women to whom the ideals and honor of this nation have been dearer than life.
> It means America first; it means an undivided allegiance.
> It means America united, strong and efficient, equal to her tasks.
> It means that you cannot be saved by the valor and devotion of your ancestors, that to each generation comes it patriotic duty; and that upon your willingness to sacrifice and endure as those before you have sacrificed and endured rests the national hope.
> It speaks of equal rights, of the inspiration of free institutions exemplified and vindicated, of liberty under law intelligently conceived and impartially administered. There is not a thread in it but scorns self-indulgence, weakness, and rapacity.
> It is eloquent of our community interests, outweighting all divergencies of opinion, and of our common destiny.

Former President Calvin Coolidge, echoed Chief Justice Hughes in ''Rights and Duties.''

> We do honor to the stars and stripes as the emblem of our country and the symbol of all that our patriotism means.
> We identify the flag with almost everything we hold dear on earth.
> It represents our peace and security, our civil and political liberty, our freedom of religious worship, our family, our friends, our home.
> We see it in the great multitude of blessings, of rights and privileges that make up our country.
> But when we look at our flag and behold it emblazoned with all our rights, we must remember that it is equally a symbol of our duties.
> Every glory that we associate with it is the result of duty done. A yearly contemplation of our flag strengthens and purifies the national conscience.

Given what our flag symbolizes, I find that incomprehensible that anyone would desecrate the flag and inexplicable that our Supreme Court would hold that burning a flag is protected speech rather than conduct which may be prohibited. I find it odd that one can be imprisoned for destroying a bald eagle's egg, but may freely burn our nation's greatest symbol. Accordingly, I urge my colleagues to pass S.J. Res. 14 so that our flag and all that it symbolizes may be forever protected.

Ms. SNOWE. Mr. President, as an original cosponsor of S.J. Res. 14, I am proud to rise in support of the proposed constitutional amendment granting Congress the power to prohibit the physical desecration of the flag of the United States. Last June, the House of Representatives passed an identical resolution by the requisite two-thirds vote margin, so I urge that my colleagues in the Senate also pass this resolution with similar bipartisan support and send the proposed amendment to the states for ratification.

Our flag occupies a truly unique place in the hearts of millions of citizens as a cherished symbol of freedom and democracy. As a national emblem of the world's greatest democracy, the American flag should be treated with respect and care. Our free speech rights do not entitle us to simply consider the flag as ''personal property'', which can be treated any way we see fit including physically desecrating it as a legitimate form of political protest.

We debate this issue at a very special and important time in our nation's history.

This year marks the 55th anniversary of the allies' victory in the Second World War. And, fifty-nine years ago, Japanese planes launched an attack on Pearl Harbor that would begin American participation in the Second World War.

During that conflict, our proud marines climbed to the top of Mount Suribachi in one of the most bloody battles of the war. No less than 6,855 men died to put our American flag on

the mountain. The sacrifice of the brave American soldiers who gave their life on behalf of their country can never be forgotten. This honor and dedication to country, duty, freedom and justice is enshrined in the symbol of our Nation—the American flag.

The flag is not just a visual symbol to us—it is a symbol whose pattern and colors tell a story that rings true for each and every American.

The 50 stars and 13 stripes on the flag are a reminder that our nation is built on the unity and harmony of 50 states. And the colors of our flag were not chosen randomly: red was selected because it represents courage, bravery, and the willingness of the American people to give their life for their country and its principles of freedom and democracy; white was selected because it represents integrity and purity; and blue because it represents vigilance, perseverance, and justice.

Thus, this flag has become a source of inspiration to every American wherever it is displayed.

For these reasons and many others, a great majority of Americans believe—as I strongly do—that the American flag should be treated with dignity, respect and care—and nothing less.

Unfortunately, not everyone shares this view.

In June of 1990, the Supreme Court ruled that the Flag Protection Act of 1989, legislation adopted by the Congress in 1989 generally prohibiting physical defilement or desecration of the flag, was unconstitutional. This decision, a 5–4 ruling in U.S. v. Eichman, held that burning the flag as a political protest was constitutionally-protected free speech.

The Flag Protection Act had originally been adopted by the 101st Congress after the Supreme Court ruled in Texas v. Johnson that existing Federal and state laws prohibiting flag-burning were unconstitutional because they violated the first amendment's provisions regarding free speech.

I profoundly disagreed with both rulings the Supreme Court made on this issue. In our modern society, there are still many different forums in our mass media, television, newspapers and radio and the like, through which citizens can freely and fully exercise their legitimate, constitutional right to free speech, even if what they have to say is overwhelmingly unpopular with a majority of American citizens.

Accordingly, in 1995, I also joined as an original cosponsor of a proposed constitutional amendment granting Congress the power to prohibit the physical desecration of the flag of the United States. Although the House of Representatives easily passed that resolution by the necessary two-thirds vote margin, the Senate fell a mere three votes short.

I am hopeful that today's effort will deliver the three additional votes that are needed to send this proposed amendment to the states for ratification. Of note, prior to the Supreme Court's 1989 Texas v. Johnson ruling, 48 states, including my own state of Maine, and the Federal government, had anti-flag burning laws on their books for years—so it's time the Congress gave the states the opportunity to speak on this issue directly.

Mr. President, whether our flag is flying over a ball park, a military base, a school or on a flag pole on Main Street, our national standard has always represented the ideals and values that are the foundation this great nation was built on. And our flag has come not only to represent the glories of our nation's past, but it has also come to stand as a symbol for hope for our nation's future.

Let me just state that I am extremely committed to defending and protecting our Constitution—from the first amendment in the Bill of Rights to the 27th amendment. I do not believe that this amendment would be a departure from first amendment doctrine.

I strongly urge my colleagues to uphold the great symbol of our nationhood by supporting the flag amendment.

Thank you, Mr. President. I yield the floor.

Mr. WARNER. Mr. President, I rise today in support of S.J. Res. 14. This important joint resolution calls for an amendment to the United States Constitution that would allow the United States Congress to prohibit the physical desecration of the flag of the United States.

For years now I have been among the strongest supporters in the United States Senate of amending the United States Constitution to allow Congress to prohibit physical desecration of the United States flag. I was pleased the House of Representatives overwhelmingly passed a resolution identical to S.J. Res. 14 on June 24, 1999, by a vote of 305–124, and I look forward to voting for S.J. Res. 14 in the near future.

In 1989, the United States Supreme Court, in a 5–4 decision in the case of Texas v. Johnson, stated that the First Amendment prevented a state from protecting the American flag from acts of physical desecration. Since that time, a number of individuals have sought to seize on this misguided Supreme Court decision to justify flag burning. Mr. President, why would any citizen, who wishes to continue enjoying the great privileges of being an American, need a legal right to burn our Nation's flag in public?

No amount of tortured legal argumentation can overcome common sense and the plain meaning of the First Amendment. The first amendment to the Constitution states that no law shall abridge the ''freedom of speech.'' The key word in this portion of the amendment is ''speech.'' Laws that do not abridge ''speech'' are not prohibited by this section of the amendment. Simply put, burning the United States flag is not speech. A flag is not burned with words. Rather, a flag is burned with fire. As such, burning a flag is more appropriately classified as conduct, which is not protected by the first amendment.

The proposition that our greatness as a nation rests on whether or not an individual is permitted to burn Old Glory simply does not add up. At a time in our national history when disparate influences appear to be dividing people, the American flag represents unity. During the American Revolution, and subsequent conflicts, the flag has unified our diverse nation. Our flag symbolizes the freedoms we enjoy everyday. Generations of Americans have gone forth from our shores to stop enemies abroad from taking away these freedoms.

In addition, our great nation has always used the flag to honor those who, proudly in the uniform of our military, made great sacrifices. These are startling statistics that tend to be forgotten with the passage of time: World War II, 406,000 U.S. service members killed; Korea 55,000 U.S. service members killed; Vietnam, 58,100 U.S. service members killed, and Persian Gulf, 147 U.S. service members killed. For all those who gave their life, let us not forget that their caskets were draped in our flag as the final expression of our nation's thankfulness.

The memory and honor of those who have fought under our flag demands that our flag be protected against reckless conduct presenting itself as ''free speech.''

AMENDMENT NO. 2890

The PRESIDING OFFICER. Under the previous order, there will now be up to 2 hours of debate on the Hollings amendment No. 2890, to be equally divided in the usual form between the Senator from Kentucky, Mr. MCCONNELL, and the Senator from South Carolina, Mr. HOLLINGS.

The Senator from South Carolina, Mr. THURMOND, is recognized.

Mr. THURMOND. Mr. President, I rise today to express my strong support for Senate Joint Resolution 14, the constitutional amendment to protect the flag of the United States. I believe it is vital that we enact this amendment without further delay.

We have considered this issue in the Judiciary Committee and on the Senate Floor many times in the past decade. I have fought to achieve protection for the flag ever since the Supreme Court first legitimized flag burning in the case of Texas v. Johnson in 1989.

The American flag is much more than a piece of cloth. During moments of despair and crisis throughout the history of our great Nation, the American people have turned to the flag as a symbol of national unity. It represents our values, ideals, and proud heritage. There is no better symbol of freedom and democracy in the world than our flag. As former Senator Bob Dole said a few years ago, it is the one symbol that brings to life the Latin phrase that appears in front of me in

the Senate Chamber, *e pluribus unum*, which means, ''out of many, one.''

Ever since the American Revolution, our soldiers have put their lives on the line to defend what the flag represents. We have a duty to honor their sacrifices by giving the flag the protection it once had, and clearly deserves today.

In our history, the Congress has been very reluctant to amend the Constitution, and I agree with this approach. However, the Constitution provides for a method of amendment, and there are a few situations where an amendment is warranted. This is one of them.

The only real argument against this amendment is that it interferes with an absolute interpretation of the free speech clause of the first amendment. However, restrictions on speech already exist through constitutional interpretation. In fact, before the Supreme Court ruled on this issue, the Federal government and the States believed that flag burning was not constitutionally protected speech. The Federal government and almost every state had laws prohibiting desecration that were thought to be valid before the Supreme Court ruled otherwise in 1989.

Passing this amendment would once again give the Congress the authority to protect the flag from physical desecration. It would not reduce the Bill of Rights. It would simply overturn a few very recent judicial decisions that rejected America's traditional approach to the flag under the law.

Flag burning is intolerable. We have no obligation to permit this nonsense. Have we focused so much on the rights of the individual that we have forgotten the rights of the people?

I strongly urge all my colleagues to join with us today and support this amendment. We are on the side of the American people, and I am firmly convinced that we are on the side of what is right. Once and for all, we should pass this constitutional amendment and give the flag of the United States of America the protection it deserves.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I want to make remarks generally on the flag amendment. Frankly, I think it is a travesty on this constitutional amendment to bring up campaign finance reform as a constitutional amendment to this amendment. But be that as it may, any Senator has a right to do that.

I hope my colleagues will vote down the Hollings amendment, as it should be voted down. That is a serious debate that has to take place, and it should not take place as a constitutional amendment. Having said that, let me comment about why we are here.

The Senate began today's session with the Pledge of Allegiance to our American flag. Today, we resume debate over a proposal that will test whether the pledge we make—with our hands over our hearts—is one of consequence or just a hollow gesture. We resume debate over S.J. Res. 14, a constitutional amendment to permit Congress to enact legislation prohibiting the desecration of the American flag. Now all we are asking, since the Court has twice rejected congressional statutes, is to give Congress the power to protect our flag from physical desecration. It seems to me that is not much of a request.

It should be a slam dunk. But, unfortunately, politics is being played with this amendment. Congress would not have to act on it if it didn't want to, but it would have the power to do so. It also involves the separation of powers doctrine.

The Supreme Court, in its infinite wisdom, has indicated that flag burning, defecating on the flag, or urinating on the flag is a form of free speech.

I don't see how anybody in his right mind can conclude that. There is no question that is offensive conduct and it ought to be stamped out. On the other hand, all we are doing is giving Congress the power to enact legislation that would prohibit physical desecration of the flag. Congress doesn't have to, if it doesn't want to; it can, if it wants to.

When we enacted those prior statutes to protect the flag, they passed overwhelmingly. It was also under the guise that we were trying to protect the flag through statutory protection, which I of course pointed out very unfailingly in both cases was unconstitutional. Of course, the Supreme Court upheld what I said they would uphold.

Symbols are important. The American flag represents, in a way that nothing else does, the common bond shared by the people of this nation, one of the most diverse in the world. It is our one overriding symbol of unity. We have no king; we won our independence from him over 200 years ago. We have no state religion. What we do have is the American flag.

Whatever our differences of party, politics, philosophy, race, religion, ethnic background, economic status, social status, or geographic region, we are united as Americans in peace and in war. That unity is symbolized by a unique emblem, the American flag. Its stars and stripes and rich colors are the visible embodiment of our Nation and its principles and values and ideals.

The American flag has come to symbolize hope, opportunity, justice, and freedom—not just to the people of this Nation but to people all over the world. Failure to protect the flag would lessen the bond among us as Americans and weaken the symbolism of our sovereignty as a nation.

This proposed amendment recognizes and ratifies James Madison's view—and the constitutional law that existed for centuries—that the American flag is an important and unique incident of our national sovereignty. As Americans, we display the flag in order to signify national ownership and protection. The Founding Fathers made clear that the flag reflects the existence and sovereignty of the United States, and that desecration of the flag was a matter of national—I repeat—national concern that warranted government action. This same sovereignty interest does not exist for our national monuments or our other symbols. While they are important to us all, the flag is unique. It is flown over our ships. We carry it into battle. We salute it and pledge allegiance to it. We do these things because the flag is the unique symbol unity and sovereignty.

The proposed amendment reads simply: ''The Congress shall have the power to prohibit the physical desecration of the flag of the United States.'' S.J. Res. 14 is not an amendment to ban flag desecration, but an amendment to allow Congress to make the decision on whether to prohibit it. It is not self-executing, so a statute defining the terms and penalties for the proscribed conduct will need to be enacted, should this amendment be approved by two-thirds of the Senate today, or whenever.

While it would be preferable to enact a statute, and not take the rare and sober step of amendment the Constitution, our amendment is necessary because the Supreme Court has given us no choice in the matter.

I understand there is some lack of knowledge in this body where people have not realized that for 200 years we have protected the flag and that 49 States have anti-flag-desecration language. But in two narrow 5–4 decisions, breaking from over 200 years of precedent—Texas v. Johnson and United States v. Eichman—the Court overturned prior State statutes prohibiting the desecration of the flag.

Make no mistake about it: The United States Senate is the forum of last resort to ensure that our flag is protected. H.J. Res. 33—an identical measure—has already won the necessary two-thirds vote in the House of Representatives by a vote of 305 to 124, with overwhelming bipartisan support. In fact, nearly 50 percent of the Democrats in the House voted for the measure.

In addition, the people, expressing themselves through 49 State legislatures, have expressed their readiness to ratify the measure by calling upon Congress to pass this constitutional amendment to protect the flag. Protecting the flag is not a partisan gesture, nor should it be. Especially at a time of election-year partisan rhetoric, this amendment to protect our flag is an opportunity for all Americans to come together as a country and honor the symbol of what we all are. This effort will not only reaffirm our allegiance to the flag, it will reestablish our national unity.

The American people revere the flag of the United States as the unique symbol of our Nation and the freedom we enjoy as Americans. As Supreme Court Justice John Paul Stevens said in his dissent in Texas v. Johnson:

[A] country's flag is a symbol of more than ''nationhood and national unity.'' It also signifies the ideas that characterize the society that has chosen that emblem as well as the special history that has animated the growth and power of those ideas. . . . So it is with the American flag. It is more than a proud symbol of the courage, the determination, and the gifts of a nation that transformed 13 fledgling colonies into a world power. It is a symbol of freedom, of equal opportunity, of religious tolerance, and of goodwill for other peoples who share our aspirations.'' [491 U.S. at 437 (dissenting)]

In the long process of bringing this amendment to the floor, we have gone more than half way to address the concerns of critics. I think it is time for opponents of the amendment to join with us in offering the protection of law to our beloved American flag.

Justice John Paul Stevens, in his dissent in the Texas v. Johnson decision, said it best:

The ideas of liberty and equality have been an irresistible force in motivating leaders like Patrick Henry, Susan B. Anthony, and Abraham Lincoln, schoolteachers like Nathan Hale and Booker T. Washington, the Philippine Scouts who fought at Bataan, and the soldiers who scaled the bluff at Omaha Beach. If those ideas are worth fighting for—and our history demonstrates that they are—it cannot be true that the flag that uniquely symbolizes their power is not itself worthy of protection from unnecessary desecration. [491 U.S. at 439]

I want to talk a little bit about the arguments that I have heard over the past several years, and again this week, from some of my colleagues who oppose this amendment. Opponents contend that preventing the physical desecration of the flag actually tramples on the sacred right of Americans to speak freely. Although I respect many people who have this view, I strongly disagree with it. I hope that, as I have come to understand their perspective, they too will be open to mine and, together, we will be able to achieve consensus on the most important issue of all—protecting and preserving the American flag.

Restoring legal protection to the American flag would not infringe on free speech. If burning the flag were the only means of expressing dissatisfaction with the nation's policies, then I imagine that I, too, might oppose this amendment. But we live in a free and open society. Those who wish to express their political opinions—including any opinion about the flag—may do so in public, private, the media, newspaper editorials, peaceful demonstrations, and through their power to vote.

Certainly, destroying property might be seen as a clever way of expressing one's dissatisfaction. But such action is conduct, not speech. Law can be, and are, enacted to prevent such actions, in large part because there are peaceful alternatives equally expressive. After all, right here in the United States Senate, we prohibit speeches or demonstrations of any kind in the public galleries, even the silent display of signs or banners. As a society, we can, and do, place limitations on both speech and conduct.

Mutilating our Nation's great symbol of national unity is simply not necessary to express an opinion. Those individuals who have a message to the country should not confuse their right to speak with a supposed ''conduct right,'' which allows one to desecrate a symbol that embodies the ideals of a Nation that Americans have given their lives to protect.

For this reason, I must reiterate strongly that the flag protection amendment does not effectively amend the first amendment. It merely reverses two erroneous decisions of the Supreme Court and restores to the people the right to choose what law, if any, should protect the American flag.

I have heard some of my colleagues miss this point and talk about how we cannot amend the Bill of Rights or infringe on free speech, and I was struck by how many of them voted for the flag protection statute in 1989. Think about that. They cannot have it both ways. How can they argue that a statute that bans flag burning does not infringe on free speech, and yet say that an amendment that authorizes Congress to enact such a statute banning flag burning does infringe on free speech?

Moreover, the argument that a statute will suffice is an illusion. We have been down this road before, and it is an absolute dead end, having been rejected by the Supreme Court less than 30 days after oral argument, in a decision of fewer than 8 pages. They will do the same to any other statute of general applicability to the flag. A constitutional amendment is necessary because the Supreme Court has given us no choice in this matter.

We all understand the game that is being played. We have people who changed their vote at the last minute to prevent the flag amendment from passing, as they did on the balanced budget amendment. The same people who voted for the statute are claiming their free speech rights would be violated by this amendment, but I guess not by the statute that allows them to ban desecration of the flag—a statute that I think they all know would be automatically held unconstitutional by the Supreme Court. It is a game. It is time for people to stand up for this flag.

Some of my colleagues argue that because the Supreme Court has spoken we can do little to override this newly minted, so-called ''constitutional right.'' In my view, this concedes far too much to the judiciary.

No human institution, including the Supreme Court, is infallible. Suppose that the year is 1900 and we are debating the passage of an amendment to override the Plessy versus Ferguson decision. That was the decision in which the Supreme Court rules that separate-but-equal is equal, and that the Constitution requires only separate-but-equal public transportation and public education. The Plessy decisions was almost unanimous, 8–1 in contrast to the Johnson and Eichman decisions, which were 5–4. Would any of my colleagues be arguing that we could not pass an amendment to provide that no state may deny equal access to the same transportation, public education, and other public benefits because of race or color simply because the Court had spoken the final word? Would any one of my colleagues argue that the Plessy decision had to stand because an amendment might change the 14th amendment? Of course not.

The suggestion by some that restoring Congress' power to protect the American flag from physical desecration tears at the fabric of our liberties is so overblown that it is difficult to take seriously. In fact, I think it is phony. These arguments ring particularly hollow because until 1989, 48 states and the federal government had flag protection laws. Was there a tear in the fabric of our liberties then? Of course not.

It goes without saying that among the most precious rights we enjoy as Americans is the right to govern ourselves. It was to gain this right that our ancestors fought and died at Concord and Bunker Hill, Saratoga, Trenton, and Yorktown. And it was to preserve that right that our fathers, brothers, and sons bravely gave their lives at New Orleans, Flanders, the Bulge, and Mt. Suribachi. The Constitution exists for no other purpose than to vindicate this right of self-government by the people. The Framers of the Constitution did not expect the people to meekly surrender their right to self-government, or their judgment on constitutional issues, just because the Supreme Court decides a case a particular way. Nor, when they gave Congress a role in the amendment process, did the Framers expect us to surrender our judgment on constitutional issues just because another, equal and co-ordinate branch of government, rules a particular way. The amendment process is the people's check on the Supreme Court. If it were not for the right of the people to amendment the Constitution, set out in Article 5, we would not even have a Bill of Rights in the first place. It was the people through their elected representatives—not the courts—who enshrined the freedom of speech in the Constitution.

The Framers did not expect the Constitution to be routinely amended, and it has not been. The amendment process is difficult and exceptional. But it should not be viewed as an unworthy or unrighteous process either. The amendment process exists to vindicate the most precious right of the people to determine under what laws they will be governed. It is there to be used when the overwhelming majority of voters decide that they should make a decision rather than the Supreme Court.

In Texas versus Johnson and United States versus Eichman the Supreme Court decided for Americans that a

statute singling out the flag for special protection is based on the communicative value of the flag and therefore violates the first amendment. The Court decided that what 48 states and the federal government had prohibited for decades was now wrong. Since the Johnson and Eichman decisions, several challenges have been brought against the state statutes prohibiting flag desecration. State courts considering these types of statutes have uniformly held these statutes unconstitutional.

One recent case, Wisconsin versus Janssen, involved a defendant who confessed to, among other things, defecating on the United States flag. Relying on the Supreme Court's Johnson decision, the Wisconsin high court invalidated a state statute prohibiting flag desecration on the ground that the statute was overbroad and unconstitutional on its face.

In reaching that decision, the court noted that it was deeply offended by Janssen's conduct, and stated that ''[t]o many, particularly those who have fought for our country, it is a slap in the face.'' The court further explained that ''[t]hough our disquieted emotions will eventually subside, the facts of this case will remain a glowing ember of frustration in our hearts and minds. That an individual or individuals might conceivably repeat such conduct in the future is a fact which we acknowledge only with deep regret.'' What was particularly distressing about this decision is that the court found the statute constitutionally invalid even though the state was trying to punish an individual whose vile and senseless act was devoid of any significant political message, as so many of them are.

The court noted ''the clear intent of the legislature is to proscribe all speech or conduct which is grossly offensive and contemptuous of the United States flag. Therefore, any version of the current statute would violate fundamental principles of first amendment law both in explicit wording and intent.'' Under prevailing Supreme Court precedent, then, the Court found that the proscribed conducted was protected ''speech.'' The Wisconsin decision, like those before it, demonstrates that, because of the narrow Johnson and Eichman decisions of the U.S. Supreme Court, any statute, state or federal, that seeks to prohibit flag desecration will be struck down.

The Wisconsin Supreme Court, however, noted that all was not lost. The Court opined that ''[i]f it is the will of the people in the country to amend the United States Constitution in order to protect our nation's symbol, it must be done through normal political channels,'' and noted that the Wisconsin legislature recently adopted a resolution urging Congress to amend the Constitution to prohibit flag desecration.

Clearly, with the House having already sent us the amendment on a strong, bipartisan vote, the ball is firmly here in the Senate's court. If we are serious about protecting the American flag, it is up to this body, at this time, to take action and to send this proposed amendment to the people of the United States.

After all the legal talk and handwringing on both sides of this issue, what is comes down to is this: Will the Senate of the United States confuse liberty with license? Will the Senate of the United States deprive the people of the United States the right to decide whether they wish to protect their beloved national symbol, Old Glory? Forty-nine state legislatures have called for a flag protection amendment. By an overwhelming and bipartisan vote, the House of Representatives has passed the amendment. Now it is up to the Senate to do its job. Let us join together and send this amendment to the people.

This resolution should be adopted, and the flag amendment sent to the states for their approval. Our fellow Americans overwhelmingly want to see us take action that really protects the flag and this, my friends, can do just that. I urge you to support the flag protection amendment and, by doing so, preserve the integrity and symbolic value of the American flag.

It is now time for the Senate to heed the will of the people by voting for the flag protection constitutional amendment. Doing so will advance our common morality and the system of ordered liberty encompassed in our history, laws and traditions. We must restore the Constitution and the first amendment, send the flag amendment to the States that have requested it with near unanimity, and return to the American people the right to protect the United States flag. It is time to let the people decide.

Again, I come back do that major point. All this amendment does is recognize that there are three separated powers in this country—the legislative, executive, and judicial branches of Government. When the judicial branch says we can no longer enact by statute the protection of the flag and suggests we have to pass a constitutional amendment if we want to protect the flag, then this amendment gives the Congress the right to be coequal with the other branches of Government. It gives us the right to protect the flag through a constitutional amendment and it gives us the right, if we so choose, to pass legislation similar to the legislation that a vast majority of Members of this body voted for back in 1989.

Last but not least, in this day and age, many of our young people don't even have a clue to what happened back between 1941 and 1945. They don't even realize what happened in the Second World War.

Sending this amendment to the 50 States would create a debate on values, which is necessary in this country, like we have never had before. It will be up to the people to decide. That is all we are asking. Let the people, through their State legislatures, decide whether or not we should protect the flag. That is not a bad request. It is something that needs to be done. Above all, it restores to the Congress the coequal power as a coequal branch of Government that is gone because of the very narrow set of 4–5 Supreme Court decisions. I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. CRAPO). Who yields time?

Mr. HATCH. How much time does our side have?

The PRESIDING OFFICER. The Senator from Kentucky has 1 hour, the Senator from South Carolina has 1 hour, and the Senator from Vermont has a half hour.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that I control the time on our side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. I yield 5 minutes to the distinguished Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 5 minutes.

Mr. THOMAS. I thank the Chair. Mr. President, I will take a very short time. I speak in favor of the flag protection amendment to the Constitution. It is an honor for me to be a cosponsor of this constitutional amendment, 1 of 58. Most everything has been said, I suppose, that needs to be said about it. Of course, no one here is in favor of desecration of the flag. What we have is a difference of view as to how to deal with that issue.

This constitutional amendment has been around for a very long time and has been considered several times. Certainly, this symbol of the flag is one that should be held in the highest regard. Most everyone agrees with that.

This measure states:

> The Congress shall have the power to prohibit the physical desecration of the flag of the United States.

That should be the case. It seems to me what that does is helps to define freedom of speech. We can do that.

What we are saying is it is illegal to physically desecrate the flag of the United States. I cannot imagine how people can disagree with that. The Senate has voted on this matter in the past in 1989, 1990, and 1995, and each time a majority was in favor. The House passed an identical measure in June of 1999 by a vote of 305–124 with a sufficient majority. Each year we get a little closer to passing it.

Why do we need a flag protection amendment? Forty-nine State legislatures have already passed resolutions urging this constitutional amendment. The flag, obviously, is a sacred symbol and deserves protection from desecration. It is a symbol of national unity and identification. We all know of the sacrifices that have been made, and this flag typifies that; this flag is symbolic of that. It is an inspiration for people.

The attempts in the past have failed in terms of statutory issues. The Supreme Court struck down the Texas v. Johnson in 1989 in a 5–4 decision. In 1990, there was another 5–4 decision.

This is a reasonable request to accommodate and I believe most Americans want to protect this flag. If this is the necessary way to do it, then I am for that.

I am very pleased to be a cosponsor, and I urge this be passed in the Senate. I yield the floor.

Mr. HATCH. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. If neither side yields time, time runs equally.

Mr. HOLLINGS. Mr. President, I understand we are on the flag amendment. That is why I waited for them to complete their hour and I begin mine.

Mr. HATCH. My understanding is, it is the Hollings amendment that is being debated.

Mr. HOLLINGS. That is what Senator HATCH says, but that is not what the Chair says.

The PRESIDING OFFICER. The Senate currently has under consideration the Hollings amendment No. 2890.

Mr. HOLLINGS. All this time has been taken off the Hollings amendment? Come on. We have been talking about the flag. I approached the Chair when we started. Right to the point, the Parliamentarian said they are arguing the flag amendment. Senator THURMOND started, and then Senator HATCH talked on the flag amendment. The others have been talking on the flag amendment.

Mr. HATCH. Will the Senator yield?

The PRESIDING OFFICER. It is the Chair's understanding the Hollings amendment is an amendment to the flag amendment.

Mr. HATCH. We can use our time any way we want to on our side. The amount of time is still remaining for Senator HOLLINGS on his side. As I understand it, we are debating the Hollings amendment, but I talked generally about the flag amendment.

The PRESIDING OFFICER. The Hollings amendment is an amendment to the flag amendment and is under consideration.

Mr. HOLLINGS. How much time do I have?

The PRESIDING OFFICER. The Senator from South Carolina has 1 hour.

Mr. HOLLINGS. I thank the Chair.

Mr. HOLLINGS. Mr. President, I'm addressing the so-called freedom of speech with respect to campaign financing. I explained yesterday afternoon how we, in the 1974 act, tried to clean up the corruption. Cash was being given, all kinds of favors and demands were being made on members of the Government, as well as in the private sector. Numerous people were convicted. We enacted the 1974 act after the Maurice Stans matter in the Nixon campaign.

We debated one particular point—that you could not buy the office. Now the contention is that you can buy the office because under the first amendment protecting freedom of speech, and money being speech, there is no way under the Constitution that it can be controlled. Of course, that is a distortion by the Buckley v. Valeo decision for the simple reason that we finally have Justice Stevens saying that ''money is property.'' Justice Kennedy goes right into the distortion. I quote from the case of Nixon v. Shrink Missouri Government PAC:

> The plain fact is that the compromise the Court invented——

I emphasize the word ''invented''——

> in Buckley set the stage for a new kind of speech to enter the political system. It is covert speech. The Court has forced a substantial amount of political speech underground, as contributors and candidates devise ever more elaborate methods of avoiding contribution limits, limits which take no account of rising campaign costs. The preferred method has been to conceal the real purpose of the speech.

Then further:

> Issue advocacy, like soft money, is unrestricted . . . while straightforward speech in the form of financial contributions paid to a candidate . . . is not. Thus has the Court's decision given us covert speech. This mocks the First Amendment.

I hope everybody, particularly the other side of the aisle, understands that I am reading from Justice Kennedy:

> This mocks the First Amendment.

He goes on to say:

> Soft money must be raised to attack the problem of soft money. In effect, the Court immunizes its own erroneous ruling from change.

We have it foursquare. There is no question that the majority in Buckley has mocked the first amendment. Four Justices in Buckley v. Valeo found that you could control spending. They treated money as it has been treated in the Congress—as property and not speech.

Let's look, for example, at the hearing we had. When the Senate is asked to consider contributions, they consider them property. So we had the Thompson investigation. Seventy witnesses testified in public over a total of 33 days; 200 witness interviews were conducted; 196 depositions were conducted under oath; 418 subpoenas were issued for hearings, depositions, and documents; and more than 1.5 million pages of documents were received.

They did not say that Charlie Trie, Johnny Huang and others had free speech. The lawyers in those particular cases would be delighted to hear a Congressman who now takes the position that: Oh, it is all free speech. Don't worry about any violations because the first amendment protects this money. The first amendment protects it as free speech. That is out of the whole cloth. They have been singsonging because they enjoy this particular corruption.

What corruption? As I pointed out yesterday, we used to come in here and work. Thirty years ago, under Senator Mansfield, we would come in at 9 o'clock Monday morning and we would have a vote. The distinguished leader at that time usually had a vote to make sure we got here and started our week's work—and I emphasize ''week's work.'' We worked throughout Monday, Tuesday, Wednesday, Thursday, Friday, and we were lucky to complete our work by Friday evening at 5 o'clock.

Now: Monday is gone. Tuesday morning is gone. We don't really work here. We are waiting and not having any votes. People are coming back into town. Nobody is here to listen. On Wednesday and Thursday we have to have windows so we can go fundraise. Can you imagine that? That ought to embarrass somebody. But I have asked for windows, too, because that is the way it is.

The money chase—the amount of money that must be chased—has corrupted this Congress. Everybody knows it. The people's business is set aside. On Friday, we go back home. What do we do? We have fund-raisers. We don't have free-speech raisers, like they are talking about on the floor of the Senate now.

They get all pontifical and stand up and talk oh so eruditely about the Constitution and the first amendment. They know better than anyone that this is property. But as long as they can sell everybody that there are no limits, there are no restrictions on money because it is free speech, then it is ''Katie bar the door'' and we have really gone down the tube.

It is not that bad; it is worse. We used to have a break, I think it was on February 12, for Lincoln's birthday. It might have been a long weekend, but it was not a 10-day break. Now, January is gone. Then we had a 10-day break in February. We had a 10-day break again in March. We will have another 10-day break in April. We will have another 10-day break in May and at the beginning of June. Then we will have the Fourth of July break. Then we will have the month of August off—all of this keeping us from doing the people's business.

I thought once our campaigns were over we would come up here and go to work on behalf of the people's business. Instead, we work on behalf of our own business: reelection. All in the name of this tremendous volume of money, money, money everywhere. They are trying to defend it on the premise of: Give me the ACLU and the Washington Post. Then they put up a sandwich

board about newspapers: If the Hollings amendment is passed, the newspapers can't write editorials. I never heard of such nonsense.

This does not have to do with anybody's freedom of speech. We cannot, should not and would not ever take away anybody's speech. But we can take away the money used in campaigns and limit it just like every other country does. In England, they limit the amount of time in which you can actually conduct the campaign. They do not talk about campaigns in reference to the Magna Carta: Wait a minute, you have taken away my speech here in the Parliament. There is none of that kind of nonsense. But here, it is the kind of thing we are having to put up with.

The question is, Can this problem be solved another way?

That is exactly what the Senator from North Dakota, Mr. CONRAD, says: We have a problem. Let's solve it in another way. He puts in a statutory amendment with respect to the flag.

With respect to campaign financing, give me a break. We have tried for 25 years—everything from public finance to free TV time, to soft money, to hard money limitations, to any and every idea.

Now we have the Vice President proposing an endowment to finance federal campaigns. They think all you have to do is come up with a new idea and then you are really serious about this. If you are going to get serious, vote for this amendment. Then, by gosh, we are playing for keeps.

There are a lot of people on McCain-Feingold getting a free ride voting for it, knowing it is never going anywhere because the Senator from Kentucky is manifestly correct, it is patently unconstitutional. There is no question that this Court would find McCain-Feingold unconstitutional. Everybody knows that. This is one grand charade, as the corruption continues.

I emphasize that this amendment does not take a side with McCain-Feingold, with hard money, with soft money, with the Vice President's endowment, with anything else or any idea one may have about controlling spending in Federal elections. It is not pro, it is not con, it is not for, it is not against. It merely gives authority to the Congress to do what we intended back in 1974 with the amended version of the Federal Election Campaign Act of 1971; and that is, to stop people from buying the office.

The corruption is such that you have to buy the office. We are required to buy it. I can tell you, because two years ago I spent more of my time raising $5.5 million for my seventh reelection to the Senate than I did campaigning. So I speak advisedly. I have asked for windows. I have asked for parts of this corruption that we are all involved in. The only way it is going to be cleaned up is a constitutional amendment.

What does Justice Kennedy say? He says: Buckley mocks the first amendment. Mind you, there was only one Justice who called money property, but another said it mocked the first amendment. Then I read from the decision:

> Soft money must be raised to attack the problem of soft money. In effect, the Court immunizes its own erroneous ruling from change.

Imagine that. The Court has immunized the ruling from change; namely, you cannot change it by statute. Listen Senator CONRAD, and any other Senator interested in playing games with this corruption, saying we will put in a little statute. There have been 2,000 or 20,000 amendments to the Constitution. Give me a break. The last five or seven amendments had to do with elections. None of them is as important as this particular national corruption of Congress. We all know about it. We all participate in it. We have no time to be a Congress. We are just a dignified bunch of money raisers for each other and for ourselves.

It is sad to have to say that on the floor of the Senate, but it is time we give the people a chance. This does not legislate or provide anything. It just says, come November, as a joint resolution, let the people decide. I think the people have decided. That is why my amendment is timely. During this year's presidential primaries everyone was talking about campaign finance reform—reform, reform, reform. Candidates were saying, I am the reform candidate.

The one thing they are trying to reform is campaign financing, this corruption. Now even the Vice President has come out and said: The first day I am your President, I will submit McCain-Feingold—knowing it is an act in futility. Let's pass McCain-Feingold unanimously. The Court throws it out later this year. It is not going anywhere. The Court has time and again said soft money is speech. That is the majority of this crowd. But I admonish the four Justices in Buckley v. Valeo who said they could do it. Now we have two other Justices talking sense. We know good and well that the people want a chance to talk on this, to vote on this.

I had no sooner put this up years ago, back in the 1980s, and the States' Governors came and, by resolution, asked that we amend the Hollings amendment so as to include the States. So that now the Hollings amendment reads that Congress is hereby empowered to regulate or control spending in Federal elections, and the States are hereby allowed to regulate or control spending in State elections.

It should be remembered that the last, I think, six out of seven amendments, took an average of 17 or 18 months. This is very timely for the people to vote on in November, when the issue has already been discussed and debated throughout the primaries. The people are ready to vote on campaign finance reform. And both presidential candidates, Bush and GORE, are now trying to position themselves as reformers on campaign finance. We can solve that by having the people vote on the issue in and of itself. Within 17 months, on average, we can have the people vote and by this time next year have it confirmed by the Congress and this mess will cleaned up. Then we can go back to work for the people of America and cut out this money machine operation that we call a Congress.

We not only have to go out during breaks and raise money, we now have ''power hours.'' We have the ''united fund,'' your fair share allocation that you are supposed to raise and contribute to the committee. It becomes more and more and more. Every time I turn around, instead of trying to get some work done, we have more money demands.

So if you want to stop the corruption and stop the charade of calling campaign contributions free speech, this amendment is the solution. We are not taking away anybody's speech. We in Congress don't call it speech when we conduct these hearings, year-long hearings with hundreds of witnesses and millions of pages of testimony to get the scoundrels. For what? Not for exercising their free speech but for violating limitations on money contributions. We treat money as property when we have these fund raisers. We don't call them free-speech raisers. We treat it as property, except when we try to really stop the corruption.

I hope we will stop it today and vote affirmatively on the Hollings-Specter amendment so that we can move on and get back to our work.

Go up to the majority leader and ask him: Mr. Leader, I would like you to bring up TV violence. He will say: Well, that will take 3 or 4 days. We don't have time.

Why don't we have time? We don't work on Monday. We don't work on Friday, just the afternoons on Tuesday and Wednesday and Thursday. We can't even allow amendments.

We are going in this afternoon at 3:30 to the Budget Committee, but we have been putting that off again and again. I just checked an hour ago and it was said: We really don't know whether the vote is fixed. They try to fix the jury, fix the vote so there are no amendments to be accepted. The vote is fixed. It is an exercise—if you don't go along with their fix—in futility. Yet Members go around and say: I am a Member of the most deliberative body in the United States, most deliberative body in the world. The money chase has corrupted us so that we are fixed in a position where we can't deliberate. We don't deliberate. We have forgotten about that entirely and, in fact, rather enjoy it. So long as nobody raises any questions and we all can go back home and continue to raise money, we think we are doing a good job.

It is a sad situation. I hope we can address it in an up-front manner and support the amendment.

I retain the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. I ask unanimous consent that time under the quorum call not be charged.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Reserving the right to object, is the time going to be divided equally?

The PRESIDING OFFICER. The time would ordinarily be divided equally. Under this request, if I understand the request of the Senator from South Carolina, the time will be divided equally. As the time runs, it will be subtracted equally from both sides.

There is a deadline of 12:30, which the Senator's unanimous consent request would violate if time was not charged. Is there objection?

Mr. HATCH. Parliamentary inquiry. Is the time to be charged against this amendment equally referring to the amendment of the Senator from South Carolina?

The PRESIDING OFFICER. Yes. The Senator from South Carolina asked that the time not be charged while the Senate is in a quorum call. However, the Senate is under a previous order of a deadline of 12:30. Therefore, the time would have to be charged one way or another. The time expires at 12:30.

Mr. HATCH. I have no objection to the request as long as the time is divided equally on his amendment to my constitutional amendment.

Mr. HOLLINGS. That is my request, Mr. President.

The PRESIDING OFFICER. Without objection, the time will be divided equally between now and 12:30.

Mr. MCCONNELL. Mr. President, on the matter of the Hollings amendment, we——

Mr. HATCH. If the Senator will yield, as I understand it there is an hour for debate on the underlying constitutional amendment between 11:30 and 12:30 against which this time will not be charged.

The PRESIDING OFFICER. That is correct—just a second.

Mr. HATCH. Mr. President, I ask unanimous consent that the time be charged equally only against the amendment of the distinguished Senator from South Carolina and that the hour for debate between 11:30 and 12:30 remain the same.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, we had extensive debate yesterday on the Hollings amendment. Let me repeat some of that for the record today.

The Hollings amendment is at least very straightforward. As I understand what the Senator from South Carolina is saying, in order to enact the various campaign finance schemes that have been promoted around the Senate over the last decade or so, you have to, in fact, amend the first amendment to the U.S. Constitution. I think he is correct in that. I happen to think, however, that is a terrible idea.

His amendment would essentially eviscerate the first amendment to the U.S. Constitution, change it dramatically for the first time in 200 years, to allow the Government—that is us here in the Congress—to determine who may speak, when they may speak and, conceivably, even what they may speak. Of course, under this amendment, the press would not be exempt. So everyone who had anything to say about American political matters in support of or in opposition to a candidate would fall under the regulatory rubric of the Congress. The American Civil Liberties Union called this a ''recipe for repression.'' It is the kind of power the Founding Fathers clearly did not want to reside in elected officials.

So this is a step we should not take. The good news is the last time we voted on the Hollings amendment in 1997, it only got 38 votes. I am confident this will not come anywhere near the 67 votes it would need to clear the Senate.

I am rarely aligned with either Common Cause or the Washington Post on the campaign finance issue. They oppose the Hollings amendment. Senator FEINGOLD, of McCain-Feingold fame, also opposes the Hollings amendment.

This would be a big step in the wrong direction. I am confident the Senate will not take that step when the vote occurs sometime early this afternoon.

Now, some random observations on the subject of campaign finance reform. There has been a suggestion that this has become a leading issue nationally and will determine the outcome of the Presidential election. I think, first, it is important to kind of look back over the last few months at how this issue has fared with the American people, since it has been discussed so much by the press. There was an ABC-Washington Post poll right after the New Hampshire primary among both Republicans and Democrats, weighting the importance of issues. Among Republicans, only 1 percent—this was a national poll—thought campaign finance reform was an important issue and, among Democrats, only 2 percent.

Earlier this year, in January, another poll—a national poll—asked: What is the single most important issue to you in deciding whom you will support for President? Campaign finance was down around only 1 percent of the people nationally who thought that was an important issue in deciding how to vote for President. Further, a more recent CNN-Gallup-USA Today poll, in March—essentially after the two nominations for President for both parties had been wrapped up, after Super Tuesday—asked: What do you think is the most important problem facing this country today? It was open-ended. American citizens could pick any issue they wanted to as the most important problem facing this country today.

In this poll of the American public, over 1,000 adults all across America, 32 different issues were mentioned. It was an open-ended poll among American citizens as to what they thought was the most important issue. Not a single person mentioned campaign finance reform in this open-ended survey after Super Tuesday, after this issue had been much discussed in the course of the nomination fights for both the Democrats and the Republicans. Of course, in California, on the very same day as the Super Tuesday vote, there was, in fact, a referendum on the ballot in California providing for taxpayer funding of elections and all of the various schemes promoted by the reformers here in the Senate in recent years. It was defeated 2–1.

So we have substantial evidence among the American people as to what they feel about this issue in terms of its importance in casting votes for the President of the United States or, for that matter, for Members of Congress as well.

It has been suggested by the reformers on this issue over the years that if we will just pass various forms of campaign finance reform, the public will feel better about us, their skepticism about us will be reduced, and their cynicism about politics will subside. A number of other countries have passed the kind of legislation that has been proposed here over the last 15 or 20 years. Most of those—or all of those countries don't have a first amendment, so they don't have that impeding legislative activity. I think it is interesting to look at these other countries and what the results have been in terms of public attitudes about government that have come after they have passed the kinds of legislation that has been advocated around here in one form or another over the years.

Let's look at some industrialized democracies. Our neighbor to the north, Canada, has passed many of the types of regulations supported by the reformers in the Senate over the years. They have passed spending limits for all national candidates. All national candidates must abide by these to be eligible to receive taxpayer matching funds. The Vice President just yesterday came out with a taxpayer-funded scheme for congressional elections. I have seen survey data on that. It would be more popular to vote for a congressional pay raise than to vote to spend tax money on buttons and balloons and commercials. That is what the Vice President came out for yesterday. We look forward to debating, in the course

of the fall election, how the American people feel about having their tax dollars go to pay for political campaigns.

Nevertheless, other countries have done that. I was talking about Canada. Candidates can spend $2 per voter for the first 15,000 votes they get, a dollar per voter for all votes up to 25,000, and 50 cents per voter beyond 25,000. They have spending limits on parties that restrict parties to spending the product of a multiple used to account for the cost of living. This is an incredibly complex scheme they have in Canada—a product of a multiple used to account for cost of living times the number of registered voters in each electoral district in which that party has a candidate running for office.

It almost makes you laugh just talking about this.

Right now, in Canada, it comes out to about $1 per voter. They have indirect funding via media subsidies. The Canadian Government requires that radio and TV networks provide all parties with a specified amount of free air time during the month prior to an election. The Government also provides subsidies to defray the cost of political publishing and gives tax credits to individuals and corporations which donate to candidates and/or parties. It sounds similar to the Gore proposal of yesterday.

They have this draconian scheme up in Canada in which nobody gets to speak beyond the Government's specified amount. The Government's subsidies are put into both campaigns and parties and media subsidies.

What has been the reaction of the Canadian people in terms of their confidence expressed toward their Government?

The most recent political science studies of Canada demonstrate that despite all of this regulation of political speech by candidates and parties, the number of Canadians who believe that ''the Government doesn't care what people like me think'' has grown from roughly 45 percent to approximately 67 percent.

The Canadians put in this system presumably to improve the attitude of Canadians about their Government, and it has declined dramatically since the imposition of this kind of control over political speech. Confidence in the national legislature in Canada declined from 49 percent to 21 percent, and the number of Canadians satisfied with the system of government has declined from 51 percent to 34 percent.

Here we have in our neighbor to the north, Canada, an example of a country responding to concerns about cynicism about politics in government put in all of these speech controls, and the people in Canada have dramatically less confidence in the Government now than they did before all of this was enacted.

Let's take a look at Japan.

According to the Congressional Research Service, ''Japanese election campaigns, including campaign financing, are governed by a set of comprehensive laws that are the most restrictive among democratic nations.''

After forming a seven-party coalition government in August, 1993 Prime Minister Hosokawa—this sounds like the Vice President—placed campaign finance reform at the top of his agenda, just as Vice President GORE did yesterday. He asserted that his reforms would restore democracy in Japan. In November 1994, his legislation passed. After this legislation, the Japanese Government imposed the following restrictions on political speech. Listen to this. This is the law in Japan:

Candidates are forbidden from donating to their own campaigns.

Any corporation that is a party to a Government contract, grant, loan, or subsidy is prohibited from making or receiving any political contributions for 1 year after they receive such a contract, grant, loan, or subsidy.

In addition, there are strict limits on what corporations and unions and individuals may give to candidates and parties.

There are limits on how much candidates may spend on their campaigns.

Candidates are prohibited from buying any advertisements.

Listen to this: Candidates are prohibited from buying any advertisements in magazines and newspapers beyond the five print media ads of a specified length that the Government purchases for each candidate.

Parties are allotted a specific number of Government-purchased ads of a specified length.

The number of ads a party gets is based on the number of candidates they have running.

It is illegal for these party ads to discuss individual candidates in Japan. It is illegal.

In Japan, candidates and parties spend nothing on media advertising because not only are they prohibited from purchasing print media ads, they are also prohibited from buying time on television and radio.

Talk about speech controls—in Japan, candidates can't buy any time on television and radio.

The Government requires TV stations to permit parties and each candidate a set number of television and radio ads during the 12 days prior to the election. Each candidate gets to make one Government-subsidized television broadcast.

The Government's Election Management Committee—that is a nice title—provides each candidate with a set number of sideboards and posters that subscribe to a standard Government-mandated format.

The Election Management Committee also designates the places and times that candidates may give speeches.

In Japan, the Government designates the times and places candidates may give speeches.

This is the most extraordinary control over political discussion imaginable. All of this campaign finance reform in Japan was enacted earlier in the 1990s.

What makes it even more laughable is, after all of this happened, all of these regulations on political speech that amount to a reformers wish list were imposed, you have to ask the question: Did cynicism decline? Did trust in government increase? ''Not so should be noted,'' as we say down in Kentucky. Following the disposition of these regulations, the number of Japanese who said they had ''no confidence in legislators''—the Japanese passed campaign finance reform that Common Cause could only drool over. They did it in Japan. And after they did it, following the imposition of these regulations, the number of Japanese who said they had ''no confidence in legislators'' rose to 70 percent.

Following the enactment of this draconian control of political discourse that I just outlined, in Japan only 12 percent of Japanese believe the Government is responsive to the people's opinions and wishes.

After the enactment of all of this control over political discussion in Japan, the percentage of Japanese ''satisfied'' with the nation's political system fell to a mere 5 percent and voter turnout continued to decline.

Let's take a look at France.

In France, there is significant regulation of political activity:

Government funding of candidates;

Government funding of parties;

Free radio and television time, reimbursement for printing posters and for campaign-related transportation;

They banned contributions to candidates by any entity except parties and PACs;

Individual contributors to parties are limited;

Strict expenditure limits are set for each electoral district;

And every single candidate's finances are audited by a national commission to ensure compliance with the rules.

Despite these regulations, the latest political science studies in France demonstrate that the French people's confidence in their Government and political institutions has continued to decline, and voter turnout has continued to decline.

Let's take a look at Sweden.

Sweden has imposed the following regulations on political speech:

In Sweden, there is no fundraising—none at all—or spending for individual candidates. Citizens merely vote for parties and assign seats on proportion of votes they receive.

The Government subsidizes print ads by parties.

Despite the fact that Sweden has no fundraising or spending for individual candidates since these requirements have been in force, the number of Swedes disagreeing with the statement that ''parties are only interested in people's votes, not in their opinions'' has declined from 51 percent to 28 percent.

The number of people expressing confidence in the Swedish Parliament has declined from 51 percent to 19 percent.

So we could follow the rest of the world and trash the first amendment and enact all of these draconian controls over political discussion, and there is no evidence anywhere in the world that produces greater faith in government or greater confidence in the process. In fact, there is every bit of evidence that it declines dramatically after the enactment of these kinds of reforms.

I am confident we will not start repealing the first amendment today through the passage of the Hollings amendment. Only 38 Senators voted for this in 1997 when it was last before us, and I am certain there won't be many more than that today.

Mr. President, how much time remains in opposition to the Hollings amendment?

The PRESIDING OFFICER (Mr. ENZI). Three minutes.

Mr. MCCONNELL. The Senator from Wisconsin is here to speak in opposition to the Hollings amendment.

Mr. FEINGOLD. Mr. President, I ask unanimous consent if I could speak for 15 minutes in opposition.

The PRESIDING OFFICER. The time is under the control of the Senator from Utah.

Mr. MCCONNELL. Since there are 3 minutes more in opposition to the Hollings amendment, I am happy to give the Senator from Wisconsin my 3 minutes and hope he might be accommodated for a few more minutes to complete his statement.

Mr. HATCH. I am happy to give the Senator 3 minutes, and I ask the distinguished Senator from South Carolina if he would give some time.

Mr. HOLLINGS. We have no time. I have the Senator from Pennsylvania coming. I want to be accommodating but time is limited.

Mr. FEINGOLD. Obviously, both sides have the same amount of time. I ask unanimous consent I be allowed to speak for 15 minutes, if necessary adding on to the time. Obviously, if the opponents were to feel the same, I have no opposition.

The PRESIDING OFFICER. The Senator is advised we have a deadline of 12:30. Therefore, the Senator's unanimous consent request would necessarily have to come out of Senator HOLLINGS' time, after the 3 minutes have been used from the opposition.

Mr. HATCH. Mr. President, I ask unanimous consent the debate on the Judiciary Committee amendment to the Constitution be moved to 11:45 to accommodate the distinguished Senator, with the time divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wisconsin is recognized for 15 minutes.

Mr. FEINGOLD. I certainly thank the Senator from Utah.

Mr. President, I rise today to oppose the proposed constitutional amendment offered by the junior Senator from South Carolina, Senator HOLLINGS.

First I would like to say a few words about the Senator from South Carolina. Our colleague Senator HOLLINGS has been calling for meaningful campaign finance reform for perhaps longer than any other Member of the U.S. Senate. I disagree with this particular approach. But I certainly do not question his sincerity or commitment to reform.

Back in 1993, my first year in the Senate, Senator HOLLINGS offered a sense-of-the-Senate amendment to take up a constitutional amendment very similar to the one that is before us today. I remember we had a very short period of time before that vote came up, and I decided to vote with the Senator from South Carolina on that day. I did so because I believed that other than balancing the Federal budget, there was perhaps no more fundamental issue facing our country than the need to reform our election laws.

Such a serious topic I believed at the time merited at least a consideration of a constitutional amendment. And I will certainly confess to a certain level of frustration at that time with the fact that the Senate and other body had not yet acted to pass meaningful campaign finance reform in that Congress.

To be candid, I immediately realized, even as I was walking back to my office from this Chamber, that I had made a mistake. I started rethinking right away whether I really wanted the U.S. Senate to consider amending the first amendment, even to address the extremely important subject of campaign finance reform.

Then, 18 months later, my perspective on this question began to change even more as I was presented with two new development here in the Senate.

First I was given the privilege of serving on the Senate Judiciary Committee, and, second, I learned that the 104th Congress, newly under the control of what remains the majority party, was to become the engine for a trainload of proposed amendments to the U.S. Constitution. As a member of the Judiciary Committee, I had a very good seat to witness first hand the surgery that some wanted to perform on the basic governing document of our country, the Constitution.

It started with a proposal right away for a balanced budget constitutional amendment. Soon we were considering a term limits constitutional amendment, and then a flag desecration constitutional amendment, then a school prayer amendment, then a super majority tax increase amendment, and then a victims rights amendment. In all over 100 constitutional amendments were introduced in the 104th Congress. A similar number were introduced in the last Congress as well. And in this Congress already we have seen over 60 constitutional amendments introduced.

As I saw legislator after legislator suggest that every sort of social, economic, and political problem we have in this country could be solved merely with enactment of a constitutional amendment, I chose to oppose strongly not only this constitutional amendment but others that also sought to undermine our most treasured founding principle. I firmly believe we must curb this reflexive practice of attempting to cure each and every political and social ill of our Nation by tampering with the U.S. Constitution. The Constitution of this country was not a rough draft. We must stop treating it as such.

We must also understand that even if we were to adopt this constitutional amendment, and the states were to ratify it, which we all know is not going to happen, it will not take us one single, solitary step closer to campaign finance reform. It is not a silver bullet. This constitutional amendment empowers the Congress to set mandatory spending limits on congressional candidates. Those are the kind of mandatory limits that were struck down in the landmark Buckley v. Valeo decision.

Here is the question I pose for supporters of this amendment: If this constitutional amendment were to pass the Congress and be ratified by the States, would campaign finance reformers have the necessary 51 votes—or more likely the necessary 60 votes—to pass legislation that includes mandatory spending limits? I don't think so.

We do not even have 60 votes to pass a ban on soft money at this point. And we probably don't even have a bare majority of the Senate who support spending limits, much less mandatory spending limits.

I have been working for many years with the senior Senator from Arizona, Senator MCCAIN, on a bipartisan campaign finance proposal. While our proposal has changed over the years, we have consistently been guided by a desire to work within the guidelines established by the Supreme Court. Although our opponents disagree, we are confident that the McCain-Feingold bill is constitutional and will be upheld by the courts.

I am mystified by the comments of the Senator from South Carolina who stated pointblank: Everyone knows the McCain-Feingold bill is unconstitutional. In fact, the recent Missouri Shrink case said by a 6–3 margin such limitations on contributions are constitutional. It was a supermajority of the Supreme Court. It is not credible, I believe, for anyone to argue at this point that a ban on soft money is unconstitutional.

Our original proposal, unlike the law that was considered in Buckley v. Valeo, included voluntary spending limits. We offered incentives in the form of free and discounted television time to encourage but not require candidates to limit their campaign spending. That kind of reform is patterned on the Presidential public funding system that was specifically upheld in Buckley.

Later versions of our bill have focused on abolishing soft money, the unlimited contributions from corporations, unions, and wealthy individuals to political parties. Very few constitutional scholars, other than a current nominee to the FEC, Brad Smith, believe that the Constitution prevents us from banning soft money. As I indicated, the Missouri Shrink case makes that clear.

The key point is this: We don't need to amend the Constitution to do what needs to be done. Of course, when we bring a campaign finance bill to the floor we are met with strong resistance. In fact, so far we have been stopped by a filibuster. The notion that this constitutional amendment will somehow magically pave the way for legislation that includes mandatory spending limits simply ignores the reality of the opposition that campaign finance reformers face in the Senate, and I think we face in the Senate even after a ratification of the Hollings amendment.

This amendment, if ratified, would remove the obstacle of the Supreme Court from mandatory spending limit legislation, but it will not remove the obstacle of those Senators such as the Senator from Kentucky, who believe we need more money, not less, in our political system.

Most disconcerting to me is what this proposed constitutional amendment would mean to the first amendment. I find nothing more sacred and treasured in our Nation's history than the first amendment. It is perhaps the one tenet of our Constitution that sets our country apart from every type of government formed and tested by mankind throughout history. No other country has a provision quite like our first amendment.

The first amendment is the bedrock of the Bill of Rights. It has as its underpinning the notion that every citizen has a fundamental right to disagree with his or her government. It says that a newspaper has an unfettered right to publish expressions of political or moral thought. It says that the Government may not establish a State-based religion that would infringe on the rights of those individuals who seek to be freed from such a religious environment.

I have stood on the floor of the Senate to oppose the proposed constitutional amendment that would allow Congress to prohibit the desecration of the U.S. flag, and I do so again this week. I do so because that amendment, for the first time in our history, would take a chisel to the first amendment. It would say that individuals have a constitutional right to express themselves—unless they are expressing themselves by burning a flag.

Just as I deplore as much as anyone in this body any individual who would take a match to the flag of the United States, I am firmly convinced that unrestrained spending on congressional campaigns has eroded the confidence of the American people in their government and their leaders. I believe we should speak out against those who desecrate the flag. I believe we should take immediate steps to fundamentally overhaul our system of financing campaigns. But I do not believe, as the supporters of this constitutional amendment and other amendments believe, that we need to amend the U.S. Constitution to accomplish our goals.

Nothing in this constitutional amendment before the Senate today would prevent what we witnessed in the last election. Allegations of illegality and improprieties, accusations of abuse, and the selling of access to high-ranking Government officials would continue no matter what the outcome of the vote on this constitutional amendment. Only the enactment of legislation that bans soft money contributions will make a meaningful difference.

I see Members of the Senate as having three choices. First, they can vote for constitutional amendments and one-sided reform proposals that basically have predetermined fates of never becoming law. That allows you to say you voted for something and put the matter aside. Second, they can stand with the Senator from Kentucky and others who tell us ''all is well'' with our campaign finance system and we should not be disturbed that so much money is pouring into the campaign coffers of candidates and parties.

A third option is that Senators can join with the Senator from Arizona and myself and others who have tried to approach this problem from a bipartisan perspective and have tried to craft a reform proposal that is fair to all, and constitutional.

Without meaningful bipartisan campaign finance reform, the American people will continue to perceive their elected leaders as being for sale. They will continue to distrust and doubt the integrity of their own Government. And they will have good reason for that distrust and doubt. This system of legalized bribery threatens the very foundations of our democracy.

Senator MCCAIN and I intend to make sure that the Senate will have another opportunity to address this issue. We have had many debates on campaign finance reform, and we will have many more until we pass it. I understand and share the frustration of those who support reform and are tired of seeing our efforts fail. I want to finish this job too. But the way to address the campaign finance problem is to pass constitutional legislation, not a constitutional amendment. We must redouble our efforts to break the deadlock and give the people real reform this year, not 7 or more years from now.

I urge the Members of the Senate to reject this amendment. It is not necessary to tinker with the first amendment in order to accomplish campaign finance reform. I greatly admire the sincerity and commitment of the Senator from South Carolina, but I do not think his amendment will bring us any closer to passing campaign finance reform.

I thank the Senator from Utah, again, for his courtesy in allowing me to address this issue. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I thank my distinguished colleague from Wisconsin. I only hasten to add that this particular amendment has nothing to do with favoring or opposing the McCain-Feingold amendment. I have voted for that at least four or five times already.

Read the Nixon v. Shrink decision when they say money is speech, and in the Colorado v. FEC decision when they allowed soft money. One can tell a majority of the Court has no idea. Money talks; money is speech—that is the way the Court is going. I reiterate, McCain-Feingold is an act in futility.

Mr. President, I ask unanimous consent that an article by Jonathan Bingham, ''Democracy or Plutocracy? The Case for a Constitutional Amendment to Overturn Buckley v. Valeo'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Annals of the American Academy, Jul., 1986]

DEMOCRACY OR PLUTOCRACY? THE CASE FOR A CONSTITUTIONAL AMENDMENT TO OVERTURN BUCKLEY V. VALEO

(By Jonathan Bingham)

Abstract: In the early 1970s the U.S. Congress made a serious effort to stop the abuses of campaign financing by setting limits on contributions and also on campaign spending. In the 1976 case of Buckley v. Valeo, the Supreme Court upheld the regulation of contributions, but invalidated the regulation of campaign spending as a violation of the First Amendment. Since then, lavish campaigns, with their attendant evils, have become an ever more serious problem. Multimillion-dollar campaigns for the Senate, and even for the House of Representatives, have become commonplace. Various statutory solutions to the problem have been proposed, but these will not be adequate unless the Congress—and the states—are permitted to stop the escalation by setting limits. What is needed is a constitutional amendment to reverse the Buckley holding, as proposed by several members of Congress. This would not mean a weakening of the Bill of Rights, since the Buckley ruling was a distortion of the First Amendment. Within reasonable financial limits there is ample opportunity for that ''uninhibited, robust and wide-open'' debate of the issues that the Supreme Court correctly wants to protect.

The First Amendment is not a vehicle for turning this country into a plutocracy,'' says Joseph L. Rauh, the distinguished civil rights lawyer, deploring the ruling in Buckley v. Valeo.[1] It is the thesis of this article that the Supreme Court in Buckley was wrong in nullifying certain congressional efforts to limit campaign spending and that the decision must not be allowed to stand. While statutory remedies may mitigate the evil of excessive money in politics and are worth pursuing, they will not stop the feverish escalation of campaign spending. They

[1] Footnotes at end of article.

will also have no effect whatever on the spreading phenomenon of very wealthy people's spending millions of dollars of their own money to get elected to Congress and to state office.

When the Supreme Court held a national income tax unconstitutional, the Sixteenth Amendment reversed that decision. Buckley should be treated the same way.

BACKGROUND

The Federal Election Campaign Act of 1971 was the first comprehensive effort by the U.S. Congress to regulate the financing of federal election campaigns. In 1974, following the scandals of the Watergate era, the Congress greatly strengthened the 1971 act. As amended, the new law combined far-reaching requirements for disclosure with restrictions on the amount of contributions, expenditures from a candidate's personal funds, total campaign expenditures, and independent expenditures on behalf of identified candidates.

The report of the House Administration Committee recommending the 1974 legislation to the House explained the underlying philosophy:

''The unchecked rise in campaign expenditures, coupled with the absence of limitations on contributions and expenditures, has increased the dependence of candidates on special interest groups and large contributors. Under the present law the impression persists that a candidate can buy an election by simply spending large sums in a campaign.

''Such a system is not only unfair to candidates in general, but even more so to the electorate. The electorate is entitled to base its judgment on a straightforward presentation of a candidate's qualifications for public office and his programs for the Nation rather than on a sophisticated advertising program which is encouraged by the infusion of vast amounts of money.

''The Committee on House Administration is of the opinion that there is a definite need for effective and comprehensive legislation in this area to restore and strengthen public confidence in the integrity of the political process.''[2]

The 1974 act included a provision, added pursuant to an amendment offered by then Senator James Buckley, for expedited review of the law's constitutionality. In January 1976 the Supreme Court invalidated those portions that imposed limits on campaign spending as violative of the First Amendment's guarantee of free speech.

In his powerful dissent, Justice White said, ''Without limits on total expenditures, campaign costs will inevitably and endlessly escalate.''[3] His prediction was promptly borne out. Multimillion-dollar campaigns for the Senate have become the rule, with the 1984 Helms-Hunt race in North Carolina setting astonishing new records. It is no longer unusual for expenditures in contested House campaigns to go over the million-dollar mark; in 1982 one House candidate reportedly spent over $2 million of his own funds.

In 1982 a number of representatives came to the conclusion that the Buckley ruling should not be allowed to stand and that a constitutional amendment was imperative. In June Congressman Henry Reuss of Wisconsin introduced a resolution calling for an amendment to give Congress the authority to regulate campaign spending in federal elections. In December, with the cosponsorship of Mr. Reuss and 11 others,[4] I introduced a broader resolution authorizing the states, as well as the Congress, to impose limits on campaign spending. The text of the proposed amendment was:

Section 1. The Congress may enact laws regulating the amounts of contributions and expenditures intended to affect elections to federal office.

Section 2. The several states may enact laws regulating the amounts of contributions and expenditures intended to affect elections to state and local offices.[5]

In the Ninety-eighth Congress, the same resolution was reintroduced by Mr. Vento and Mr. Donnelly and by Mr. Brown, Democrat of California, and Mr. Rinaldo, Republican of New Jersey. A similar resolution was introduced in the Senate by Senator Stevens, Republican of Alaska. As of the present writing, the resolution has been reintroduced in the Ninety-ninth Congress by Mr. Vento.[6]

No hearings have been held on these proposals, and they have attracted little attention. Even organizations and commentators deeply concerned with the problem of money in politics and runaway campaign spending have focused exclusively on statutory remedies. Common Cause, in spite of my pleading, has declined to add a proposal for a constitutional amendment to its agenda for campaign reform or even to hear arguments in support of the proposal. A constituency for the idea has yet to be developed.

THE NATURE OF THE PROBLEM

This article proceeds on the assumption that escalating campaign costs pose a serious threat to the quality of government in this country. There are those who argue the contrary, but their view of the nature of the problem is narrow. They focus on the facts that the amounts of money involved are not large relative to the gross national product and that the number of votes on Capitol Hill that can be shown to have been affected by campaign contributions is not overwhelming.

The curse of money in politics, however, is by no means limited to the influencing of votes. There are at least two other problems that are, if anything, even more serious. One is the eroding of the present nonsystem on the public's confidence in our form of democracy. If public office and votes on issues are perceived to be for sale, the harm is done, whether or not the facts justify that conclusion. In *Buckley* the Supreme Court itself, in sustaining the limitations on the size of political contributions, stressed the importance of avoiding ''the appearance of improper influence'' as '''critical . . . if confidence in the system of representative government is not to be eroded to a disastrous extent.''''[7] What the Supreme Court failed to recognize was that ''[6]confidence in the system of the representative government'' could likewise be '''eroded to a disastrous extent'''' by the spectacle of lavish spending, whether the source of the funds is the candidate's own wealth or the result of high-pressure fund-raising from contributors with an ax to grind.

The other problem is that excellent people are discouraged from running for office, or, once in, are unwilling to continue wrestling with the unpleasant and degrading task of raising huge sums of money year after year. There is no doubt that every two years valuable members of Congress decide to retire because they are fed up with having constantly to beg. For example, former Congressmen Charles Vanik of Ohio and Richard Ottinger of New York, both outstanding legislators, were clearly influenced by such considerations when they decided to retire, Vanik in 1980 and Ottinger in 1984. Vanik said, among other things, ''I feel every contribution carries some sort of lien which is an encumbrance on the legislative process. . . . I'm terribly upset by the huge amounts that candidates have to raise.''[8] Probably an even greater number of men and women who would make stellar legislators are discouraged from competing because they cannot face the prospect of constant fundraising or because they see a wealthy person, who can pay for a lavish campaign, already in the race.

In ''Politics and Money,'' Elizabeth Drew has well described the poisonous effect of escalating campaign costs on our political system:

''Until the problem of money is dealt with, it is unrealistic to expect the political process to improve in any other respect. It is not relevant whether every candidate who spends more than this opponent wins—though in races that are otherwise close, this tends to be the case. What matters is what the chasing of money does to the candidates, and to the victors' subsequent behavior. The candidates' desperation for money and the interests' desire to affect public policy provide a mutual opportunity. The issue is not how much is spent on elections but the way the money is obtained. The point is what raising money, not simply spending it, does to the political process. It is not just that the legislative product is bent or stymied. It is not just that well-armed interests have a head start over the rest of the citizenry—or that often it is not even a contest. . . . It is not even relevant which interest happens to be winning. What is relevant is what the whole thing is doing to the democratic process. What is at stake is the idea of representative government, the soul of this country.''[9]

Focusing on the different phenomenon of wealthy candidates' being able to finance their own, often successful, campaigns, the late columnist Joseph Kraft commented that ''affinity between personal riches and public office challenges a fundamental principle of American life.''[10]

SHORTCOMING OF STATUTORY PROPOSALS

In spite of the wide agreement on the seriousness of the problems, there is no agreement on the solution. Many different proposals have been made by legislators, academicians, commentators, and public interest organizations, notably Common Cause.

One of the most frequently discussed is to follow for congressional elections the pattern adopted for presidential campaigns: a system of public funding, coupled with limits on spending.[11] Starting in 1955, bills along these lines have been introduced on Capitol Hill, but none has been adopted. Understandably, such proposals are not popular with incumbents, most of whom believe that challengers would gain more from public financing than they would.

Even assuming that the political obstacles could be overcome and that some sort of public financing for congressional candidates might be adopted, this financing would suffer from serious weaknesses. No system of public financing could solve the problem of the very wealthy candidate. Since such candidates do not need public funding, they would not subject themselves to the spending limits. The same difficulty would arise when aggressive candidates, believing they could raise more from private sources, rejected the government funds. This result is to be expected if the level of public funding is set too low, that is, at a level that the constant escalation of campaign costs is in the process of outrunning. According to Congressman Bruce Vento, an author of the proposed constitutional amendment to overturn Buckley, this has tended to happen in Minnesota, where very low levels of public funding are provided to candidates for state office.

To ameliorate these difficulties, some proponents of public financing suggest that the spending limits that a candidate who takes government funding must accept should be waived for that candidate to the extent an opponent reports expenses in excess of those

limits. Unfortunately, in such a case one of the main purposes of public funding would be frustrated and the escalation of campaign spending would continue. The candidate who is not wealthy is left with the fearsome task of quickly having to raise additional hundreds of thousands, or even millions, of dollars.

Another suggested approach would be to require television stations, as a condition of their licenses, to provide free air time to congressional candidates in segments of not less than, for instance, five minutes. A candidate's acceptance of such time would commit the candidate to the acceptance of spending limits. While such a scheme would be impractical for primary contests—which in many areas are the crucial ones—the idea is attractive for general election campaigns in mixed urban-rural states and districts. It would be unworkable, however, in the big metropolitan areas, where the main stations reach into scores of congressional districts and, in some cases, into several states. Not only would broadcasters resist the idea, but the television-viewing public would be furious at being virtually compelled during preelection weeks to watch a series of talking-head shows featuring all the area's campaigning senators and representatives and their challengers. The offer of such unpopular television time would hardly tempt serious candidates to accept limits on their spending.

Proponents of free television time, recognizing the limited usefulness of the idea in metropolitan areas, have suggested that candidates could be provided with free mailings instead. While mailings can be pinpointed and are an essential part of urban campaigning, they account for only a fraction of campaign costs, even where television is not widely used; accordingly, the prospect of free mailings would not be likely to win the acceptance of unwelcome campaign limits on total expenses.[12]

Yet another method of persuading candidates to accept spending limits would be to allow 100 percent tax credits for contributions of up to, say, $100 made to authorized campaigns, that is, those campaigns where the candidate has agreed to abide by certain regulations, including limits on total spending.[13] It is difficult to predict how effective such a system would be, and a pilot project to find out would not be feasible, since the tax laws cannot be changed for just one area. For candidates who raise most of their funds from contributors in the $50-to-$100 range, the incentive to accept spending limits would be strong, but for those—and they are many—who rely principally on contributors in the $500-to-$1000 range, the incentive would be much weaker. This problem could be partially solved by allowing tax credits for contributions of up to $100 and tax deductions for contributions in excess of $100 up to the permitted limit. Such proposals, of course, amount to a form of public financing and hence would encounter formidable political obstacles, especially at a time when budgetary restraint and tax simplification are considered of top priority.

Some of the most vocal critics of the present anarchy in campaign financing focus their wrath and legislative efforts on the political action committees (PACs) spawned in great numbers under the Federal Election Campaign Act of 1974. Although many PACs are truly serving the public interest, others have made it easier for special interests, especially professional and trade associations, to funnel funds into the campaign treasuries of legislators or challengers who will predictably vote for those interests. Restrictions, such as limiting the total amount legislative candidates could accept from PACs, would be salutary[14] but no legislation aimed primarily at the PAC phenomenon—not even legislation to eliminate PACs altogether—would solve the problem so well summarized by Elizabeth Drew. The special interests and favor-seeking individual givers would find other ways of funneling their dollars into politically useful channels, and the harassed members of Congress would have to continue to demean themselves by constant begging.

PAC regulation and all the other forms of statutory regulation suffer from one fundamental weakness: none of them would affect the multimillion-dollar self-financed campaign. Yet it is this type of campaign that does more than any other to confirm the widely held view that high office in the United States can be bought.

Short of a constitutional amendment, there is only one kind of proposal, so far as I know, that would curb the super-rich candidate, as well as setting limits for others. Lloyd N. Cutler, counsel to the president in the Carter White House, has suggested that the political parties undertake the task of campaign finance regulation.[15] Theoretically, the parties could withhold endorsement from candidates who refuse to abide by the party-prescribed limits and other regulations. But the chances of this happening seem just about nil. Conceivably a national party convention might establish such regulations for its presidential primaries, but to date most contenders have accepted the limits imposed under the matching system of public funding; John Connally of Texas was the exception in 1980. For congressional races, however, it is not at all clear what body or bodies could make such rules and enforce them. Claimants to such authority would include the national conventions, national committees, congressional party caucuses, various state committees, and, in some cases, country committees. Perhaps our national parties should be more hierarchically structured, but the fact is that they are not.

On top of all this, the system would work for general election campaigns only if both major parties took parallel action. If by some miracle they did so, the end result might be to encourage third-party and independent candidacies.

Let me make clear that I am not opposed to any of the proposals briefly summarized earlier. To the extent I had the opportunity to vote for any of the statutory proposals during my years in the House, I did so. Nor am I arguing that a constitutional amendment by itself would solve the problem; it would only be the beginning of a very difficult task. What I am saying is that, short of effective action by the parties, any system to reverse the present lethal trends in campaign financing must have as a basic element the restoration to the Congress of the authority to regulate the process.

THE MERITS OF THE BUCKLEY RULING

The justices of the Supreme Court were all over the lot in the *Buckley* case, with numerous dissents from the majority opinion. The most significant dissent, in my view, was entered by Justice White, who, alone among the justices, had had extensive experience in federal campaigns. White's position was that the Congress, and not the Court, was the proper body to decide whether the slight interference with First Amendment freedoms in the Federal Election Campaign Act was warranted. Justice White reasoned as follows:

''The judgment of Congress was that reasonably effective campaigns could be conducted within the limits established by the Act. . . . In this posture of the case, there is no sound basis for invalidating the expenditure limitations, so long as the purposes they serve are legitimate and sufficiently substantial, which in my view they are . . .

''. . . expenditure ceilings reinforce the contribution limits and help eradicate the hazard of corruption. . . .

''Besides backing up the contribution provisions, . . . expenditure limits have their own potential for preventing the corruption of federal elections themselves.[16]''

Justice White further concluded that

''limiting the total that can be spent will ease the candidate's understandable obsession with fundraising, and so free him and his staff to communicate in more places and ways unconnected with the fundraising function.

''It is also important to restore and maintain public confidence in federal elections. It is critical to obviate and dispel the impression that federal elections are purely and simply a function of money, that federal offices are bought and sold or that political races are reserved for those who have the facility—and the stomach—for doing whatever it takes to bring together those interests, groups, and individuals that can raise or contribute large fortunes in order to prevail at the polls.[17]''

Two of the judges of the District of Columbia Circuit Court, which upheld the 1974 act—judges widely respected, especially for their human rights concerns—later wrote law journal articles criticizing in stinging terms the Supreme Court's holding that the spending limits were invalid. For example, the late Judge Harold Leventhal said in the Columbia Law Review: ''The central question is what is the interest underlying regulation of campaign expenses and is it substantial? The critical interest, in my view, is the same as that accepted by the [Supreme] Court in upholding limits on contributions. It is the need to maintain confidence in self-government, and to prevent the erosion of democracy which comes from a popular view of government as responsive only or mainly to special interests.[18]

''A court that is concerned with public alienation and distrust of the political process cannot fairly deny to the people the power to tell the legislators to implement this one-word principle: Enough![19]''

Here are excerpts from what Judge J. Skelly Wright had to say in the Yale Law Journal:

''The Court told us, in effect, that money is speech.

''. . . [This view] accepts without question elaborate mass media campaigns that have made political communication expensive, but at the same time remote, disembodied, occasionally . . . manipulative. Nothing in the First Amendment . . . commits us to the dogma that money is speech.[20]

''. . . far from stifling First Amendment values, [the 1974 act] actually promotes them. . . . In place of unlimited spending, the law encourages all to emphasize less expensive face-to-face communications efforts, exactly the kind of activities that promote real dialogue on the merits and leave much less room for manipulation and avoidance of the issues.[21]''

The Supreme Court was apparently blind to these considerations. Its treatment was almost entirely doctrinaire. In holding unconstitutional the limits set by Congress on total expenditures for congressional campaigns and on spending by individual candidates, the Court did not claim that the dollar limits set were unreasonably low. In the view taken by the Court, such limits were beyond the power of the Congress to set, no matter how high.

Only in the case of the $1000 limit set for spending by independent individuals or groups ''relative to a clearly identified candidate'' did the Court focus on the level set in the law. The Court said that such a limit ''would appear to exclude all citizens and

groups except candidates, political parties and the institutional press from any significant use of the most effective modes of communication.''[22] In a footnote, the Court noted:

''The record indicates that, as of January 1, 1975, one full-page advertisement in a daily edition of a certain metropolitan newspaper cost $6,971.04—almost seven times the annual limit on expenditures ''relative to'' a particular candidate imposed on the vast majority of individual citizens and associations.''[23]

The Court devoted far more space to arguing the unconstitutionality of this provision than to any of the other limits, presumably because of this point it had the strongest case. Judge Leventhal, too, thought the $1000 figure for independent spending was unduly restrictive and might properly have been struck down. As one who supported the 1974 act while in the House, I believe, with the benefit of hindsight, that the imposition of this low limit on independent expenditures was a grave mistake.

Let us look for a moment at the question of whether reasonable limits on total spending in campaigns and on spending by wealthy candidates really do interfere with the ''unfettered interchange of ideas,'' ''the free discussion of governmental affairs,'' and the ''uninhibited, robust and wide-open'' debate on public issues that the Supreme Court has rightly said the First Amendment is designed to protect.[24] In *Buckley* the Supreme Court has answered that question in the affirmative when the limits are imposed by law under Congress' conceded power to regulate federal elections. The Court answered the same question negatively, however, when the limits were imposed as a condition of public financing. In narrow legalistic terms the distinction is perhaps justified, but, in terms of what is desirable or undesirable under our form of government, I submit that the setting of such limits is either desirable or it is not.

Various of the solutions proposed to deal with the campaign-financing problem, statutory and nonstatutory, raise the same question—for example, the proposal to allow tax credits only for contributions to candidates who have accepted spending limits, and the proposal that political parties should impose limits. All such proposals assume that it is good public policy to have such limits in place. They simply seek to avoid the inhibition of the *Buckley* case by arranging for some carrot-type motivation for the observance of limits, instead of the stick-type motivation of compliance with a law.

I am not, of course, suggesting that those who make these proposals are wrong to do so. What I am suggesting is that they should support the idea of undoing the damage done by *Buckley* by way of a constitutional amendment.

Summing up the reason for such an amendment, Congressman Henry Reuss said, ''Freedom of speech is a precious thing. But protecting it does not permit someone to shout 'fire' in a crowded theater. Equally, freedom of speech must not be stressed so as to compel democracy to commit suicide by allowing money to govern elections.[25]

INDEPENDENT EXPENDITURES IN PRESIDENTIAL CAMPAIGNS

Until now the system of public financing for presidential campaigns, coupled with limits on private financing, has worked reasonably well. Accordingly, most of the proposals mentioned previously for the amelioration of the campaign-financing problem have been concerned with campaigns for the Senate and the House.

In 1980 and 1984, however, a veritable explosion occurred in the spending for the presidential candidates by allegedly independent committees—spending that is said not to be authorized by, or coordinated with, the campaign committees. In both years, the Republican candidates benefited far more from this type of spending than the Democratic: In 1980, the respective amounts were $12.2 million and $45,000; in 1984, $15.3 million and $621,000.[26]

This spending violated section 9012(f) of the Presidential Campaign Fund Act, which prohibited independent committees from spending more than $1000 to further a presidential candidate's election if that candidate had elected to take public financing under the terms of the act. In 1983 various Democratic Party entities and the Federal Election Commission, with Common Cause as a supporting amicus curiac, sued to have section 9012(f) declared constitutional, so as to lay the groundwork for enforcement of the act. These efforts failed. Applying the *Buckley* precedent, the three-judge district court that first heard the case denied the relief sought, and this ruling was affirmed in a 7-to-2 decision by the Supreme Court in *FEC* v. *NCPAC* in March 1985.[27]

The *NCPAC* decision clearly strengthens the case for a constitutional amendment to permit Congress to regulate campaign spending. For none of the statutory or party-action remedies summarized earlier would touch this new eruption of the money-in-politics volcano.

True, even with a constitutional amendment in place, it would still be possible for the National Conservative Political Action Committee or other committees to spend unlimited amounts for media programs on one side of an issue or another, and these would undoubtedly have some impact on presidential—and other—campaigns. However, the straight-out campaigning for an individual or a ticket, which tends to be far more effective than focusing on issues alone, could be brought within reasonable limits.

LOOKING AHEAD

The obstacles in the way of achieving a reversal of Buckley by constitutional amendment are, of course, formidable. This is especially true today when the House Judiciary Committee is resolutely sitting on other amendments affecting the Bill of Rights and is not disposed to report out any such amendments.

In addition to the practical political hurdles to be overcome, there are drafting problems to solve. The simple form so far proposed[28]—and quoted previously—needs refinement.

For example, if an amendment were adopted simply giving to the Congress and the states the authority to ''enact laws regulating the amount of contributions and expenditures intended to affect elections,[29] the First Amendment question would not necessarily be answered. The argument could still be made, and not without reason, that such regulatory laws, like other powers of the Congress and the states, must not offend the First Amendment. I asked an expert in constitutional law how this problem might be dealt with, and he said the only sure way would be to add the words ''notwithstanding the First Amendment.'' But such an addition is not a viable solution. The political obstacles in the way of an amendment overturning Buckley in its interpretation of the First Amendment with respect to campaign spending are grievous enough; to ask the Congress—and the state legislatures—to create a major exception to the First Amendment would assure defeat.

The answer has to be to find a form of wording that says, in effect, that the First Amendment can properly be interpreted so as to permit reasonable regulation of campaign spending. In my view, it would be sufficient to insert in the proposed amendment,[30] after ''The Congress,'' the words ''having due regard for the need to facilitate full and free discussion and debate.'' Section 1 of the amendment would then read, ''The Congress, having due regard for the need to facilitate full and free discussion and debate, may enact laws regulating the amounts of contributions and expenditures intended to affect elections to federal office.'' Other ways of dealing with this problem could no doubt be devised.

Another drafting difficulty arises from the modification in the proposed amendment of the words ''contributions and expenditures'' by ''intended to affect elections.'' This language is appropriate with respect to money raised or spent by candidates and their committees, but it does present a problem in its application to money raised and spent by allegedly independent committees, groups, or individuals. It could hardly be argued that communications referring solely to issues, with no mention of candidates, could, consistent with the First Amendment, be made subject to spending limits, even if they were quite obviously ''intended to affect'' an election. Accordingly, a proper amendment should include language limiting the regulation of ''independent'' expenditures to those relative to ''clearly identified'' candidates, language that would parallel the provisions of the 1971 Federal Election Campaign Act, as amended.[31]

These are essentially technical problems that could be solved with the assistance of experts in constitutional law if the Judiciary Committee of either house should decide to hold hearings on the idea of a constitutional amendment and proceed to draft and report out an appropriate resolution.

Many of those in and out of Congress who are genuinely concerned with political money brush aside the notion of a constitutional amendment and focus entirely on remedies that seem less drastic. They appear to assume that Congress is more likely to adopt a statutory remedy, such as public financing, than go for an enabling constitutional amendment that could be tagged as tampering with the Bill of Rights. I disagree with that assumption.

Incumbents generally resist proposals such as public financing because challengers might be the major beneficiaries, but most incumbents tend to favor the idea of spending limits. The Congress is not by its nature averse to being given greater authority; that would be especially true in this case, where until 1976 the Congress always thought it had such authority. I venture to say that if a carefully drawn constitutional amendment were reported out of one of the Judiciary Committees, it might secure the necessary two-thirds majorities in both houses, with surprising ease.

The various state legislatures might well react in similar fashion. A power they thought they had would be restored to them.

The big difficulty is to get the process started, whether it be for a constitutional amendment or a statutory remedy or both. Here, the villain, I am afraid, is public apathy. Unfortunately, the voters seem to take excessive campaign spending as a given—a phenomenon they can do nothing about—and there is no substantial consistency for reform. The House Administration Committee, which in the early 1970s was the spark plug for legislation, has recently shown little interest in pressing for any of the legislative proposals that have been put forward.

The 1974 act itself emerged as a reaction to the scandals of the Watergate era, and it may well be that major action, whether statutory or constitutional, will not be a practical possibility until a new set of scandals bursts into the open. Meanwhile, the situation will only get worse.

FOOTNOTES

[1] Personal communication with Joseph L. Rauh, Mar, 1985; *Buckley* v. *Valeo,* 424 U.S. (1976).

[2] U.S., Congress, House, Committee on House Administration, *Federal Election Campaign Act, Amendments of 1974; Report to Accompany H.R. 16090,* 93rd Cong., 2d sess., 1974, H. Rept. 93–1239, pp. 3–4.

[3] 424 U.S., p. 264.

[4] The other representatives were Mrs. Fenwick, Republican of New Jersey; Ms. Mikulski, Democrat of Maryland; and Messrs. Bevil, Democrat of Alabama; Donnelly, Democrat of Massachusetts; D'Amours, Democrat of New Hampshire; Edgar, Democrat of Pennsylvania; LaFalce, Democrat of New York; and Wolpe, Democrat of Michigan.

[5] U.S., Congress, House, *Proposing an Amendment to the Constitution of the United States Relative to Contributions and Expenditures Intended to Affect Congressional, Presidential and State Elections,* 97th Cong., 2d. sess., 1982, H.J. Res. 628, p. 2.

[6] Ibid., 99th Cong., 1st sess., 1985, H.J. Res. 88.

[7] 424 U.S., p. 27, quoting *CSC* v. *Letter Carriers,* 413 U.S. 548, 565 (1973); see also 424 U.S., p. 30.

[8] Quoted by Congressman Henry Reuss, in U.S., Congress, House, *Congressional Record,* daily ed., 97th Cong., 2d sess., 1982, 128(81):H3900.

[9] *New Yorker,* 6 Dec. 1982, pp. 55–56.

[10] *Washington Post,* 2 Nov. 1982.

[11] In the *Buckley* case the Supreme Court simply assumed that limits on spending were not a violation of free speech when acceptance of such limits was made the condition for receiving public funds. 424 U.S., pp. 85–110. See also Charles McC. Mathias, Jr., ''Should There Be Public Financing of Congressional Campaigns?'' this issue of *The Annals* of the American Academy of Political and Social Science.

[12] A variation of the idea of free television and/or mail, proposed by Common Cause and others, would provide for such privileges as a means of answering attacks made on candidates by allegedly independent organizations or individuals. See Fred Wertheimer, ''Campaign Finance Reform: The Unfinished Agenda,'' this issue of *The Annals* of the American Academy of Political and Social Science.

[13] See ibid.

[14] The Obey-Railsback Act, which contained such restrictions, actually passed the House in 1979, but got no further. See ibid.

[15] See Lloyd N. Cutler, ''Can the Parties Regulate Campaign Financing?'' this issue of *The Annals* of the American Academy of Political and Social Science.

[16] 424 U.S., pp. 263–64.

[17] Ibid., p. 265.

[18] Leventhal, ''Courts and Political Thickets,'' *Columbia Law Review,* 77:362 (1977).

[19] Ibid., p. 368.

[20] Wright, ''Politics and the Constitution: Is Money Speech?'' *Yale Law Journal,* 85:1005 (1979).

[21] Ibid., p. 1019.

[22] 424 U.S., pp. 20–21.

[23] Ibid., p. 21.

[24] *Roth* v. *United States,* 354 U.S. 476, 484 (1957); *Mills* v. *Alabama,* 384 U.S. 214, 218 (1966); *New York Times* v. *Sullivan,* 376 U.S. 254, 270 (1964).

[25] U.S., Congress, House, *Congressional Record,* 97th Cong., 2d sess., daily ed., 128(81):H3901.

[26] *New York Times,* 19 Mar. 1985.

[27] *FEC* v. *NCPAC,* 105 S. Ct. 1459 (1985).

[28] U.S. Congress, House, *Contributions and Expenditures;* H.J. Res. 628.

[29] Ibid.

[30] Ibid.

[31] 2 U.S. C.A. §431(17).

Mr. HOLLINGS. Mr. President, that article was 10 years after Buckley v. Valeo. I am constantly reminded by the opposition that I only got 38 votes in 1997 for my amendment. There is a pleasure, an enjoyment to this wonderful corruption. There is not any question we used to have a better conscience. This article shows how even the Senator from Alaska, Mr. STEVENS, and others cosponsored it. I had a dozen Republican cosponsors.

Now the Senator from Kentucky, Mr. MCCONNELL, and the Senator from Texas, Mr. GRAMM, have it down to a Republican article of faith: We have the money and they, the Democrats, have the unions, and so we are not going to limit the money.

Governor George W. Bush has already raised $74 million and spent all but $8 million of it. He spent $64 million by March. The very idea of buying the office is a disgrace. It is a disgrace. As Senator Long of Louisiana said when we passed the Federal Election Campaign Act of 1971, we want to make sure everyone can participate.

Buckley v. Valeo has stood the first amendment on its head. It has taken it away. That is what the Senator from Wisconsin, the Senator from Kentucky, and others do not understand.

The Court, in Buckley v. Valeo, amended the first amendment to take away the speech of the ordinary American in important Federal elections. There is no question when one has to raise 5.5 million bucks in a little State like South Carolina—I looked around for somebody else to run last time. We could not get them to run for Congress because it cost too much. We could not even get a candidate on our side in the First District, in the Third District, and all around. It has gotten to where people say: Look, this thing costs too much; I don't have the time, I don't have the money.

That is a part of the corruption.

Look at the considerations of Justice White 25 years ago, and I read from his opinion. I remind everybody that four of the Justices found money as property and not speech; it could be controlled. It was only by a 1-vote margin that we are into this 25-year dilemma, like a dog chasing its tail around and around and the corruption growing and growing.

I quote from Justice White:

> It is accepted that Congress has power under the Constitution to regulate the election of Federal officers, including the President and Vice President. This includes the authority to protect the elective processes against the two great natural and historical enemies of all republics—open violence and insidious corruption.

Then talking about the insidious corruption:

> Pursuant to this undoubted power of Congress to vindicate the strong public interest in controlling corruption and other undesirable uses of money in connection with election campaigns, the Federal Election Campaign Act substantially broadened the reporting and disclosure requirements that so long have been a part of the Federal law. Congress also concluded that limitations on contributions and expenditures were essential if the aims of the act were to be achieved fully.

Buckley v. Valeo limited contributions. It took away freedom of speech under the premise here—what a terrible thing. I have the quotes from the distinguished Senator from Kentucky that ''we eviscerate the first amendment with this Hollings-Specter amendment that limits who may speak, when they may speak, what they may speak''—by the way, this applies to the press—''what they may report, when they may report and who may report.''

Actually, there is no question that the decision in Buckley amended the first amendment. What we are trying to do is complete a uniformity where everybody is treated equally, the speech of the contributor as well as the speech of the candidate.

Going on, I quote from Justice White:

> The congressional judgment which was ours to accept was that other steps must be taken to counter the corrosive effects of money in Federal election campaigns.

This is 25 years ago:

> One of these steps is 608(e), which aside from those funds that are given to the candidate or spent at his request or with his approval or cooperation, limits what a contributor may independently spend in support or denigration of one running for Federal office.

That is the soft money about which we are talking. Moving on, I quote:

> Congress was plainly of the view that these expenditures also have the potential for corruption. But the Court claimed more insight as to what may improperly influence candidates than is possessed by the majority of Congress that passed this bill, and the President who signed it. Those supporting the bill undeniably include many seasoned professionals who have been deeply involved in elective processes and have viewed them at close range over many years.

Then he goes on:

> I have little doubt, in addition, that limiting the total that can be spent will ease the candidate's understandable obsession with fundraising and so free him and his staff to communicate in more places and ways unconnected with the fundraising function.

Actually talking about freedom of speech, you have time to talk to constituents. I remember after the last campaign, I went around the State, county to county, and they said: Fritz, why in the world are you coming around? You just won. I said: Yeah, but I really didn't get to talk to the voters. I had to talk to contributors. I didn't have time for the voters other than during the scheduled debates. I would like to meet the voters and talk to them in a more intimate way. That is quoted in the press.

This is 25 years ago, foreseeing the corruption.

I quote from Justice White:

> There is nothing objectionable, indeed, it seems to me a weighty interest in favor of the provision in the attempt to insulate the political expression of Federal candidates from the influence inevitably exerted by the endless job of raising increasingly large sums of money. I regret that the Court has returned them all to the treadmill.
>
> It is also important to restore and maintain public confidence in Federal elections. It is critical to obviate or dispel the impression that Federal elections are purely and simply a function of money, that Federal officers are bought and sold, or that political races are reserved for those who have the facility and the stomach for doing whatever it takes to bring together those interest groups and individuals who can raise or contribute large fortunes in order to prevail at the polls.

I could go on and on. There is no question that we had a very erudite observation here by Justice White, very visionary. Everybody says: You have to have somebody who has vision. That is a visionary statement in Buckley v.

Valeo. Even though it was in a dissenting opinion, it foretold what we were going to run into.

Once the campaign was over, I thought we would come up here and work for the people of the United States, not for ourselves. We could give all the time to our treadmill here, as Justice White says, but we raise the money, raise the money, raise the money, raise the money. It goes on and on and it takes away from our actual function as the most deliberative body.

Yes, we got only 38 votes the last time. The conscience is diminishing. We got a majority vote back in the 1980s back when we had a conscience.

We also once had a conscience on the budget. Now we hold the totally false premise that a deficit is a surplus. I do not have today's data, but I have the day before yesterday's. We have The Public Debt To the Penny. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The Public Debt to the Penny

[Current 03/24/2000—$5,730,876,091,058.27]

Current month:	Amount
03/23/2000	$5,729,458,665,582.66
03/22/2000	5,727,734,275,348.06
03/21/2000	5,728,846,067,846.82
03/20/2000	5,728,253,942,273.38
03/17/2000	5,728,671,330,064.36
03/16/2000	5,724,694,663,639.63
03/15/2000	5,747,793,381,625.76
03/14/2000	5,748,566,517,856.04
03/13/2000	5,745,831,852,208.71
03/10/2000	5,745,712,662,449.10
03/09/2000	5,744,560,824,206.30
03/08/2000	5,745,125,070,490.06
03/07/2000	5,747,932,431,376.73
03/06/2000	5,745,099,557,759.64
03/03/2000	5,742,858,530,572.10
03/02/2000	5,732,418,769,036.22
03/01/2000	5,725,649,856,797.45
Prior months:	
02/29/2000	5,735,333,348,132.58
01/31/2000	5,711,285,168,951.46
12/31/1999	5,776,091,314,225.33
11/30/1999	5,693,600,157,029.08
10/29/1999	5,679,726,662,904.06
Prior fiscal years:	
09/30/1999	5,656,270,901,615.43
09/30/1998	5,526,193,008,897.62
09/30/1997	5,413,146,011,397.34
09/30/1996	5,224,810,939,135.73
09/29/1995	4,973,982,900,709.39
09/30/1994	4,692,749,910,013.32
09/30/1993	4,411,488,883,139.38
09/30/1992	4,064,620,655,521.66
09/30/1991	3,665,303,351,697.03
09/28/1990	3,233,313,451,777.25
09/29/1989	2,857,430,960,187.32
09/30/1988	2,602,337,712,041.16
09/30/1987	2,350,276,890,953.00

Note.—Looking for more historic information? Visit the Public Debt Historical Information archives.

Source: Bureau of the Public Debt.

Mr. HOLLINGS. This is the conscience of this crowd here. When you can't get votes—it is amazing I get any kind of votes because the overwhelming majority calls this deficit a surplus. You can find out that on 9–30–99, the debt was $5.656 trillion. It has now grown to $5.730 trillion.

I just got back from London. I had lunch there with Parliament, and I asked the Presiding Officer: Do you all have a deficit or a surplus? He said: Oh, we have a surplus. We have a balanced budget. I said: How do you measure it? He said: By the amount of money you have to borrow.

The distinguished Presiding Officer is an eminent certified public accountant. He knows how to keep the books. He would not go along with the kinds of books we keep here, showing that we're borrowing money and calling it a surplus. It's a deficit. It is an increase in the debt.

In addition, the interest expense on the public debt outstanding is $158,799,000,000. That is what we have spent just on interest costs since the beginning of the fiscal year. That is the real waste. We had a conscience under President Reagan; now it's waste, fraud, and abuse. I served on the Grace Commission. Surely, we could get votes in those days because we had a conscience.

We don't have a conscience anymore. Thirty-eight votes; I am lucky to get 18. I don't mind. Somehow, somewhere, some time, this has to be exposed. It is one grand corruption of the Congress itself. We know it. Everybody else knows it. The public showed that they know it, too, during the primaries.

If we do not get a hold of ourselves and do something about it in this particular session, we are gone goslings. That is all I have to say.

It is a tragic thing when you have to stand up here and defend the right of the people to vote on controlling spending in elections. They have it at city hall with the constable. They have it in the State capitals with the Governor. Now we have it with the national Congress. Everybody wants to try to control spending.

We go along with this farce of free speech and that we are amending the Constitution, really, the first amendment. In reality we are amending the Constitution to give the first amendment its freedom of speech. The first amendment gave that freedom of speech, but once money is attached to the speech, you take it away from those who do not have money. That is exactly what has occurred.

Buckley v. Valeo has amended the first amendment. They are all so excited and alarmed about it and laugh as they go back into the Cloakroom because they know exactly what we are talking about on the floor. Nobody is here. It is a Tuesday morning and nobody has to vote until 2:15. We will have a caucus and we will go in and talk about how we have been doing on fundraising. Then when we get through talking about doing the fundraising, we will go ahead and vote this down, according to the Senator from Kentucky. But there will come another day. I am glad for the 6-year term. We have a little time left. I have been at it some 20 years now. We will continue. It takes a little time. But what Justice White stated back in Buckley v. Valeo has come to pass. It has brought us to where the most deliberative body can't deliberate.

I retain the remainder of my time and suggest the absence of a quorum. Does the other side have any time? Both sides?

The PRESIDING OFFICER. The other side has 3 minutes.

Mr. HOLLINGS. Well, I think we will allocate the time to both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, there is a right way and a wrong way of reforming our system of campaign finance. The Hollings proposal to amend our Constitution is simply the wrong way. It would, in effect, amend the first amendment to our Constitution to allow any ''reasonable'' restrictions to be placed on independent campaign expenditures and contributions. Why does he propose that we amend the first amendment? Because the Supreme Court of the United States has held that restrictions on independent expenditures violate the first amendment's free speech protection and that such restrictions could only be justified upon a showing of a compelling—as opposed to any reasonable—reason.

The Hollings amendment would gut the free speech protections of the first amendment. It would allow the curtailing of independent campaign expenditures that could overcome the natural advantage that incumbents have. It would, thus, limit free speech and virtually guarantee that incumbents be reelected. Thus, the Hollings amendment could change the very nature of our constitutional democratic form of government by establishing what the Founders of the Republic feared most: a permanent elite or ruling oligarchy. Let me explain.

The very purpose of the first amendment's free speech clause is to ensure that the people's elected officials effectively and genuinely represent the public. For elections to be a real check on government, free speech must be guaranteed—both to educate the public about the issues, and to allow differing view points to compete in what Oliver Wendell Holmes called ''the market place of ideas.''

Simply put, without free speech, government cannot be predicated upon, what Thomas Jefferson termed, ''the consent of the governed.'' Without free speech, there can be no government based on consent because consent can never be informed.

The Supreme Court of the United States recognized this fundamental principle of democracy in the 1976 case of *Buckley* v. *Valeo,* 424 U.S. 1 (1976). The Court in *Buckley* recognized that free speech is meaningless unless it is

effective. In the words of Justice White, ''money talks.'' Unless you can get your ideas into the public domain, all the homilies and hosannas to freedom of speech are just plain talk. Thus, the Supreme Court held that campaign contributions and expenditures are speech—or intrinsically related to speech—and that the regulating of such funds must be restrained by the prohibitions of the first amendment.

The *Buckley* Court made a distinction between campaign contributions and campaign expenditures. The Court found that free speech interests in campaign contributions are marginal at best because they convey only a generalized expression of support. But independent expenditures are another matter. These are given higher first amendment protection because they are direct expressions of speech. The Court reaffirmed the principles it outlined in *Buckley* just a few months ago in *Nixon* v. *Shrink Missouri Gov't.*

Consequently, because contributions are tangential to free speech, Congress has a sizeable latitude to regulate them in order to prevent fraud and corruption. But not so with independent expenditures. In the words of the Court:

> A restriction on the amount of money a person or group can spend necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating in today's mass society requires the expenditure of money. [424 U.S. at 19–20].

The Hollings amendment's allowance of restrictions on expenditures by Congress and state legislatures would impose direct and substantial restraints on the quantity of political speech. It would permit placing drastic limitations on both individuals and groups from spending money to disseminate their own ideas as to which candidate should be supported and what cause is just. The Supreme Court noted that such restrictions on expenditures, even if ''neutral as to the ideas expressed, limit political expression at the core of our electoral process and of the First Amendment freedoms.'' [*Buckley* at 39].

Indeed, even candidates under the Hollings proposal could be restricted in engaging in protected first amendment expression. Justice Brandeis observed, in *Whitney* v. *California*, 274 U.S. 357, 375 (1927), that in our republic, ''public discussion is a political duty,'' and that duty will be circumscribed where a candidate is prevented from spending his or her own money to spread the electoral message. That a candidate has a first amendment right to engage in public issues and advocate particular positions was considered by the *Buckley* Court to be of:

> . . . particular importance . . . candidates [must] have the unfettered opportunity to make their views known so that the electorate may intelligently evaluate the candidates' personal qualities and their positions on vital public issues before choosing among them on election day. 424 U.S. at 53.

Campaign finance reform should not be at the expense of free speech. This amendment—in trying to reduce the costs of political campaigns—could cost us so much more: our heritage of political liberty. Without free speech our Republic would become a tyranny. Even the liberal American Civil Liberties Union opposes Hollings-type approaches to campaign reform and called such approaches a ''recipe for repression.''

The simple truth is that there are just too many on the other side of the aisle that believe that the first amendment is inconsistent with campaign finance reform. That is why they are pushing the Hollings proposal. To quote House Minority Leader RICHARD GEPHARDT, ''[w]hat we have is two important values in direct conflict: freedom of speech and our desire for a healthy campaign in a healthy democracy. You can't have both.''

I strongly disagree. You can have both. We have to have both. For without both, the very idea of representative democracy is imperiled. That is why I oppose the Hollings amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. Senator HOLLINGS controls the time until 11:45 a.m.

Mr. LEAHY. Mr. President, does the Senator from Vermont have 30 minutes under a previous order?

The PRESIDING OFFICER. The Senator from Vermont has 22 and a half minutes.

Mr. LEAHY. Mr. President, my understanding was that the Senator from Vermont had 30 minutes in the order entered into last week.

The PRESIDING OFFICER. The Senator is correct, but the UC was amended by a subsequent UC that moved the time from the beginning time to 11:45.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Vermont be restored to his full 30 minutes, following the time of the Senator from South Carolina.

Mr. HOLLINGS. If the Senator will yield, I am trying to retain some time for my cosponsor, Senator SPECTER from Pennsylvania. I heard 10 minutes ago he was on his way to the floor. I would be glad for the Senator to proceed if we could reserve 10 minutes of time when Senator SPECTER gets here at 11:45.

Mr. LEAHY. Mr. President, I tell the Senator that my only concern—and I am perfectly willing to make sure he is protected, however the time works. I think by mistake somebody on the other side of the aisle yielded some of my time without my permission.

I ask unanimous consent that I be restored to a full 30 minutes, without in any way interfering with the time of the Senator.

The PRESIDING OFFICER. Was that starting time 30 minutes from this moment and then to reserve the 10 minutes for Senator SPECTER?

Mr. LEAHY. Yes, I will start now. But the distinguished Senator from South Carolina will not lose any of the time reserved for him.

The PRESIDING OFFICER. He will retain his 10 minutes, that is correct. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, on April 20, 1999, 14 young students and a teacher lost their lives at Columbine High School in Littleton, CO. That was one of a series of deadly incidents of school violence over the last 2 years. The day that happened, the Senate Judiciary Committee was not engaged in working on crime proposals or public safety issues. That day, like today, we were devoting our attention to the symbolism of this proposed amendment to the Constitution, which would weaken the first amendment for the first time in history, so that we might make criminal the burning of the American flag.

Scores of our Nation's children have been killed and wounded over the last 2 years. They haven't been killed or wounded by burning flags. They have been killed and wounded by firearm violence. Our loss has been from school violence that has shaken communities across this country.

Unfortunately, the Republican leadership in the Senate and the House have not found time to have the juvenile crime bill conference meet and resolve the differences. So even though we have passed a juvenile crime bill, one that has modest gun control in it, the gun lobby said we can't meet on that. We cannot have meetings on it. We cannot resolve those differences. Instead, we step forward and say to the American people: We will protect your children, we will protect your schools, we will make sure we have a constitutional amendment banning the burning of flags.

Like all Americans, all parents, I abhor the burning of flags. But like American parents, especially those with children in school, I know the danger to those children of gun violence and other criminal activity in this country is far more of a danger than the burning of a flag.

The Republican majority has not moved the emergency supplemental appropriations bill that is needed to provide Federal assistance to victims of Hurricane Floyd, or to help those who need fuel assistance, or to fund our men and women engaged in international peacekeeping efforts in Kosovo. Nor has the Republican majority moved responsibly to help fill the 77 judicial vacancies plaguing the Federal courts around the Nation. Nor has the majority yet moved a budget resolution to meet the April 1 and April 15

deadlines of the Budget Act. I recall that 2 years ago no final budget resolution passed the Congress, and I hope that experience of congressional inattention will not be repeated. We need to raise the minimum wage, pass a Patients' Bill of Rights, approve prescription drug benefits, and authorize the FDA to help stem the public health hazard of tobacco products. There is a lot to be done, and very little is being done.

I came to the Senate again last week to urge action on the juvenile crime conference. This Congress has kept the country waiting too long for action on juvenile crime legislation and sensible gun safety laws. We are fast approaching a first-year anniversary of the shooting at Columbine High School in Littleton, CO, without any response from Congress except for a bill that passed the Senate 3-to-1, a bill that we all praised and took credit for, a bill that, unfortunately, didn't go anywhere. It sat in a closed conference, behind a door that says: Parents of America cannot be admitted.

If we did all our work, if we did something about gun violence, if we did something about our children who are dying in the streets of America, if we did something about school safety and something about juvenile justice, if we passed our budget on time, as the law requires, if we did something on medical privacy, if we did those things, fine, set aside a couple of weeks for symbolic actions. But let's do our work first. Let's do the things that should be done first.

Next month, Americans have to have their tax returns in, by April 15, because it is the law. It is also the law that says we are supposed to get our budget done. But we won't. The Congress of the United States has shown 2 years ago that we have not followed the law.

For some time I have been urging the Senate to rededicate itself to the work of helping parents, teachers, police and others to curb school violence. On May 11 last year, the Republican majority in the Senate allowed us to turn our attention to the important problems of school violence and juvenile crime. Over the ensuing two weeks the Senate worked its way through scores of amendments. The Hatch-Leahy juvenile justice legislation that passed the Senate last May 20, received a strong bipartisan majority of 73 votes. Under the plan put forward by the Republican leader, this juvenile justice legislation had become the vehicle for the anti-violence amendments adopted by the Senate last May.

I urged a prompt conference. When things bogged down, I took the unusual step of coming to the Senate to offer a unanimous consent request to move to conference on the legislation, which eventually provided the blueprint for finally agreeing to conference on July 28.

Unfortunately, the conference was convened for a single afternoon of speeches. Democrats from the House and Senate tried to proceed, to offer motions about how to proceed, and to begin substantive discussion, but we were ruled out of order by the Republican majority.

Since that time I have returned to the Senate a number of times to speak to these important issues and to urge the Republican to reconvene the juvenile crime conference. I have joined with fellow Democrats to request both in writing and on the floor that the majority let us finish our work on the conference and send a good bill to the President. On October 20, 1999, all the House and Senate Democratic conferees sent a letter to Senator HATCH and Congressman HYDE calling for an open meeting of the juvenile crime conference. On March 3, 2000, after yet another shocking school shooting involving 6-year-old classmates in Michigan, Representative CONYERS and I wrote again to Senator HATCH and Congressman HYDE requesting an immediate meeting of the conference. The response has been resounding silence.

I worry that after a major debate on the floor, one in which we have both Republicans and Democrats bring up amendments and pass some and vote down others, we then let the subject of juvenile justice languish. We have seen press releases, but the families of America have yet to see a bill.

Three weeks ago, I was honored to be invited to a White House summit by the President of the United States. He had three other Members of Congress—the distinguished chairman of the House Judiciary Committee, HENRY HYDE; the distinguished chairman of our Judiciary Committee, Senator HATCH; and the distinguished ranking member of the House Judiciary Committee, Congressman CONYERS. We met in the Oval Office in a rather extraordinary meeting. I have been to many over 25 years, and I do not remember one where the President stayed so engaged for such a long period of time in such a frank and open exchange.

The President concurs with the reconvening of the conference and action by the Congress to send him a comprehensive bill before the 1-year anniversary of the Columbine tragedy. But all of his entreaties have been rebuffed as well. We have been in recess more than we have been in session since that time. Take a couple of days and wrap this up, and send it to the President.

Democrats have been ready for months to reconvene the juvenile crime conference and put together an effective juvenile justice conference report that would include reasonable gun safety provisions. It bothers me that this Senate, under its majority leadership, cannot find the time nor the will to pass balanced, comprehensive juvenile justice legislation.

With respect to juvenile crime, I hope the majority will heed the call of our Nation's law enforcement officers to act now to pass a strong and effective juvenile justice conference report. Ten national law enforcement organizations representing thousands of law enforcement officers have endorsed the Senate-passed gun safety amendment. They support loophole-free firearm laws.

These are the ones who do:

International Association of Chiefs of Police;

International Brotherhood of Police Officers;

Police Executive Research Forum;

Police Foundation;

Major Cities Chiefs;

Federal Law Enforcement Officers Association;

National Sheriffs Association;

National Association of School Resource Officers;

National Organization of Black Law Enforcement Executives; and

Hispanic American Police Command Officers Association.

Should we not at least listen to the law enforcement people who are asked every day to put their lives on the line to protect all of us, and should we not at least listen to them when they say, Pass this modest bill? But no. We see the gun lobbies run all kinds of ads basically telling the Congress, Don't do it; we will not allow you to do it. The Congress meekly says, Yes, sir; yes, sir; we will let the gun lobby run our schedule—not those of us who are elected to do it.

I was in law enforcement. I spent 8 years in law enforcement. I know law enforcement officers in this country need help in keeping guns out of the hands of people who should not have them.

I am not talking about people who use guns for hunting or for sport, as my neighbors and I do in Vermont, but about criminals and unsupervised children. The thousands of law enforcement officers represented by these organizations are demanding the Congress act now to pass a strong and effective juvenile justice conference. As leader of the Democrats on this side, I am willing to meet on a moment's notice to do that.

Every parent, teacher and student in this country is concerned about school violence over the last two years and worried about when the next shooting may occur. They pray it does not happen at their school or involve their children.

We all recognize that there is no single cause and no single legislative solution that will cure the epidemic of youth violence in our schools or in our streets. But we have an opportunity before us to do our part. We should seize this opportunity to act on balanced, effective juvenile crime legislation, and measures to keep guns out of the hands of children and away from criminals. It is well past the time for Congress to act.

Instead, the Senate will be called upon to devote several more days this week to debating this proposal to amend the Constitution to restrict the First Amendment's fundamental protection of political expression for the

first time in our nation's history in order to criminalize flag burning as a form of political protest. We can debate that. But can't we take at least as much time to debate things that will actually involve the safety of our children?

I am prepared to debate the merits of the proposed constitutional amendment to restrict political speech. I contributed to an extensive set of minority views in the Committee's report that lay out the flaws in the proponents' arguments and the case for protecting the Constitution and our Bill of Rights. We have debated this before and must do so, again.

I treat proposals to amend the Constitution with utmost seriousness. Our role in the process is a solemn responsibility. But when we have concluded this debate, as we will in the next few days, I hope that the juvenile crime bill conference committee will complete its work. I hope that we will move the emergency supplemental appropriations needed to help our citizens hurt by Hurricane Floyd and by high fuel prices. I hope that we will vote to increase the minimum wage without further delay; I hope that we will enact a real patients' bill of rights, and that we will approve a meaningful prescription drug benefit, and that we will pass the statutory authority now needed by the FDA to regulate tobacco products. I hope that we will vote on the scores of judicial nominations sent to us by the President to fill the 77 vacancies plaguing the federal courts and our system of justice; and I hope that we will make progress on the many other matters that have been sidetracked by the majority.

My friends on the Republican side of the Senate control the schedule. They set the priorities. But I hope they realize that these are priorities of the American people and will allow us to vote on them.

Mr. President, on the proposed constitutional amendment we are debating, I note that the minority views in the committee report extend over 30 pages, yet we are asked to limit the debate on the proposal to 2 hours. Nobody wants to filibuster a proposal. But if we are going to amend the Constitution, especially if we are going to amend the first amendment, and especially if we are going to amend the Bill of Rights for the first time in over 200 years, I think the American people deserve more than a couple of hours of chitchat and quorum calls to discuss what we are going to do.

I look forward to hearing from Senator FEINGOLD, the ranking member of the Constitution Subcommittee. I look forward to hearing from Senator BOB KERREY, the only Congressional Medal of Honor recipient among us; or Senator ROBB, of Virginia, who is a decorated veteran and distinguished Senator; and, of course, the constitutional sage of the Senate, the senior Senator from West Virginia, Mr. ROBERT C. BYRD.

The Senate was intended to be a place for thoughtful debate, for the offering of amendments and for votes on amendments. We should not shortchange this debate. Let us do justice to the task of considering this constitutional amendment before we are called upon to vote, again.

This afternoon we will first vote on the Flag Protection Act amendment offered by Senators MCCONNELL, BENNETT, DORGAN and CONRAD with the support of Senators DODD, TORRICELLI, BINGAMAN, LIEBERMAN and BYRD. Having reviewed that proposal, I intend to support it as well. It is a statutory alternative to the proposed constitutional amendment.

Now, let us remember one thing. No matter how Senators vote on the proposed amendment, either for or against it, there is one thing that unites every single Member of this body. We all agree that flag burning is a despicable and reprehensible act. It is usually done to show great disrespect to our country and our institutions and all it stands for. It has to be especially offensive to those who put their lives on the line for this country, whether in the Armed Forces, law enforcement, or elsewhere.

But the ultimate question before us is not whether we agree that flag burning is a despicable and reprehensible act. We all agree that it is. The issue is whether we should amend the Constitution of the United States, with all the risks that entails, and narrow the precious freedoms ensured by the First Amendment for the first time in our history, so that the Federal Government can prosecute the tiny handful of Americans who show contempt for the flag. Such a monumental step is unwarranted and unwise.

Proponents of the constitutional amendment note the views of distinguished American veterans and war heroes who have expressed their love of the flag and support for the amendment. Those who fought and sacrificed for our country deserve our respect and admiration. I remember very much the letters that came back from my uncle in World War II, and other friends and neighbors in subsequent wars.

They know the costs as well as the joys of freedom and democracy. Their sacrifices are lessons for us all in what it means to love and honor our flag and the country and the principles for which our flag stands. On this question of amending our Constitution, some would like to portray the views of veterans as being monolithic, when in fact many outstanding veterans oppose the amendment.

Above all, these veterans believe that they fought for the freedoms and principles that make this country great, not just the symbols of those freedoms. To weaken the nation's freedoms in order to protect a particular symbol would trivialize and minimize their service.

Last year, we were honored to have former Senator John Glenn, my dear friend, who served this nation with special distinction in war and in peace and in the far reaches of space, come back to the Senate to testify before the Judiciary Committee. This is a veteran of both World War II and the Korean conflict.

He told us:

> It would be a hollow victory indeed if we preserved the symbol of our freedoms by chipping away at those fundamental freedoms themselves. Let the flag fully represent all the freedoms spelled out in the Bill of Rights, not a partial, watered-down version that has altered its protections.
>
> The flag is the nation's most powerful and emotional symbol. It is our most sacred symbol. And it is our most revered symbol. But it is a symbol. It symbolizes the freedoms that we have in this country, but it is not the freedoms themselves. . . .
>
> Those who have made the ultimate sacrifice, who died following that banner, did not give up their lives for a red, white and blue piece of cloth. They died because they went into harm's way, representing this country and because of their allegiance to the values, the rights and principles represented by that flag and to the Republic for which it stands.

These are powerful words from our former colleague, John Glenn, a man we all agree is a true American hero.

Last spring I wrote to General Colin L. Powell, our Chairman of the Joint Chiefs of Staff during the Persian Gulf War, about this proposed constitutional amendment. I thank him for having answered the call and for adding his powerful voice to this debate. He wrote me the following:

> We are rightfully outraged when anyone attacks or desecrates our flag. Few Americans do such things and when they do they are subject to the rightful condemnation of their fellow citizens. They may be destroying a piece of cloth, but they do no damage to our system of freedom which tolerates such desecration.
>
> If they are destroying a flag that belongs to someone else, that's a prosecutable crime. If it is a flag they own, I really don't want to amend the Constitution to prosecute someone for foolishly desecrating their own property. We should condemn them and pity them instead.
>
> I understand how strongly so many of my fellow veterans and citizens feel about the flag and I understand the powerful sentiment in state legislatures for such an amendment. I feel the same sense of outrage. But I step back from amending the Constitution to relieve that outrage. The First Amendment exists to insure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which we find outrageous.
>
> I would not amend that great shield of democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

Mr. President, I ask for unanimous consent to have the full text of General Powell's letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GEN. COLIN L. POWELL, USA (RET),
Alexandria, VA, May 18, 1999.

Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY: Thank you for your recent letter asking my views on the proposed flag protection amendment.

I love our flag, our Constitution and our country with a love that has no bounds. I defended all three for 35 years as a soldier and was willing to give my life in their defense.

Americans revere their flag as a symbol of the Nation. Indeed, it is because of that reverence that the amendment is under consideration. Few countries in the world would think of amending their Constitution for the purpose of protecting such a symbol.

We are rightfully outraged when anyone attacks or desecrates our flag. Few Americans do such things and when they do they are subject to the rightful condemnation of their fellow citizens. They may be destroying a piece of cloth, but they do no damage to our system of freedom which tolerates such desecration.

If they are destroying a flag that belongs to someone else, that's a prosecutable crime. If it is a flag they own, I really don't want to amend the Constitution to prosecute someone for foolishly desecrating their own property. We should condemn them and pity them instead.

I understand how strongly so many of my fellow veterans and citizens feel about the flag and I understand the powerful sentiment in state legislatures for such an amendment. I feel the same sense of outrage. But I step back from amending the Constitution to relieve that outrage. The First Amendment exists to insure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which we find outrageous.

I would not amend that great shield of democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

Finally, I shudder to think of the legal morass we will create trying to implement the body of law that will emerge from such an amendment.

If I were a Member of Congress, I would not vote for the proposed amendment and would fully understand and respect the views of those who would. For or against, we all love our flag with equal devotion.

Sincerely,

COLIN L. POWELL.

Mr. LEAHY. Gary May lost both his legs while serving this country in Vietnam. He spoke about how he felt and why he did not feel that we should amend the Constitution on this point:

I am offended when I see the flag burned or treated disrespectfully. As offensive and painful as this is, I still believe that those dissenting voices need to be heard. This country is unique and special because the minority, the unpopular, the dissenters and the downtrodden, also have a voice and are allowed to be heard in whatever way they choose to express themselves that does not harm others. The freedom of expression, even when it hurts, is the truest test of our dedication to the belief that we have that right . . .

Freedom is what makes the United States of America strong and great, and freedom, including the right to dissent, is what has kept our democracy going for more than 200 years. And it is freedom that will continue to keep it strong for my children and the children of all the people like my father, late father in law, grandfather, brother, me, and others like us who served honorably and proudly for freedom.

The pride and honor we feel is not in the flag per se. It's in the principles that it stands for and the people who have defended them. My pride and admiration is in our country, its people and its fundamental principles. I am grateful for the many heroes of our country and especially those in my family. All the sacrifices of those who went before me would be for naught, if an amendment were added to the Constitution that cut back on our First Amendment rights for the first time in the history of our great nation.

I love this country, its people and what it stands for. The last thing I want to give the future generations are fewer rights than I was privileged to have. My family and I served and fought for others to have such freedoms and I am opposed to any actions which would restrict my children and their children from having the same freedoms I enjoy.

Many thoughtful and patriotic veterans object to this attempt to legislate patriotism. Those who testified before the Committee did not have to prove their patriotism. They are automatically, by their service to this country, true patriots. They spoke in eloquent terms about the importance of respect and love for country coming from the heart of a citizen or a soldier, not being imposed from without by the government.

I have thought so many times when I have been in countries where dictators rule to be able to say to them, do you have laws that require everybody to respect the symbols of your country, and they say, of course we have laws and we will prosecute anybody who doesn't obey the laws and respect the symbols of our country.

I say, we are better in our country. We don't need the laws. We are a nation of a quarter of a billion people and our people respect the symbols of this great nation and what it stands for, without having to have the ''flag police'' on the corner, without having to have laws passed by Congress. They do it because they honor those symbols.

For the same reason, my family and I fly the flag proudly at our home in Vermont. We know it is protected by the people of Vermont. We also know that it would probably be a very foolish thing for anybody to step foot on the property to do any damage to that flag. But we don't have to worry about it. People drive by, smile and wave. They know what a proud symbol it is and how proudly we fly the flag.

I remember what Senator BOB KERREY, the only recipient of the Congressional Medal of Honor currently serving in the United States Congress, said last year: ''Real patriotism cannot be coerced. It must be a voluntary, unselfish, brave act to sacrifice for others.'' Senator KERREY reminded us that in this country we believe that ''it is the right to speak the unpopular and objectionable that needs the most protecting by our government.'' Speaking specifically of the act of flag burning, he added: ''Patriotism calls upon us to be brave enough to endure and withstand such an act—to tolerate the intolerable.''

The late John Chafee, a distinguished member of this body and a highly decorated veteran of World War II and Korea, pointed out that just as forced patriotism is far less significant than voluntary patriotism, a symbol of that patriotism that is protected by law will be not more, but less worthy of respect and love. He said: ''We cannot mandate respect and pride in the flag. In fact, in my view taking steps to require citizens to respect the flag, sullies its significance and symbolism.''

James Warner, a decorated Marine flyer who was a prisoner of war of the North Vietnamese for six years, has made this point in graphic terms. He wrote:

I remember one interrogation where I was shown a photograph of some Americans protesting the war by burning a flag. ''There,'' the officer said. ''People in your country protest against your cause. That proves that you are wrong.''

''No.'' I said, ''that proves that I am right. In my country we are not afraid of freedom, even if it means that people disagree with us.'' The officer was on his feet in an instant, his face purple with rage. He smashed his fist onto the table and screamed at me to shut up. While he was ranting I was astonished to see pain, compounded by fear, in his eyes. I have never forgotten that look, nor have I forgotten the satisfaction I felt at using his tool, the picture of the burning flag, against him . . .

We don't need to amend the Constitution in order to punish those who burn our flag. They burn the flag because they hate America and they are afraid of freedom. What better way to hurt them than with the subversive idea of freedom? . . . Don't be afraid of freedom, it is the best weapon we have.

Mr. President, I ask for unanimous consent to have the James Warner editorial printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WHEN THEY BURNED THE FLAG BACK HOME—THOUGHTS OF A FORMER POW

(By James H. Warner)

In March of 1973, when we were released from a prisoner of war camp in North Vietnam, we were flown to Clark Air Force base in the Philippines. As I stepped out of the aircraft I looked up and saw the flag. I caught my breath, then, as tears filled my eyes, I saluted it. I never loved my country more than at that moment. Although I have received the Silver Star Medal and two Purple Hearts, they were nothing compared with the gratitude I felt then for having been allowed to serve the cause of freedom.

Because the mere sight of the flag meant so much to me when I saw it for the first time after 5½ years, it hurts me to see other Americans willfully desecrate it. But I have been in a Communist prison where I looked into the pit of hell. I cannot compromise on freedom. It hurts to see the flag burned, but I part company with those who want to punish the flag burners. Let me explain myself.

Early in the imprisonment the Communists told us that we did not have to stay there. If we would only admit we were wrong, if we would only apologize, we could be released early. If we did not, we would be punished. A handful accepted, most did not. In our minds, early release under those conditions would amount to a betrayal, of our comrades of our country and of our flag.

Because we would not say the words they wanted us to say, they made our lives wretched. Most of us were tortured, and some of my comrades died. I was tortured for

most of the summer of 1969. I developed beriberi from malnutrition. I had long bouts of dysentery. I was infested with intestinal parasites. I spent 13 months in solitary confinement. Was our cause worth all of this? Yes, it was worth all this and more.

Rose Wilder Lane, in her magnificent book ''The Discovery of Freedom,'' said there are two fundamental truths that men must know in order to be free. They must know that all men are brothers, and they must know that all men are born free. Once men accept these two ideas, they will never accept bondage. The power of these ideas explains why it was illegal to teach slaves to read.

One can teach these ideas, even in a Communist prison camp. Marxists believe that ideas are merely the product of material conditions; change those material conditions, and one will change the ideas they produce. They tried to ''re-educate'' us. If we could show them that we would not abandon our belief in fundamental principles, then we could prove the falseness of their doctrine. We could subvert them by teaching them about freedom through our example. We could show them the power of ideas.

I did not appreciate this power before I was a prisoner of war. I remember one interrogation where I was shown a photograph of some Americans protesting the war by burning a flag. ''There,'' the officer said. ''People in your country protest against your cause. That proves that you are wrong.''

''No,'' I said. ''That proves that I am right. In my country we are not afraid of freedom, even if it means that people disagree with us.'' The office was on his feet in an instant, his face purple with rage. He smashed his fist onto the table and screamed at me to shut up. While he was ranting I was astonished to see pain, compounded by fear, in his eyes. I have never forgotten that look, nor have I forgotten the satisfaction I felt at using his tool, the picture of the burning flag, against him.

Aneurin Bevan, former official of the British Labor Party, was once asked by Nikita Khrushchev how the British definition of democracy differed from the Soviet view. Bevan responded, forcefully, that if Khrushchev really wanted to know the difference, he should read the funeral oration of Pericles.

In that speech, recorded in the Second Book of Thucydides' ''History of the Peloponnesian War,'' Pericles contrasted democratic Athens with totalitarian Sparta. Unlike the Sparatans, he said, the Athenians did not fear freedom. Rather, they viewed freedom as the very source of their strength. As it was for Athens, so it is for America—our freedom is not to be feared, for our freedom is our strength.

We don't need to amend the Constitution in order to punish those who burn our flag. What better way to hurt them than with the subversive idea of freedom? Spread freedom. The flag in Dallas was burned to protest the nomination of Ronald Reagan, and he told us how to spread the idea of freedom when he said that we should turn American into ''a city shining on a hill, a light to all nations.'' Don't be afraid of freedom, it is the best weapon we have.

Mr. LEAHY. Those of us who oppose the constitutional amendment concerning flag protests understand that the political pressure for this amendment is strong, but our hope is that the Senate will in the end heed the wisdom of John Glenn, when he urged us to reject the amendment:

There is only one way to weaken the fabric of our country, and it is not through a few misguided souls burning our flag. It is by retreating from the principles that the flag stands for. And that will do more damage to the fabric of our nation than 1,000 torched flags could ever do. . . . History and future generations will judge us harshly, as they should, if we permit those who would defile our flag to hoodwink us into also defiling our Constitution.

We should not adopt a proposal that will whittle away at the first amendment for the first time in our history. We act here as stewards of the Constitution, guardians and trustees of a precious legacy. The truly precious part of that legacy does not lie in outward things—in monuments or statues or flags. All that those tangible things can do is remind us of what is precious—our liberty.

Our Constitution guards our freedoms and the first amendment is the marble of our democracy; it is the bedrock of our rights and constitutional protections. It guarantees the freedom of religion—the freedom to practice a religion or not to practice a religion, as you believe. It guarantees our freedom of speech. By doing that, it guarantees diversity. If you guarantee diversity, you guarantee democracy. Our bill of rights has been doing that for over 200 years. We are the envy of the world because of the way we protect our freedoms.

Look at all the other countries, countries that have not achieved and will not achieve greatness because they stifle dissent, because they do not allow freedom of expression.

If, God forbid, some natural disaster or terrorist act swept away all the monuments of this country, the Republic would survive just as strong as ever. But if some failure of our souls were to sweep away the ideals of Washington, Jefferson and Lincoln, then not all the stone, not all the marble, not all the flags in the world would restore our greatness. Instead, they would be mocking reminders of what we had lost.

I trust this Senate will uphold the Constitution and the first amendment. I trust this Senate will uphold the lessons of history. I trust this Senate will tell the founders of this Nation, when they wrote the bill of rights, they gave us a precious gift that we would hold unchanged throughout our lives and the lives of our children and the lives of our grandchildren, because that is the way we honor our country.

That is the way we honor the sacrifices of so many millions who protected our freedoms throughout the years.

Mr. President, do I still have time?

The PRESIDING OFFICER. Twelve seconds.

The Chair recognizes the Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair.

Mr. President, I have sought recognition to comment on the amendment, whose principal sponsor is the Senator from South Carolina, Mr. HOLLINGS, which would authorize the Congress and State legislatures to limit campaign contributions and campaign expenditures.

Senator HOLLINGS and I have been the principal cosponsors of this provision since 1988. It is denominated as a constitutional amendment, but, in fact, it is not a constitutional amendment, but instead it is a provision which would alter the opinion of the Supreme Court of the United States in Buckley v. Valeo which says that money was equated with speech. I believe that to be an incorrect constitutional interpretation, as do 209 professors of law who have submitted a statement urging the overruling of Buckley v. Valeo.

Since the Supreme Court of the United States is not about to do that, the only recourse is to follow the procedure today on what is denominated a constitutional amendment, but it is not a constitutional amendment because there is nothing in the first amendment which says speech is money. That is not in the first amendment. The first amendment guarantees freedom of speech, and an opinion by a majority of the Supreme Court of the United States in Buckley v. Valeo has made that interpretation.

Just as in the flag-burning case, there is nothing in the first amendment which says freedom of speech includes the right to burn an American flag. But in a 5–4 decision, the Supreme Court handed down that interpretation. It is important to note, as a matter of constitutional law, what the Supreme Court says is denominated as the opinion of the Court. If any effort were to be made to change the language of the first amendment, I would strenuously oppose any such effort. But the provision to allow Congress and State legislatures to control campaign contributions and expenditures does not do that.

On a purely personal note, this decision had special significance for me on January 30, 1976, the day it was handed down, because at that time I was in the middle of a campaign for the Republican nomination to the Senate for the Commonwealth of Pennsylvania. When the campaign started in the fall of 1975, the campaign finance law of 1974 governed, which limited the contributions of an individual for his own candidacy to $35,000, which was about the size of my bank account.

My opponent in the campaign was Congressman John Heinz. On January 30, the Supreme Court said that any individual can spend whatever he chose, millions if he chose, and John did. That was the balance of the election.

At the same time, the Supreme Court said that my brother, Morton Specter, who had the financial ability to finance my campaign—not in the Heinz style, perhaps, but adequately—was limited to $1,000 which was provided for in the law. The question, I think not illogically, came to my mind: What was the difference between John Heinz's money and Morton Specter's money? But that is what the Supreme Court said, and they said it in a very curious way.

They said:

In order to preserve the provisions against invalidation on vagueness grounds—

They cite the statute—

it must be construed to apply only to expenditures for communications that express in terms that advocate the election or defeat of a clearly identified candidate for Federal office.

They then drop to a footnote:

. . . which required language such as ''vote for,'' ''elect,'' ''support,'' ''cast your ballot for,'' ''Smith for Congress,'' ''vote against,'' ''defeat and reject.''

That has led to the very extraordinary so-called issue advertisements, which are not controllable, where they are bought by soft money. Listen to a couple of illustrative issue advertisements in the 1996 campaign for President Clinton in the summer of 1996, which ultimately tipped the scales:

''American values,'' ''do our duty to our parents,'' ''President Clinton protects Medicare,'' ''the Dole-Gingrich budget tried to cut Medicare $270 billion,'' ''protect families,'' ''President Clinton cut taxes for millions of working families,'' ''the Dole-Gingrich budget tried to raise taxes on 8 million of them,'' ''opportunity,'' ''President Clinton proposes tax breaks for tuition,'' ''the Dole-Gingrich budget tried to slash college scholarships,'' ''only President Clinton's plan meets our challenges, protects our values.''

That is curiously, insanely categorized not as an advocacy advertisement, but only an issue ad. But what quality is there in the English language which could more emphatically say: Elect President Clinton, defeat Senator Dole?

That is the consequence when millions of dollars are poured into campaigns in soft money, unregulated under the decision of the Supreme Court in Buckley v. Valeo.

I note one very important factor: That the consequence of this provision, denominated as an amendment, is not to put into effect any specific reforms, but only to give the Congress of the United States the authority constitutionally to do so. This does not say what corporations can do, what unions can do, what individuals can do. It says only that the constraint of Buckley v. Valeo, the opinion of Justices in a split Court, will not preclude Congress from acting on the very important item of having democracy prevail in elections.

It is totally antithetical, in my opinion, to have money equated with power in a democracy. It subverts the principle of one man-one woman equals to one vote if power is equal to money and the rich can dominate the electoral process.

I do not believe that Members of the House and Senate sell their votes, although there is a widespread perception of that kind of corruption.

There is a problem of access which I try to deal with by holding town meetings in the 67 counties in Pennsylvania. On recent economies where the budgets of Senators are limited as to mailing, it has not been possible for me to mail all of my constituents who attended the town meetings. But I think that is a very practical answer to those who complain about access.

If Senators go to the county seat to be in the proximity of their constituents and let their constituents know by a postcard that the Senator will be present at a given time, a given place to answer their questions, then I think that kind of a guarantee of access would answer a great many skeptical comments about fundraisers and the purchase of access.

That is why I am proposing legislation which would permit a Senator to supplement his mailing budget for one postcard, once a year, to each constituent in each county, providing the Senator personally appears at that event.

The reality is, many Senators do not undertake town meetings anymore because they are very rough, tough affairs where people come in—may the RECORD show a smile on the face of the Presiding Officer, the distinguished Senator from Wyoming—they are rough, tough affairs.

I think the cost would probably be fairly low because I think relatively few Senators would avail themselves of that opportunity.

In conclusion, let me remind my colleagues that what Senator HOLLINGS and I are proposing does not change the language of the first amendment, but instead it substitutes our judgment for the judgment of the Court on what is an opinion of the interpretation of the Constitution's first amendment.

I ask unanimous consent that a list of the 209 scholars calling for the reversal of Buckley be printed in the RECORD and that the bill for postal mailings also be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF OVERTURNING BUCKLEY V. VALEO

(This statement was organized jointly by: Brennan Center for Justice at NYU School of Law, National Voting Rights Institute, U.S. Public Interest Research Group)

In its 1976 decision, *Buckley v. Valeo,* the Supreme Court of the United States held that mandatory campaign spending limits are an unconstitutional denial of free speech.

We believe that the *Buckely* decision should be overturned. The decision overstated the extent to which reasonable limits on campaign expenditures impinge on free speech. The Court also underestimated the corrosive effect of unlimited campaign expenditures on the integrity of our political process.

We the undersigned call for the reconsideration and overturning of the *Buckley* decision.

209 SCHOLARS OPPOSING BUCKLEY V. VALEO

Prof. Lee A. Albert, Professor of Law, SUNY at Buffalo School of Law.

Prof. George J. Alexander, Elizabeth H. & John A. Sutro Professor & Director, Institute of International & Comparative Law, Santa Clara University School of Law.

Prof. Dean Alfange, Jr., Professor of Political Science, University of Massachusetts at Amherst, Political Science Dept.

Prof. Francis A. Allen, Huber C. Hurst Eminent Scholar Emeritus, University of Florida, College of Law.

Prof. Jose Julian Alvarez Gonzalez, Professor of Law, University of Puerto Rico School of Law.

Prof. Howard C. Anawalt, Professor of Law, Santa Clara University School of Law.

Prof. Claudia Angelos, Professor of Clinical Law, New York University School of Law.

Prof. Ellen P. April, Professor of Law, Loyola University School of Law.

Prof. Peter Arenella, Professor of Law, UCLA School of Law.

Prof. Robert Aronson, Professor of Law, University of Washington School of Law.

Prof. Gerald G. Ashdown, Professor of Law, West Virginia University College of Law.

Prof. Gordon E. Baker, Professor Emeritus of Political Science, University of California at Santa Barbara.

Prof. Thomas E. Baker, James Madison Chair in Constitutional Law and Director of the Constitutional Law Resource Center, Drake University Law School.

Prof. Fletcher N. Baldwin, Jr., S.D. Dell Research Scholar & Professor of Law, University of Florida, College of Law.

Prof. William C. Banks, Professor of Law, Syracuse University College of Law.

Prof. Loftus E. Becker, Jr., Professor of Law, University of Connecticut School of Law.

Prof. Patricia A. Behlar, Associate Professor of Social Science, Pittsburg State University.

Prof. Robert W. Benson, Professor of Law, Loyola University School of Law.

Prof. Gary L. Blasi, Professor of Law, UCLA School of Law.

Prof. Vincent A. Blasi, David Lurton Massee, Jr. Professor of Law, University of Virginia School of Law.

Prof. Henry J. Bourguignon, Professor of Law & Distinguished University Professor, University of Toledo College of Law.

Prof. Craig M. Bradley, James Louis Calamaras Professor of Law, Indiana University School of Law, Bloomington.

Prof. Mark E. Brandon, Assistant Professor of Political Science, University of Michigan.

Prof. Daan Braveman, Dean & Professor of Law, Syracuse University College of Law.

Prof. Richard A. Brisbin, Jr., Associate Professor of Political Science, West Virginia University.

Prof. Judith Olans Brown, Professor of Law, Northeastern University School of Law.

Prof. G. Sidney Buchanan, Baker & Botts Professor of Law, University of Houston Law Center.

Prof. Thomas D. Buckley, Professor of Law, Cleveland State University, Cleveland-Marshall College of Law.

Prof. Sarah E. Burns, Professor of Clinical Law, New York University School of Law.

Prof. William G. Buss, O.K. Patton Professor of Law, University of Iowa College of Law.

Prof. Richard M. Buxbaum, Jackson H. Ralston Professor & Dean, International & Area Studies, University of California at Berkeley School of Law.

Prof. Bert C. Buzan, Professor of Political Science, California State University, Fullerton.

Prof. Paulette M. Caldwell, Professor of Law, New York University School of Law.

Prof. Lief H. Carter, McHugh Family Distinguished Professor, The Colorado College.

Prof. Paul G. Chevigny, Professor of Law, New York University School of Law.

Prof. Robert N. Clinton, Wiley B. Rutledge Professor, University of Iowa College of Law.

Prof. Joshua Cohen, Arthur & Ruth Sloan Professor of Political Science & Professor of Philosophy, Massachusetts Institute of Technology.

Prof. William Cohen, C. Wendell & Edith M. Carlsmith, Professor of Law, Stanford Law School.

Prof. Charles D. Cole, Lucille Beeson Professor, Cumberland School of Law of Samford University.

Prof. C. Michael Comiskey, Associate Professor of Political Science, Penn State, Fayette Campus.

Prof. Robert A. Dahl, Sterling Professor Emeritus of Political Science, Yale University.

Prof. David J. Danelski, Mary Lou & George Boone Centennial, Professor Emeritus, Stanford University.

Prof. Perry Dane, Professor of Law, Rutgers University School of Law, Camden.

Prof. George Dargo, Professor of Law, New England School of Law.

Prof. Derek H. Davis, Director, J.M. Dawson Institute of Church-State Studies, Baylor University School of Law.

Prof. Howard E. David, Professor of Political Science, Randolph-Macon College.

Prof. John A. Davis, Professor Emeritus of Political Science, City College of the City University of New York.

Prof. John Denvir, Professor of Law, University of San Francisco School of Law.

Prof. David F. Dickson, Professor of Law, Florida State University College of Law.

Prof. Victoria J. Dodd, Professor of Law, Suffolk University Law School.

Prof. Jameson W. Doig, Professor, Department of Politics & Woodrow Wilson School, Princeton University.

Prof. Dennis D. Dorin, Professor of Political Science, University of North Carolina at Charlotte.

Prof. Norman Dorsen, Stokes Professor of Law, New York University School of Law.

Prof. Donald W. Dowd, Professor of Law, Villanova University School of Law.

Prof. Rochelle C. Dreyfuss, Professor of Law & Director of the Engelberg Center on Innovation Law & Policy, New York University School of Law.

Prof. J.D. Droddy, Assistant Professor of Government, Western Kentucky University.

Prof. Melvyn R. Durchslag, Professor of Law, Case Western Reserve University Law School.

Prof. Ronald M. Dworkin, Frank H. Sommer Professor of Law, New York University School of Law.

Prof. Peter D. Enrich, Professor of Law, Northeastern University School of Law.

Prof. Michael Esler, Assistant Professor of Political Science, Ohio Wesleyan University.

Prof. Daryl R. Fair, Professor of Political Science, The College of New Jersey.

Prof. Antonio Fernos, Professor of Law, Inter American University Law School.

Prof. Nancy H. Fink, Professor of Law, Brooklyn Law School.

Prof. Edwin B. Firmage, Samuel D. Thurman Professor of Law, University of Utah College of Law.

Prof. James E. Fleming, Associate Professor of Law, Fordham University School of Law.

Prof. Edward B. Foley, Associate Professor of Law, The Ohio State University College of Law.

Prof. W. Ray Forrester, Professor of Law, University of California, Hastings, College of Law.

Dean Arthur N. Frakt, Dean, Widener University School of Law.

Prof. Beatrice S. Frank, Clinical Associate Professor, New York University School of Law.

Prof. Paula Galowitz, Professor of Clinical Law, New York University School of Law.

Prof. Daniel G. Gibbens, Regents' Professor of Law, University of Oklahoma College of Law.

Prof. Stephen Gillers, Professor of Law, New York University School of Law.

Prof. James M. Glaser, Associate Professor of Political Science, Tufts University.

Prof. Alvin L. Goldman, Dorothy Salmon Professor, University of Kentucky College of Law.

Prof. Roger L. Goldman, Professor of Law, St. Louis University School of Law.

Prof. Sheldon Goldman, Professor of Political Science, University of Massachusetts at Amherst, Political Science Dept.

Prof. Leslie F. Goldstein, Unidel Professor of Political Science, University of Delaware.

Prof. Howard A. Gordon, Professor Emeritus, City College of Chicago.

Prof. Howard L. Greenberger, Professor of Law, New York University School of Law.

Prof. Benjamin Gregg, Assistant Professor of Government, University of Texas at Austin.

Prof. David L. Gregory, Professor of Law, St. John's University School of Law.

Prof. Martin Guggenheim, Clinical Professor & Director, Clinical & Advocacy Programs, New York University School of Law.

Prof. Lani Guinier, Professor of Law, University of Pennsylvania Law School.

Prof. Samuel O. Gyandoh, Jr., Professor of Law, Temple University School of Law.

Prof. Michael G. Hagen, Associate Professor of Government, Harvard University.

Prof. Richard L. Hasen, Associate Professor of Law, Loyola University School of Law.

Prof. Francis H. Heller, Roy A. Roberts Professor of Law & Political Science Emeritus, University of Kansas School of Law.

Prof. Helen Hershkoff, Assistant Professor of Law, New York University School of Law.

Prof. Richard A. Hesse, Professor of Law, Franklin Pierce Law Center.

Prof. Philip B. Heymann, James Barr Ames Professor of Law, Harvard Law School.

Prof. Daniel N. Hoffman, Associate Professor of Political Science, Johnson C. Smith University.

Prof. Thomas P. Huff, Lecturer in Law & Professor of Philosophy, University of Montana School of Law.

Prof. Joseph Richard Hurt, Dean & Professor of Law, Mississippi College School of Law.

Prof. Stewart M. Jay, Professor of Law, University of Washington School of Law.

Prof. John Paul Jones, Professor of Law, University of Richmond, T. C. Williams, School of Law.

Prof. Ronald Kahn, Monroe Professor of Politics & Law, Oberlin College.

Prof. Stephen Kanter, Professor of Law (Dean 1986–1994), Lewis & Clark Northwestern School of Law.

Prof. Kenneth L. Karst, David G. Price & Dallas P. Price, Professor of Law, UCLA School of Law.

Prof. Thomas A. Kazee, Professor of Political Science, Davidson College.

Prof. Edward Kearny, Professor of Government, Western Kentucky University.

Prof. Gregory C. Keating, Professor of Law, University of Southern California Law Center.

Prof. Alan Keenan, Lecturer on Social Studies, Harvard University.

Prof. Christine Hunter Kellett, Professor of Law, Pennsylvania State University, Dickinson School of Law.

Prof. Robert B. Kent, Professor of Law Emeritus, Cornell Law School.

Prof. Mark Kessler, Chair & Professor of Political Science, Bates College.

Prof. Philip C. Kissam, Professor of Law, University of Kansas School of Law.

Prof. Robert A. Kocis, Professor of Political Science, University of Scranton.

Prof. Donald P. Kommers, Joseph & Elizabeth Robbie Professor of Government & International Studies & Professor of Law, Notre Dame Law School.

Prof. Milton R. Konvitz, Professor Emeritus of Law, Cornell Law School.

Prof. J. Morgan Kousser, Professor of History & Social Science, Caltech—Division of the Humanities & Social Sciences.

Prof. Paul M. Kurtz, J. Alton Hosch Professor & Associate Dean, University of Georgia School of Law.

Prof. James A. Kushner, Professor of Law, Southwestern University School of Law.

Prof. Robert W. Langran, Professor of Political Science, Villanova University.

Prof. Lewis Henry LaRue, Alumni Professor of Law, Washington & Lee University School of Law.

Prof. Sylvia Ann Law, Elizabeth K. Dollard Professor of Law, Medicine & Psychology & Co-Director, Arthur Garfield Hays Civil Liberties Memorial Program, New York University School of Law.

Prof. Timothy O. Lenz, Associate Professor of Political Science, Florida Atlantic University.

Prof. Frederick P. Lewis, Professor of Political Science, University of Massachusetts at Lowell.

Prof. Peter Linzer, Law Foundation Professor of Law, University of Houston Law Center.

Prof. Robert Justin Lipkin, Professor of Law, Widener University School of Law.

Prof. Stephen Loffredo, Associate Professor of Law, CUNY School of Law.

Prof. Jim Macdonald, Professor of Law, University of Idaho College of Law.

Hugh C. Macgill, Dean, University of Connecticut School of Law.

Prof. Holly Maguigan, Professor of Clinical Law, New York University School of Law.

Prof. Joan Mahoney, Professor of Law & Dean Emeritus, Western New England College School of Law.

Prof. Karl M. Manheim, Professor of Law, Loyola University School of Law.

Prof. Clair W. Matz, Professor of Political Science, Marshall University.

Prof. Christopher N. May, James P. Bradley Chair in Constitutional Law, Loyola University School of Law.

Prof. William Shepard McAninch, Solomon Blatt Professor, University of South Carolina School of Law.

Prof. Wayne McCormack, Professor of Law, University of Utah College of Law.

Prof. W. Joseph McCoy, Associate Professor of Public Administration, Marshall University.

Prof. Patrick C. McGinley, Professor of Law, West Virginia University College of Law.

Prof. Wayne V. McIntosh, Associate Professor of Political Science, Dept. of Government & Politics, University of Maryland.

Prof. Evan McKenzie, Assistant Professor of Political Science, University of Illinois at Chicago, Political Science Dept.

Prof. Edward A. Mearns, Jr., Professor of Law, Case Western Reserve University Law School.

Prof. Frank I Michelman, Harvard Law School.

Hon. Abner J. Mikva, Walter V. Schaefer Fellow in Public Policy & Visiting Professor of Law, University of Chicago Law School.

Prof. Mark C. Miller, Associate Professor of American Government, Clark University.

Prof. Arval A. Morris, Professor of Law, University of Washington School of Law.

Prof. Kenneth M. Murchison, James E. & Betty M. Phillips Professor, Louisiana State University Law Center.

Prof. Carol Nackenoff, Chair, Department of Political Science, Swarthmore College.

Prof. James A. R. Nafziger, Thomas B. Stoel Professor of Law, Willamette University College of Law.

Prof. Thomas Nagel, Professor of Philosophy & Law, New York University School of Law.

Prof. Sheldon Nahmod, Distinguished Professor of Law, Chicago-Kent College of Law.

Prof. John B. Neibel, Professor & John B. Neiber Chair, University of Houston Law Center.

Prof. Burt Neuborne, John Norton Pomeroy Professor of Law & Legal Director, Brennan Center for Justice, New York University School of Law.

Prof. Michael DeHaven Newsom, Associate Dean for Academic Affairs, Howard University School of Law.

Prof. Nell Jessup Newton, Professor of Law, American University, Washington, College of Law.

Prof. Gene R. Nichol, Dean Emeritus & Professor of Law, University of Colorado School of Law.

Prof. Harold Norris, Distinguished Professor Emeritus, Detroit College of Law at Michigan State University.

Prof. John E. Nowak, David C. Baum Professor of Law, University of Illinois College of Law.

Prof. James M. O'Fallon, Frank Nash Professor of Law, University of Oregon School of Law.

Prof. Marcia O'Kelly, Professor of Law, University of North Dakota School of Law.

Prof. Daniel R. Ortiz, Professor of Law, University of Virginia School of Law.

Prof. Vernon Valentine Palmer, Thomas Pickles Professor of Law, Tulane University School of Law.

Prof. Simon D. Perry, Professor of Political Science, Marshall University.

Prof. Daniel H. Pollitt, Kenan Professor Emeritus of Law, University of North Carolina School of Law.

Prof. H. Jefferson Powell, Professor of Law, Duke University School of Law.

Prof. Albert T. Quick, Dean & Professor of Law, University of Toledo College of Law.

Prof. Jamin Ben Raskin, Professor of Law & Pauline Ruyle, Moore Scholar, American University, Washington College of Law.

Prof. John Rawls, Professor of Philosophy, Harvard University.

Prof. Clifford Rechtschaffen, Associate Professor of Law, Golden Gate University School of Law.

Prof. David A. J. Richards, Edwin D. Webb Professor of Law, New York University School of Law.

Prof. Daniel C. Richman, Associate Professor of Law, Fordham University School of Law.

Prof. Cary Rickabaugh, Associate Professor of Political Science, Rhode Island College.

Prof. Joel E. Rogers, Professor of Law & Sociology, University of Wisconsin Law School.

Prof. Rand E. Rosenblatt, Professor of Law & Associate Dean, Academic Affairs, Rutgers University School of Law, Camden.

Prof. Victor G. Rosenblum, Nathaniel L. Nathanson Professor, Northwestern University School of Law.

Prof. Albert J. Rosenthal, Dean Emeritus & Maurice T. Moore, Professor Emeritus of Law, Columbia University School of Law.

Prof. Gregory D. Russell, Director, Criminal Justice Program & Associate Professor, Washington State University.

Prof. Rosemary C. Salomone, Professor of Law, St. John's University School of Law.

Prof. Thomas O. Sargentich, Professor of Law, American University, Washington College of Law.

Prof. Thomas M. Scanlon, Harvard University Philosophy Department.

Prof. Douglas D. Scherer, Professor of Law, Touro College, Jacob D. Fuchsberg Law Center.

Prof. Lawrence Schlam, Professor of Law, Northern Illinois University College of Law.

Prof. Leo L. Schmolka, Professor of Law, New York University School of Law.

Prof. Jeffrey M. Shaman, Professor of Law, De Paul University College of Law.

Prof. Peter M. Shane, Dean & Professor of Law, University of Pittsburgh School of Law.

Prof. Sidney A. Shapiro, John M. Rounds Professor, University of Kansas School of Law.

Prof. Stephen Kent Shaw, Professor of Political Science, Northwest Nazarene College.

Prof. Steven H. Shiffrin, Professor of Law, Cornell Law School.

Prof. David M. Skover, Professor of Law, Seattle University School of Law.

Prof. W. David Slawson, Torrey H. Webb Professor, University of Southern California Law Center.

Prof. Rogers M. Smith, Professor of Political Science, Yale University.

Prof. Barbara R. Snyder, Professor of Law, The Ohio State University College of Law.

Dean Aviam Soifer, Dean & Professor of Law, Boston College Law School.

Prof. Rayman L. Solomon, Associate Dean, Northwestern University School of Law.

Prof. Frank J. Sorauf, Regents' Professor Emeritus of Political Science, University of Minnesota.

Prof. Troy M. Stewart, Chair & Professor of Political Science, Marshall University.

Prof. Marc Stickgold, Professor of Law, Golden Gate University School of Law.

Prof. Peter L. Strauss, Betts Professor of Law, Columbia University School of Law.

Prof. Kenneth W. Street, Professor of Political Science, Austin College.

Prof. Frank R. Strong, Cary Boshamer Distinguished Professor Emeritus of Law, University of North Carolina School of Law.

Prof. Allen N. Sultan, Professor of Law, University of Dayton School of Law.

Prof. Cass R. Sunstein, Karl N. Llewellyn Distinguished Professor of Law, University of Chicago Law School.

Prof. Mary Thornberry, Professor of Political Science, Davidson College.

Prof. Michael C. Tolley, Associate Professor of Political Science, Northeastern University.

Prof. James W. Torke, Professor of Law, Indiana University School of Law, Indianapolis.

Prof. Jon M. Van Dyke, Professor of Law, University of Hawaii, William S. Richardson School of Law.

Prof. Kenneth Vinson, Professor of Law, Florida State University College of Law.

Prof. Burton D. Wechsler, Alumni Distinguished Teacher & Professor, American University, Washington College of Law.

Prof. Eldon D. Wedlock, Jr., David H. Means Professor of Law, University of South Carolina School of Law.

Prof. Philip Weinberg, Professor of Law, St. John's University School of Law.

Prof. Brian A. Weiner, Assistant Professor of Politics, University of San Francisco.

Prof. Harry H. Wellington, Dean & Professor, New York Law School.

Prof. William E. Westerbeke, Professor of Law, University of Kansas School of Law.

Prof. James G. Wilson, Professor of Law, Cleveland State University, Cleveland-Marshall College of Law.

Prof. Louis E. Wolcher, Professor of Law, University of Washington School of Law.

Prof. Raymond L. Yasser, Professor of Law, University of Tulsa College of Law.

Prof. Steven Zeidman, Associate Professor of Law, New York University School of Law.

S. —

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

SECTION 1. MAIL ALLOWANCES FOR SENATORS.

Section 506 of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58) is amended by inserting after subsection (b) the following:

''(c) In addition to the funds provided for in subsection (b), the amount available to a Member under subsection (b)(3)(A)(iii) shall include an additional amount sufficient to pay the expenses that would be incurred mailing 1 letter to each postal address in each county in the State of that Member where the Member holds and personally attends a town meeting (not to exceed 1 town meeting per county per year).''.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HOLLINGS. Mr. President, I think we have 5 more minutes. I yield the time to the distinguished Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I thank my distinguished colleague from South Carolina. I think brevity is ideal, and I have said what I have to say. I would not oppose a constitutional amendment to limit Senators' speeches to 10 minutes generally. But I thank my colleague from South Carolina.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

Mr. LEAHY. I wish to commend the Senator from Pennsylvania for his comments about town meetings. But I hope there are Senators in this body who will do town meetings. I expect there probably are some. I think they are the most advantageous thing we could possibly do in rural States like mine and, I think, like the distinguished Presiding Officer's State. I do not think either one of us would ever come back here if we were not willing to do them. I think that is the experience of most Senators.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak on the amendment related to flag burning.

The PRESIDING OFFICER. We have a unanimous consent agreement that actually runs over on the time we are allocated. Is the Senator asking unanimous consent to extend the time?

Mr. DURBIN. I ask unanimous consent to speak for 10 minutes on the flag burning amendment.

Mr. HOLLINGS. Mr. President, I have time left. I would be glad to yield it to the distinguished Senator from Illinois. I have no objection to the 10-minute request.

The PRESIDING OFFICER. The Senator has 3½ minutes left. There are meetings we have to get to.

Mr. DURBIN. Mr. President, it is my understanding we will now go to a quorum call rather than to have me speak for 10 minutes?

The PRESIDING OFFICER. The quorum call will be charged against allocated time.

Mr. HATCH. Mr. President, I ask unanimous consent that we be permitted, on our time, to go up to as long as 12:45.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. Mr. President, even though he is on the other side of this issue, I yield 10 minutes to the distinguished Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my friend and colleague from the State of Utah for yielding. I am aware of the fact we disagree on this issue. We have been friends and are adversaries only on issues without any personal basis.

Mr. President, this has become a perennial issue before the Senate—the question of whether we will amend the Constitution of the United States to, in fact, somehow ban the desecration of the American flag.

Make no mistake about it, flag burning is an insensitive and shameful act. But the issue before us is not whether we support flag burning but whether we should amend the Constitution, whether we should amend the Bill of Rights for the first time in the history of the United States of America, whether we should narrow the precious freedoms ensured by the first amendment for the very first time in our Nation's history.

When we trace back the origin of this flag burning amendment, we find that it came about as a result of an act by an individual during the 1984 Presidential election campaign in the State of Texas during the Republican National Convention. A person went down there and ignited an American flag, and ignited the passions of many people who feel very strongly about that symbol of our Nation. It gave rise to an effort on the floor of the Congress to pass a law which would ban this sort of activity. Efforts were made, overturned by the Supreme Court, and then finally a constitutional amendment was offered.

It is interesting, to me, to put this in some context because we are talking about first amendment rights—rights of expression, rights of speech—which, in fact, are envied around the world.

As nations came out from under the yoke of communism and were finally given an opportunity to write their own future, they looked to the United States, not to our flag—they had their own flag—but to our values. They said: The United States is different. The United States respects the rights of individuals to express themselves, even when it is unpopular.

In many of these same countries, it had been against the law, punishable by imprisonment, to even question the Government, let alone to burn the flag of the country. But they said: We are going to walk away from that totalitarian view of the world. We are going to stand for freedom, just like the United States of America.

One after another, the leaders of these new democracies came here to the U.S. Capitol to appear before a joint session of Congress and really said, in so many words, their model, their ideal, their goal, was to follow our 200-plus year history of the Bill of Rights.

Those of us who want to stand in defense of the Bill of Rights understand that sometimes our positions are unpopular and sometimes uncomfortable. I think back a year ago. Remember, it was just a year ago the Columbine High School massacre shocked America. It stunned us to believe this could happen in a school, that innocent children could be mowed down with guns.

If the epicenter of this shock was at Columbine, it was certainly in the State of Colorado, as well, as they reflected on this violence.

Do you recall a few days after the Columbine shootings, the National Rifle Association held its convention in Denver, CO? Those in the surrounding areas came out to peacefully protest and demonstrate against the National Rifle Association and its agenda and its insensitivity to the Columbine High School shootings.

As much as I might disagree with the agenda of the National Rifle Association, I will have to stand here and say they had a right to meet. They had a right to meet in Denver, CO, and to express their points of view. As reprehensible and shameful as some might have found it, that is a right guaranteed by the first amendment to the Constitution.

In 1998, in Idaho, white supremacists obtained a permit for a ''100-man flag parade,'' and they marched, carrying American flags alongside Nazi banners. The owner of a local bookstore in Coeur D'Alene made a point of keeping his store opened. He observed: ''Nazis were burning books in the 1930s, and I don't want them closing stores in the 90s.''

To think of it—Old Glory side by side with the Nazi banner.

I am not certain this amendment would even touch that activity. I find that reprehensible; I find that disgusting. Yet I understand it. That is what America is all about. The real test of our belief in the Bill of Rights, the real test of our belief in freedom of expression is we stand back and say, as much as we disagree and despise every word you are saying, you have a right as an American to say it. That is a core principle of this democracy. That is a principle that is at issue with the offering of this amendment, this amendment which says: We will separate out one group of Americans who engage in this despised conduct of burning flags, and we will say, we will amend the Bill of Rights for the first time in our history to stop that activity.

Senator HATCH, last year, before the Senate Judiciary Committee, invited a man I respect very much, Tommy Lasorda, who was a former manager of the Los Angeles Dodgers, who came and talked about his strong feelings in support of this amendment. He talked about a day in the baseball park when someone jumped out of the stands, started to burn a flag, and one of the other players raced over to grab the flag and put out the fire, how proud he was that this player—Rick Monday—would put out the fire of this flag.

I asked Mr. Lasorda a question when it came my turn. I said: As I understand it, most of the people who jump out of the stands and run onto the field are not televised. A decision is made by the television stations and the management not to put the television cameras on these people who race around the field whenever they do. He said: That is correct. I said: Why is that? He said: Because if you give them attention, it just encourages that kind of activity. I said to Mr. Lasorda—and say today in debate—what more attention could we give to these dim-witted clods who would burn the flag but to amend the Bill of Rights for the first time in history? How seldom this occurs, how reprehensible it is, how awful it would be for us to respond to this terrible conduct by saying: You have our attention. We are going to amend the Bill of Rights. We will show you. Then we will see a flood of this kind of activity, I am afraid.

Some of the people I respect from both sides of the aisle have been quoted during the course of this debate. Gen. Colin Powell, former Chairman of the Joint Chiefs of Staff, no one would question his patriotism, whether they belong to the American Legion or the VFW, AMVETS, or any veterans group. He opposes this amendment. He wrote a letter to Senator LEAHY in 1999 and said:

> We are rightfully outraged when anyone attacks or desecrates our flag. Few Americans do such things and when they do they are subject to the rightful condemnation of their fellow citizens. They may be destroying a piece of cloth, but they do no damage to our system of freedom which tolerates such desecration. * * * I would not amend that great shield of democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

General Powell got it right, a man who has served our country, has put his life on the line in combat like so many other veterans who are quoted in the minority views and who understand they were fighting for something more than a piece of cloth. They were fighting for a piece of history, a piece of history that goes back over 200 years, when men—and they were all men—came forward to write this document, the Constitution of the United States and said: We will make certain that no matter what any State or Federal Government should try to do, we will hold sacred the rights of an individual for freedom of expression and freedom of speech no matter how unpopular it may be.

I ask my colleagues in the Senate to join us in condemning the action but not in desecrating our Bill of Rights. It is a document which has been a source of pride for many generations. It will continue to be.

Some people say even the word ''desecration'' in this amendment is a little hard to follow. What is a physical desecration of the flag? Well, burning it is one illustration, but is it the only one? For example, I raised this in committee about 2 years ago. Would we

consider it a desecration of the flag for someone to use an American flag as a seat cover in their automobile? Some might say that is a desecration, sitting on the flag. I would ask them to think twice. Take a trip down to the Lincoln Memorial in Washington, DC. Get up close and see Abraham Lincoln, that son of Illinois of whom we are so proud. Look very closely at what he is sitting on. He is sitting on an American flag. I don't think that is a desecration. I think we understand the context is trying to indicate the importance of this President.

I urge my colleagues in the Senate to oppose this amendment and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am intrigued by the comments of my colleague from Illinois. I would like to focus all the attention in the world on those who desecrate the American flag. I think it would be a great thing. It would help everybody in this country to know how distasteful it is and how denigrating to our country it is and how denigrating it is for all those who have died for this country following the flag, how denigrating it is to everybody who served in the military, how denigrating it is to every schoolchild, how denigrating it is to people who believe in values and things that are right. I have no trouble focusing on somebody who runs on the field burning a flag. I would like to focus on that creep as much as I could. I think if we did a little bit more of that, we might find a renewed resurgence of feelings about our country out there.

To be honest with you, if I interpret what the Senator said, he basically said that people ought to be able to make their statement. I wonder if he would be happy to have anybody who wants to make a statement in our gallery make any statement they want to every day that we meet. I think he would acknowledge that would disrupt the workings of the most important legislative body in the world.

There are limitations on everything, including the first amendment. By the way, how do you call offensive conduct of defecating, urinating on the flag or burning the flag with contempt, how do you call that free speech? The Supreme Court apparently has done so, but then, again, what we are talking about here, just look at this amendment. It is a very simple amendment. It is not telling us to do anything about the flag. What it says is: The Congress shall have the power to prohibit the physical desecration of the flag of the United States. My gosh, it doesn't tell us what to do. It just says we are going to take back this power that we had before this other third of the three separate powers, the judiciary, took it away from us and took it away from 49 States, all of which have asked us to restore that right to the States and the Federal Government.

These people are arguing against an amendment that gives the Congress back the power it had before, that it had for 200 years. Where is the logic in that? Many of these folks who are going to vote against this amendment voted for an anti-flag-desecration statute back in 1989. If they believe it is free speech today to defecate on the flag, then why wasn't it in 1989 when they voted for that useless statute that I stood up and said was unconstitutional and voted against and which later was declared to be what I said it would be, unconstitutional? Why didn't they vote against it if they are so enamored with this argument on free speech?

But forget the free speech argument. What about the power of three separate branches of Government? Why should we let the judiciary tell 49 States and the Congress of the United States we don't have any power to protect the national symbol of our sovereignty, of our patriotism, of our Nation? Any self-respecting Senator would want to stand up for the rights of the Congress, especially since this amendment doesn't say what we have to do. It basically says we have the right to change things. That is what you do with a constitutional amendment.

Some opponents of the flag-protection amendment have argued that we should be passing more restrictions on gun ownership rather than debating our constitutional amendment to protect the American flag. Give me a break. Everything is gun amendments around here. We have 20,000 laws, rules, and regulations about guns in this society that aren't even being enforced by this administration. While I believe there is no shortage of important issues for the Senate to take up, I believe the flag amendment is not only vital to protect our shared values as Americans, but also that this debate is particularly timely today as we all strive to recover what is good and decent about our country.

We see evidence of moral decay and a lack of standards all around us. Our families are breaking down, our communities are being divided, and there are leaders who are not providing the appropriate moral leadership for the American public. Our popular culture, including movies, television, video games, and music, bombards our children with offensive messages of violence and selfishness. The very disturbing incidents of gun violence—particularly at our public schools—is a particular result of a culture that is afraid to teach that certain ideas are right or wrong. As the saying goes, you have to stand for something, or you will fall for anything.

Today, the Senate has a unique opportunity to say that our country, and our culture, does stand for something; that on the issue of protecting and safeguarding an incident of national sovereignty, we stand for something. Today, we can reaffirm that all Americans share certain beliefs and values and a respect for this symbol of our national sovereignty. We can give a united bedrock of principle to a generation that is increasingly floating adrift and alone. Think about it. If we pass this amendment, we will create a debate on values in this country in all 50 States. That alone justifies this amendment—although I could give many additional justifications even better than that.

The disillusioned young people in our society today learn a very negative lesson by watching our Government sit powerlessly as exhibitionists and anarchists deface the embodiment of our sovereignty and our common values. What do you think they take away from watching people who dishonor the memory of those millions of men and women who have given their lives for the future of America? Allowing desecration of the flag lowers again the standards of elemental decency that all of us must and should live by. This proposed amendment affirms that without some aspirations to national unity, there might be no law, no Constitution, no freedoms such as those guaranteed by the Bill of Rights. The Bill of Rights was never intended to be a license to engage in any kind or type of behavior that one can imagine. Don't sell this amendment, and what it stands for, short.

If we pass this amendment by the necessary two-thirds vote, the Senate will say that our symbol of sovereignty, the embodiment of so many of our hopes and dreams, can no longer be dragged through the mud, torn asunder, or defecated on. We will say to the young people of America that there are ideals worth fighting for and protecting. There is a reason we are united as Americans, and that our experiment in democracy has proven to be the most enlightened government in history.

Can anyone think of a better message to send to our young people than to begin to reclaim the values of liberty, equality, and personal responsibility that Americans have defended and debated?

The flag amendment is not a distraction from matters of violence and education and social decay; nor is it an abdication of responsibility, as it has been called by some who oppose it. If there has been an abdication of responsibility, it has been to defend the irresponsible notion that the Bill of Rights exists to allow people to engage in any type of behavior or conduct that one can imagine. We need more attention to public values and standards, not less.

I am deeply offended by those who say the Senate has more important things to do than discuss a flag-protection constitutional amendment. I urge those of my colleagues who think the Senate is too important for the American flag to listen to the American people on this issue. I just came from a press conference where seven Congressional Medal of Honor recipients were there praying that the people of this country will get the Members of the

Senate to support this flag amendment.

The vast majority of our citizens support amending the Constitution to protect our Nation's flag. Even then, this amendment just says it gives the right to the Congress to do that. To these citizens and elected officials, protecting the flag as the symbol of our national unity and community and utilizing the constitutional amendment process to do so is no trivial matter.

Sitting in our gallery today are people who put their lives on the line to defend our flag and the principles for which it stands. These are the fortunate ones who were not required to make the ultimate sacrifice like my brother was in the Second World War, and like my brother-in-law was in Vietnam. Every one of these people—like tens of thousands of American families across our country—have traded the life of a loved one for a flag, folded at a funeral. Let's think about that trade—and about the people who made it for us—before deciding whether the flag is important enough to be addressed in the Senate.

Given the great significance of the flag, it is not surprising that support for the flag amendment is without political boundaries. It is not, as some suggest, a battle between conservatives on one side and liberals on the other. Indeed, the flag amendment transcends all political, racial, religious, and socioeconomic divisions. This is consistently reflected in national polling, in resolutions to Congress from 49 State legislatures requesting Congress to send the flag amendment to the States for ratification, and in the support of a bipartisan supermajority of the House of Representatives both last year and during the 104th Congress.

Is this overwhelming support for the flag amendment, as manifested through polling and through the actions of State and national legislatures, frivolity? Are we trivializing the Constitution, when a vast majority of Americans speaking for themselves or through elected representatives seek to utilize the article V amendment process, itself constructed by our Founding Fathers to right the wrongs of constitutional misinterpretation? Are we irresponsible if we simply restore the law as it existed for two centuries prior to two Supreme Court decisions, which were 5–4 decisions, hotly contested decisions? Does the principle of ''government by the people'' end where the self-professed ''experts'' convince themselves that the concerns of the overwhelming majority of ordinary citizens and their representatives are not important?

Is the Constitution, which establishes processes for its own amendment, wrong? I say it is the Constitution which establishes processes for its own amendment, and it is right. It says that the Constitution will be amended when two-thirds of the Congress and three-fourths of the States want to do so. It does not say that this procedure is reserved for issues that some law professors think are important, or issues that would crumble the foundations of our great Republic.

If ''government by the people'' means anything, it means that the people can decide the fundamental questions concerning the checks and balances in our Government. The people can choose whether it is Congress or the Supreme Court that decides whether flag desecration is against the law.

I urge colleagues to think hard about what they consider to be ''important'' before they conclude that the Senate should ignore the people and what they think is important and what should be considered important before they conclude that the Senate should ignore the people's desire to make decisions about the Government which governs them. The flag amendment is the very essence of ''government by the people'' because it reflects the people's decision to give Congress a power that the Supreme Court has taken away. This question is very important. I urge my colleagues not to think that this body is above listening to the vast majority of citizens of this country who want to give Congress the ability to determine whether and how to protect the American flag.

People should not say that there are more important issues than this one. This issue involves the very fabric of our society, what we are all about, and what our children, we hope, will be all about. This issue is very important. Anybody who thinks otherwise is trivializing this very important issue and the 80 percent of the American people who are strongly for it. The other 20 percent are not strongly against it; only a small percentage of those are. The rest of them just don't know or don't care.

You should have been with those seven Congressional Medal of Honor recipients, Miss America, and a whole raft of other veterans outside as we talked about why this amendment is important.

Mr. President, I yield the remainder of my time.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:16 p.m.

Thereupon, at 12:39 p.m., the Senate recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

FLAG DESECRATION CONSTITUTIONAL AMENDMENT—Resumed

AMENDMENT NO. 2889

The PRESIDING OFFICER. We now have 4 minutes equally divided under the McConnell amendment No. 2889, S.J. Res. 14.

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, we all despise those who desecrate the flag. The issue before the Senate today is how we should deal with that problem.

In the late 1980s, the Congress passed a statute designed to prohibit this vile practice. It was struck down by the Supreme Court on First Amendment grounds. For the last several years we have had proposals in the Senate to amend the Bill of Rights in order to prohibit flag desecration despite the First Amendment. However, I think we should be very reluctant about amending the Bill of Rights.

Therefore, I have offered the amendment which we will be voting on shortly. It takes a new a statutory approach that I am confident would be upheld by the Supreme Court. Simply put, my alternative approach protects the flag by prohibiting three kinds of desecration. First, desecration of the flag that incites violence or breach the peace. Second, desecration of a flag belonging to the United States government. Third, desecration of a flag stolen from someone else and destroyed on government land. Anyone who engages in any of this kind of reprehensible behavior would be subject to fines of up to $250,000 and/or imprisoned for up to 2 years. I think this is a better approach than tinkering with the Bill of Rights for the first time in 200 years.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I generally support the distinguished Senator from Kentucky on all campaign finance reform issues because I think he is one of the most learned people, if not the most learned person in this area and on many other occasions. On this issue I cannot.

I predicted back in 1989 it was unconstitutional when they passed the statute, which passed overwhelmingly by a lot of people who, today, when this amendment is finally voted upon, will vote against it. In other words, they passed the statute that would do what this amendment would allow the Congress, if it so chooses to do, to do.

It seemed illogical to me they are unwilling to do what really has to be done because we have had two statutory attempts to resolve the problem of physical desecration of our beloved American flag. Both times I predicted it was unconstitutional under the Supreme Court's decisions, and both times they were held to be unconstitutional. So a statute is not going to do the job.

In spite of good intentions, the only way we can resolve this problem and do it effectively without taking anybody's rights away is to do what we are doing—not passing a constitutional amendment that prohibits physical desecration of the flag. We are passing a constitutional amendment that gives the Congress a coequal status with the judiciary, two coequal branches of Government to have the right to determine what to do with regard to the flag. That is what we intend to do.

I hope our colleagues will vote against this amendment because it

would undermine, of course, the constitutional amendment.

Mrs. BOXER. Mr. President, I rise to oppose amending the Constitution of the United States to outlaw flag burning, and I will support the McConnell statute to punish flag burners who want to incite violence. The flag stands for freedom, and so does our Bill of Rights. I believe that both must be protected.

Colin Powell recently wrote, ''I would not amend that great shield of Democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away. Finally, I shudder to think of the legal morass we will create in trying to implement the body of law that will emerge from such an amendment.''

As our good friend John Glenn, a great Senator, a great astronaut, and a great Marine, once declared, ''[I]t would be a hollow victory indeed if we preserved the symbol of our freedoms by chipping away at those fundamental freedoms themselves. Let the flag fully represent all the freedoms spelled out in the Bill of Rights, not a partial, watered-down version that alters its protections.''

We can solve this problem with an amendment that is identical to a statute written by the Senator from Kentucky, the Flag Protection Act of 1999.

This amendment would protect the flag of the United States from being destroyed or damaged in certain situations. Under this amendment, any person who destroys or damages the flag of the United States with the primary purpose and intent to incite or produce imminent violence or a breach of peace will receive a stiff fine, imprisonment, or both.

This amendment also increases the fine and imprisonment penalties for damaging a flag belonging to the United States or damaging a flag on Federal land.

I support this amendment because I believe that our flag is the very symbol of our liberty, unity, and equality as a nation—a proud reminder of the democracy we hold so dear. But while we should protect the American flag, we also must remain vigilant in our protection of the Constitution.

This amendment stands on solid constitutional ground. Although the statute criminalizes the destruction or damaging of the American flag with the intent to provoke imminent violence or breach of the peace, Supreme Court precedent supports this approach. In Chaplinsky v. New Hampshire (1942), the Court upheld the constitutionality of laws that prohibit expression calculated, and likely to cause, a breach of the peace.

So I support this amendment because it not only protects our American flag, but it also preserves the rights and freedoms established in the United States Constitution.

Today, we have an opportunity to protect our flag. But just as important, we can preserve the constitutional ideals symbolized by the flag.

Mr. KYL. Mr. President, I rise in support of S.J. Res. 14, the flag protection constitutional amendment, and to explain, quite briefly, my opposition to Senator MCCONNELL's statutory substitute.

The McConnell amendment (No. 2889) would amend the U.S. Code to establish jail terms and fines for (1) damaging a flag ''with the primary purpose and intent to incite or produce imminent violence or a breach of the peace,'' (2) damaging a flag that belongs to the United States, or (3) damaging a flag that belongs to a third party if the damage occurs within the ''exclusive or concurrent jurisdiction of the United States.'' See Section 3, proposed 18 U.S.C. 700.

I oppose the McConnell amendment for three reasons. First, the narrow strictures of the amendment would provide little protection for the flag. For example, the McConnell amendment would not apply to the very case (*Texas* v. *Johnson*, 491 U.S. 397 (1989)) in which the Supreme Court struck down flag protection statutes. In that case, Gregory Johnson burned a flag that had been stolen from a bank. He did not burn the flag on Federal property; be burned it in front of city hall as a political protest. Thus, the second and third restrictions of the McConnell amendment (a ban on destroying flags stolen from the United States, and a ban on destroying stolen flags on Federal property) would not have applied. As for the first restriction (a ban on burning a flag when such action could cause imminent violence or a breach of the peace), it is important to note that the Court in *Texas* v. *Johnson* found that unless there was evidence that a riot ensued or threatened to ensue one could not protect the flag under the breach of the peace doctrine.

Second, it seems unlikely that the amendment would survive scrutiny by the U.S. Supreme Court. In response to *Texas* v. *Johnson*, Congress quickly enacted a facially content-neutral, flag-protection statute that it hoped would pass constitutional muster. See Public Law 101–131. On June 11, 1990, in *United States* v. *Eichman* (496 U.S. 310 (1990)), the Supreme Court struck down that law. The Court found the following: ''Although the Flag Protection Act contains no explicit content-based limitation on the scope of prohibited conduct, it is nevertheless clear that the government's asserted interest is 'related to the suppression of free expression,' and concerned with the content of such expression. The Government's interest in protecting the 'physical integrity' of a privately owned flag rests upon a perceived need to preserve the flag's status as a symbol of our Nation and certain national ideas.'' *Id.* at 315–16. If precedent is an accurate guide, it is likely that the Court would reach a similar conclusion if it considered the McConnell amendment.

Finally, as one of the 58 Senate sponsors of S.J. Res. 14, I want to see that resolution receive an up-or-down vote. The sponsors of the amendment and the numerous veterans, patriotic, civic, and religious groups have worked hard to bring the constitutional amendment to a vote.

In closing, I would like to reaffirm my support for S.J. Res. 14. I cannot believe that our Founding Fathers intended ''freedom of expression'' to encompass the willful destruction of our national symbol—the symbol of America that so many of our sons and daughters have given their lives to defend.

Mr. HATCH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 2889.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 36, nays 64, as follows:

[Rollcall Vote No. 45 Leg.]

YEAS—36

Akaka	Durbin	Levin
Bennett	Edwards	Lieberman
Biden	Gorton	McConnell
Bingaman	Graham	Mikulski
Boxer	Harkin	Moynihan
Bryan	Inouye	Murray
Byrd	Jeffords	Nickles
Chafee, L.	Johnson	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Smith (OR)
Dodd	Lautenberg	Torricelli
Dorgan	Leahy	Wyden

NAYS—64

Abraham	Fitzgerald	Murkowski
Allard	Frist	Reed
Ashcroft	Gramm	Reid
Baucus	Grams	Robb
Bayh	Grassley	Roberts
Bond	Gregg	Rockefeller
Breaux	Hagel	Roth
Brownback	Hatch	Santorum
Bunning	Helms	Sessions
Burns	Hollings	Shelby
Campbell	Hutchinson	Smith (NH)
Cleland	Hutchison	Snowe
Cochran	Inhofe	Specter
Collins	Kennedy	Stevens
Coverdell	Kerrey	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
DeWine	Lincoln	Voinovich
Domenici	Lott	Warner
Enzi	Lugar	Wellstone
Feingold	Mack	
Feinstein	McCain	

The amendment (No. 2889) was rejected.

AMENDMENT NO. 2890

The PRESIDING OFFICER. The Senate will now consider amendment No. 2890 to S.J. Res. 14 offered by Senator HOLLINGS. There are 4 minutes equally divided.

Mr. HOLLINGS. Mr. President, my colleagues all acknowledge the need for more and more money each time we come up for election or get into political campaigns.

There has been very little discussion of the actual chase for that money which has corrupted the institution. I hate to say that. When I got here 33 years ago, we would come to work, and Senator Mansfield, the majority leader, would have a vote at 9 o'clock on Monday morning. Senator BYRD did the

same thing as majority leader. We would work throughout the week up until 5 o'clock on Friday. Now Mondays and Fridays are gone. We start on the half day on Tuesdays, and then Wednesdays and Thursdays we all want a window.

There is no window in the Chamber, but there are plenty of windows. You to have get with the dialog, as they call it up here, and that is for the money chase. We used to have the extended Easter break and the Fourth of July, but now we have not only January gone, there are 10 days in February, March, April, 10 days in May, June, the July break, August, the month off, and we are supposed to go home and get money.

If you go to the leader and ask, please call up a bill, it may take 3 or 4 days, he looks at you as if you are loony. Talk about debating, deliberating—this deliberative body has been so corrupted, it can't deliberate. Don't give me this so-called eviscerate the first amendment. Buckley v. Valeo did that. The intent there was that every mother's son, anybody of ordinary means, could offer for the Presidency. What has really happened is that we have taken away the speech of those who are without money. And for those who are millionaires, they can buy the office. In fact, it has stood the intent on its head whereby, instead of forbidding the purchase of the office, we have to buy it. You have to get more money.

I hope we will vote for this constitutional amendment which is neutral. It is not pro or con McCain-Feingold or public financing or whatever it is. It gives the people a chance to vote. All you have to do is look to the primaries we have just gotten through. The people are ready, willing, and able to vote and stop this corruption.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Utah has 2 minutes.

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, we had this constitutional amendment before us in 1997. It only got 38 votes, and it takes 67 votes to change the constitution. Frankly, I am surprised it even got 38 votes. This amendment would essentially repeal a major part of the First Amendment. The Bill of Rights has protected our free speech for over 200 years. We do not need to begin eviscerating it now.

The Washington Post opposes this amendment. Common Cause opposes this amendment. The distinguished Senator from Wisconsin, Mr. FEINGOLD, and others oppose this amendment. This amendment is simply a very bad idea.

I yield the remainder of my time to the Senator from Utah, Mr. BENNETT.

Mr. BENNETT. Mr. President, I congratulate the Senator from South Carolina on his honesty in that he recognizes the proposals with respect to campaign finance reform that have been on this floor are, in fact, unconstitutional. But he seeks to solve the problem with a constitutional amendment, which I think is best summarized in the comment by the Senator from Washington, Mr. GORTON, who said this does not amend the first amendment with respect to political speech, it repeals it.

I don't want to vote in favor of something that could be considered by as careful a scholar as the Senator from Washington as repealing free speech for politicians. We have the same rights, I think, that everyone else should have. For that reason, I ask my colleagues to vote against this amendment.

Mr. HATCH. Mr. President, I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. LIEBERMAN. Mr. President, I rise today to explain my vote on Senator HOLLINGS' proposal to amend the Constitution to allow Congress and the States to impose reasonable limits on contributions and expenditures made to support or oppose candidates for elected office. In this case, I believe that the high threshold I have established for supporting a constitutional amendment—that it address a significant threat to the Republic or some egregious wrong—has been met.

This amendment addresses an unfortunate fact whose truth has become more and more apparent in the past several years: money and the never ending chase for it are threatening the integrity of our political system and jeopardizing the essence of our democracy. Although money has always played a role in American politics, its impact became overwhelming during the last few election cycles. Political fundraising and spending during the 1996 campaign was 73 percent greater than during the 1992 campaign, and there is no reason to believe we won't break that record in 2000. We are all intimately familiar with the time and resources we need to spend to raise that money, and with the numerous questionable events and actions that were spurred by the money chase during the last Presidential election. Most of those events and actions, I have sadly concluded, were legal under our current campaign finance laws. But that does not mean they were not wrong. I think they were. By ensuring that we will be able to put a limit on the amount of money spent in political campaigns, this constitutional amendment would help restore a sense of integrity—and of sanity—to our campaign finance system and to our democracy.

Much of the debate over this proposed amendment centers on what some call its threat to the principle of free speech. That, of course, is a principle we all hold dear. But I say, Mr. President, that free speech is not what is at issue here. Free speech is about the inalienable right all of us have to express our views without government interference. It is about the vision the Framers of our Constitution enshrined in that most important of documents—a vision that ensures that we in Congress will never compromise our American birthright to say things and offer opinions even when those opinions are unpopular or discomforting. But that simply is not at issue here, Mr. President—absolutely nothing in this amendment will do anything to diminish or threaten any American's right to express his or her views about candidates running for office or about any problem or issue in American life.

What would be threatened by this proposed Constitutional amendment, Mr. President, is something entirely different: the ever increasing and disproportionate power those with money have over our political system. As everyone in this chamber knows, the spiraling costs of running for office require all of us to spend more and more time raising money and more and more time with those who give it. We are all far too familiar with events or meetings with elected officials attended only by those who could afford to give $5,000 or $10,000 or even $100,000—sums of money that are beyond the capacity of the overwhelming majority of Americans to give. That, Mr. President, is threatening a principle all of us hold just as dearly as the principle of free speech: the principle of democracy. That sacred principle guides our Republic—it promises that each person has one vote, and that each and every one of us—rich or poor—has an equal right and an equal ability to influence the workings of our government. As it stands now, Mr. President, it is that sacred principle that is under attack and that sacred principle that promises to remain under attack unless we do something to save it. And that something, I submit, is campaign finance reform.

I, for one, believe that most of the campaign finance reform we need can and must be done even without this Constitutional amendment. The Supreme Court, after all, has made quite clear in its decisions that even under its view of money as being equivalent to speech, the Constitution still allows Congress to impose restrictions on the amount that can be contributed to campaigns and parties. This, in my view, means that we have no excuse not to act right now to stop the massive soft money contributions that pose the biggest threat to our system. It is important that we not use the First Amendment as a shield against change because it is clearly constitutional to limit and regulate contributions to political campaigns—including soft money.

What it appears we cannot do under the Supreme Court's rulings is limit the amount of money we and others spend in the course of campaigns unless we adopt convoluted legislation geared toward complying with the Supreme Court's view that money is

speech. I think that the need for reform is so great that it is worth accepting convoluted legislation, but I also think that we should act now to vote for this amendment and so ensure that in the future we will be able to properly regulate campaign spending, thereby controlling the amount of money spent in American political campaigns.

Mr. President, nothing less than the future of our democracy is at stake here. Unless we act to reform our campaign finance system, people with money will continue to have disproportionate influence in our system, people who are not even citizens of the United States will try to use money to influence our government's decisions, the American people will continue to lose faith in our government's institutions, and the genius of our Republic—that it is our citizenship, not our pocketbook, that gives each of us equal power to play a role in our country's governance—that genius will be lost.

Mr. President, it is for that reason that I have concluded that this is one of those rare constitutional amendments that is worth supporting. Our current campaign finance system poses an egregious threat to our Democracy. Big money donations, endless spending and the proliferation of anonymously-funded and often inaccurate attack ads all have had an extraordinarily corrosive and distorting affect on our political system and on the citizenry's view of its role in our Democracy's decisions. I frankly can think of few threats to the Republic greater than one that throws into doubt the integrity and well-functioning of our democratic decision-making process.

Mr. WELLSTONE. Mr. President, I rise today to explain my vote against the Hollings amendment to S.J.Res. 14 which would have amended the Constitution to authorize regulation of contributions to, and spending by, Federal and State candidates.

I am a strong proponent of campaign finance reform. I would even go so far as to say that I view the fight to bar private, interested money from dominating our elections as the core battle that needs to be won if Congress is going to turn its attention to enacting an agenda that put working families before wealthy, entrenched special interests. The campaign finance reform debate may be to the nineties what civil rights was to the fifties and sixties. In fact, let me go a step further and say the campaign finance reform may be the new civil rights watershed.

I do not believe that money equals speech, as some of my colleagues have argued during the debate on the Hollings amendment and in previous debates. The vote is undermined by the dollar. The vote may be equally distributed, but dollars are not. As long as elections are privately financed, those who can afford to give more will always have a leg up—in supporting candidates, in running for office themselves, and in gaining access and influence with those who get elected. We all know this is the way it works. And the American people know it, too.

I laud my colleague's intentions in offering this amendment. No one has pushed harder on campaign finance reform than the junior Senator from South Carolina. But while I have supported the Hollings amendment in the past, I voted against it today. There is now significant momentum at both the federal and state levels to enact campaign finance reform—including public financing of elections, which I believe is critical—in a manner that will pass constitutional muster. These efforts, with hard work and determination, have the best chance of resulting in meaningful, lasting improvements in our election system, and therefore in our democracy.

Amending the Constitution is a long and arduous process. It is rarely successful. I simply do not believe that it is now the best mechanism for achieving reform.

The PRESIDING OFFICER. The question is on the motion to table amendment No. 2890. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 67, nays 33, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—67

Abraham	Fitzgerald	McConnell
Akaka	Frist	Moynihan
Allard	Gorton	Murkowski
Ashcroft	Gramm	Murray
Bennett	Grams	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Schumer
Burns	Hatch	Sessions
Campbell	Helms	Shelby
Chafee, L.	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Conrad	Jeffords	Stevens
Coverdell	Kennedy	Thomas
Craig	Kerrey	Thompson
Crapo	Kohl	Thurmond
DeWine	Kyl	Torricelli
Domenici	Lautenberg	Voinovich
Dorgan	Leahy	Warner
Edwards	Lott	Wellstone
Enzi	Lugar	
Feingold	Mack	

NAYS—33

Baucus	Durbin	Lincoln
Bayh	Feinstein	McCain
Biden	Graham	Mikulski
Bingaman	Harkin	Reed
Boxer	Hollings	Reid
Breaux	Inouye	Robb
Bryan	Johnson	Rockefeller
Byrd	Kerry	Roth
Cleland	Landrieu	Sarbanes
Daschle	Levin	Specter
Dodd	Lieberman	Wyden

The motion was agreed to.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I want to take a moment to thank members of my staff for their hard work on the last two amendments: Tam Somerville, staff director of the Rules Committee; Hunter Bates, general counsel, who works with him; Andrew Siff, Denise Grant, and Nathan Oman who have been deeply involved in the last two amendments. I appreciate the great assistance from Senator BENNETT of Utah.

This is a red letter day for the first amendment. The Hollings amendment had only 33 votes in favor of the amendment. As we all know, it takes 67 votes to approve an amendment to the Constitution. There were 67 votes against this amendment to the Constitution. It is clear that the first amendment is secure for another day, and I thank my colleagues who made that possible.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I ask unanimous consent that I may proceed in morning business for 10 minutes.

Mr. LEAHY. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. And I shall not. What is the parliamentary situation right now?

The PRESIDING OFFICER. The Senate is currently considering S.J. Res. 14.

Mr. SHELBY. I ask it be set aside and that I may proceed in morning business for 10 minutes.

Mr. LEAHY. Again reserving the right to object, and I will not object, will there be any objection then to, at the conclusion of the Senator's morning business speech, we go to the distinguished Senator from Wisconsin who has been waiting to speak on the amendment which is the pending business?

Mr. SHELBY. Absolutely.

Mr. WELLSTONE. Mr. President, I ask my colleague from Vermont, I am waiting to go to another committee, may I follow the Senator from Wisconsin?

Mr. HATCH. Reserving the right to object, is the Senator from Wisconsin just going to speak or is he intending to offer an amendment?

Mr. FEINGOLD. My intent is simply to speak.

Mr. HATCH. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The order will be the Senator from Alabama for 10 minutes, the Senator from Wisconsin, followed by the Senator from Minnesota.

Mr. SHELBY. Mr. President, I thank the Senator from Vermont for his understanding in helping us work this out, and also the Senator from Utah, Mr. HATCH, for his indulgence.

(The remarks of Mr. SHELBY pertaining to the introduction of S. 2304 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, we in the Senate speak today to honor the American flag, the symbol of our Nation. Both those who favor and those who oppose the amendment to the Constitution now pending do so. We all, of course, seek to honor the flag.

I dare say that there is not a Senator among us who does not feel goose bumps when first looking up at the dome of the Capitol and seeing our flag. I would wager that no U.S. Senator fails to get a lump in the throat when standing to the strains of the national anthem. And I am confident that there is none among us whose eyes do not sometimes mist over when watching those seven bars of red and six of white ripple in the breeze and tug at the heart.

But, my colleagues, honoring the flag demands that we here fully and fairly debate this amendment. Amending the Constitution is an undertaking of the greatest import. For the Congress to propose an amendment to the Constitution of the United States on the basis of anything less than a full—even an exhaustive—debate would show less than the full respect due to the flag and the Constitution that it represents.

Honor demands that we view any effort to amend the Constitution with trepidation. Since the adoption of the Bill of Rights in 1791, America has amended its Constitution on only 17 occasions. Our Constitution has served this Nation well and withstood the test of time, in large part because Congress has resisted the urge to respond to every adversity, real or imagined, with a constitutional amendment. We should exercise restraint in amending this great charter.

We honor the American flag because we love ''the Republic for which it stands.'' We honor the banner because we cherish ''one Nation . . . with liberty and justice for all.'' We honor the flag because it represents a Constitution, that solemn commitment; and a Bill of Rights, that charter of liberty; unrivaled in the history of humankind.

Honor demands that we seek to protect not just the flag, but the principles in that Constitution and that Bill of Rights—principles of freedom, opportunity, and liberty. I believe these principles, as much as our Nation's cherished symbols, frame our history and define our Nation. As dearly as we hold the flag, we must hold these principles at least as dearly.

Yes, there have been some handfuls of sociopaths who burn our flag to thrust a firebrand in our eye. The question before us today is: Will the misguided actions of these few misfits cause us to curtail our fundamental principles of freedom?

We would only grant them victory if we allow their despicable acts to goad us into desecrating the greatest protection of individual rights in human history—our Bill of Rights. As Senator BOB KERREY has said:

> Patriotism calls upon us to be brave enough to endure and withstand such an act—to tolerate the intolerable.

Let us show our strength, by not rising to the bait. Let us show our bravery, by not giving the flag burners what they want. Let us show our faith in the strength of this country and its institutions, by not lashing out in anger at those who would defile our flag.

The costs of this amendment would exact a far too great a price to pay. This amendment, if adopted, would criminalize the very acts that the Supreme Court has held to be protected by the first amendment. This amendment would clearly and intentionally erode the Bill of Rights.

This amendment would have an unprecedented, direct, and adverse effect on the freedoms embodies in the Bill of Rights. For the first time in our history, this amendment would employ the Constitution and the Bill of Rights—both premised on the idea of limiting the Government—to limit individual rights, and, in particular, the freedom of speech.

Our former colleague, Senator John Glenn, said it very well last year. He said:

> Our revered symbol stands for freedom, but is not freedom itself. We must not let those who revile our way of life trick us into diminishing our great gift or even take a chance of diminishing our freedoms.

I am very proud to attempt to carry on John Glenn's fight against this ill-advised amendment. The Bill of Rights is too fundamental to our history, too important to our people, and too necessary to our future, for us to do anything else.

Honoring the flag demands that we also question the vagueness of the language of the amendment. Our Constitution Subcommittee heard testimony that the term ''flag of the United States,'' as used in this amendment, is ''problematic'' and so ''riddled with ambiguity'' as to ''war with the due process norm that the law should warn before it strikes.'' Even supporters of the amendment, including former Attorney General William Barr, have acknowledged that the term ''flag'' could mean any of a number of different things. No one can assure us as to what the term ''flag'' will mean other than to suggest it will be up to the governments of particular jurisdictions.

How would the amendment affect flags on T-shirts? How would the amendment affect flags on scarfs? In the memorable example given by the late and revered Senator John Chafee last year, How would the amendment affect a handmade flag rug?

Now the amendment, of course, does not make anything illegal by itself. It simply gives the Congress the power to prohibit the physical desecration of the flag. But the question is still a powerful one. We must still ask: What kind of statute would this amendment insulate from constitutional attack?

Would this amendment permit Congress to enact a statute that would criminalize wearing a T-shirt with a flag on it? Or could Congress criminalize tearing such a T-shirt?

Would the amendment permit Congress to criminalize wearing a scarf with a flag on it? Or could Congress criminalize spitting on such a scarf?

Would this amendment permit Congress to criminalize making a rug with a flag on it? Or could Congress criminalize stepping on such a rug?

More generally, would the amendment allow Congress to enact statutes that permit the prosecution of people based on the views they express when they defile the flag? Consider two cases: In case one, a person smears blood on a flag while screaming protest of U.S. involvement in a foreign war. In case two, another person drips blood on a flag after suffering an injury at a summertime football game. After adoption of this amendment, would it be constitutional to prosecute the one who spoke and not prosecute the other, who did the same thing without speaking?

Here's another example. My colleagues may remember the very exciting victory of the U.S. Women's Soccer team in the Women's World Cup last year. A thrilling moment for sure, and tens of thousands of very patriotic Americans cheered the heroic deeds of the women who represented our country.

That evening, another soccer game was played here in Washington, DC, involving this city's major league soccer team, D.C. United. Many of the same fans who cheered the U.S. women that afternoon turned out to watch the D.C. United soccer team. Some of those fans, seeking to play for the TV cameras and their fellow fans brought a prop, which they unfurled during the game. Here is a picture of it. As you can see, it is an actual flag. It is not a representation or a picture. It is an actual flag of the United States with the words ''Thanks Girls!'' written on it with some type of chalk or marker.

Obviously the people who defaced this flag intended no disrespect to the United States or the flag. They were excited soccer fans, and probably very patriotic Americans. I wonder if the sponsors of this amendment can be sure of the answer to this question: Would the statute that Congress passes to prohibit flag desecration after this constitutional amendment is ratified allow for these people to be prosecuted? I think it is a fair question.

I think most of us would hope not. But how would the police or the prosecutors make that decision? If they look at the message and the beliefs of the people who have written on the flag, isn't that exactly the kind of content discrimination that the first amendment is designed to prohibit? Do we really want the government examining the motives of those who deface the flag to see if they are patriotic or well meaning enough to avoid discrimination?

I don't think so. I think that is what the first amendment is all about: to protect against Government inquiry into a citizen's political beliefs. On the other hand, if we have a completely content-neutral statute and enforcement that does not look at the motives of those who deface the flag, we might

end up prosecuting the excited and patriotic soccer fans shown in this poster. Obviously, I don't think we want that either.

So this example really shows the difficulties with outlawing desecration of the flag. People in this country use the flag to express joy and patriotism as well as opposition to the Government. And the traditions of our country, our respect for free political expression, demands that we not criminalize conduct that we would otherwise accept if it were motivated by patriotism instead of political dissent.

Some people call these kinds of examples ''wacky hypotheticals.'' But we do not have reliable answers to these questions. And when you are talking about amending the Constitution, you have a duty to consider and address hypotheticals. After all, it is not easy to correct a mistaken Constitution. We cannot just, by unanimous consent, pass a technical corrections bill to fix an unintended consequence of a constitutional amendment.

Let me share another case that I witnessed not far from this Senate Chamber. I was eating dinner at the restaurant called ''America'' over in Union Station. We noticed that the menu is colored like a giant American flag. We talked about having to be careful not to spill anything on it and how damaging our menu might be a crime under this amendment. Then we forgot about it and returned to our meal. But just a half hour later, there was a big commotion in the corner of the restaurant, and we turned to see a woman frantically trying to put out a fire that had started when her oversized American flag menu had gotten too close to the small candles on the table.

Now I hope that that woman was not engaged in an angry argument over the Government. But I suppose that is something that the police might have to investigate if this amendment and a statute that it authorized became law. Don't the police have more important things to investigate than whether the burning of a menu might violate the Constitution?

Some have been misled into believing that one can pull a flag off a building, burn it, and be protected by the Constitution. That is simply not true. There are many laws in effect today that prohibit theft, the destruction of federal property, or disturbing the peace. These can and should be used to address the majority of flag burning incidents.

Honoring the flag demands that we listen, as many on both sides of this debate have, to the true American war heroes who have testified to us on this issue. It was particularly inspiring to welcome John Glenn back to the Senate last year. The perspectives of the witnesses before the Judiciary Committee last year were of particular interest to me because they represented the diversity of views on this amendment by the American people, by veterans, and by war heroes. Those who fought and sacrificed for our country and its flag deserve our utmost respect when it comes to this flag amendment. They know well the costs of freedom and democracy, as well as the joys. Some would portray the views of veterans as monolithic, but, as our hearings showed quite plainly: They are not.

Those many veterans who oppose this amendment do so with conviction and power and strength. They know that no one can question their patriotism or love of country. Listen to the words of Professor Gary May of the University of Southern Indiana, who lost both his legs in the Vietnam war, and who testified before the Judiciary Committee last year. Professor May said:

> Freedom is what makes the United States of America strong and great, and freedom, including the right to dissent, is what has kept our democracy going for more than 200 years. And it is freedom that will continue to keep it strong for my children and the children of all the people like my father, late father in law, grandfather, brother, me, and others like us who served honorably and proudly for freedom.
>
> The pride and honor we feel is not in the flag per se. It's in the principles that it stands for and the people who have defended them. My pride and admiration is in our country, its people and its fundamental principles. I am grateful for the many heroes of our country—and especially those in my family. All the sacrifices of those who went before me would be for naught, if an amendment were added to the Constitution that cut back on our first amendment rights for the first time in the history of our great Nation.

The late Senator John Chafee, who as all will recall also served bravely at Guadalcanal and in the Korean war, last year said simply: ''[W]e cannot mandate respect and pride in the flag. In fact, . . . taking steps to require citizens to respect the flag, sullies its significance and symbolism.'' Senator Chafee's words still bring a brisk, cool wind of caution. What kind of symbol of freedom and liberty will our flag be if it has to be protected from protesters by a constitutional amendment?

My friend and constituent Keith Kruel, a World War II veteran and past National Commander of the American Legion, addressed this point quite well in testimony he submitted for the Judiciary Committee last year. He said:

> Freely displayed, our flag can be protected only by us, the people. Each citizen can gaze upon it, and it can mean what our heartfelt patriotic beliefs tell us individually. Government ''protection'' of a Nation's banner only invites scorn upon it. A patriot cannot be created by legislation. Patriotism must be nurtured in the family and educational process. It must come from the heartfelt emotion of true beliefs, credos and tenets.

Senator BOB KERREY, who is in the Chamber at this time, the only Congressional Medal of Honor winner to serve in the Senate in this century, spoke directly to the point when he said: ''Real patriotism cannot be coerced. It must be a voluntary, unselfish, brave act to sacrifice for others.'' I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank Senator FEINGOLD for his statement. I will be relatively brief.

I ask unanimous consent that if other Senators aren't here, Senator KENNEDY be allowed to speak after myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I come to the floor not the first time to announce my opposition to this proposed constitutional amendment, giving power to the Congress and the States to prohibit physical desecration of the flag of the United States.

I wish to speak about this a little bit more personally because I think all of us come to our point based upon real-life experience. My father was a Jewish immigrant born in the Ukraine and who fled persecution from Russia. My mother's family came from the Ukraine as well. As a first generation American on my father's side, I revere the flag and I am fiercely patriotic. I love to see the flag flying over the Capitol. I love to recite the Pledge of Allegiance to the flag. I think it is a beautiful, powerful symbol of American democracy.

What I learned from my parents more than anything else, and from my own family experience as the son of a Jewish immigrant who fled czarist Russia, is that my father came to the United States because of the freedom—the freedom we have as American citizens to express our views openly, without fear of punishment.

I am deeply impressed with the sincerity of those who, including Senator HATCH, favor this constitutional amendment. I am impressed with the sacrifice and patriotism of those veterans who support this constitutional amendment. I think in the veterans community there certainly are differences of opinion. I do not question their sincerity or commitment at all.

It is with a great deal of respect for those with whom I disagree, including some members of the American Legion, that I oppose this amendment. I oppose it because, to me, it is ultimately the freedom that matters the most. To me, the soul of the flag, as opposed to the physical part of the flag, is the freedom that it stands for, the freedom that my parents talked about with me, the freedom that all of us have to speak up. I do not want to amend the Bill of Rights for the first time in its 209 years of existence. I don't want to amend the first amendment, the founding principle of freedom of speech from which all other freedoms follow.

I want to very briefly read from some of what our Justices have had to say because I think they say it with more eloquence than I could. In Texas v. Johnson, an opinion written by Justice Brennan, joined by Justices Marshall, Blackmun, Scalia, and Kennedy—and I note this is a diverse group of judges we are talking about—they said:

If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable. . . . The way to preserve the flag's special role is not to punish those who feel differently about these matters. It is to persuade them that they are wrong. . . . We do not consecrate the flag by punishing its desecration, for in doing so we dilute the freedom that this cherished emblem represents.

If freedom of speech means anything, I think it means protecting all speech, even that speech which outrages us. I have no use for those who desecrate the flag. Speech that enjoys widespread support doesn't need any protection. As the great Justice Oliver Wendell Holmes pointed out, freedom of speech is not needed for popular speech, but instead it is for the thought that we hate, the expression threatened with censorship or punishment.

I quote from General Powell's letter. He has been quoted several times, but it is too eloquent to pass up:

We are rightfully outraged when anyone attacks or desecrates our flag. Few Americans do such things and when they do they are subject to the rightful condemnation of their fellow citizens. They may be destroying a piece of cloth, but they do no damage to our system of freedom which tolerates such desecration. . . . I would not amend that great shield of democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

Our late and dear friend and colleague, Senator Chafee, who was a highly decorated soldier in two wars wrote:

We cannot mandate respect and pride in the flag. In fact, in my view, taking steps to require citizens to respect the flag sullies its significance and its symbolism.

Finally, my colleague from Wisconsin mentioned Senator Glenn, another real American hero. Senator Glenn said:

Without a doubt, the most important of those values, rights and principles is individual liberty: the liberty to worship, to think, to express ourselves freely, openly and completely, no matter how out of step these views may be with the opinions of the majority.

That is the first part of my presentation—just to say that I love this flag. I think when you have the family background I have, you are fiercely patriotic. I love this country. My mother and father are no longer alive, but I still think they know I am a Senator. They weren't alive when I was elected. It would mean everything in the world to them. But, to me, the real soul of the flag, going beyond the physical presence of the flag, is the freedom that the flag stands for. I don't think we should give up on that freedom. I don't think we should amend the first amendment to the Constitution. I think it would be a profound mistake. I say that out of respect for those who disagree with me in the Senate. I say it out of respect for those in the veterans community who disagree with me.

Mr. KENNEDY. Mr. President, once again we are debating whether to amend the Constitution to prohibit flag burning. Flag burning is a vile and contemptuous act, but it is also a form of expression protected by the first amendment. Surely we are not so insecure in our commitment to freedom of speech and the first amendment that we are willing to start carving loopholes now in that majestic language.

I strongly oppose the constitutional amendment we are debating today. The first amendment is one of the great pillars of our freedom and democracy. It has never been amended in over 200 years of our history, and now is no time to start. There is not even a plausible factual basis for carving a hole in the heart of the first amendment. There is no significant problem.

Flag burning is exceedingly rare. Published reports indicate that fewer than 10 flag burning incidents have occurred a year since the Supreme Court's decision in Texas v. Johnson in 1989 on the first amendment. Over the last 5 years, there was only one such incident in Massachusetts. This is hardly the kind of serious and widespread problem in American life that warrants an assault on the first amendment. Surely there is no clear and present danger that warrants such a change. This proposal fails the reality test.

The Constitution is not a billboard on which to plaster amendments as if they were bumper sticker slogans. In this Congress alone, over a dozen constitutional amendments have been introduced. With every new proposed amendment, we undermine and trivialize the Constitution and threaten to weaken its enduring strength.

I remember listening to a speech given by Justice Douglas, one of the great Supreme Court Justices of this century. Students asked him: What was the most important export of the United States? He said, without hesitation: The first amendment because it is the defining amendment for the preservation of free speech as the basic and fundamental right in shaping our Nation.

Clearly, it would be a mistake of historic proportions for this Congress to make the first alteration to the first amendment in more than two centuries. The first amendment breathes light into the very concept of our democracy. It protects the freedoms of all Americans, including the fundamental freedom of citizens to criticize their government and the country itself, including the flag.

As the Supreme Court explained in Texas v. Johnson, it is a bedrock principle underlying the first amendment that the Government may not prohibit the expression of an idea simply because the society finds the idea itself offensive and disagreeable.

No one in the Senate condones the act of flag burning. We all condemn it. The flag is a symbol that embodies all that is great and good about America. It symbolizes our patriotism, our achievements, and, above all, our respect for our freedoms and our democracy. We do not honor the flag by dishonoring the first amendment.

Gen. Colin Powell agrees with our opposition to this proposed amendment. He has told us in reaching this decision he was inspired by the words of James Warner, a former marine aviator, who was a prisoner in North Vietnam between 1967 and 1973. As James Warner wrote in 1989: It hurts to see the flag being burned, but I part company with those who want to punish the flag burners. In one interrogation, I was shown a photograph of American protesters burning a flag. There, the officer said: People in your country protest against your cause. That proves you are wrong. No, I said, that proves that I am right. In my country we are not afraid of freedom, even if it means that people disagree with us.

The officer was on his feet in an instant, his face purple with rage. He smashed his fist onto the table and screamed at me to shut up. While he was ranting, I was astonished to see pain, compounded by fear, in his eyes. I have never forgotten that look, nor have I forgotten the satisfaction I felt in using his tool, the picture of the burning flag, against him.

That says it all. We respect the flag the most, we protect it the best, and the flag itself flies the highest when we honor the freedom for which it stands.

I urge my colleagues to vote against this misguided constitutional amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, at least the Senator is consistent because he opposes both the McConnell amendment and the flag amendment.

Having made that point, of the 36 Senators who voted for the McConnell ''statutory fix,'' shall we call the proposal, 30 are opponents of the flag-protection amendment. These 30 Senators apparently believe that some flag desecration should be prohibited. Voting for McConnell makes their first amendment arguments a mockery.

At least the distinguished Senator from Massachusetts is consistent, because the McConnell amendment says, one, that flag desecration on Federal land with a stolen flag should be prohibited; two, damaging a flag belonging to the United States will be prohibited; or three, desecrating a flag intending to promote violence should be prohibited.

It reminds me of 1989 when a high percentage of Senators in this body, who claim to be against the constitutional amendment to prohibit desecration of our beloved flag, voted for the statutory anti-flag-desecration amendment.

If first amendment rights hold with regard to this constitutional amendment, that it would violate first amendment rights, then why wouldn't it have violated first amendment rights with regard to any statute that would prohibit desecration?

I think anyone can see the game that is going on; that is, that some of the folks wouldn't vote to protect the flag no matter what happens because they know the flag desecration amendment or a statutory amendment is not going to protect our flag because it will be stricken down as unconstitutional. I predicted it in both cases where the Supreme Court has stricken it down.

If one agrees that flag desecration is wrong, why limit it to these circumstances provided in the McConnell amendment? Why should it be legal to burn a flag in front of a crowd who loves flag desecration, or on television where people are at a safe distance, yet make it illegal to burn a flag in front of people who would be upset by that act? Why make it illegal to burn a Post Office flag but not a flag belonging to a hospital across the street? Why make it illegal for a lone camper to burn a flag in a campfire at a Yellowstone park, when it is legal to burn a flag before hundreds of children at a public school under current law?

To anyone interested in protecting the flag, these distinctions make no sense. That is what is amazing to me. There is such inconsistency. I personally believe that it is the elitist position that calls the 80 percent of Americans who believe we should sustain the dignity of our flag, of our national symbol, that we are somehow Neanderthals, the 80 percent of the people in this country who want to protect our national symbol from acts of physical desecration.

The funny thing about it, this amendment does not even do that. All this amendment does is restore the power to the Congress of the United States to be able to pass a statute if the Congress so chooses, something that we have to do by constitutional amendment if we want to be coequal with the judicial branch of Government.

Opponents of the constitutional amendment argue that this would be an unprecedented infringement on the freedom of speech, which does not satisfy James Madison's counsel that amendments of the Constitution should be limited to ''certain great and extraordinary circumstances.'' Setting aside the fact that flag desecration is conduct, not speech, and that our freedom of speech is not absolute, these critics never fully address the fact that our Founding Fathers, James Madison in particular, saw protection of the flag as falling outside the scope of the first amendment and was more a matter of protecting national sovereignty. The original intent of the Nation's founders indicates the importance of protecting the flag as an symbol of American sovereignty. Madison and Jefferson consistently emphasized the legal significance of infractions on the physical integrity of the flag.

For example, one of Madison's earliest pronouncements concerned an incident in October 1800 when an Algerian ship forced a U.S. man of war—the *George Washington*—to haul down its flag and replace it with the flag from Algiers. As Secretary of State under Thomas Jefferson, Madison pronounced such a situation as a matter of international law, a dire invasion of sovereignty which ''on a fit occasion'' might be ''revised.''

Madison continued his defense of the integrity of the flag when he pronounced an active flag defacement in the streets of an American city to be a violation of law. On June 22, 1807, when a British ship fired upon and ordered the lowering of an American frigate's flag, Madison told the British Ambassador ''that the attack . . . was a detached, flagrant insult to the flag and sovereignty of the United States.'' Madison believed that ''the indignity offered to the sovereignty and flag of the Nation demands. . .an honorable reparation.'' Madison's statements suggests his belief that protecting the physical integrity of the flag ensured the protections of the Nation's sovereignty.

This is the author of the Constitution. We have these people inconsistently voting for statutes—twice in the last 11 years—that are unconstitutional, that would, I suppose if you take their arguments on the floor, denigrate the first amendment to the Constitution. If this constitutional amendment is denigrating it, why isn't the statute they voted for denigrating it as well?

Madison did not conclude, as some defenders of the right to deface the flag contend, that the first amendment protected the rights of Americans to tear down a flag or that defacing the flag was a form of expression protected by the first amendment. On the contrary. It would appear that Madison had an intimate familiarity with the significance of protecting the physical integrity of the flag, especially as such protection related to the first amendment, which he helped draft and move through the First Congress. He knew there had been no intent to withdraw the traditional physical protection from the flag.

Madison and Jefferson intended for the Government to be able to protect the flag consistent with the Bill of Rights. This was based on their belief that obtaining sovereign treatment was distinct from an interest in protecting against the suppression of expression. Madison and Jefferson consistently demonstrated that they sought commerce, citizenship, and neutrality rights through the protection of the flag. They did not seek to suppress the expression of alternative ''ideas,'' ''messages,'' ''views,'' or ''meanings.''

Although it is commonly asserted that Congress has never sent an amendment to the States to amend the Bill of Rights, this assertion is absolutely false. Even if you assume this amendment would lead to a violation of first amendment rights, it is absolutely false to think the Congress has never sent an amendment to the States to amend the Bill of Rights. Yet the Bill of Rights has been amended in some form on several occasions. For example, the 13th amendment amended the 5th amendment as interpreted in Dred Scott v. Sanford, to provide that the former slaves were not property subject to the due process clause, but were free men and women.

Further, the 14th amendment was interpreted in Bolling versus Sharpe, to have effectively amended the due process clause of the 5th amendment to apply equal protection principles to the Federal Government.

Moreover, in Engel versus Vitale, the Supreme Court circumscribed the 1st amendment rights of American school children by holding that the establishment clause precluded prayer in the public schools.

Each of these constitutional changes substantially modified the rights and correlative duties of affected parties from those originally envisioned by the Framers of the Bill of Rights. The change effected by the Engel versus Vitale decision did not expand rights, but restricted them by taking away the right of children to pray at school.

Further, there have always been numerous limits on free speech. We limit libelous and defamatory speech. We limit speech that constitutes ''fighting words.'' We limit speech that consists of falsely shouting ''fire'' in a crowded theater. We limit speech that is obscene. We limit speech that jeopardizes national security. And each of these limits balances an important governmental interest in protecting against an individual's right to engage in radical or dangerous speech.

Thus, the Bill of Rights has been amended numerous times and has consistently been interpreted to include limits on speech. The long legal tradition of accepting regulation of physically destructive conduct toward the flag is consistent with these limits that balance society's interest in promoting respect for the nation with an individual's interest in sending a particular message by means of desecrating our beloved flag. The proposed amendment would effect a much smaller change than the other amendments listed and a much narrower limit on speech than the other limits mentioned. The amendment would simply restore the traditional right of the people to protect the physical integrity of their flag, something that existed 200 years before the Supreme Court struck it down. Protestors would still be free to speak their opinions about the flag at a rally, write their opinions about the flag to their newspaper, and vote their opinions at the ballot box.

Most of the American people, men and women, black, brown, and white, support the flag protection amendment and 49 State legislatures have asked for the flag protection amendment. Accordingly, I believe we should send the flag protection amendment to the States for ratification.

The argument that we have never amended the Bill of Rights or limited

speech is absurd; it is false, and, in any event, the flag protection amendment would change only the results of a few recent court decisions to restore the true meaning of the Bill of Rights as ratified by our forefathers.

This proposed amendment recognizes and ratifies our Founding Fathers' view—and the constitutional law that existed for nearly 200 years—that the American flag is an important and unique incident or symbol of our national sovereignty. As Americans, we display the flag in order to signify national ownership and protection. The Founding Fathers made clear that the flag, and its physical requirements, related to the existence and sovereignty of the United States and that desecration of the flag were matters of national concern that warranted government action.

This same sovereignty interest does not exist for our national monuments or our other symbols. While they are important to us all, the flag is unique. It is flown over our ships and national buildings. We took the flag to, and planted it for eternity, on the Moon. We carry it into battle. We salute it and pledge allegiance to it. Men and women have died for it and have been tortured for their fidelity to it.

Senator MCCAIN, in appearing before our committee, told of one of the experiences he had when he was in the Hanoi prison with others of our men. He said there was a young man who literally could not afford shoes. He had no shoes until he was 13 years of age. He was raised in poverty. But when he joined the military, he stood out as a really fine human being, and ultimately he went to officer's candidate school.

Flying over Vietnam, he was shot down. When he arrived in the Hanoi prison, if I recall it correctly, he took a bamboo needle and he knitted together little bits of cloth to make an American flag, and he put it inside his shirt. Every night, he would bring out that flag and put it on the wall, and they would all salute and pledge allegiance to it. It was one of the things that kept them from going insane.

One day his captors found him with that flag and took him outside and beat him within an inch of his life. Of course, they took his flag from him. Then they tossed his broken and bleeding body inside the compound which had a concrete slab in the middle. Senator MCCAIN may tell this story because he can tell it better than I can having been there. I think it is worthwhile to retell it.

Senator MCCAIN said they picked him up and cleaned him up as best they could in those very tragic circumstances. He was all black and blue with his eyes shut from having been beaten. They had incandescent light bulbs on all day long, every day, and all night long, every night. As they all went to sleep, suddenly Senator MCCAIN looked up and here was this young military man sitting there with another bamboo needle getting little bits of cloth to make another American flag.

To be honest with you, that flag meant an awful lot to those people who were under those very terrible circumstances. It means a lot to me.

Opponents of this proposed constitutional amendment argue this would be an unprecedented infringement on the freedom of speech which does not satisfy James Madison's counsel that amendments to the Constitution should be limited to ''certain great and extraordinary circumstances.''

Setting aside the fact that flag desecration is conduct not speech and that our freedom of speech is not absolute, what these critics never fully address is the fact that our Founding Fathers, James Madison in particular, saw protection of the flag as falling outside the scope of the first amendment and was more a matter of protecting national sovereignty. The original intent of the Nation's founders indicates the importance of protecting the flag as an incident of American sovereignty. Madison and others did that.

We took this flag, as I said, and planted it for eternity on the Moon. We carry it into battle. We salute it and pledge allegiance to it. Men and women have died for it and have been tortured for their fidelity to it. As Americans we recognize and believe that the flag is our unique symbol of unity and sovereignty. As Madison noted, the flag is a unique incident which, when desecrated, ''demands an honorable reparation.''

That was how we viewed it—as a people, as a nation—until 1989 when the Court handed down its 5–4 decision in the Johnson case. Are we really going to stand here on the floor of the Senate and pretend that the law never was as it was? Does anyone here believe that two narrow Supreme Court decisions should settle whether we as a nation should and can safeguard our symbol of sovereignty?

There are opponents to S.J. Res. 14 who argue that our flag—this incident of sovereignty—is not important enough to amend the Constitution; that amending the Constitution requires a ''great and extraordinary occasion.'' Tell that to the young man in Vietnam. For reasons I have stated, the Supreme Court's decisions in the Johnson and Eichman cases—decisions which overturned centuries of law and practice—more than meets Senator LEAHY's test. Senator KERREY's test, and others. It certainly meets it more than the 27th amendment which dealt with pay raises for members of Congress or the 16th amendment which gave Congress the power to impose an income tax. I can understand why some in Congress would view the 16th amendment as one of Congress' finest moments, not that I ever have. In fact, my State of Utah was one of only three States to reject the 16th amendment.

The flag amendment presents this Congress with an opportunity to do something great and extraordinary. It is anything but an abdication of responsibility. Indeed, one could argue that, failure to vote for this amendment is an abdication of our responsibility and that restoring the power of Congress the power to prohibit acts of desecration against our symbol of national sovereignty would be a great and extraordinary occasion.

Mr. DORGAN. Ten years ago the U.S. Supreme Court in a 5–4 decision struck down a Texas flag protection statute on the grounds that burning an American flag was ''speech'' and therefore protected under the First Amendment of the Constitution. I disagreed with the Court's decision then and I still do. I don't believe that the act of desecrating a flag is an act of speech. I believe that our flag, as our national symbol, can and should be protected by law.

In the intervening years since the Supreme Court decision I have twice supported federal legislation that would make flag desecration illegal, and on two occasions I voted against amendments to the Constitution to do the same. I voted that way because, while I believe that flag desecration is despicable conduct that should be prohibited by law, I also believe that amending our Constitution is a step that should be taken only rarely and then only as a last resort.

In the past year I have once again reviewed in detail nearly all of the legal opinions and written materials published by Constitutional scholars and courts on all sides of this issue. I pledged to the supporters of the Constitutional amendment that I would reevaluate whether a Constitutional amendment is necessary to resolve this issue.

From my review I have concluded that there remains a way to protect our flag without having to alter the Constitution of the United States. I joined Senators BENNETT, MCCONNELL and CONRAD today to introduce legislation that I believe accomplishes that goal.

The bill we offered today protects the flag but does so without altering the Constitution and a number of respected Constitutional scholars tell us they believe this type of statute will be upheld by the U.S. Supreme Court. This statute protects the flag by criminalizing flag desecration when the purpose is, and the person doing it knows, it is likely to lead to violence.

Supporters of a Constitutional amendment are disappointed I know by my decision to support a statutory remedy to protect the flag rather than support an amendment to the U.S. Constitution. I know they are impatient to correct a decision by the Supreme Court that they and I believe was wrong. I have wrestled with this issue for so long and I wish I were not, with my decision, disappointing those, including many of my friends, who passionately believe that we must amend the Constitution to protect the flag.

But in the end I know that our country will be better served reserving our attempts to alter the Constitution only for those things that are ''extraordinary occasions'' as outlined by President James Madison, one of the authors of the Constitution, and only in circumstances when it is the only remedy for something that must be done.

More than 11,000 Constitutional amendments have been proposed since our Constitution was ratified. However, since the ratification of the Bill of Rights in 1791 only 17 amendments have been enacted. These 17 include three reconstruction era amendments that abolished slavery, and gave African-Americans the right to vote. The amendments included giving women the right to vote, limiting Presidents to two terms, and establishing an order of succession in case of a President's death or departure from office. The last time Congress considered and passed a new Constitutional amendment was when it changed the voting age to 18, more than a quarter of a century ago. All of these matters were of such scope they required a Constitutional amendment to be accomplished.

However, protecting the American flag can be accomplished without amending the Constitution, and that is a critically important point.

Constitutional scholars, including those at the Congressional Research Service, the research arm of Congress, and Duke University's Professor William Alstyne, have concluded that this statute passes Constitutional muster, because it recognizes that the same standard that already applies to other forms of speech applies to burning the flag as well. This is the same standard which makes it illegal to falsely cry ''fire'' in a crowded theater. Reckless speech that is likely to cause violence is not protected under the ''fighting words'' standard, long recognized by the Supreme Court of the United States.

I believe that future generations—and our founding fathers—would agree that it's worth the effort for us to find a way to protect our flag without having to wonder about the unintended consequences of altering our Constitution.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise in strong support of S.J. Res. 14, a proposed constitutional amendment to protect our national flag from physical desecration.

S.J. Res. 14 would give Congress, and Congress alone, the authority to draft a statute to protect the flag. It would give Congress the opportunity to construct, deliberately and carefully, precise statutory language that clearly defines the contours of prohibitive conduct.

At the outset, let me say that amending the Constitution is serious business, indeed. I know that, and I know we need to tread carefully. The Constitution is, after all, democracy's sacred text. But the Constitution is also a living text. As originally conceived, it had no Bill of Rights. In all, it has been amended 27 times.

If the Constitution is democracy's sacred text, then the flag is our sacred symbol. In the words of Supreme Court Justice John Paul Stevens, it is ''a symbol of our freedom, of equal opportunity, of religious tolerance, and of good will for other peoples who share our aspirations.'' [dissenting opinion in *Texas* v. *Johnson*, 491 U.S. at 437 (1989)]

If the flag had no symbolic value, we would not get chills when we see it lowered to half-mast or draped on a coffin. We wouldn't feel so much pride when we see it flying in front of our homes or at our embassies abroad. I wonder, is there any of us who can forget that wonderful Joe Rosenthal photograph of the six Marines hoisting that flag on the barren crag of Mount Suribachi, after the carnage at Iwo Jima, where over 6,800 American soldiers were killed. There have been many photographs of soldiers. There has been no photograph I know of that so endures in our mind's eye, that has carried so much symbolism, as that one. I remember seeing it because the San Francisco Chronicle ran it on the front page during World War II. I was just a small child, but from that point on, I knew the flag was something special.

People speak metaphorically about the fabric of our society and how it has become frayed. I submit that in a very real sense, our flag is the physical fabric of our society, knitting together disparate peoples from distant lands, uniting us in a common bond, not just of individual liberty but also of responsibility to one another. As such, the flag is more precious to us, perhaps, than we may even know.

The flag flies over government buildings throughout the country. It flies over our embassies abroad, a silent but strong reminder that when in those buildings, one is on American soil and afforded all the protections and liberties enjoyed back home.

Constitutional scholars as diverse as Chief Justices William Rehnquist and Earl Warren and Associate Justices Stevens and Hugo Black have vouched for the unique status of the national flag. In 1974, Byron White said:

> It is well within the powers of Congress to adopt and prescribe a national flag and to protect the unity of that flag. . . [T]he flag is an important symbol of nationhood and unity, created by the Nation and endowed with certain attributes.'' [Smith v. Goguen, 415 U.S. at 585–87 (1974)]

Justice White continued, ''[T]here would seem to be little question about the power of Congress to forbid the mutilation of the Lincoln Memorial or to prevent overlaying it with words or other objects. The flag is itself a monument, subject to similar protection.''

I could not agree more with the opinion of Justice White: ''The flag is itself a monument, subject to similar protection.'' Since that time, unfortunately, a narrow majority of the Supreme Court has now ruled twice that this great symbol of our national unity is not protected under the Constitution. So that is why we are here today, to begin the process of protecting the flag, which is a symbol of all the protections we are afforded as Americans and all the liberties we enjoy.

The flag flying over our Capitol Building today, the flag flying over my home in San Francisco, each of these flags, separated by distance but not in symbolic value, is its own monument to everything America represents. It should be protected as such.

Our history books are replete with stories of American soldiers who were charged with the responsibility of leading their units into battle by carrying our Nation's flag. To them, it was more than a task, it was an honor worth dying for, and many did. When one soldier would fall, another would take his place, raise the flag, and press forward. They would not fail. Their mission was too important, the honor too great, flag and country too respected to give anything short of the last full measure of their devotion, their lives, to succeed.

The American flag is a revered object as well as a national symbol. Indeed, it is our monument in cloth. I believe it should be viewed as such, and not simply as something that serves as one of many vehicles for free speech.

Everything about the flag—its tangible form, its very fabric—has significance. The shape, the colors, the dimensions, and the arrangement of the pattern help make the flag what it is. The colors were chosen at the Second Continental Congress in 1777. We all know them well: Red for heartiness and courage; white for purity and innocence; blue for vigilance, perseverance, and justice.

Moreover, our flag is recognized as unique not only in the hearts and minds of Americans but in our laws and customs as well. No other emblem or symbol in our Nation carries with it such a specific code of conduct and protocol in its display and handling.

For example, Federal law specifically prescribes that the flag should never be displayed with its union down, except as a signal of dire distress or in instances of extreme danger to life or property. When a flag is flown upside down, it is in fact a signal of distress.

The U.S. flag should never touch anything beneath it: neither ground, floor, water, or merchandise. The U.S. flag should never be dipped to any person or thing. And the flag should never be carried horizontally but should always be carried aloft and free.

Why, then, should it be permissible conduct to burn, to desecrate, to destroy this symbol, this emblem, this national monument? That is not my definition of free speech.

For the first two centuries of this Nation's history, that was not the Supreme Court's definition of free speech

either. In fact, until the Court's 1989 decision in Texas v. Johnson, 48 of the 50 States had laws preventing burning or otherwise defacing our flag.

As I said at the outset, I don't take amending the Constitution lightly. But when the Supreme Court issued the Johnson decision and the subsequent United States v. Eichman decision [496 U.S. 310 (1990)], those of us who want to protect the flag were forced to find an alternative path.

In the Johnson case, the Supreme Court, by a 5–4 vote, struck down a State law prohibiting the desecration of American flags in a manner that would be offensive to others. The Court held that the prohibition amounted to a content-based regulation. By design, at least according to the Court, the lawfulness of Johnson's conduct could only be determined by the content of his expression. As a result, the Texas statute could not survive the strict scrutiny required by legal precedent, so the Court struck it down.

After the Johnson case was decided, Congress passed the Flag Protection Act of 1989. That Act prohibited all intentional acts of desecrating the American flag and was, therefore, not a content-based prohibition on speech or expression. Nevertheless—and this is the point why a statute won't do—another narrow majority of the Supreme Court acted quickly to strike down the Federal statute as well, ruling that it suffered the same flaw as the Texas statute in the Johnson decision and was consequently inconsistent with the First Amendment. That 5–4 decision makes today's discussion necessary.

I support S.J. Res. 14 because it offers a way to return the Nation's flag to the protected status it deserves. The authority for a nation to protect its central symbol of unity was considered constitutional for two centuries. It was only a decade ago that a narrow majority of the Supreme Court told us otherwise.

It is important to point out that S.J. Res. 14 is not intended to protect ephemeral images or representations of the flag but only the physical flag itself. In other words, this amendment is not intended to restrict the display of images of the American flag on articles of clothing, patches, or similar items. This amendment would only protect the flag itself.

Because we are protecting our national symbol, it makes sense to me that Members of Congress, representing the Nation as a whole, should craft the statute protecting our flag.

I also believe the amendment is consistent with free speech. I disagree with those who say we are making a choice between trampling on the flag and trampling on the first amendment. Protecting the flag, circumscribing certain conduct, will not prevent people from expressing their ideas through other means in the strongest possible terms.

I support this amendment because I believe flag burning is content, not speech, and can be regulated as such. But to my friends who would argue otherwise, I remind them that even the right to free speech is not unrestricted. For example, the Government can prohibit speech that threatens to cause imminent tangible harm, including face-to-face ''fighting words'', incitement to violate our laws, or shouting ''fire'' in a crowded theater. Obscenity and false advertising are not protected under the first amendment, and indecency over the broadcast media can be limited to certain times of day.

Even Justice William Brennan's decision in New York Times Co. v. Sullivan [376 U.S. 253 (1964)] accepted that some speech (in that case, known false statements criticizing official conduct of a public official) may be sanctioned.

There is much that is open to debate about the proper parameters of free speech. In the dissent to the 1990 Eichman case, Justice Stevens wrote that certain methods of expression may be prohibited if three criteria can be met:

First, the prohibition must be supported by a legitimate societal interest unrelated to the ideas the speaker desires to express. I believe protecting the flag meets the first test. It does not matter why an individual chooses to desecrate a flag—all desecration is equally prohibited.

Second, the speaker must be free to express his or her ideas through other means. Again, a law protecting the flag does nothing to keep an individual from expressing his or her views through speech or countless other activities.

Third, societal interest must outweigh the ability of an individual to choose among every possible form of speech. In this case, I believe the significance of the flag—its value as a symbol of freedom and democracy throughout the world, its ability to bring us together as a nation, and the effect its destruction has on many Americans—clearly outweighs the need to protect an individual's ability to express his or her views in every conceivable way.

Is anyone here convinced that desecrating a flag might be the only way for someone to express an opinion?

I recognize that by supporting a constitutional amendment to protect the flag, I am choosing a different course from many of my fellow Democrats in Congress and, quite frankly, from many of my close friends for whom I have the greatest respect. But my support for this amendment reflects my broader belief that the time has come for the Nation to begin a major debate on its values. We need to ask ourselves what we hold dear—is there anything upon which we will not cast our contempt?

How can we foster respect for tradition as well as ideological diversity? How can we foster community as well as individuality? These are all important values, and we must learn to reconcile them. We must not advance one value at the expense of another.

The framers of the Constitution recognized two important elements in our constitutional tradition—liberty and responsibility. Without responsibility, without the rule of law, there could be no protection of life, limb, or property—there could be no lasting liberty. I believe there is a danger in moving too far in either direction—toward too restrictive order, or toward unfettered individual liberty.

The key is the balance. In this instance, I believe we cannot tilt the scales entirely in favor of individual rights when there exists a vast community of people in this country who have gone to war for our flag.

There are mothers and fathers, wives, husbands, and children who have received that knock on their front door and have been told their son or daughter, husband or wife, father or mother has been killed in the line of duty. They have been given a flag on this occasion, a flag which helps preserve the memory of their loved one and which speaks to his or her courage. That is the symbol, that is the emblem, that is the national monument.

Requiring certain individuals to stop defacing or burning the flag, I think, is a very small price to pay on behalf of millions of Americans for whom the flag has deep personal significance.

Less than a decade ago, when 48 States had laws against flag burning, there was no less free speech. And if this amendment is adopted, the First Amendment will continue to thrive. I believe S.J. Res. 14 will protect the integrity of the flag and keep our First Amendment jurisprudence intact.

While expressing my support for S.J. Res. 14, I briefly want to explain why I oppose the amendment my colleague from Kentucky, Mr. MCCONNELL, offered. His amendment, derived from the text of S. 982, would have had the effect of replacing the constitutional language with statutory language.

However well-intentioned and earnest the Senator was in offering the amendment, I believe it was flawed. The Supreme Court, following its rulings in Texas v. Johnson and U.S. v. Eichman, would certainly strike it down as violative of the First Amendment. We have been down this road before.

The Johnson and Eichman decisions stipulate that neither Congress nor the States may provide any special protection for the flag. In both decisions, the Court made it clear that special legal protections for the American flag offend the Court's concept of free speech. Because the Court views the flag itself as an object of symbolic speech and not as a monument, any conduct taken with regard to the flag constitutes protected expression, as well. So we cannot overrule such a notion with a statute. That is why, clearly and simply, we need a constitutional amendment. And that is why I stand today to support that amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, am I correct that the Senate is not operating under a time agreement?

The PRESIDING OFFICER. That is correct.

Mr. LEAHY. Mr. President, I note that even without a time agreement, we have had a good debate. Senators on both sides of the issue have spoken. We have had practically no quorum calls. We should have debate like this where Senators can speak.

I see two of the most distinguished veterans of the Vietnam war on the floor, the distinguished Senator from Nebraska, Mr. KERREY, and the distinguished Senator from Virginia, Mr. ROBB. Both are highly decorated veterans of that war.

I ask unanimous consent that I be able to yield to the Senator from Nebraska, and then upon completion of his statement, that he be able to yield to the Senator from Virginia.

Mr. HATCH. Mr. President, reserving the right to object.

Mr. LEAHY. I withhold the request so the Senator from Utah can speak.

Mr. HATCH. Reserving the right to object, as I understand it, the Senate has to go out at about 5:30.

Mr. LEAHY. I renew the request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nebraska.

Mr. KERREY. Supporters of this amendment are winning converts. Each election cycle seems to bring them closer to the 67 votes they need to send this 17-word amendment to the States for their ratification. And 49 legislatures have already indicated they would ratify this amendment if Congress were to take this action.

Mr. President, these 17 words would make it constitutional for Congress to pass a law giving the government the power to prohibit the physical desecration of the flag of the United States of America.

Let me say at the beginning that I have deep respect for those who have views that are different from mine. The Senator from California spoke very eloquently in favor of this amendment. I have heard the distinguished Senator from Utah, indeed, submit a personal appeal for me to reconsider my views on this issue. I have a great deal of respect for the purpose of this amendment. I especially pay tribute to the U.S. American Legion. These patriots have done more than any others to help young Americans understand that freedom is not free.

I have had the honor, through 16 years of public service, to experience what the American Legion and other service organizations have done, but especially the American Legion and the Girl's State and Boy's State organizations, taking on the people who do not understand the history and the story of the United States of America. They teach them that story, that history, and they teach them to require the respect necessary to be a good citizen. It is the value they add to our community that is immeasurable.

I have listened with an open mind to their appeals that I support this amendment. Regretfully and respectfully, I must say no.

I fear the unintended consequence of these 17 words and the laws that may be enacted later will be far worse than the consequences of us witnessing the occasional and shocking and disgusting desecration of this great symbol of liberty and freedom.

Mr. President, real patriotism cannot be coerced. It must be a voluntary, unselfish, brave act to sacrifice for others. When Americans feel coercion, especially from their Government, they tend to rebel. So none of us should be surprised if one unintended consequence of the laws that prohibit unpopular activity such as this is an actual increase in the incidence of flag desecration.

Another unintended consequence of this amendment will be the diversion of police resources from efforts to protect us from dangerous crime. Nobody should underestimate that this fact will happen. The efforts to protect us from those who desecrate the flag will require the training of police officers on when and where to respond to complaints.

Mr. President, we pass the laws, but others must implement and enforce them. They will receive complaints about neighbors and friends or people who desecrate the flag. The police will have to respond to every one of them. These laws will give the power of the Government to local law enforcement agencies to decide when some individual is desecrating the flag.

There are 45 words in the first amendment and this amendment protects the rights of citizens to speak, to assemble, to practice their religious beliefs, to publish their opinions and petition their Government for redress of grievance. The 17 words that are in this proposed 28th amendment would limit what the majority of Americans believe is distasteful and offensive speech.

Though this seems very reasonable because most Americans do not approve of flag desecration, it is only reasonable if we forget that it is the right to speak the unpopular and objectionable that needs the most protecting by our Government.

In this era of political correctness, when the fear of 30 second ads has homogenized and sterilized our language of any distasteful truths, this amendment takes us in the opposite direction of that envisioned by our Founding Fathers whose words and deeds bravely challenged the status quo.

Last year when I testified about this before the Judiciary Committee, I took the liberty of buying an American flag and gave it to the committee.

I bought that flag because every time I look at it, it reminds me that patriotism and the cause of freedom produces widows. Widows who hold the flag to their bosom as if it were the live body of their loved-one.

The flag says more about what it means to be an American than a thousand words spoken by me. Current law protects the flag. If anyone chooses to desecrate my flag—and survives my vengeful wrath—they will face prosecution by our Government. Such acts of malicious vandalism are prohibited by law.

The law also protects me and allows me to give a speech born of my anger and anguish in which I send this flag aflame. Do we really want to pass a law making it a crime for a citizen despondent over a war, or abortion, or something else they see going on in their country to give a speech born of their anger? Do we really want a law that says the police will go out and arrest them and put them in jail?

I hope not. Patriotism calls upon us to be brave enough to endure and withstand such an act—to tolerate the intolerable. I sincerely and respectfully thank all of those who hold views different from mine for their patriotism. I will pray this amendment does not pass. But I thank God for the love of country exhibited by those who do.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Virginia is recognized.

Mr. ROBB. Mr. President, thank you. I thank my distinguished colleague and fellow Vietnam veteran from Nebraska for his words. It is an important topic.

Mr. President, when I came home from Vietnam a little over thirty years ago, I came home to a nation divided. I was assigned by the U.S. Marine Corps to head up a major officer recruiting program on college campuses all across America. It was 1969 and anti-war fever was consuming the nation. As you can imagine, my Marine uniform on a college campus became a lightning rod for protests and protesters. In this assignment, Mr. President, incoming bullets, rockets and artillery were replaced by insults, jeers and demonstrations. At times, it was tough.

I had just spent a tour of duty, which included commanding an infantry company in combat, and over 100 of my men received the Purple Heart, almost a quarter of them posthumously. Like all other warriors who served in uniform, it wasn't their job to question the policy that sent them to Vietnam, but they answered the call and those that died, did so with honor, for our Nation.

So while I did my best to reason with the crowds that came out to greet me on college campuses, I didn't appreciate the instinctive disrespect that was shown to me and the uniform I wore.

But Mr. President, I rise today to defend the rights of those individuals 30 years ago to protest me and my uniform.

Freedom of speech is the foundation of our democracy—and silencing that speech would have been against everything I had fought for in Vietnam. To

paraphrase an old saying: I didn't agree with what they said. But I had been willing to die to protect their right to say it.

Mr. President, I am repulsed by any individual who would burn the flag of my country to convey a message of dissent. It is an act I abhor and can barely comprehend. But in the democracy that our forefathers founded, and that generations of Americans have fought and died to preserve, I simply do not have the right to decide how another individual expresses his or her political views. I can abhor those political views, but I cannot imprison someone for expressing them. That's a fundamental tenet of democracies and its what makes America the envy of the world, as the home of the free and the brave.

Mr. President, when we frame the acceptable context for conveying a political message, we qualify freedom in America. We chip away at the extraordinary freedom that has distinguished us from our enemies for 200 years.

Last week, I received an e-mail from a retired U.S. Marine Corps Colonel from Virginia. Like many Americans (and many American veterans), he had struggled with this issue and searched his conscience for what's right. In his message to me, he said: ''I have seen our flag torn in battle, captured by our enemies, and trampled on by protesters. In all those events I never felt that the American way of life was in grave peril . . . for whenever our flag fell or was destroyed there was always another Marine to step forward and pull a replacement from his helmet or ruck sack.''

He continued: ''The Constitution is the bedrock of America, the nation . . . the people. It is not possible to pull another such document from our 'national ruck sack.' We have but one Constitution, and it should be the object of our protection.''

Mr. President, there is no question that it is precisely because the flag represents those sacred ideals that define our democracy, that we are so angry to see one being trampled or torn or torched. What angers us the most is the message of disrespect that desecration conveys. The ingratitude of the desecrater is tangible and we simply cannot help but be outraged. How can anyone be so shallow and so ungrateful that they would destroy the flag of a nation so great that it gives them the freedom to commit such a despicable act?

In fact, Mr. President, it is the motivation of the flag burner, not the burning of the flag itself, that makes us so angry that we want to punish that individual and throw away the keys. We know that when an American flag is old and tattered, or damaged and no longer fit to fly, we don't bury it, or throw it in the trash. We burn it. That is the proper, respectful method of disposing of a flag. So it is not the burning of the flag that stirs us to anger. It is the reason why the flag was burned that gets us so upset. And the reason why the flag is burned (to convey a message of dissent) is the reason why the Constitution protects it.

It is precisely because the act of flag burning sends a message that elicits such a visceral and powerful response that it is undeniably speech. Vulgar, crude, infantile, repulsive, ungrateful speech, but undeniably speech.

Mr. President, since speech that enjoys the support of the majority is never likely to be limited, the Bill of Rights, by its very design, protects the rights of a minority in key areas that the founders held dear. And it is the freedom to dissent peacefully that separates the greatest democracy the world has ever known from other regimes like those in China, Cuba, Iraq, and others where political dissent has been met with imprisonment and sometimes death.

We've applauded the awarding of the Nobel Peace Prize to individuals in other countries willing to risk their lives to peacefully protest their government. And we know that the first sign that freedom is in trouble anywhere around the world is when the government starts locking up its dissenters.

If we reach past our natural anger and disgust for a few publicity-hungry flag-burners, we know in our hearts that a great nation like ours, a nation that defends liberty all over the world, should not imprison individuals who exercise their right to political dissent. And we know in our hearts that a few repulsive flag-burners pose no real danger to a nation as great as ours.

Mr. President, a great defender of freedom in the world, General Colin Powell, had this to say in letter last year about this amendment:

> I understand how strongly so many of my fellow veterans and citizens feel about the flag and I understand the powerful sentiment in state legislatures for such an amendment. I feel the same sense of outrage. But I step back from amending the Constitution to relieve that outrage. The first amendment exists to insure that freedom of speech and expression applies not just to that which we agree or disagree, but also to that which we find outrageous. I would not amend that great shield of Democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

Mr. President, our flag stirs very deep emotions in me. It never fails to inspire me. I still get a chill down my spine when it passes in a parade. And I've handed it, folded, to too many widows not to revere it to the core of my being.

I fully support the Citizens Flag Alliance and especially my fellow members of the American Legion for all their hard work to instill in our people a greater respect for our flag. I understand why so many of my fellow veterans support this amendment. But I want the same thing they want. I want all of our citizens to respect our flag and all that it stands for.

Mr. President, I want that flag to be the proud symbol of a nation that is truly free. And for it to be that proud symbol, we must also protect the sacred freedoms placed in the first amendment of the Constitution by our forefathers.

Mr. President, I am a proud veteran of the U.S. Marine Corps. And I learned many lessons serving in combat in Vietnam. I served with Marines who loved this country and were great patriots. They were often young and sometimes scared. But they risked their lives in Southeast Asia.

Some of those brave warriors died for our nation. On two separate occasions, I had men literally die in my arms.

Those who made the ultimate sacrifice may have died keeping faith with their country. They may have died so that others might be free. They may have died for an ideal or a principle or a promise—sacred intangibles that transcend time. Some might say they died for the flag. But I was there, Mr. President, and they did not die for a piece of cloth (however sacred), that eventually becomes worn and tattered and eventually has to be replaced. No. They died fighting for all that our flag represents.

My fellow veterans who died in combat sacrificed their lives for these intangibles that are the core values of our democracy. They died for liberty and tolerance, for justice and equality. They died for that which can never burn. They died for ideals that can only be desecrated by our failure to defend them.

In opposing this amendment, I truly believe that I am again called upon to defend those intangible ideals—like freedom and tolerance—for which so many of us fought, and too many of us died. I am in a different uniform today, in a different place and time. But I feel as if, in some way, I am again battling the odds to defend principles that, as a younger man, I was willing to die for. I'd still put my life on the line today to defend those principles.

I say that because the flag represents freedom to me. But the first amendment guarantees that freedom. And when we seek to punish those who express views we don't share, then we—not the flag burners—we begin to erode the very values, the very freedoms, that make America the greatest democracy the world has ever known. I support our flag, and the republic for which it stands. But I cannot, with the faith I have in that republic, support this constitutional amendment.

I thank the Chair. And I thank my distinguished colleague from Nebraska who has received the highest honor our country can bestow on any who has defended America in battle; the Medal of Honor. I am proud to appear with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I commend the distinguished Senator from Virginia for his statement, as I do the distinguished Senator from Nebraska. I can assure my friend from Virginia, a

young marine, my son, will receive a copy first thing in the morning at his home in California of the speech by the Senator from Virginia and a speech by the Senator from Nebraska.

Later this evening I am going to be having dinner with my oldest and dearest friend, a man I went to college with, a marine. He served the Republic and faced the same kind of reaction when he came back from combat from Vietnam. One day he was in a firefight in Vietnam, 2 days later he was walking down the street in his uniform in the United States, facing protesters' shouts.

Having risked his life, as did both of you, he said what saved him through that time was to know exactly for what he fought. At least he has had the satisfaction of seeing so much of that come full circle: The Wall here, people realizing that whatever the protesters had against the war, it should not be against the warriors, especially when they see the names of tens of thousands who did not come back.

I recall last year when the Senate rose as one to commemorate the heroism and valor of the Senator from Nebraska. Both of you have been decorated for heroism, both of you have faced near death in battle. I think both of you have come back here to serve your country in as strong a way as you did there, both as Senators but in bringing a calm, considered, integrity constantly throughout your service in the Senate.

I am not a veteran. I did not serve in battle. But I think how proud I am to have served in the Senate with both of you. I thank you for your speech tonight. I hope all Americans and all Senators will listen.

Mr. President, I met again today with Vermont representatives to the American Legion convention, which is taking place in Washington this week. These are people who deserve our respect, who served this nation in time of war, and who sacrificed so that our freedoms and way of life would triumph over Nazi Germany. As they gather, I pledge to continue to work with them to address the unmet needs of American veterans. Abraham Lincoln reminded us of our sacred obligation ''to care for him who shall have borne the battle, and for his widow, and his orphan.''

Following the Judiciary Committee's hearings last year on the constitutional amendment to restrict the first amendment to protect the flag from use in political protest, I asked Maj. Gen. Patrick Brady, chairman of the Citizens Flag Alliance, what in his opinion were the most pressing issues facing our veterans. His response may surprise the proponents of the constitutional amendment. His response to my inquiry regarding the most pressing issues facing veterans was ''broken promises, especially health care.''

I asked the same question of Professor Gary May, an American hero who lost both legs while serving his country in Vietnam. Professor May said:

> Veterans and their families need services and opportunities, not symbolism. Recruitment for military service is predicated in part on a quid pro quo—if honorable service is rendered, then meaningful post-service benefits will follow. Our record of making good on this contract is not good. The favorable expressed sentiment for veterans by supporters of the flag desecration amendment would be better placed in support of extending and stabilizing services responsive to the day-to-day needs of ordinary veterans and their families.

Have we followed this good counsel here in the Senate? The unfortunate answer is no. Our veterans and retirees have received more high-sounding rhetoric about patriotism than real efforts on our part to resolve the broken promises.

During the debate on the Intermodal Surface Transportation Efficiency Act of 1998, the Senate voted to shift over $10 billion worth of critical veterans funding to help pay for extravagant highway spending programs.

Three times that year, the Senate raided veterans' programs: in the budget resolution, in the IRS Reform legislation, and in the VA/HUD Appropriations Bill. All three times, too many Senators voted against the veterans. If only a few more of those who now beat their chests about symbolic actions had voted for them, the necessary funding for veterans would have been assured.

We have had numerous other missed opportunities to increase the funds in the Veteran Administrations medical care account. Hospitals are seeing more patients with less funding and staff, and it can take months to get a doctor's appointment. It is not mere symbolism to fund those hospitals.

It has been estimated that a third of all homeless people in this country are American veterans. Many of those people may be suffering from post-traumatic stress disorder or other illnesses relating to their military service.

We all know that with the end of the cold war, military bases are closing. Military retirees who relied on the base hospitals for space-available free medical care are losing access to care. Many service members retired near military bases specifically so that they could enjoy the free medical care we promised them, but now they have to find health care in the marketplace.

I saw this in Vermont recently, where we had to fight—yes, fight—to keep adequate funding for the only veteran's hospital in the State. The in-patient surgical program at the White River Junction VA hospital was nearly closed down. If the closure had gone through, many elderly Vermont and New Hampshire veterans would have had to travel all the way to Boston for medical care, and many of them just cannot. The VA has recommitted itself to the White River Junction program, but this sort of thing is happening all across the country.

Last year, we finally raised the veteran's budget for medical care by $1.7 billion. I was particularly relieved that Vermont veterans finally received some assistance, in the form of a $7 million Rural Health Care Initiative. That funding will develop a number of innovative programs to bring high quality care closer to home. I would remind everyone that a majority of the Senate defeated an amendment offered by my friend PAUL WELLSTONE that would have raised VA medical care funding an additional $1.3 billion in Fiscal Year 2000. I was proud to vote for the increase, but disappointed that more of colleagues did not go along with this much-needed amendment.

We have a long way to go in ensuring that our veterans receive the health care that they so richly deserve. After many years of fixed funding and increased costs, we need continued funding increases, and new programs to provide higher quality care.

We must also keep our promises to those who have completed a military career. I have strongly supported efforts to improve TRICARE, the military health care system upon which military retirees rely for their health care. The system is generally sound, but problems have arisen in developing the provider networks and ensuring quick reimbursements for payments. Last November, I supported a TRICARE forum in Burlington, Vermont, to allow retirees and other participants to express their concerns directly to health care providers. Of course, we must also ensure that Medicare-eligible retirees continue to receive high quality health care.

What are we doing instead? In 1996, we changed the immigration laws to expedite deportation proceedings by cutting back on procedural safeguards and judicial review. The zealousness of Congress and the White House to be tough on aliens has successfully snared permanent residents who have spilled their blood for this country. As the INS prepares to deport American veterans for even the most minuscule criminal offenses, we have not even been kind enough to thank them for their service with a hearing to listen to their circumstances. Last year I introduced the Fairness to Immigrant Veterans Act, S. 871, to remedy this situation, but it has been bottled up in committee.

If we truly wish to do something patriotic, what we should be talking about is honoring our veterans. We should honor our veterans by answering Lincoln's call ''to care for him who shall have borne the battle, and for his widow, and his orphan.'' We should honor our veterans with substance rather than symbols.

If we fail to meet the concrete needs of American veterans and try to push them aside with symbolic gestures, we will have failed in our duty not only to our veterans, but to our country, as well. I wonder where we would be if the effort and funds expended each year lobbying for the constitutional amendment had been directed toward the needs of our veterans and their families

and to making sure that we honor them by fulfilling our commitments to them.

I see one of the many veterans of World War II serving still in the Senate, and I will yield to my friend and neighbor, the distinguished senior Senator from New York.

Mr. MOYNIHAN. Mr. President, I had not intended to speak in this debate. This is the fourth time this amendment has come to the floor since I have been present. But the speeches, statements, the addresses by the Senator from Nebraska and the Senator from Virginia compel me simply to bear witness to them. There are 10 Members in the Senate today, 10 remaining persons, who were in uniform in World War II.

I was in the Navy—not heroically; and I was called up again briefly in Korea. I was part of that generation in which service to the Nation was so deeply honored, and lived with horror to see the disrespect shown those who answered the country's service in Vietnam, as they were asked to do. They were commanded to do so and they had taken an oath to obey.

What a thrilling thing it is to see, two such exemplars, men of heroism, achievement and spotless honor, come to this floor and speak as they have done. We take one oath which binds us today. Those who have been in the military have taken earlier oaths. Our oath is to uphold and defend the Constitution of the United States against all enemies, foreign and domestic—not ''foreign or,'' not just ''foreign.'' This was added over the course of the 19th century.

Surely, there would be no one, however unintentionally—and I say this as a member of the American Legion—who would propose that to debase the First Amendment to the Constitution meets the criteria of upholding and defending it.

Those two men have defended their nation in battle—one in the Navy, one in the Marines. I speak as one who was involved. I was in 20 years, altogether, before being discharged. I have to grant, I was not aware that I was discharged, but it turned up later in the file somewhere.

Our oath is solemn, and it is binding, and they—Senators ROBB and KERREY—stand there as witness to what it requires of us. If we cannot do this on this floor, what can we expect Americans to do on battlefields, in the skies, under the seas, and on the land in the years ahead?

Please, I say to all Senators, heed them and walk away from this trivializing of our most sacred trust. Defeat this amendment.

I thank the Chair.

Mr. DASCHLE. Will the majority leader allow me to make one brief comment before he propounds his unanimous-consent request?

Mr. LOTT. Yes.

Mr. DASCHLE. Mr. President, I came to the floor to thank the distinguished senior Senator from New York, but also my two colleagues, Senators ROBB and KERREY, for their extraordinary statements on the Senate floor. I hope the American people have had the opportunity to hear, and I hope the opportunity to read what they have said is made to schoolkids and others who have given a great deal of thought to our Constitution and the reason our Founding Fathers wrote as they did.

Their eloquence and their power and their extraordinary persuasiveness ought to be tonic for us all late in the day on an afternoon which has seen a good debate. I am hopeful people have had the opportunity to hear this contribution, above and beyond all of those made so far in this debate.

I yield the floor.

VETERANS BENEFITS

Mr. WELLSTONE. Mr. President, I wish to make one other point, which is not a constitutional argument, but it does have a lot to do with veterans. I say that we have spent some time on this, and we should; it is not an unimportant matter. But I also hope we will spend time on the floor of the Senate talking about a range of other very important issues that affect veterans. I am amazed that every time I meet with veterans in Minnesota, or in other parts of the country, I hear about the ways in which veterans fall between the cracks. We have a budget this year that is better than a flatline budget, but Senator KENNEDY is out here—a health care Senator—and he knows that better than anybody in the Senate.

The fact is, we have an aging veteran population like we have an aging population in general, and that is all for the good because people are living longer. We don't have any real way right now of helping those veterans the way we should. We passed the millennium bill, but the question is, Will the appropriations be there? We ought to be talking about the health care needs of veterans as well. We ought to be talking about how we are going to make sure those veterans can stay at home and live at home with dignity, with home-based health care.

I was at a medical center in Minneapolis, which is a real flagship hospital. It is not uncommon, when you go visit with veterans, you will see spouses who are there with their husbands, or maybe out in the waiting room or the lobby relaxing. You can talk to them for 3 minutes and realize they are scared to death about their husband going home. Maybe they had a knee or a hip operation, or maybe they have cancer. The spouses are mainly women. They don't know how they are going to take care of their husbands.

There isn't even any support for respite care. When are we going to talk about that issue? When are we going to talk about the number of veterans who are homeless? When are we going to talk about the number of them who are Vietnam vets, because they are struggling with posttraumatic syndrome and because they are struggling with substance abuse and they don't get the treatment? When are we going to be talking about this overall budget for veterans' health care, which is not a national-line budget?

There is an increase from the President this year—I am glad for that—but it doesn't really take into account all of the gaps and all of the investment we need to make. When are we going to do that?

I did not come to the floor to not speak to this amendment. I have spoken with as much as I can muster as to why I oppose it. But I also want to say—I want this to be part of my formal remarks because I don't think it is off the Record—colleagues, that I hope we will talk about the whole set of other issues that are very important, not only to veterans but to the American people.

I can assure you that I have worked with veterans to put together their independent budget. That is a whole coalition of veterans organizations. It is really shocking how many veterans fall between the cracks. We have a lot of work to do. We are talking about people's lives. It is no way to say thanks to veterans when we don't come through with the health care we promised them.

I want to make it clear that I hope we will soon focus on these issues as well. I hope the veterans community will—I know the veterans community will—focus on these issues as well. I spend an awful lot of time with veterans. I have a lot of meetings with veterans and with county veteran service officers. These issues come up over and over again.

THE FREEDOM TO FARM ACT

Mr. WELLSTONE. Mr. President, as much as I hate to recognize this, this is the fourth anniversary of the passage by the House and the Senate of the ''freedom to fail'' bill.

On this date in 1996, both houses of Congress approved a new farm bill, described then as ''the most sweeping change in agriculture since the Depression. It would get rid of government subsidies to farmers over the next seven years.''

The bill has made sweeping changes in agriculture—it has produced one of the worst economic crises that rural American has ever experienced. Thanks to the Freedom to Farm, or as I call it the Freedom to Fail Act, tens of thousands of farm families are in jeopardy of losing their livelihoods and life savings.

The Freedom to Farm bill is not saving tax payers money, in fact we have spent $19 billion more in the first 4 years of the 1996 farm bill than was supposed to be spent through the 7 year life of the law.

However, what has resulted is the precipitous loss of family farmers because this legislation has not provided

small and moderate sized farmers with a safety net. Instead payment loopholes have been inserted in legislation that has allowed the largest argibusiness corporations to receive the lions share of government support. This is unacceptable.

In my State of Minnesota, family farm income has decreased 43 percent since 1996 and more than 25 percent of the remaining farms may not cover expenses for 2000. Every month more and more family farmers are being forced to give up their life's work, their homes, and their communities.

The primary problem is price. The average price paid to producers for their crops has plummeted. Farmers suffer from a negative cash flow. In Minnesota it costs $2.50 to grow a bushel of corn. Today the price of a bushel of corn in Minnesota sells at around $1.75 at the local elevator.

The forecast for prices is gloom. USDA projections for commodity prices are expected to remain low.

USDA estimates that farm income will decline 17 percent this year if Congress does not act.

Wheat prices have dropped $3 in the past 2 years. In May, 1996, wheat was selling $5.75 per bushel. Today, wheat is at $2.78 per bushel. This is well below the cost of production. Farmers need at least $4 a bushel to break even.

Soybean prices will probably average under $5 a bushel. Livestock and dairy prices are also being impacted. Hog farmers still face market prices below their costs of production for the third straight year.

Family farmers have struggled to survive as the devastating results of the 1996 Farm bill, exacerbated by the lack of a reliable farm safety net.

In addition, merger after merger in the agriculture sector leaves producers wondering if they will be able to survive amidst the new giants of agribusiness.

As a direct result, rural bankers, implement dealers, and other small businesses that rely on farm families as their customers have been squeezed as cash flows have dropped. Rural families with shrunken incomes have less money to pay for quality health care coverage and adequate child care for their children. There is an affordable housing crunch as urgent as in our urban areas. And finally, in our rural communities there is a lack of good jobs at decent wages.

The crisis is real. You can see it in the numbers. You can see it in the eyes of the scores of farmers who are forced to sell off the substance of their history and their livelihood.

Many compare the current farm crisis to the 1980's. We all know there was a massive shake out of family farmers at that time. It changed the face of rural America. Many communities were devastated and have not recovered. I assume many use the comparison to remind us that the distressed farm economy in the '80's somehow survived, and so farmers will survive this one too. But the crisis we now face is much graver than in the 80's, and I fear that family farmers and rural America will not survive.

The tough farm economy may resemble the agricultural crisis of the 1980's, but there is a notable difference, and that difference is namely the passage of the Freedom to Farm Act. The Act ignored the fact that family farming is a business both uniquely important and uniquely affected by nonmarket forces.

The Freedom to Farm has become Freedom to Fail.

The 1996 Freedom to Farm bill was suppose to wean rural America from subsidies by introducing a market-driven agriculture. The bill gave farmers flexibility to plant what they wanted, and it was to make farmers able to adapt to a slump in a particular commodity by switching to a more profitable crop. But the switch in crops doesn't make a difference if they are all drastically low.

We are now witnessing many farmers planting soybeans. Why is that so many farmers are planting soybeans? It isn't because the market demands soybeans. It is because the Freedom to Fail bill capped the loan rate on soybeans higher than other commodities, and so farmers are planting soybeans to get a better rate than from corn or wheat. This is not market driven agriculture.

The Freedom to Farm bill is not saving tax payers money, as I've said we have spent $19 billion in the first 4 years of the bill than was supposed to be spent through the 6-year life of the law. However, what has resulted is the precipitous loss of family farmers because this legislation has not provided small and moderate sized farmers with an adequate safety net.

Instead payment loopholes have been inserted in legislation that has allowed the largest agribusiness corporations to receive the majority of government support. This unacceptable.

In order to ensure that family farmers remain a part of this country's landscape, need a new farm bill now. We simply cannot wait until reauthorization in 2002 for Congress to act.

Congress must act now to address the impact of plummeting farm incomes and the ripple effect it is having throughout rural communities and their economic base. Farmers are not going to survive if the only help they get from Washington are inadequate, unreliable, long delayed emergency aid bills that are distributed unfairly.

We need policies that equip family farmers to withstand the low prices and weather disasters that are fueling the current farm crisis, so their livelihood is not dependent on the whims of Congress.

This crisis is a crisis of price. Farmers want and deserve a fair price. Farmers do not want a handout. Yet, the 1996 Freedom to Farm bill stripped farmers of their marketing tools, and they have been left empty handed.

People cannot—they will not—be able to survive right now unless there is some income stabilization, unless there is some safety net, unless there is some way they can have some leverage to get a decent price in the marketplace. That is the missing piece of Freedom to Farm or Freedom to Fail. Flexibility is good. But that has not worked, and I see it every day in every community that I am in.

I'm not talking about AMTA payments, which is severance pay for our Nation's farmer heritage. Our Nation's family farmers want—they desperately need some leverage in the marketplace to get a fair price.

We need to lift the loan rate. The Freedom to Fail Act capped marketing loans at artificial levels so low that they fail to offer meaningful income support. The loan rates have left farmers vulnerable to the severe economic and weather related events of the past 3 years, resulting in devastating income losses.

Family farmers deserve a targeted, countercyclical loan rate that provides a meaningful level of income support when the market price falls below the loan rate, and a loan rate with a CUP rather than a CAP so it doesn't merely track prices when they fall. Lifting the loan rate would provide relief to farmers who need it and increase stability over the long term.

We also need to institute farmer owned reserve systems to give farmers the leverage they need in the marketplace. And conservation incentives to reward farmers who carry out conservation measures on their land.

And finally, unless we address the current trend of consolidation and vertical integration in corporate agriculture, nothing else we do to maintain the family size farms will succeed.

The farm share of profit in the food system has been declining for over 20 years. From 1994 to 1998, consumer prices have increased 3 percent while the prices paid to farmers for their products has plunged 36 percent. Likewise, the impact of price disparity is reinforced by reports of record profits among agribusinesses at the same time producers are suffering an economic depression.

In the past decade and a half, an explosion of mergers, acquisitions, and anti-competitive practices has raised concentration in American agriculture to record levels.

The top four pork packers have increased their market share from 36 percent to 57 percent. In fact, the world's largest pork producer and processor is getting bigger. Smithfield Foods is buying the Farmland Industries plant in Dubuque, Iowa. This deal should be complete by mid-May.

The top four beef packers have expanded their market share from 32 percent to 80 percent.

The top four flour millers have increased their market share from 40 percent to 62 percent.

The market share of the top four soybean crushers has jumped from 54 percent to 80 percent.

The top four turkey processors now control 42 percent of production.

Forty-nine percent of all chicken broilers are now slaughtered by the four largest firms. The top four firms control 67 percent of ethanol production.

The top four sheep, poultry, wet corn, and dry corn processors now control 73 percent, 55 percent, 74 percent, and 57 percent of the market, respectively.

The four largest grain buyers control nearly 40 percent of elevator facilities.

By conventional measures, none of these markets are really competitive. According to the economic literature, markets are no longer competitive if the top four firms control over 40 percent. In all the markets I just listed, the market share of the top four firms is 40 percent or more. So there really is no effective competition in these processing markets.

But now, with this explosion of mergers, acquisitions, joint ventures, marketing agreements, and anticompetitive behavior by the largest firms, these and other commodity markets are becoming more and more concentrated by the day.

Last week, the Senate passed a resolution 99–1, expressing our feelings on the 1996 Farm bill. It read,

> Congress is committed to giving this crisis in agriculture . . . its full attention by reforming rural policies to alleviate the farm price crisis, [and] ensuring competitive markets . . .

We are committed to having the debate about what kind of changes we could make that would provide some real help for family farmers, that would enable family farmers to get a decent price, that would provide some income for families, what kind of steps we could take that will put some free enterprise back into the food industry and deal with all the concentration of power.

Other Senators may have different ideas. I just want us to address this crisis. I don't want us to turn our gaze away from our family farmers. And I say to my colleagues, on this anniversary of the Freedom of Fail Bill, we need a new farm bill—and I will come to the floor, every opportunity I have to speak about the economic convulsion this legislation has caused in our rural communities.

I say to all of my colleagues who talked about how we were going to get the Government off the farm, we were going to lower the loan rate, and do this through deregulation and exports, that we have an honest to goodness depression in agriculture. We have the best people in the world working 20 hours a day who are being spit out of the economy. We have record low income, record low prices, broken dreams and lives, and broken families.

We had close to 3,000 farmers who came here last week. It was riveting. It was pouring rain, but they were down on The Mall. We had 500 farmers from Minnesota. Most all of them came by bus. They don't have money to come by jet. Many of them are older. They came with their children and grandchildren. They did not come here for the fun of it. They came here because the reality is, this will be their last bus trip. They are not going to be able to come to Washington to talk about agriculture. They are not going to be farming any longer. These family farmers are not going to be farming any longer unless we deal with the price crisis.

Right now, the price of what they get is way below the cost of production. Only if you have huge amounts of capital can you go on. People eating at the dinner table are doing fine. The IVVs, and the Con-Agras and big grain companies are doing fine. But our dairy and crop farmers and livestock producers are going under.

This is, unfortunately, again the anniversary, and we have to write a new farm bill.

That is my cry as a Senator from Minnesota from the heartland of America.

COMMITMENT TO THE CAPITOL HILL POLICE

Mr. WELLSTONE. Mr. President, I had a chance before the last break to talk about a commitment we made to Capitol Hill police.

We lost two fine officers. They were slain. We went to their service. We made it clear that we thanked them for the ways in which they protect the public, for the ways in which they protect us. We said we never want this to happen again.

We have posts where there is 1 officer with 20 and 30 and 40 people streaming in. We made the commitment that we were going to have at least two officers at every post.

I know there are Senators, such as Senator BENNETT, who are in key positions and who care deeply about this. Senator REID was a Capitol Hill policeman. There are others as well.

We have to get this appropriations bill right. We need to hire more officers. We need to make sure the money is there for overtime so we don't have one officer at each post.

This can't go on and on because if we don't do this, there will come a day when, unfortunately, someone will show up—someone who may be insane, someone who will take a life, or lives. One officer at a post and not two officers at a post is an untenable security situation.

My plea to colleagues is, we need to get this right for the public and for the Capitol Hill police. We made this commitment. I think Democrats and Republicans alike care about this.

I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Massachusetts.

VETERANS BENEFITS

Mr. KENNEDY. Mr. President, I thank my friend, the good Senator from Minnesota, for an excellent presentation and for reminding us about the needs of our veterans, particularly those who are having some service-connected disability. The problems he has talked about that have affected his region are duplicated in my region of the country as well.

I received a call just 2 days ago from a very good friend, a person who worked here in the Senate, about his uncle who is 86 years old and who was at Pearl Harbor. He was one of those wounded at Pearl Harbor, survived, and went on. He was wounded in the Second World War and is now destitute and trying to get into a service home just outside of Boston. The waiting line there is 2½ years.

I remember very well speaking to those who came back from the war. At that time, they all believed they were fortunate to make it back, and they weren't asking very much of this country. We responded in a way in which all of us have been enormously appreciative with the GI bill. Many of these men and women took 4 or 5 years out of their lives to serve their country and risked life and death. We provided the GI bill to them so they could get an education. They got an education and went on to contribute to their country. As the Senator knows, for every $1 invested in that education program, $8 was returned to the Treasury.

But there was not a member of the Armed Forces in any of the services who didn't believe in committing this Nation to taking care of those who served this country, who suffered and were wounded in the line of battle. They believed they should live in peace, respect, and dignity during their golden years. They are not, and it is a national disgrace.

We tried to join with others in this body. And I tell my good friend I will work with him closely, not on those relevant committees, but I think we have been here long enough to know we can make some difference in this area. I look forward to working with him. This is a problem that faces us in New England.

I see my colleague from Rhode Island chairing the Senate this afternoon. I am sure he and his colleague, Senator REID, have these kinds of cases as well. It is a matter of priority. We will join with him at a later time.

Mr. WELLSTONE. Mr. President, I thank my colleague.

NATIONAL RIGHT TO WORK ACT, S. 764

Mr. SESSIONS. Mr. President, I recently reviewed a video tape of some of the violence that occurred during the labor dispute between Overnite Trucking and the Teamsters. I am shocked and disturbed by the violent attacks that have been carried out against

Overnite drivers simply because they have decided to work and provide for their families.

Under a legal loophole created in federal law, union officials, who organize and coordinate campaigns of violence to ''obtain so called legitimate union objectives,'' are exempt from federal prosecution under the Hobbs Act. An update of a 1983 union violence study, released by the University of Pennsylvania Wharton School Industrial Research Unit entitled: ''Union Violence: The Record and the Response of the Courts, Legislatures, and the NLRB,'' revealed some disturbing news. While the overall number of strikes has been on the decline, union violence has increased. The study also showed the violence is now more likely to be targeted toward individuals.

Mr. President, violence is violence and extortion is extortion regardless of whether or not you are a card carrying member of a union. I am proud to be a cosponsor of S. 764, the Freedom from Union Violence Act. This legislation would plug the loopholes in the Hobbs Act and make all individuals accountable for their actions. I believe that people should be reprimanded for using violence to obstruct the law. We should not give special treatment to union violence cases or union bosses. Senator THURMOND has set out to clarify that union-related violence can be prosecuted. I commend Senator THURMOND for introducing this much-needed legislation.

During the 105th Congress, the Judiciary Committee conducted a hearing on the Freedom from Union Violence Act. After listening to and reviewing the wrenching testimony of victims of union violence at this hearing, I am now more certain of the need to eliminate these loopholes. For these reasons I respectfully urge my colleague Senator HATCH, chairman of the Senate Judiciary Committee, to schedule hearings and a markup of S. 764, the Freedom from Union Violence Act, as soon as possible. I also urge my colleagues to join me in supporting this important legislation. It is time to end federally endorsed violence. Conducting hearings on this issue would be a step in the right direction.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 27, 2000, the Federal debt stood at $5,731,795,924,886.02 (Five trillion, seven hundred thirty-one billion, seven hundred ninety-five million, nine hundred twenty-four thousand, eight hundred eighty-six dollars and two cents).

Five years ago, March 27, 1995, the Federal debt stood at $4,847,680,000,000 (Four trillion, eight hundred forty-seven billion, six hundred eighty million).

Ten years ago, March 27, 1990, the Federal debt stood at $3,022,612,000,000 (Three trillion, twenty-two billion, six hundred twelve million).

Fifteen years ago, March 27, 1985, the Federal debt stood at $1,709,535,000,000 (One trillion, seven hundred nine billion, five hundred thirty-five million).

Twenty-five years ago, March 27, 1975, the Federal debt stood at $507,841,000,000 (Five hundred seven billion, eight hundred forty-one million) which reflects a debt increase of more than $5 trillion—$5,223,954,924,886.02 (Five trillion, two hundred twenty-three billion, nine hundred fifty-four million, nine hundred twenty-four thousand, eight hundred eighty-six dollars and two cents) during the past 25 years.

ARBITRATION BILLS S. 1020 AND S. 121

Mr. SESSIONS. Mr. President, I would like to make a brief statement on two arbitration bills that are currently pending in the Subcommittee on Administrative Oversight and the Courts of the Committee on the Judiciary. These bills are S. 1020 and S. 121, both of which would create exceptions to the Federal Arbitration Act.

In general, arbitration is fair, efficient, and cost-effective means of alternative dispute resolution compared to long and costly court proceedings. The two bills before the subcommittee today raise concerns about the fairness of allowing some parties to opt out of arbitration and the wisdom of exposing certain parties to the cost and uncertainty of trial proceedings.

S. 1020, the Motor Vehicle Franchise Contract Arbitration Fairness Act would allow automobile dealers and manufacturers to opt out of binding arbitration clauses contained in their franchise contracts and pursue remedies in court. This is troubling because both parties are generally financially sophisticated and represented by attorneys when they enter into a franchise contract. S. 1020's enactment would allow these wealthy parties to opt out of arbitration, but would not allow customers of the dealers to opt out of arbitration. This position is difficult to justify. Indeed, in jurisdictions such as Alabama the allure of large jury verdicts serves as a powerful incentive for trial lawyers to use S. 1020 to argue against all arbitration. Jere Beasley, one of the Nation's most well-known trial lawyers, is making this exact argument in his firm's newsletter. While abandoning arbitration for dealers and manufacturers might increase attorneys fees, I have serious concerns as to whether such a selective abandonment for sophisticated dealers and manufacturers would increase the fairness of dispute resolution between these parties or would be fair to customers and employees of the dealers.

S. 121, the Civil Rights Procedures Protection Act, would prevent the enforcement of binding arbitration agreements in employment discrimination suits. However, when employment discrimination law suits cost between $20,000 and $50,000 to file, many employees cannot afford to litigate their claim in court. Arbitration provides a much more cost-effective means of dispute resolution for employees. Indeed, several studies have shown that in non-union employment arbitration employees prevail between 63 percent and 74 percent of their claims in arbitration, compared to 15 percent to 17 percent in court. Further, an American Bar Association study showed that consumers in general prevail in 80 percent of their claims in arbitration compared to 71 percent in court. Of course, if both employees and employers could avoid arbitration under S. 121. This would give employers the financial incentive to use the $20,000 to $50,000 cost of a trial as a barrier to employees suits. This does not appear to be good policy.

I note that the Chamber of Commerce, the Alliance of Automobile Manufacturers, and the National Arbitration Forum support arbitration and have raised concerns concerning the bills pending before the subcommittee. Their concerns must be explored more fully.

In sum, I believe that the arbitration process must be fair. When it is fairly applied, it can be an efficient, timely, and cost-effective means of dispute resolution. S. 1020 and S. 121 would create exceptions to arbitration that could expose businesses to large jury verdicts and effectively bar employees with small claims from any dispute resolution. We must examine these bills and the policies behind them more thoroughly before acting upon any legislation.

DEPOSIT INSURANCE FAIRNESS AND ECONOMIC OPPORTUNITY ACT

Mr. EDWARDS. Mr. President, I rise today in support of legislation Senator Santorum and I are introducing, the ''Deposit Insurance Fairness and Economic Opportunity Act.'' This legislation would increase the amount of money that is available for banks and thrifts to lend in their communities.

Our financial services industry is incredibly strong, and the public benefits from this strength. Last year, this Senate passed comprehensive banking reform legislation that will increase consumer choice and make our financial institutions more competitive. Throughout the consideration of that measure, I steadfastly supported efforts to improve and increase credit availability to local communities. Though I believe we achieved this goal, I also said that we could and should do more. The legislation I introduce today with my colleague Senator SANTORUM does just that.

This measure would use the extra money that is in the Bank Insurance Fund (BIF) and the Savings Association Insurance Fund (SAIF), money that banks and thrifts have paid, to pay the interest on Financing Corporation (FICO) bonds. As a result, banks and thrifts will be able to use the money they would otherwise pay to

FICO to increase lending in their communities. Right now, a financial institution of approximately $200 million in domestic deposits could expect to pay roughly $42,000 this year for its FICO obligation. If that $42,000 obligation can be paid out of our excess money in the insurance funds, without compromising the safety and soundness of the funds, it will mean that institution has $42,000 more to lend.

Right now, the BIF and the SAIF are beyond fully capitalized. They both contain millions of dollars more than required by federal law. That excess money is sitting here in Washington. The funds keep growing, and the money keeps sitting here. Now, the trouble with pots of money sitting in Washington is that quite often, the money just stays here in Washington and doesn't help our communities. This legislation would change that. By relieving some of the financial burden on our banks and thrifts through this common-sense legislation, we will be opening up opportunities for these institutions to put that money to good use.

The $42,000 saved in my example could translate into hundreds of thousands of dollars more in available credit. This means money available to help folks in eastern North Carolina rebuild their homes and lives after Hurricane Floyd. This means money to help revitalize inner-city neighborhoods. This means more money to help farmers who have suffered crop damage. And it means money to help more Americans know the joys of home ownership.

I would like to say a few words about safety and solvency of the insurance funds. These funds, the BIF and SAIF, are administered by the FDIC and are used to pay insured depositors in the event of a bank or thrift failure. I am pleased to say that in these booming economic times, both funds are well above their statutorily required level. Current law requires each fund to have 1.25 percent of all insured deposits. Right now, the BIF and SAIF are both well above this level, and the funds are growing.

In this legislation, we take great care to recognize the importance of protecting the insurance funds. In fact, we actually build in an additional cushion to help insure the solvency of the funds. Only if the funds are above 1.4 percent will excess money above that level be used to pay the FICO obligation. Moreover, we maintain the authority and ability of the FDIC to make necessary adjustments to the funds to protect their solvency, should the need arise.

Right now, the money is sitting in an account here in Washington. I think it can be put to better use in local communities. This legislation represents a method to help do just that, without sacrificing the safety and soundness protections that are currently in place.

ADDITIONAL STATEMENTS

RECOGNITION OF WEYERHAEUSER COMPANY ON 100TH ANNIVERSARY

● Mr. GORTON. Mr. President, my number one priority as I represent the people of Washington state in the U.S. Senate is protecting the Northwest way of life. An intricate part of that Washington way of life is preserving our healthy and productive forests and streams. With that goal in mind, I am delighted to recognize the Centennial Anniversary of the Weyerhaeuser Company—an organization whose dedication to sustainable forestry has enriched Washington state with both a vibrant timber industry and a tradition of preservation to keep our forests healthy for generations to come.

In 1900, Frederick Weyerhaeuser and fifteen partners began the company that would revolutionize the timber industry. They purchased 900,000 acres of Washington forest land from the Northern Pacific Railway and began the Weyerhaeuser Company. It quickly grew to become one of the most vibrant and remarkable companies, not only in Washington state, but around the world.

The Weyerhaeuser Company had a vision for sustainable and environmentally responsible forest management before ''green'' became fashionable. In 1904, General Manager George Long sponsored a study to look at the impacts of growing timber as a crop—replenishing the resource with every harvest. Under Long's leadership, Weyerhaeuser pioneered many of the conservation, fire protection and reforestation techniques used in forest management today.

I am proud of and thankful for the great legacy that Weyerhaeuser has given to Washington—the Evergreen State. I hope that with balanced policies and responsible stewardship, Weyerhaeuser will continue to prosper in the next century.●

SENATOR MIKULSKI'S TRIP TO NORTHERN IRELAND

● Mr. KENNEDY. Mr. President, Senator MIKULSKI recently returned from a visit to Northern Ireland, where she held productive discussions with both Catholics and Protestants who are working together for community and economic development. As columnist Thomas Oliphant wrote in a perceptive column on March 19 in the Boston Globe, Senator MIKULSKI'S trip, and her work for grassroots development and cooperation in these communities, are important both symbolically and practically.

As all of us who share the dream of a permanent and lasting peace are aware, much remains to be done to carry out the peace process. I commend Senator MIKULSKI for her initiative and leadership on this issue, and I ask that Mr. Oliphant's column about her trip may be printed in the RECORD.

The column follows:

[From the Boston Globe, Mar. 19, 2000]

NEW OPTIMISM OUT OF ULSTER

(By Thomas Oliphant)

The brain connected to the freshest pair of eyes to look into Northern Ireland in some time was somewhat surprised by two things.

The first observation by Senator Barbara Mikulski was that the six counties' political leaders are themselves surprised at their inability to get out of the stalemate-ditches they keep driving into.

The second was that during an intensive visit framed around what's really exciting in the North these days—cross-community, practical efforts by Protestants and Catholics to get basic things done together—it was not until she got to the seat of government at Stormont that she heard the word ''decommissioning,'' the absurd euphemism that refers to the turning in of weapons by paramilitary organizations.

What this shows is merely how the pull of the violent, unjust sectarian past blocks a settlement that the people want. It has been going on for the two years since the U.S.-brokered Good Friday Agreement put all the building blocks for reconciliation except local political will into place.

''But,'' says the Maryland senator, ''even though the peace process appears to be on hold, there is another informal but absolutely crucial peace process going on at the community and neighborhood level.''

Mikulski was referring to the overwhelming majority's intense desire to put the Troubles in their past. That desire is creating a ''social glue'' that has enormous potential for Northern Ireland's long-range evolution.

By far the most important example exists under the umbrella of the Northern Ireland Voluntary Trust. Beneath this umbrella exists all manner of activities that involve Catholics and Protestants informally in specific tasks. There are groups that include former prisoners as well as families of the victims of violence and their survivors; organizations working on environmental issues as well as community centers and playgrounds; unions and microeconomic development activists; work on mental health issues as well as children's health problems. As Mikulski notes, it is all specific and local—and loaded with implications.

The best symbol, in the North Belfast Community Development Council, is the cellular phones in use during the Protestant marching season. Rumors are chased down, Catholics hear that a particular march will halt at a predesignated spot without any triumphalist chanting and should thus be of no major concern, and armed with that assurance, keep their own hotheads in check.

A year ago, when some 50 of the trust's most active female activists met with U.S. supporters, they were so fresh to their cause and nervous about the impact that the names of the participants were kept private. Mikulski arranged a meeting for them with women in the U.S. Senate, most of whom came to politics via similar routes of local activism.

Mikulski's involvement at this delicate stage is important both because of what she has done and who she is. She got into her business because of her fight against a highway. Years later she remains a grass-roots political leader, able to understand the byzantine nature of Northern Ireland's street-level culture. And she is a powerful Democratic senator on the Appropriations Committee who is comfortable working across party lines.

Mikulski notes that the Fund for Ireland, the basic aid network to which the U.S. government commits $20 million, is an excellent

operation that has been especially useful in economic development and other brick and mortar activities. But she also suggests that the time has come to ''take a fresh look at the U.S. role to think about supporting this cross-communal activity.''

She is also blunt about looking at the trust's activities and potential, official U.S. support without blinders. ''Their idea, what makes them so worthwhile,'' she said, ''is their very careful focus on specific needs and projects. This is not some gooshy-poo, Irish sensitivity training where everybody gets in a hot tub and bonds. It's serious work. The fund has done a very good job, but I think we're now at a different place.''

What she says about U.S. policy also should spark new thinking about private American support for Ireland. Given the roaring condition of the Irish Republic's economy, traditional charity and philanthropy appears to be less important than the cutting-edge activism across sectarian lines of the trust's participants.

They cannot be a substitute for the appalling failure of politicians in the North to transcend the past. But they do demonstrate how much of a difference individuals can make when they band together.

There now exist networks of community organizations that personify the broader refusal to regress, and they need all the support they can get. But they can't fill the vacuum without their so-called leaders. ''It's like when you put your VCR on pause,'' said Mikulski. ''It holds for a while, but eventually the old tape starts playing again.''●

RETIREMENT OF MR. BRUCE AKERS

● Mr. VOINOVICH. Mr. President, I rise today to extend my congratulations to Mr. Bruce Akers on the occasion of his retirement as senior vice president for Civic Affairs at KeyBank in Cleveland, OH. Bruce's accomplishments are not limited to his 40 years of service in the banking industry, but extend to the difference he has made in the lives of countless citizens. His decades of leadership and generosity have helped make Cleveland the great city it is today.

Bruce has served the public at many levels—in government, the private sector, and in civic organizations. From 1975 to 1977, he served as executive secretary to Cleveland Mayor Ralph Perk. Today Bruce continues to show his dedication to civic responsibility and action in local government through his service as mayor of Pepper Pike, OH.

Bruce is also committed to a number of Cleveland's cultural, educational, charitable and civic institutions including service as chairman of the KeyFoundation, a trustee of the Cleveland Council on World Affairs and president of the Cleveland Opera. I don't believe I will ever forget Bruce's ''cameo'' appearance in the Cleveland Opera's rendition of Aida in 1984. He gave a tremendous performance that is still talked about to this day.

Bruce's community commitment also extends to service as a trustee of the Citizens League Research institute, membership on the Executive, Central, and Policy Committee's of the Cuyahoga County Republican Party, membership on the Advisory Council of the Alzheimer's Association, membership on the Cleveland Leadership Prayer Breakfast Steering Committee, and chairman of Cleveland's Promise, the local branch of America's Promise which strives to create an environment for a better future.

Bruce's belief in volunteerism was recently celebrated in ''Cleveland Live,'' a news and information ''on-line'' publication serving the Cleveland community, where he shared his philosophy on volunteering. Bruce stated, ''volunteering is a four-way win: a win for the organization benefitting from the volunteers' services; a win for the volunteers who gain new perspectives and feel self-fulfilled; a win for the employer because the employee-volunteer is a better-rounded employee; and a win for the community whose quality of life is improved, thanks to effective, dedicated volunteers.'' I could not agree more with Bruce's assessment.

In 1975, Bruce's outreach to others earned him the Big Brother of the Year Award from Big Brothers/Big Sisters of Greater Cleveland. In 1993, he received the Volunteer of the Year Award from Leadership Cleveland for his dedication to making Cleveland a better place. Bruce has supported the Salvation Army in a variety of initiatives throughout the years, and for donating his time and energy, in 1997, he received the General William Booth Award, the Salvation Army's highest award to a civilian.

Bruce's career is an inspiration to those who look to form a better future through active participation in the community. While I know Bruce Akers will enjoy his retirement with his wife Barbara, I also know that he will not cease giving of himself in service to his fellow man.

On behalf of the citizens of Cleveland and of Ohio, I would like to congratulate Bruce Akers and thank him for all he has done for his community and his State.●

THE GOOD FRIDAY PEACE ACCORDS

● Mrs. FEINSTEIN. Mr. President, on March 17, 2000, the Irish and the Irish-at-heart around the world celebrated Saint Patrick's Day, a day to remember the spirit of comradery, friendship, and peace the patron saint of Ireland brought to the Emerald Isle. I rise today to pay tribute to the Irish people and the forty million Irish Americans in this country—who are also celebrating Irish-American Heritage Month—and offer my thoughts on an issue close to their hearts and mine: peace in Northern Ireland.

The signing of the Good Friday Peace Accords on April 10, 1998 was an historic achievement in the quest for peace. After 32 years of conflict and bloodshed, the leaders of the principal Unionist and Nationalist parties in Northern Ireland agreed to a new governing structure for the province, one in which Catholics and Protestants would, for the first time, share power in a new assembly and executive.

On May 22, 1998, the people of Ireland, in the North and in the South, voted overwhelmingly in favor of the Accords. Their message was clear: it was time for a new era of peace based on reconciliation, compassion, and respect.

Thanks in no small part to the tireless work of our former colleague, Senator George Mitchell, the power sharing executive finally came into existence on December 1, 1999 and the formal devolution of power from London to the people of Northern Ireland took place. It appeared that the Irish would finally be able to celebrate the true spirit of Saint Patrick's Day.

The quest for peace, however, took a step backwards when—on February 11, 2000—the British government suspended the power sharing institutions and resumed direct rule of Northern Ireland from London. The Good Friday Peace Accords is now hanging by a thread.

As I stated earlier, the people of Ireland, Protestants and Catholics, in the North and in the South, have made their feelings clear. They support the Good Friday Peace Accords. They support the power sharing institutions. They support peace and cooperation. They believe that the people of Northern Ireland should have the ability to govern their own affairs.

Representatives of all parties in Northern Ireland met last week here in Washington with British and Irish leaders in an effort to break this impasse and return home rule to Northern Ireland. I am hopeful that their efforts will prove to be successful.

I strongly support the Accords. They represent the best hope for a lasting peace in Northern Ireland. I urge all parties to stick to the agreement and make it work. They have a responsibility to keep their word to the Irish people and stop Northern Ireland from slipping back to the ways of the ''Hard Men'': intimidation, violence, and death.

On this day, let us reflect on the turmoil the Irish have endured for so many years and commend them for their tremendous hope, persistence, and hard work. Let us remember the true spirit of Saint Patrick's Day and renew our support for the Irish people in the North and the South who desperately want, and deserve, a future of peace and prosperity.●

RETIREMENT OF JOHN CASTILLO

● Mr. SANTORUM. Mr. President, I rise today to recognize John Castillo as he retires from the Department of Defense after 47 years of service.

John Castillo and his wife, Connie, live in Camp Hill, Pennsylvania. They have three children: Mike, who lives in New Cumberland, Pennsylvania; Lisa Marie, who lives in Reston, Virginia; and Tony, who lives in Warren, Michigan.

Mr. Castillo, originally hired in 1953, was recruited as an Inventory Management Specialist Intern for the United States Air Force in 1959, where his assignments included Inventory Manager and Weapon System Logistics Officer (WSLO), supporting the Atlas ICBM Missile Squadrons assigned to the Strategic Air Command. His subsequent assignments were with the United States Army, where he worked for the U.S. Army Security Assistance Command (USASAC) in New Cumberland, Pennsylvania for 24 years. In 1997, he received a promotion to Division Chief of the Asia, Pacific and Americas Case Management Division.

Mr. Castillo has consistently received Sustained Superior Performance awards or promotions throughout his career, and has established a reputation of outstanding service among his superiors and colleagues.

Mr. Castillo will be honored at a retirement luncheon on Thursday, March 30, 2000. It is with great pleasure that I congratulate John Castillo for his 47 years of dedicated service to the Department of Defense, and I wish him continued success in all of his future endeavors.●

RECOGNITION OF DR. MICHAEL AND SHAINIE SCHUFFLER

● Mr. GORTON. Mr. President, I take the floor today to recognize the contributions of two remarkable residents of my state, Dr. Michael and Shainie Schuffler, who have dedicated their lives to strengthening their community, fostering leadership qualities in our young people and working tirelessly to improve the health of countless people.

Michael and Shainie met during their college years in Chicago where they both shared a keen interest in medicine. In 1970, the couple moved to Seattle and have since continued to make the Seattle area a better place. After their move to Seattle, Shainie became actively involved in the Hadassah Hospital. Hadassah is a volunteer women's organization that works to strengthen a partnership with Israel, ensure Jewish continuity, and realize their potential as a dynamic force in American society. In Seattle and around the United States, Hadassah enhances the quality of American and Jewish life through its education and Zionist youth programs, promotes health awareness, and provides personal enrichment and growth for its members.

After joining Hadassah, Shainie found herself inspired by its founder, Henrietta Szold, and has worked tirelessly for the past fifteen years on specific projects at both the chapter and regional levels including the Women's Symposium and last year's Bigger Gifts dinner and has served as the President of Hadassah's Seattle Chapter.

Shainie's dedication to the Seattle community is also evident in her many other involvements such as the Council of Women's Presidents for the Jewish Federation, Jewish Family Service, and the Jewish Federation of Greater Seattle.

I believe that one of the most important aspects of Shainie's work is her dedication to today's youth. Under her leadership as the Seattle area's Director of Admissions for the Alexander Muss High School in Israel, hundreds of local students have been given the opportunity to attend the Alexander Muss High School in Israel and has become one of the most successful youth programs in Seattle. I applaud her tireless efforts and believe that her work has directly impacted the lives of thousands of people throughout our state.

Michael has been equally dedicated to both his career as a leading doctor of Gastroenterology and as a volunteer in his community. Michael is a world authority on the pathology and clinical manifestations of neurological disorders of the intestinal tract and has been recognized by his colleagues for his many accomplishments.

Michael's work does not end, however, when he leaves the hospital. Like his wife, he has dedicated countless hours to Hadassah by serving as a visiting professor of Gastroenterology and as an Hadassah associate. He has also worked to encourage leadership qualities in our children through the Jewish Federation's Young Leadership Program, serving as its co-chair for three years.

One of his greatest loves in life is pro-Israel activism and has dedicated his time to furthering this cause through American Israel Public Affairs Committee otherwise known as AIPAC. He served as the Chairman of AIPAC from 1986 to 1994, strengthening the support of AIPAC across Washington state and furthering its reputation as the leading organization on United States-Israel relations.

Throughout their different commitments Michael and Shainie have always supported one another and recognized the importance of each other's work. Theirs is a true partnership and one that has positively impacted the people of our state. I ask my colleagues to join me as I applaud the outstanding and inspiring work of Dr. Michael and Shainie Schuffler.●

MEASURE PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

H.R. 2366. An act to provide small business certain protections from litigation excesses and to limit the product liability of nonmanufactuer product sellers.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–8199. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''April 2000 Applicable Federal Rates'' (Rev. Rul. 2000–19), received March 22, 2000; to the Committee on Finance.

EC–8200. A communication from the Assistant to the Board of Governors of the Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled ''Regulation Z, Truth in Lending'' (R–1050), received March 24, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8201. A communication from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Transfer and Repurchase of Government Securities'' (RIN1550–AB38), received March 24, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8202. A communication from the Acting Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Circular 97–16'' (FAC 97–16), received March 24, 2000; to the Committee on Governmental Affairs.

EC–8203. A communication from the Deputy Director, Office of Government Ethics transmitting, pursuant to law, the report of a rule entitled ''Exemption Under 18 U.S.C. 208(b)(2)'' (RIN3209–AA09), received March 14, 2000; to the Committee on Governmental Affairs.

EC–8204. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Glufosinate Ammonium, Pesticide Tolerance'' (FRL #6498–1), received March 24, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8205. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Deterioration Factors for Nonroad Engines''; to the Committee on Environment and Public Works.

EC–8206. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Choosing a Percentile of Acute Dietary Exposure as a Threshold of Regulatory Concern''; to the Committee on Environment and Public Works.

EC–8207. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: Revision, NUHOMS 24–P and NUHOMS 52–B'', received March 24, 2000; to the Committee on Environment and Public Works.

EC–8208. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas, Control of Air Pollution from Volatile Organic Compounds Vent Gas Control and Offset Lithographic Printing Rules'' (FRL # 6567–5), received March 24, 2000; to the Committee on Environment and Public Works.

EC–8209. A communication from the Secretary of the Interior, and the Secretary of Commerce, transmitting, pursuant to law, a report entitled ''Atlantic Striped Bass Studies—1999 Biennial Report to Congress''; to

the Committee on Commerce, Science, and Transportation.

EC–8210. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Marine Mammals; Incidental Take During Specified Activities'' (RIN1018–AF54), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8211. A communication from the Attorney-Adviser, Department of Transportation transmitting, pursuant to law, the report of a rule entitled ''Third Extension of Computer Reservations Systems (CRS) Regulations'' (RIN2105–AC75), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8212. A communication from the Legal Advisor, Cable Services Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Satellite Home Viewer Improvement Act of 1999; Retransmission Consent Issues; Good Faith Negotiation and Exclusivity'' (CS Docket No. 99–363, FCC 00–99), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8213. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Lufkin and Corrigan, TX'' (MM Docket No. 98–135; RM–9300, 9383), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8214. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Refugio and Taft, TX'' (MM Docket No. 98–256), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8215. A communication from the Chief, Legal Branch, Accounting Safeguards Division, Common Carrier Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Comprehensive Review of the Accounting Requirements and ARMIS Reporting Requirements for Incumbent Local Exchange Carriers: Phase 1'' (FCC 00–78; CC Doc. 99–253), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8216. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Appliance Labeling Rule, 16 CFR Part 305'' (RIN3084–AA74), received March 24, 2000; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–447. A resolution adopted by the Senate of the General Assembly of the State of Missouri relative to the Individuals with Disabilities Education Act; to the Committee on Appropriations.

SENATE RESOLUTION NO. 1034

Whereas, the Congress of the United States enacted the Education for All Handicapped Children Act of 1975 (P.L. 94–142), now known as the Individuals with Disabilities Education Act (IDEA), to ensure that all children with disabilities in the United States have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs, to assure that the rights of children with disabilities and their parents or guardians are protected, to assist states and localities to provide for the education of all children with disabilities, and to assess and assure the effectiveness of efforts to educate children with disabilities; and

Whereas, since 1975, federal law has authorized appropriation levels for grants to states under the IDEA at forty percent of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, Congress continued the forty-percent funding authority in Public Law 105–17, the Individuals with Disabilities Education Act Amendments of 1997; and

Whereas, Congress has never appropriated funds equivalent to the authorized level, has never exceeded the fifteen-percent level, and has usually only appropriated funding at about the eight-percent level; and

Whereas, the Missouri State Plan for Special Education was approved for statewide implementation on the basis of the anticipated federal commitment to fund special education programs at the federally authorized level; and

Whereas, Missouri appropriated approximately $240 million for the 2000 fiscal year in support for the state share of funding for special education programs; and

Whereas, the State of Missouri received approximately $105 million in federal special education funds under IDEA for the 1999–2000 school year, even though the federally authorized level of funding would provide over $313 million annually to Missouri; and

Whereas, local educational agencies in Missouri are required to pay for the underfunded federal mandates for special education programs, at a statewide total cost approaching $208 million annually, from regular education program money, thereby reducing the funding that is available for other education programs; and

Whereas, the decision of the Supreme Court of the United States in the case of Cedar Rapids Community School District v. Garret F. ((1999) 143 L.Ed 2d 154), has had the effect of creating an additional mandate for providing specialized health care, and will significantly increase the costs associated with providing special education services; and

Whereas, whether or not Missouri participates in the IDEA grant program, the state has to meet the requirements of Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701) and its implementing regulations (34 C.F.R. 104), which prohibit recipients of federal financial assistance, including educational institutions, from discriminating on the basis of disability, yet no federal funds are available under that act for state grants; and

Whereas, Missouri is committed to providing a free and appropriate public education to children and youth with disabilities, in order to meet their unique needs; and

Whereas, the Missouri General Assembly is extremely concerned that, since 1978, Congress has not provided states with the full amount of financial assistance necessary to achieve its goal of ensuring children and youth with disabilities equal protection of the laws: Now, therefore, be it

Resolved by the Missouri Senate, Second Regular Session, Ninetieth General Assembly, That the President and Congress of the United States are respectfully requested to provide the full forty-percent federal share of funding for special education program so that Missouri and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; and be it further

Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chair of the Senate Committee on Budget, to the Chair of the House Committee on the Budget, to the Chair of the Senate Committee on Appropriations, to the Chair of the House Committee on Appropriations, to each member of the Missouri Congressional delegation, and to the United States Secretary of Education.

POM–448. A resolution adopted by the Council of the City of Cincinnati, Ohio relative to the Physical Education for Progress Act; to the Committee on Health, Education, Labor, and Pensions.

POM–449. A resolution adopted by the Senate of the General Assembly of the State of Illinois relative to taxation mandated by U.S. Courts; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 216

Whereas, Unfunded mandates by the United States Congress and the executive branch of the federal government increasingly strain already tight state government budgets if the states are to comply; and

Whereas, To further compound this assault on state revenues, federal district courts, with the blessing of the United States Supreme Court, continue to order states to levy or increase taxes to supplement their budgets to comply with federal mandates; and

Whereas, The court's actions are an intrusion into a legitimate legislative debate over state spending priorities and not a response to a constitutional directive; and

Whereas, The Constitution of the United States of America does not allow, nor do the states need, judicial intervention requiring tax levies or increases as solutions to potentially serious problems; and

Whereas, This usurpation of legislative authority begins a process that over time could threaten the fundamental concept of separation of powers that is precious to the preservation of the form of our government embodied by the Constitution of the United States of America; and

Whereas, Fifteen states, including Alabama, Alaska, Arizona, Colorado, Delaware, Louisiana, Massachusetts, Michigan, Missouri, Nevada, New York, Oklahoma, South Dakota, Tennessee and Utah, have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America that reads as follows:

''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or an official of such state or political subdivision, to levy or increase taxes.''; therefore, be it

Resolved, by the Senate of the Ninety-First General Assembly of the State of Illinois, That this legislative body respectfully requests and petitions the Congress of the United States to propose submission to the states for their ratification an amendment to the Constitution of the United States of America to restrict the ability of the United States Supreme Court or any inferior court of the United States to mandate any state or political subdivision of the state to levy or increase taxes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United

States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and the members of the Illinois Congressional delegation.

Adopted by the Senate, November 18, 1999.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1487. A bill to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906 (Rept. No. 106–250).

INTRODUCTION OF BILLS AND JOINT RESOLUTION

The following bills and joint resolution were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THOMAS:

S. 2300. A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; to the Committee on Energy and Natural Resources.

By Mr. GORTON (for himself and Mrs. MURRAY):

S. 2301. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; to the Committee on Energy and Natural Resources.

By Mr. CLELAND:

S. 2302. A bill to amend the Internal Revenue Code of 1986 to expand the enhanced deduction for corporate donations of computer technology to public libraries and community centers; to the Committee on Finance.

By Mr. GRAHAM:

S. 2303. A bill to designate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar City, Florida, as the ''Vicki Coceano Post Office Building''; to the Committee on Governmental Affairs.

By Mr. SHELBY:

S. 2304. A bill to amend the Internal Revenue Code of 1986 to phase out the taxation of social security benefits; to the Committee on Finance.

By Mr. BAYH:

S. 2305. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing a nonrefundable marriage credit and adjustment to the earned income credit; to the Committee on Finance.

By Mr. THOMPSON (for himself, Mr. LIEBERMAN, Mr. VOINOVICH, Mr. BROWNBACK, and Mr. ROTH):

S. 2306. A bill to increase the efficiency and effectiveness of the Federal Government, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DORGAN (for himself, Mr. DASCHLE, Mr. BAUCUS, Mr. JOHNSON, and Mr. HARKIN):

S. 2307. A bill to amend the Communications Act of 1934 to encourage broadband deployment to rural America, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MOYNIHAN (for himself, Mr. GRAHAM, and Mrs. FEINSTEIN):

S. 2308. A bill to amend title XIX of the Social Security Act to assure preservation of safety net hospitals through maintenance of the Medicaid disproportionate share hospital program; to the Committee on Finance.

By Mr. DASCHLE:

S. 2309. A bill to establish a commission to assess the performance of the performance of the civil works function of the Secretary of the Army; to the Committee on Environment and Public Works.

By Mr. COVERDELL (for himself, Mr. LEAHY, Mr. HELMS, and Mr. DEWINE):

S.J. Res. 43. A joint resolution expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERREY:

S. Res. 278. A resolution commending Ernest Burgess, M.D. for his service to the Nation and international community; to the Committee on the Judiciary.

By Mr. LOTT:

S. Con. Res. 99. A concurrent resolution congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China; considered and agreed to.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS:

S. 2300. A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any one State; to the Committee on Energy and Natural Resources.

COAL MARKET COMPETITION ACT OF 2000

Mr. THOMAS. Mr. President, I rise today to introduce the Coal Market Competition Act of 2000. The legislation would amend the Mineral Leasing Act to increase the acreage of coal leases. Companies need this assurance as they plan and finance their operations into the future. Now, more than ever, we need to diversify our Nation's resources. The current oil prices are a daily reminder of what occurs when we allow this country to be too dependent on foreign resources. It is time to focus on domestic energy production and this legislation will facilitate development of one of our Nation's abundant natural resources, coal.

Most of the coal produced in our Nation comes from mines west of the Mississippi River and the vast majority of that coal is mined in western states with significant federal ownership of both the surface and mineral estates. In fact, my state of Wyoming is home to 11 of the top 12 coal mines based on tonnage. We produced approximately one third of the total U.S. coal in 1999, with production exceeding 330 million tons last year. Not surprisingly Wyoming is also the leader in federal coal lease acreage with approximately 145,000 federal acres under lease to 20 companies.

The current federal coal lease limitation under the Mineral Leasing Act of 1920 is 46,080 acres per state. An amendment of the Mineral Leasing Act in 1976 maintained the per-state limit and added a 100,000-acre nationwide limit for any one company. The state coal lease limit has not been changed for 36 years. Coal, sodium, phosphate and oil and gas were all assigned identical or similar per state lease acreage limitations in the 1926 amendments to the MLA (2,560 acres per state for sodium, coal and phosphate, 2,560 acres per geologic structure and 7,680 acres per state for oil and gas). The acreage limitation for each of these minerals was increased in the 1946 and 1948 MLA amendments (coal, sodium and phosphate to 5,120 per state in 1948; oil and gas to 15,360 acres per state in 1946). The per state acreage limitation for oil and gas leases was increased twice more (to 46,080 acres in 1957 and 246,080 acres in 1960) and the per state acreage ceiling for coal (and phosphate) leases was increased once more to 46,080 acres (and 20,480 acres for phosphate) in 1964. In my view, it is time to address the coal acreage limitations both on a state and national level.

The cap on coal needs to be raised to allow producers to remain competitive in the world-wide market. In Wyoming, the coal mine sizes will need to increase in order to maintain economic competitiveness. Our coal industry has grown and prospered because its economic competitiveness allowed Wyoming to be the location of choice for new low-sulfur coal capacity to serve much of the world. The scale of mining operations is much larger now.

In order for this competitiveness to continue, we must raise the acreage cap to alleviate concern from several companies in both Wyoming and Utah about the effect of the limitation on their planning and production abilities. Larger lease acreage areas are required to justify the significant capital investment necessary for mine expansion. Under current leasing operations, the penalty for violation of the acreage limitation is lease cancellation. It is essential during a time like now—when oil prices are soaring—that we diversify and develop our Nation's energy sources rather than be dependent on foreign sources. Expanding lease acreage will allow coal to be competitive and it is essential we have choices for energy here at home.

By Mr. GORTON (for himself and Mrs. MURRAY):

S. 2301. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; to the Committee on Energy and Natural Resources.

LAKEHAVEN UTILITY DISTRICT WATER RECLAMATION PROJECT

Mr. GORTON. Mr. President, today I join Senator MURRAY from Washington State in introducing legislation that will authorize the Bureau of Reclamation to develop a water reuse project with Lakehaven Utility District in Federal Way, WA.

The Lakehaven Utility District is one of Washington State's largest water and sewer utilities, providing 10.5 million gallons of water a day to over 100,000 residents in South King County. The utility depends on a groundwater supply system that is replenished by local precipitation. As development in this Seattle suburb has increased, aquifer recharge has diminished. The utility district recognizes it must protect its precious resources and has undertaken several projects to ensure it will have an adequate water supply for future generations.

One of these projects involves extensive treatment of the utilities effluent for reuse. Some of the treated water will be used to irrigate golf courses and other facilities, while the rest of the water will be returned to the aquifer through injection wells. The techniques for water reuse are innovative, yet proven, and have been implemented throughout Nevada and California. Currently, the Lakehaven Utility District discharges 6 million gallons of treated water into Puget Sound every day. This new program will allow the district to reuse these crucial resources while replenishing its precious groundwater supply.

This legislation amends title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Bureau of Reclamation to provide the Lakehaven Utility District the technical and financial assistance necessary to implement its reuse project.

I am pleased to support this project, which I believe is crucial to maintaining wetlands and rivers in Washington State. The Northwest is faced with a salmon crisis that demands every available drop of water remain in our streams and riparian areas. The Lakehaven Utility District water reclamation project will ensure that the South King County community continues to rely on groundwater resources rather than turning to other sources that must be preserved for fish recovery.

By Mr. CLELAND:

S. 2302. A bill to amend the Internal Revenue Code of 1986 to expand the enhanced deduction for corporate donations of computer technology to public libraries and community centers; to the Committee on Finance.

COMMUNITY TECHNOLOGY ASSISTANCE ACT

Mr. CLELAND. Mr. President, there has been a lot of talk recently about the ''digital divide'' and the differences in the availability of information between the technological haves and have nots. With the emerging digital economy becoming a major driving force of our nation's economic well-being, we must ensure that all Americans have the information tools and skills that are critical to full participation in the new economy. Access to such tools is an essential step to ensure that our economy grows strongly and that in the future no one is left behind.

While we know that Americans are more connected to digital tools than ever before, the ''digital divide'' between certain demographic groups and regions of our country continues to persist and in many cases is widening significantly. As a member of the Commerce Committee, Subcommittee on Communications, I am alarmed by these developments. Just consider:

A third of America's economic growth in recent years has come from information technologies, producing 19 million new jobs. Yet, while thirty percent of white Americans are connected to the Internet only 11 or 12 percent of African Americans or Hispanic Americans are on-line. Households with incomes of at least $75,000 are more than 20 times as likely to have access to the Internet as those at the lowest income levels, and more than 9 times as likely to have a computer at home. Additionally, citizens in rural areas, including large parts of my state of Georgia, are less likely to be connected to the Internet than urban users. Regardless of income level, those living in rural areas are lagging behind in computer ownership and Internet access.

A viable alternative for many of these under served individuals is Internet access outside the home and statistics show that computer use at public libraries and community centers is on the rise. First of all, among all Americans, 17 percent use the Internet at some site outside the home. Secondly, minorities are even more likely to use the Internet and pursue online courses and school research at even higher rates. Third, those earning less than $20,000 who use the Internet outside the home are twice as likely to get their access through a public library or community center. Finally, Americans who are not in the labor force, such as retirees or homemakers, are twice as likely to use public libraries for access.

Given the ''digital divide'' among these demographic groups, and the dependence of many Americans on the use of technology outside the home, especially at libraries and community centers, I am introducing today the Community Technology Assistance Act. Currently, the special enhanced tax deduction exists in the case of computer equipment donated to elementary and secondary schools. My bill would extend for five years the special enhanced tax deduction, currently scheduled to expire at the end of this year, and would expand it to include computer donations to libraries and community centers as well as to elementary and secondary schools. Consider the many high profile technology and Internet related companies, such as Microsoft, Intel and AmericaOnline, that have donated computer equipment and web access to schools and universities across America. My bill would make it easier for companies and individuals to invest in their community and jump start efforts to help bridge the ''digital divide'' in rural and low income areas everywhere.

Ensuring access to the fundamental tools of the digital economy is one of the most significant investments our nation can make. Our country's most important resource is its people. Our companies are only as good as their workers. Highly-skilled, well educated workers make for stellar businesses and create superior products. In a society that increasingly relies on computers and the Internet to deliver information and enhance communication, we need to make sure that all Americans have access. Our domestic and global economies will demand it. Ready access to telecommunications tools will help produce the kind of technology-literate work force that will enable the United States to continue to be a leader in the global economy well into the 21st Century and beyond.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2302

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Community Technology Assistance Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) A third of America's economic growth in recent years has come from information technologies, including 19,000,000 new jobs.

(2) Thirty percent of white Americans are connected to the Internet while only 11 or 12 percent of African Americans or Hispanic Americans are online. Households with incomes of at least $75,000 are more than 20 times as likely to have access to the Internet than those at the lowest income levels, and more than 9 times as likely to have a computer at home.

(3) Citizens in rural areas are less likely to be connected to the Internet than urban users. Regardless of income level, those living in rural areas are lagging behind in computer ownership and Internet access.

(4) Unemployed persons who access the Internet outside their homes are nearly 3 times more likely to use the Internet for job searching than the national average. Those Americans who are ''not in the labor force'', such as retirees or homemakers, are twice as likely to use the public libraries for access.

(5) Those earning less than $20,000 who use the Internet outside the home are twice as likely to get their access through a public library or community center than those earning more than $20,000.

(6) Minorities are more likely users of the Internet and pursue online courses and school research at even higher rates outside the home (50.3 percent for Hispanics, 47.0 percent for American Indians/Eskimos/Aleuts, and 46.3 percent for African Americans).

(7) Among all Americans, 17.0 percent use the Internet at some site outside the home.

Many Americans who obtain Internet access outside the home rely on such places as public libraries (8.2 percent) and community centers (0.6 percent).

SEC. 3. ENHANCED DEDUCTION FOR CORPORATE DONATIONS OF COMPUTER TECHNOLOGY TO PUBLIC LIBRARIES AND COMMUNITY CENTERS.

(a) EXPANSION OF COMPUTER TECHNOLOGY DONATIONS TO PUBLIC LIBRARIES AND COMMUNITY CENTERS.—

(1) IN GENERAL.—Paragraph (6) of section 170(e) of the Internal Revenue Code of 1986 (relating to special rule for contributions of computer technology and equipment for elementary or secondary school purposes) is amended by striking ''qualified elementary or secondary educational contribution'' each place it occurs in the headings and text and inserting ''qualified computer contribution''.

(2) EXPANSION OF ELIGIBLE DONEES.—Subclause (II) of section 170(e)(6)(B)(i) of such Code (relating to qualified elementary or secondary educational contribution) is amended by striking ''or'' at the end of subclause (I) and by inserting after subclause (II) the following new subclauses:

''(III) a public library (within the meaning of section 213(2)(A) of the Library Services and Technology Act (20 U.S.C. 9122(2)(A)), as in effect on the date of the enactment of the Community Technology Assistance Act, established and maintained by an entity described in subsection (c)(1), or

''(IV) a nonprofit or governmental community center, including any center within which an after-school or employment training program is operated,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 170(e)(6)((B)(iv) of the Internal Revenue Code of 1986 is amended by striking ''in any grades K-12''.

(2) The heading of paragraph (6) of section 170(e) of such Code is amended by striking ''ELEMENTARY OR SECONDARY SCHOOL PURPOSES'' and inserting ''EDUCATIONAL PURPOSES''.

(c) EXTENSION OF DEDUCTION.—Section 170(e)(6)(F) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''December 31, 2000'' and inserting ''December 31, 2005''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after December 31, 2000.

By Mr. SHELBY:

S. 2304. A bill to amend the Internal Revenue Code of 1986 to phase out the taxation of Social Security benefits; to the Committee on Finance.

OLDER AMERICANS TAX FAIRNESS ACT

Mr. SHELBY. Mr. President, I rise today to introduce the Older Americans Tax Fairness Act. This legislation would eliminate—yes, eliminate—the unfair tax on Social Security benefits in this country.

Last week, this body, the Senate, took a historic step toward giving senior citizens more financial freedom and retirement security by passing legislation to repeal the earnings limit on Social Security benefits. We seized an opportunity to allow seniors to continue to work and contribute their skills and knowledge to the most vibrant economy in recent memory.

While the U.S. economy is currently reporting the lowest unemployment number in years, employers are finding that labor is difficult to come by and they are searching for ways to address this challenge. Increasingly, they are turning to senior citizens to fill the void. However, many seniors are finding that while they may want to work to better their standard of living or have to work to make ends meet, they are being hit by an additional tax burden, one that taxes their Social Security benefits—their retirement security, in other words—such that working, in many cases, is not financially beneficial to them.

When the Social Security program was first established by Congress, Congress did not intend for benefits to be taxed at all. In fact, Social Security benefits were exempt from Federal taxes for half a century. But because of a financial crisis within the program in the eighties and President Clinton's desire to fund new programs in 1993, seniors who earn a modest wage now find that anywhere between 50 and 85 percent of their Social Security benefits are taxed in America. This tax on Social Security benefits is misguided, I believe, and only acts to penalize hard-working and productive senior members of society. As workers, these senior citizens are taxed when they earn their money, as we all know, they are taxed when the Government returns it in the form of Social Security benefits, and if they are smart enough or lucky enough to save it to give it to their children or grandchildren, they will have to pay estate taxes, or a death tax, before anyone sees a penny, in a lot of cases.

Not only is this essentially double taxation to some of our most vulnerable citizens, our seniors, it is harmful to many seniors. Many seniors need to work in order to pay for costly health insurance premiums, prescription drugs, and other expenses which they incur as they grow older. For these seniors, working is not a choice, it is a necessity.

If we eliminate the tax on Social Security benefits in America, most seniors would have more disposable income to pay for many of these necessities of life. But rather than helping them, I believe we hurt them—that is, the seniors—by taxing their Social Security benefits, lowering their standard of living, and decreasing the amount of disposable income they have available to them.

What many fail to recognize is, working seniors continue to contribute to the economy not only in terms of knowledge and added productivity but by paying taxes on their earnings and paying into the Social Security trust fund without ever recognizing an additional benefit.

Clearly, the benefits seniors provide to our economy in terms of investment, knowledge, and skills far outweigh the minimal costs to the Treasury of repealing this unjust tax on Social Security.

This tax on Social Security benefits implies the Federal Government thinks senior citizens have nothing to contribute in the way of effectiveness, efficiency, experience, or knowledge to the workforce. You know and I know this is not true.

Senior citizens are our most valuable resource. They can provide knowledge, insight, and experience to our booming economy. And they do. We should treat them fairly and allow them to continue to earn and to save without imposing a discriminatory ''old age tax'' simply because they want to continue to contribute to society.

Responsible seniors—who plan for their retirement, who save and invest for the future, and who strive to leave something to future generations—are finding that it is just not worth it. At a time when we are trying to encourage savings and investment, it does not make sense to continue to tax Social Security benefits.

I am today encouraging my colleagues to join me in supporting the Older Americans Tax Fairness Act to bring additional fairness and freedom to the lives of millions of our most respected Americans.

Let's repeal the tax on Social Security benefits. Let's make it like it used to be. It is the right thing for the seniors in America.

By Mr. THOMPSON (for himself, Mr. LIEBERMAN, Mr. VOINOVICH, Mr. BROWNBACK, and Mr. ROTH):

S. 2306. A bill to increase the efficiency and effectiveness of the Federal Government, and for other purposes; to the Committee on Governmental Affairs.

GOVERNMENT FOR THE 21ST CENTURY ACT

Mr. THOMPSON. Mr. President, I am pleased to introduce the Government for the 21st Century Act, a bill to establish a commission to bring the structure and functions of our Government in line with the needs of our Nation in the new century. This bipartisan legislation was the result of work done by the Governmental Affairs Committee last Congress and is virtually identical to S. 2623, 105th Congress. The bill has been carefully crafted to address not just what our Government should look like, but the more fundamental question of what it should do.

Clearly, the time has come to take a comprehensive and fresh look at what the Federal Government does and how it goes about doing it. Despite these good economic times, polls repeatedly show that Americans have little trust or confidence in the Federal Government. They want the Federal Government to work, but they don't think that it does.

Unfortunately, our citizens have ample reason for concern. The Federal Government of today is a cacophony of agencies and programs, many of which are directed at the same problems. Much of what Washington does is inefficient and wasteful. Few would dispute that the government in Washington cannot do effectively all it is now charged with doing. When it comes to specifics, however, changing things is

extremely difficult. Virtually every Federal agency and program has an entrenched constituency to shield it from scrutiny and fend off challenges to the status quo. Hence, the familiar axiom that the closest thing to immortality is a Washington spending program.

Federal agencies and programs have mushroomed over time, evolving in a largely random manner to respond to the real or perceived needs of the moment. Consequently, duplication and fragmentation abound. There is an obvious need to bring some order out of this chaos. As former Comptroller General Charles Bowsher stated in testimony before the Senate Governmental Affairs Committee in 1995:

> The case for reorganizing the Federal government is an easy one to make. Many departments and agencies were created in a different time and in response to problems very different from today's. Many have accumulated responsibilities beyond their original purposes. As new challenges arose or new needs were identified, new programs and responsibilities were added to departments and agencies with insufficient regard to their effects on the overall delivery of services to the public.

The situation has not improved since then. Just last month, the current Comptroller General, David Walker, recited an all too familiar litany of duplication, waste, mismanagement, and other Federal performance problems in testimony before the Senate and House Budget Committees. The GAO ''high-risk list'' of those Federal activities most vulnerable to fraud, waste, and abuse has grown from 14 problem areas in 1990 to 26 problem areas today. Only one high-risk problem has been removed since 1995. Ten of the 14 original high-risk problems are still on the list today—a full decade later. Likewise, inspectors general identify much the same critical performance problems in their agencies year after year. Collectively, these core performance problems cost Federal taxpayers countless billions of dollars each year in outright waste. They also exact an incalculable toll on the ability of agencies to carry out their missions and serve the needs of our citizens.

Of course, meaningful reform of the Federal Government will not come from simply reshuffling current organizational boxes and redistributing current programs. We need to conduct a fundamental review of what Washington does and why. Our Founding Fathers envisioned a government of defined and limited powers. Imagine their dismay if they knew the size and scope of the Federal government today. We need to return to the limited but effective government that the Founders intended. This means divesting the Federal Government of functions it is not well suited to perform. However, it also means ensuring that the Federal Government does a better job of performing those core constitutional functions for which our citizens must rely on it.

The commission established in the legislation we are introducing today is a major step in that direction. It will take a hard look at Federal departments, agencies and programs and ask such questions as:

How can we restructure agencies and programs to improve the implementation of their statutory missions, eliminate activities not essential to their statutory missions, and reduce duplication of activities?

How can we improve management to maximize productivity, effectiveness and accountability of performance results?

What criteria should we use in determining whether a Federal activity should be privatized?

Which departments or agencies should be eliminated because their functions are obsolete, redundant, or could be better performed by state and local governments or the private sector?

Obviously, these questions involve subjective policy decisions. However, policy decisions should be the product of honest and open debate that stems from objective and fact-based analysis. I am convinced that this analysis can best be provided by an independent, nonpartisan commission that is removed from the normal pressures of Washington.

The commission will have many information sources available to it. The first cycle of implementation of the Government Performance and Results Act of 1993 will be complete by the end of this month when agencies submit their first performance reports. The plans and reports that agencies have submitted under the Results Act, while far from perfect, should provide a more comprehensive framework for reviewing Federal missions and performance than we have had before.

I am pleased that Senators LIEBERMAN and VOINOVICH are joining me in introducing the bill today, and I thank them for the time and staff they have devoted to the effort. I look forward to working with them on this important legislation.

I ask unanimous consent that the Government for the 21st Century Act, along with a brief summary and section-by-section analysis, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2306

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

SECTION 1. SHORT TITLE AND PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the ''Government for the 21st Century Act''.

(b) PURPOSE.—

(1) IN GENERAL.—The purpose of this Act is to reduce the cost and increase the effectiveness of the Federal Government by reorganizing departments and agencies, consolidating redundant activities, streamlining operations, and decentralizing service delivery in a manner that promotes economy, efficiency, and accountability in Government programs. This Act is intended to result in a Federal Government that—

(A) utilizes a smaller and more effective workforce;

(B) motivates its workforce by providing a better organizational environment; and

(C) ensures greater access and accountability to the public in policy formulation and service delivery.

(2) SPECIFIC GOALS.—This Act is intended to achieve the following goals for improvements in the performance of the Federal Government by October 1, 2004:

(A) A restructuring of the cabinet and subcabinet level agencies.

(B) A substantial reduction in the costs of administering Government programs.

(C) A dramatic and noticeable improvement in the timely and courteous delivery of services to the public.

(D) Responsiveness and customer-service levels comparable to those achieved in the private sector.

SEC. 2. DEFINITIONS.

For purposes of this Act, the term—

(1) ''agency'' includes all Federal departments, independent agencies, Government-sponsored enterprises, and Government corporations; and

(2) ''private sector'' means any business, partnership, association, corporation, educational institution, nonprofit organization, or individuals.

SEC. 3. THE COMMISSION.

(a) ESTABLISHMENT.—There is established an independent commission to be known as the Commission on Government Restructuring and Reform (hereafter in this Act referred to as the ''Commission'').

(b) DUTIES.—The Commission shall examine and make recommendations to reform and restructure the organization and operations of the executive branch of the Federal Government to improve economy, efficiency, effectiveness, consistency, and accountability in Government programs and services, and shall include and be limited to proposals to—

(1) consolidate or reorganize programs, departments, and agencies in order to—

(A) improve the effective implementation of their statutory missions;

(B) eliminate activities not essential to the effective implementation of statutory missions;

(C) reduce the duplication of activities among agencies; or

(D) reduce layers of organizational hierarchy and personnel where appropriate to improve the effective implementation of statutory missions and increase accountability for performance;

(2) improve and strengthen management capacity in departments and agencies (including central management agencies) to maximize productivity, effectiveness, and accountability;

(3) propose criteria for use by the President and Congress in evaluating proposals to establish, or to assign a function to, an executive entity, including a Government corporation or Government-sponsored enterprise;

(4) define the missions, roles, and responsibilities of any new, reorganized, or consolidated department or agency proposed by the Commission;

(5) eliminate the departments or agencies whose missions and functions have been determined to be—

(A) obsolete, redundant, or complete; or

(B) more effectively performed by other units of government (including other Federal departments and agencies and State and local governments) or by the private sector; and

(6) establish criteria for use by the President and Congress in evaluating proposals to privatize, or to contract with the private

sector for the performance of, functions currently administered by the Federal Government.

(c) LIMITATIONS ON COMMISSION RECOMMENDATIONS.—The Commission's recommendations or proposals under this Act may not provide for or have the effect of—

(1) continuing an agency beyond the period authorized by law for its existence;

(2) continuing a function beyond the period authorized by law for its existence;

(3) authorizing an agency to exercise a function which is not already being performed by any agency;

(4) eliminating the enforcement functions of an agency, except such functions may be transferred to another executive department or independent agency; or

(5) adding, deleting, or changing any rule of either House of Congress.

(d) APPOINTMENT.—

(1) MEMBERS.—The Commissioners shall be appointed for the life of the Commission and shall be composed of nine members of whom—

(A) three shall be appointed by the President of the United States;

(B) two shall be appointed by the Speaker of the House of Representatives;

(C) one shall be appointed by the minority Leader of the House of Representatives;

(D) two shall be appointed by the majority Leader of the Senate; and

(E) one shall be appointed by the minority Leader of the Senate.

(2) CONSULTATION REQUIRED.—The President, the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall consult among themselves prior to the appointment of the members of the Commission in order to achieve, to the maximum extent possible, fair and equitable representation of various points of view with respect to the matters to be studied by the Commission under subsection (b).

(3) CHAIRMAN.—At the time the President nominates individuals for appointment to the Commission the President shall designate one such individual who shall serve as Chairman of the Commission.

(4) MEMBERSHIP.—A member of the Commission may be any citizen of the United States who is not an elected or appointed Federal public official, a Federal career civil servant, or a congressional employee.

(5) CONFLICT OF INTERESTS.—For purposes of the provisions of chapter 11 of part I of title 18, United States Code, a member of the Commission (to whom such provisions would not otherwise apply except for this paragraph) shall be a special Government employee.

(6) DATE OF APPOINTMENTS.—All members of the Commission shall be appointed within 90 days after the date of enactment of this Act.

(e) TERMS.—Each member shall serve until the termination of the Commission.

(f) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as was the original appointment.

(g) MEETINGS.—The Commission shall meet as necessary to carry out its responsibilities. The Commission may conduct meetings outside the District of Columbia when necessary.

(h) PAY AND TRAVEL EXPENSES.—

(1) PAY.—

(A) CHAIRMAN.—Except for an individual who is chairman of the Commission and is otherwise a Federal officer or employee, the chairman shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, for each day (including traveltime) during which the chairman is engaged in the performance of duties vested in the Commission.

(B) MEMBERS.—Except for the chairman who shall be paid as provided under subparagraph (A), each member of the Commission who is not a Federal officer or employee shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including traveltime) during which the member is engaged in the performance of duties vested in the Commission.

(2) TRAVEL.—Members of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(i) DIRECTOR.—

(1) APPOINTMENT.—The Chairman of the Commission shall appoint a Director of the Commission without regard to section 5311(b) of title 5, United States Code.

(2) PAY.—The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(j) STAFF.—

(1) APPOINTMENT.—The Director may, with the approval of the Commission, appoint and fix the pay of employees of the Commission without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, and any Commission employee may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that a Commission employee may not receive pay in excess of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) DETAIL.—

(A) DETAILS FROM AGENCIES.—Upon request of the Director, the head of any Federal department or agency may detail any of the personnel of the department or agency to the Commission to assist the Commission in carrying out its duties under this Act.

(B) DETAILS FROM CONGRESS.—Upon request of the Director, a Member of Congress or an officer who is the head of an office of the Senate or House of Representatives may detail an employee of the office or committee of which such Member or officer is the head to the Commission to assist the Commission in carrying out its duties under this Act.

(C) REIMBURSEMENT.—Any Federal Government employee may be detailed to the Commission with or without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(k) SUPPORT.—

(1) SUPPORT SERVICES.—The Office of Management and Budget shall provide support services to the Commission.

(2) ASSISTANCE.—The Comptroller General of the United States may provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(l) OTHER AUTHORITY.—The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code. The Commission shall give public notice of any such contract before entering into such contract.

(m) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Commission shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(n) FUNDING.—There are authorized to be appropriated to the Commission $2,500,000 for fiscal year 2000, and $5,000,000 for each of fiscal years 2001 through 2003 to enable the Commission to carry out its duties under this Act.

(o) TERMINATION.—The Commission shall terminate no later than September 30, 2003.

SEC. 4. PROCEDURES FOR MAKING RECOMMENDATIONS.

(a) PRESIDENTIAL RECOMMENDATIONS.—No later than July 1, 2001, the President may submit to the Commission a report making recommendations consistent with the criteria under section 3 (b) and (c). Such a report shall contain a single legislative proposal (including legislation proposed to be enacted) to implement those recommendations for which legislation is necessary or appropriate.

(b) IN GENERAL.—No later than December 1, 2002, the Commission shall prepare and submit a single preliminary report to the President and Congress, which shall include—

(1) a description of the Commission's findings and recommendations, taking into account any recommendations submitted by the President to the Commission under subsection (a); and

(2) reasons for such recommendations.

(c) COMMISSION VOTES.—No legislative proposal or preliminary or final report (including a final report after disapproval) may be submitted by the Commission to the President and Congress without the affirmative vote of at least 6 members.

(d) DEPARTMENT AND AGENCY COOPERATION.—All Federal departments, agencies, and divisions and employees of all departments, agencies, and divisions shall cooperate fully with all requests for information from the Commission and shall respond to any such requests for information expeditiously, or no later than 15 calendar days or such other time agreed upon by the requesting and requested parties.

SEC. 5. PROCEDURE FOR IMPLEMENTATION OF REPORTS.

(a) PRELIMINARY REPORT AND REVIEW PROCEDURE.—Any preliminary report submitted to the President and Congress under section 4(b) shall be made immediately available to the public. During the 60-day period beginning on the date on which the preliminary report is submitted, the Commission shall announce and hold public hearings for the purpose of receiving comments on the reports.

(b) FINAL REPORT.—No later than 6 months after the conclusion of the period for public hearing under subsection (a), the Commission shall prepare and submit a final report to the President. Such report shall be made available to the public on the date of submission to the President. Such report shall include—

(1) a description of the Commission's findings and recommendations, including a description of changes made to the report as a result of public comment on the preliminary report;

(2) reasons for such recommendations; and

(3) a single legislative proposal (including legislation proposed to be enacted) to implement those recommendations for which legislation is necessary or appropriate.

(c) EXTENSION OF FINAL REPORT.—By affirmative vote pursuant to section 4(c), the Commission may extend the deadline under subsection (b) by a period not to exceed 90 days.

(d) REVIEW BY THE PRESIDENT.—

(1) IN GENERAL.—

(A) PRESIDENTIAL ACTION.—No later than 30 calendar days after receipt of a final report under subsection (b), the President shall approve or disapprove the report.

(B) PRESIDENTIAL INACTION.—

(i) IN GENERAL.—If the President does not approve or disapprove the final report within 30 calendar days in accordance with subparagraph (A), Congress shall consider the report in accordance with clause (ii).

(ii) SUBMISSION.—Subject to clause (i), the Commission shall submit the final report, without further modification, to Congress on the date occurring 31 calendar days after the date on which the Commission submitted the final report to the President under subsection (b).

(2) APPROVAL.—If the report is approved, the President shall submit the report to Congress for legislative action under section 6.

(3) DISAPPROVAL.—If the President disapproves a final report, the President shall report specific issues and objections, including the reasons for any changes recommended in the report, to the Commission and Congress.

(4) FINAL REPORT AFTER DISAPPROVAL.—The Commission shall consider any issues or objections raised by the President and may modify the report based on such issues and objections. No later than 30 calendar days after receipt of the President's disapproval under paragraph (3), the Commission shall submit the final report (as modified if modified) to the President and to Congress.

SEC. 6. CONGRESSIONAL CONSIDERATION OF REFORM PROPOSALS.

(a) DEFINITIONS.—For purposes of this section—

(1) the term ''implementation bill'' means only a bill which is introduced as provided under subsection (b), and contains the proposed legislation included in the final report submitted to the Congress under section 5(d) (1)(B), (2), or (4), without modification; and

(2) the term ''calendar day'' means a calendar day other than one on which either House is not in session because of an adjournment of more than three days to a date certain.

(b) INTRODUCTION, REFERRAL, AND REPORT OR DISCHARGE.—

(1) INTRODUCTION.—On the first calendar day on which both Houses are in session, on or immediately following the date on which a final report is submitted to the Congress under section 5(d) (1)(B), (2), or (4), a single implementation bill shall be introduced (by request)—

(A) in the Senate by the Majority Leader of the Senate, for himself and the Minority Leader of the Senate, or by Members of the Senate designated by the Majority Leader and Minority Leader of the Senate; and

(B) in the House of Representatives by the Majority Leader of the House of Representatives, for himself and the Minority Leader of the House of Representatives, or by Members of the House of Representatives designated by the Majority Leader and Minority Leader of the House of Representatives.

(2) REFERRAL.—The implementation bills introduced under paragraph (1) shall be referred to the appropriate committee of jurisdiction in the Senate and the appropriate committee of jurisdiction in the House of Representatives. A committee to which an implementation bill is referred under this paragraph may report such bill to the respective House with amendments proposed to be adopted. No such amendment may be proposed unless such proposed amendment is relevant to such bill.

(3) REPORT OR DISCHARGE.—If a committee to which an implementation bill is referred has not reported such bill by the end of the 30th calendar day after the date of the introduction of such bill, such committee shall be immediately discharged from further consideration of such bill, and upon being reported or discharged from the committee, such bill shall be placed on the appropriate calendar.

(c) SENATE CONSIDERATION.—

(1) IN GENERAL.—On or after the fifth calendar day after the date on which an implementation bill is placed on the Senate calendar under subsection (b)(3), it is in order (even if a previous motion to the same effect has been disagreed to) for any Senator to make a motion to proceed to the consideration of the implementation bill. The motion is not debatable. All points of order against the implementation bill (and against consideration of the implementation bill) other than points of order under Senate Rule 15, 16, or for failure to comply with requirements of this section are waived. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion to proceed is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the implementation bill is agreed to, the Senate shall immediately proceed to consideration of the implementation bill.

(2) DEBATE.—In the Senate, no amendment which is not relevant to the bill shall be in order. A motion to postpone is not in order. A motion to recommit the implementation bill is not in order. A motion to reconsider the vote by which the implementation bill is agreed to or disagreed to is not in order.

(3) APPEALS FROM CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to an implementation bill shall be decided without debate.

(d) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—At any time on or after the fifth calendar day after the date on which each committee of the House of Representatives to which an implementation bill is referred has reported that bill, or has been discharged under subsection (b)(3) from further consideration of that bill, the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of that bill. All points of order against the bill, the consideration of the bill, and provisions of the bill shall be waived, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed 10 hours, to be equally divided and controlled by the Majority Leader and the Minority Leader, the bill shall be considered for amendment by title under the five-minute rule and each title shall be considered as having been read.

(2) AMENDMENTS.—Each amendment shall be considered as having been read, shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for not to exceed 30 minutes, equally divided and controlled by the proponent and a Member opposed thereto, except that the time for consideration, including debate and disposition, of all amendments to the bill shall not exceed 20 hours.

(3) FINAL PASSAGE.—At the conclusion of the consideration of the bill, the Committee shall rise and report the bill to the House with such amendments as may have been agreed to, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

(e) CONFERENCE.—

(1) APPOINTMENT OF CONFEREES.—In the Senate, a motion to elect or to authorize the appointment of conferees by the presiding officer shall not be debatable.

(2) CONFERENCE REPORT.—No later than 20 calendar days after the appointment of conferees, the conferees shall report to their respective Houses.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of an implementation bill described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 7. IMPLEMENTATION.

(a) RESPONSIBILITY FOR IMPLEMENTATION.—The Director of the Office of Management and Budget shall have primary responsibility for implementation of the Commission's report and the Act enacted under section 6 (unless such Act provides otherwise). The Director of the Office of Management and Budget shall notify and provide direction to heads of affected departments, agencies, and programs. The head of an affected department, agency, or program shall be responsible for implementation and shall proceed with the recommendations contained in the report as provided under subsection (b).

(b) DEPARTMENTS AND AGENCIES.—After the enactment of an Act under section 6, each affected Federal department and agency as a part of its annual budget request shall transmit to the appropriate committees of Congress its schedule for implementation of the provisions of the Act for each fiscal year. In addition, the report shall contain an estimate of the total expenditures required and the cost savings to be achieved by each action, along with the Secretary's assessment of the effect of the action. The report shall also include a report of any activities that have been eliminated, consolidated, or transferred to other departments or agencies.

(c) GAO OVERSIGHT.—The Comptroller General shall periodically report to Congress and the President regarding the accomplishment, the costs, the timetable, and the effectiveness of the implementation of any Act enacted under section 6.

SEC. 8. DISTRIBUTION OF ASSETS.

Any proceeds from the sale of assets of any department or agency resulting from the enactment of an Act under section 6 shall be—

(1) applied to reduce the Federal deficit; and

(2) deposited in the Treasury and treated as general receipts.

GOVERNMENT FOR THE 21ST CENTURY ACT—BRIEF SUMMARY

This legislation will reduce the cost and increase the effectiveness of the Federal government. It achieves this by establishing a commission to submit to Congress and the President a plan to bring the structure and operations of the Federal government in line with the needs of Americans in the new century.

Duties of the Commission: The Commission is authorized under this legislation to propose the reorganization of Federal departments and agencies, the elimination of activities not essential to fulfilling agency missions, the streamlining of government operations, and the consolidation of redundant activities.

The Commission would not be authorized to continue any agency or function beyond its current life, authorize functions not performed already by the Federal government, eliminate enforcement functions, or change the rules of Congress.

Composition of the Commission: The Commission would consist of 9 members appointed by the President and the Congressional leadership of both parties.

How the Commission works: The process established in this legislation is bipartisan, allows input by the President, and is fully open and public.

The Commission report: By July 1, 2001, the President may submit his recommendations to the Commission. By December 1, 2002, the Commission shall submit to the President and Congress a preliminary report containing recommendations on restructuring the Federal Government. After a public comment period, the Commission shall prepare a final report and submit it to the President for review and comment.

Presidential review and comment: The President has 30 days to approve or disapprove the Commission's report. The Commission decides whether or not to modify its report based on the President's comments, and shall issue a final report to Congress.

Congressional consideration: The final report shall be introduced in both Houses by request and referred to the appropriate committee(s). After 30 days, the bills may be considered by the full House and Senate and are subject to amendment.

Implementation: Once legislation effecting the Commission's recommendations is enacted, the Office of Management and Budget shall be responsible for implementing it. The General Accounting Office shall report to Congress on the progress of implementation.

GOVERNMENT FOR THE 21ST CENTURY ACT—SECTION-BY-SECTION ANALYSIS

SECITON 1. SHORT TITLE AND PURPOSE

This act may be cited as the ''Government for the 21st Century Act.'' Its purpose is to reduce the cost and increase the effectiveness of the Executive Branch. It achieves this by creating a commission to propose to Congress and the President a plan to reorganize departments and agencies, consolidate redundant activities, streamline operations, and decentralize service delivery in a manner that promotes economy, efficiency, and accountability in government programs.

SECTION 2. DEFINITIONS

This section defines ''agency'' to include all Federal departments, independent agencies, government-sponsored enterprises and government corporations, and defines ''private sector'' as any business, partnership, association, corporation, educational institution, nonprofit organization, or individual.

SECTION 3. THE COMMISSION

This section establishes a commission, known as the Commission on Government Restructuring and Reform, to make recommendations to reform and restructure the Executive Branch. The Commission shall make proposals to consolidate, reorganize or eliminate Executive Branch agencies and programs in order to improve effectiveness, efficiency, consistency and accountability in government. The Commission shall also recommend criteria by which to determine which functions of government should be privatized. The Commission may not propose to continue agencies or functions beyond their current legal authorization, nor may the Commission propose to eliminate enforcement functions entirely or change the rules of either House of Congress.

The Commission shall be composed of 9 members appointed as follows: Three by the President, two by the Majority Leader of the Senate, two by the Speaker of the House of Representatives, and one each by the Minority Leaders of the Senate and House.

The Commission shall be managed by a Director and shall have a staff, which may include detailees. The Office of Management and Budget shall provide support services and the Comptroller General may provide assistance to the Commission.

This section authorizes $2.5 million to be appropriated in fiscal year 2000 and $5 million each for fiscal years 2001 through 2003 for the Commission to carry out its duties. It also provides that the Commission shall terminate no later than September 30, 2003.

SECTION 4. PROCEDURES FOR MAKING RECOMMENDATIONS

By July 1, 2001, the President may submit his recommendations on government reorganization to the Commission. The President's recommendations must be consistent with the duties and limitations given to the Commission in formulating its recommendations and must be transmitted to the Commission as a single legislative proposal.

By December 1, 2002, the commission shall prepare and submit a single preliminary report to the President and Congress. That report must include a description of the Commission's findings and recommendations and the reasons for such recommendations. The proposal must be approved by at lest 6 members of the Commission.

This section also provides that all Federal departments and agencies must cooperate fully with requests for information from the Commission.

SECTION 5. PROCEDURES FOR IMPLEMENTATION OF REPORTS

This section provides that any preliminary report submitted to the President and the Congress under section 4 be made available immediately to the public. During the 60-day period after the submission of the preliminary report, the Commission shall hold public hearings to receive comments on the report.

Six months after the conclusion of the period for public comments, the Commission shall submit a final report to the President. this report shall be made a available to the public and shall include a description of the Commission's findings and recommendations, the reasons for such recommendations, and a single legislative proposal to implement the recommendations.

The President shall then approve or disapprove the report within 30 days. If he fails to act after 30 days, the report is immediately submitted to Congress. If the President approves the report, he then shall submit the report to Congress for legislative action under section 6.

If he disapproves the final report, the President shall report specific issues and objections, including the reasons for any changes recommended in the report, to the Commission and Congress. For 30 days after the President disapproves a report, the Commission may consider any issues and objections raised by the President and may modify the report with respect to these issues and objections. After 30 days, the Commission must submit its final report (as modified if modified) to the President and Congress.

SECTION 6. CONGRESSIONAL CONSIDERATION OF REFORM PROPOSALS

After a final report is submitted to the Congress, single implementation bill shall be introduced by request in the House and Senate by the Majority and Minority Leaders in each chamber or their designees.

This section stipulates that the implementation bill be referred to the appropriate committee of jurisdiction in the House and Senate. Each committee must report the bill to its respective House chamber within 30 days, with relevant amendments proposed to be adopted. If a committee fails to report such a bill within 30 days, that committee is immediately discharged from further consideration and the bill is placed on the appropriate calendar.

Section 6(c) outlines procedures for Senate floor consideration of legislation implementing the Commission's recommendations. On or after the fifth calendar day after the date on which the implementation bill is placed on the Senate calendar, any Senator may make a privileged motion to consider the implementation bill. Only relevant amendments shall be in order, and motions to postpone, recommit, or reconsider the vote by which the bill is agreed to are not in order.

Section 6(d) outlines procedures for House floor consideration of legislation implementing the Commission's recommendations. General debate on the implementation bill is limited to 10 hours equally divided, and controlled by the Majority and Minority Leaders. Amendments shall be considered by title under the five minute rule, and shall be debatable for 30 minutes equally divided. Debate on all amendments shall not exceed 20 hours.

This section further states that within 20 calendar days, conferees shall report to their respective House.

SECTION 7. IMPLEMENTATION

The Office of Management and Budget shall have primary responsibility for implementing the Commission's report and any legislation that is enacted, unless otherwise specified in the implementation bill.

Federal departments and agencies are required to include a schedule for implementation of the provisions of the implementation legislation as a part of their annual budget request.

GAO is given oversight responsibility and is required to report to the Congress and the President regarding the accomplishments, costs, timetable, and effectiveness of the implementation process.

SECTION 8. DISTRIBUTION OF ASSETS

Any proceeds from the sale of assets of any department or agency resulting from the implementation legislation shall be deposited in the treasury and treated as general receipts.

Mr. LIEBERMAN. Mr. President, I am pleased to join with Senators THOMPSON, VOINOVICH, BROWNBACK and ROTH today to introduce the Government for the 21st Century Act. This bill provides an opportunity to address the challenges our government will face in the new millennium. Our country is undergoing rapid changes—changes brought about by technological advancements, by our expanding and increasingly global economy, and by the new and more diverse threats to our nation and our world. It is essential for our government to be prepared to respond effectively to these challenges.

We should take the opportunity now to rethink the structure of our government to be sure it can meet the needs of our citizens in the years to come. The Commission that will be established under this bill will have a critical task—to study the current shape of our government and to make recommendations about how we can improve its efficiency and effectiveness, streamline its operations, and eliminate unnecessary duplication.

I view the bill we are introducing today as a discussion draft. Our goal is to hear from a wide range of experts on government and management. I look

forward to reviewing new ideas that will enhance the value of the Commission's work. For example, I intend to recommend that the Commission focuses on the enormous potential benefit of ''E-government.'' The Commission should consider how government can be restructured to promote the innovative use of information technology. American citizens increasingly expect services and information to be provided electronically through Internet-based technology. While the federal government is working to take advantage of the opportunities technology presents to do its job better, more needs to be done to fully integrate these capabilities and to offer services and information to Americans in a more accessible and cost-effective way.

I look forward to working with Senators THOMPSON, BROWNBACK, ROTH and VOINOVICH on this important legislation.

By Mr. DORGAN (for himself, Mr. DASCHLE, Mr. BAUCUS, Mr. JOHNSON, and Mr. HARKIN):

S. 2307. A bill to amend the Communications Act of 1934 to encourage broadband deployment to rural America, and for other purposes; to the Committee on Commerce, Science, and Transportation.

RURAL BROADBAND ENHANCEMENT ACT

Mr. DORGAN. Mr. President, today I am, along with Senator DASCHLE, Senator BAUCUS and Senator JOHNSON, introducing the Rural Broadband Enhancement Act to deploy broadband technology to rural America. As the demand for high speed Internet access grows, numerous companies are responding in areas of dense population. While urban America is quickly gaining high speed access, rural America is—once again—being left behind. Ensuring that all Americans have the technological capability is essential in this digital age. It is not only an issue of fairness, but it is also an issue of economic survival.

To remedy the gap between urban and rural America, this legislation gives new authority to the Rural Utilities Service to make low interest loans to companies that are deploying broadband technology to rural America. Loans are made on a company neutral and a technology neutral basis so that companies that want to serve these areas can do so by employing technology that is best suited to a particular area. Without this program, market forces will pass by much of America, and that is unacceptable.

This issue is not a new one. When we were faced with electrifying all of the country, we enacted the Rural Electrification Act. When telephone service was only being provided to well-populated communities, we expanded the Rural Electrification Act and created the Rural Utilities Service to oversee rural telephone deployment. The equitable deployment of broadband services is only the next step in keeping America connected, and our legislation would ensure that.

If we fail to act, rural America will be left behind once again. As the economy moves further and further towards online transactions and communications, rural America must be able to participate. Historically, our economy has been defined by geography, and we in Congress were powerless to do anything about it. Where there were ports, towns and businesses got their start. Where there were railroad tracks, towns and businesses grew up around them. The highway system brought the same evolution.

But the Internet is changing all of that. No longer must economic growth be defined by geographic fiat. Telecommunications industries and policymakers are proclaiming, ''Distance is dead!'' But, that's not quite right: Distance will be dead, as long as Congress ensures that broadband services are available to all parts of America, urban and rural.

I look forward to working with Senator DASCHLE, Senator BAUCUS, Senator JOHNSON and my other colleagues in the Senate to pass this legislation and give rural America a fair chance to survive.

By Mr. MOYNIHAN (for himself, Mr. GRAHAM, and Mrs. FEINSTEIN):

S. 2308. A bill to amend title XIX of the Social Security Act to assure preservation of safety net hospitals through maintenance of the Medicaid disproportionate share hospital program; to the Committee on Finance.

THE MEDICAID SAFETY NET HOSPITAL ACT OF 2000

Mr. MOYNIHAN. Mr. President, today, I join with my colleagues, Senators GRAHAM and FEINSTEIN, in introducing legislation to ensure that our safety net hospitals continue to be able to care for the poor and the uninsured.

The Medicaid Disproportionate Share Hospital (DSH) program provides vital funding to safety net hospitals that primarily serve Medicaid and uninsured patients. The Balanced Budget Act of 1997 placed declining state-specified ceilings on federal Medicaid DSH spending from 1998–2002. In 2003, the limits will begin to be adjusted upwards for inflation. The Medicaid Safety Net Hospital Act of 2000 would freeze the state-specific caps at this year's limits (thereby preventing further declines in the limits) and adjust them for inflation beginning in 2002.

It is essential to provide much-needed support to our safety net hospitals. The number of uninsured in the United States increases every year, in part because of declining Medicaid enrollment as a result of welfare reform. There are now 44 million Americans without health insurance who have no choice but to turn to the emergency rooms of safety net hospitals for care. Yet, even as demands on safety net hospitals increase, DSH spending per State is being further reduced. The Medicaid Safety Net Hospital Act of 2000 would maintain significant savings achieved by prior reductions but would protect safety net hospitals from further DSH cuts. As a result, hospitals would have access to the financing they need for achieving their social mission.

Mr. President, Congress should act now to preserve the financial ability of our safety net hospitals to provide health care to the poor and uninsured/

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2308

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicaid Safety Net Hospital Act of 2000''.

SEC. 2. FREEZING MEDICAID DSH ALLOTMENTS FOR FISCAL YEAR 2001 AT LEVELS FOR FISCAL YEAR 2000.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended—

(1) in paragraph (2)—

(A) in the heading, by striking ''2002'' and inserting ''2001'';

(B) in the matter preceding the table, by striking ''2002'' and inserting ''2001 (and the DSH allotment for a State for fiscal year 2001 is the same as the DSH allotment for the State for fiscal year 2000, as determined under the following table)''; and

(C) by striking the columns in the table relating to FY 01 and FY 02 (fiscal years 2001 and 2002); and

(2) in paragraph (3)—

(A) in the heading, by striking ''2003'' and inserting ''2002''; and

(B) in subparagraph (A), by striking ''2003'' and inserting ''2002''.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Medicaid Safety Net Hospital Act of 2000, a bill that would freeze Medicaid Disproportionate Share Hospital (DSH) payments to hospitals at their 2000 level for Fiscal Year 2001 and 2002. I hope the Senate can act promptly on this bill.

The number of people in our nation who have no medical insurance has hit some 44 million. This is tragic. More than 100,000 people join the ranks of the uninsured monthly. We cannot continue to reduce payments to hospitals that provide care for the uninsured. We cannot balance the budget on the backs of poor people who show up at emergency rooms with no insurance or on the backs of the hospitals that tend to them.

California bears a disproportionate burden of uncompensated care. Twenty-four percent of our population is uninsured. Nationwide, the rate is 17 percent. Currently, over 7 million Californians are uninsured. During the past few months, I have met with many California health care leaders. They fear that the Medicaid cuts contained in the Balanced Budget Act of 1997 have undermined the financial stability of California's health care system, which many believe to be on the verge of collapse.

As a result of Medicaid reductions in the Balanced Budget Act of 1997, California's Medicaid Disproportionate

Share Hospital program could lose more than $280 million by 2002. Federal Medicaid DSH payments to California have declined by more than $116 million in the past two years and are slated to be cut by an additional $164 million—17 percent—over the next two years.

Without this bill, for example, by Fiscal Year 2002 Los Angeles County-University of Southern California Medical Center will lose $13.5 million. San Francisco General will lose $5.2 million. Fresno Community Hospital will lose $10.5 million. Over 132 California hospitals, representing rural and urban communities, depend on Medicaid DSH payments. Under this bill, millions of dollars will be restored to California public hospitals.

Public hospitals carry a disproportionate share of caring for the poor and uninsured. Forty percent of all California uninsured hospital patients were treated at public hospitals in 1998, up from 32 percent in 1993. The uninsured as a share of all discharges from public hospitals grew from 22 percent in 1993 to 29 percent in 1998. While overall public hospital discharges declined from 1993 to 1999 by 15 percent, discharges for uninsured patients increased by 11 percent. Large numbers of uninsured add huge uncompensated costs to our public hospitals.

The uninsured often choose public hospitals and frequently wait until their illnesses or injuries require emergency treatment. This makes their care even more costly. California's emergency rooms are strained to the breaking point. Last week at a California State Senate hearing, Dr. Dan Abbott, an emergency room physician at St. Jude Hospital in Fullerton, California said: ''We feel that emergency care in California is overwhelmed, it's underfunded and at times, frankly, it is out-and-out dangerous.'' Statewide, 19 emergency rooms have closed since 1997 despite an increase in the number of uninsured requiring care. The burden to provide care is put on those hospitals who have managed to remain open, and many of those hospitals are currently facing financial problems of their own.

California's health care system, in the words of a November 15th Wall Street Journal article, is a ''chaotic and discombobulated environment.'' It is stretched to the limit:

Thirty-seven California hospitals have closed since 1996, and up to 15 percent more may close by 2005.

Earlier this month, Scripps Memorial Hospital East County closed its doors due in part to reimbursement problems.

Eighty-six California hospitals operated in the red in 1999.

Academic medical centers, which incur added costs unique to their mission, are facing margins reduced to zero and below.

Sixty-two percent of California hospitals are now losing money. Due to the large number of Medicare and Medicaid patients, sixty-nine percent of California's rural hospitals lost money in 1998, according to the California Healthcare Association.

Hospitals have laid off staff, limited hours of operation, and discontinued services.

California physician groups are failing at the rate of one a week, with 115 bankruptcies or closures since 1996.

In short, restoring Medicaid cuts is crucial to stabilizing California's health delivery system.

Circumstances have changed since 1997 when we passed the Balanced Budget Act. We have eliminated the federal deficit. Because we have a robust economy, lower inflation, higher GDP growth and lower unemployment, we also have lowered Medicaid spending growth more than anticipated. This climate provides us an opportunity to revisit the reductions contained in the Balanced Budget Act of 1997 and to strengthen the stability of health care services, a system that in my State is on the verge of unraveling.

We need to pass this bill. Without it, we could have a more severe health care crisis on our hands, especially in California. I urge my colleagues to join me in passing this bill.

By Mr. DASCHLE:

S. 2309. A bill to establish a commission to assess the performance of the civil works function of the Secretary of the Army; to the Committee on Environment and Public Works.

CORPS OF ENGINEERS CIVIL WORKS INDEPENDENT INVESTIGATION AND REVIEW ACT

Mr. DASCHLE. Mr. President, over the last couple of months the Washington Post has published a number of very troubling articles about the operations of the U.S. Army Corps of Engineers.

These stories expose the existence of independent agendas within the Corps. They suggest cost-benefit analyses rigged to justify billion dollar projects; disregard for environmental laws, and a pattern of catering to special interests.

The actions described in the Post articles raise serious questions about the accountability of the Corps. And they present a compelling case for a thorough review of the agency's operations and management.

And it is not only the Post articles that cause me to believe this.

The Corps' current effort to update the Missouri River Master Control Manual—the policy document that governs the Corps' management of the river from Montana to Missouri—illustrates not only that the Corps can be indifferent to the environment. Too often, it actually erects institutional barriers that make achieving certain critical ecological goals difficult or impossible.

This ought to be a concern to all Americans. It is a deep concern to South Dakotans. The Missouri runs down the center of our state and is a major source of income, recreation and pride for us.

More than 40 years ago, the Corps built dams up and down the Missouri River in order to harness hydroelectric power. In return, it promised to manage the river wisely and efficiently.

That promise has not been kept.

Silt has built up, choking the river in several spots.

In recent years, studies have been done to determine how to restore the river to health. An overwhelming amount of scientific and technical data all point to the same conclusion.

The flow of the river should more closely mimic nature. Flows should be higher in the spring, and lower in the summer—just as they are in nature.

Yet the Corps proposes to continue doing largely what it has been doing all these years—knowing the consequences, knowing exactly what the practices have produced now for the last 50-plus years.

The agency's refusal to change will further jeopardize endangered species. And, it will continue to erode the recreational value of the river, which is 12 times more important to the economy than its navigational value.

Why does the Corps insist—despite all the evidence—on this course?

It does it to protect the barge industry—a $7 million-a-year industry that American taxpayers already spend $8 million a year to support. $8 million. That's how much American taxpayers pay each year for channel maintenance, to accommodate the barge industry.

The Washington Post suggests that the Corps handling of the Missouri River Master Manual is not an isolated case.

The Post articles contain allegations by a Corps whistleblower who says that a study of proposed upper-Mississippi lock expansions was rigged to provide an economic justification for that billion-dollar project.

In response to these allegations, the Corps' own Office of Special Counsel concluded that the agency—quote—''probably broke laws and engaged in a gross waste of funds.''

In my own dealings with the Corps of Engineers, I too have experienced the institutional problems recorded so starkly in the Post series.

In South Dakota, where the Corps operates four hydroelectric dams, we have fought for more than 40 years to force the agency to meet its responsibilities under the 1958 Fish and Wildlife Coordination Act and mitigate the loss of wildlife habitat resulting from the construction of those dams.

For 40 years, the Corps has failed to meet those responsibilities.

That is why I have worked closely with the Governor of my state, Bill Janklow, and with many other South Dakotans, to come up with a plan to transfer of Corps lands back to the state of South Dakota and two Indian tribes.

Unfortunately, instead of attempting to work with us, the Corps is fighting us.

The litany of excuses, scare tactics and misinformation the Corps employed to try to defeat our proposal is outrageous. It appears Corps officials are not nearly as concerned with preserving the river as they are with preserving their own bureaucracy.

After the legislation was enacted, the Chief of the Engineers, General Joseph Ballard continued to resist its implementation. In fact, my own experiences with the Corps, and the experiences of other members, repeatedly demonstrates General Ballard's unwillingness to follow civilian direction and ensure the faithful implementation of the law.

When considered in the context of the litany of problems that have come to light in the Post series, Congress has no choice but to consider seriously moving the responsibilities of the Corps from the Army and placing them within the Department of the Interior. Too much power now is concentrated in the hands of the Chief of the Engineers, and that power too often has been abused.

General Ballard's lack of responsiveness to the law, to meeting environmental objectives and to civilian direction, has serious consequences for individual projects.

Beyond that, it raises very troubling questions about the lack of meaningful civilian control over this federal agency.

In a democracy, institutions of government must be held accountable. That is the job of Congress—to hold them responsible.

The existence of separate agendas within the Corps bureaucracy cannot be tolerated if our democracy is to succeed in representing the will of the people. Its elected representatives and the civil servants appointed by them must maintain control of the apparatus of government.

Moreover, contempt for environmental laws and self-serving economic analyses simply cannot be tolerated if Congress is to make well-informed decisions regarding the authorization of expensive projects, and if the American taxpayer is to be assured that federal monies are being spent wisely.

The Corps of Engineers provides a valuable national service. It constructs and manages needed projects throughout the country.

The size and scope of the biannual Water Resources Development Act is clear evidence of the importance of the Corps' civil works mission.

Because the Corps' work is so critical, it is essential that steps be taken immediately to determine the extent of the problems within the agency—and to design meaningful and lasting reforms to correct them.

Our nation needs a civil works program we can depend on. We need a Corps of Engineers that conducts credible analysis.

We need a Corps that balances economic development and environmental protection as required by its mandate—not one that ignores environmental laws as it chooses.

History does not offer much room for confidence that the Army Corps of Engineers can meet these standards under its current management structure. Therefore, I am introducing legislation today to establish an independent Corps of Engineers Investigation and Review Commission.

The commission will take a hard and systemic look at the agency and make recommendations to Congress on needed reforms.

It will examine a number of issues, including:

The effectiveness of civilian control in the Corps, particularly the effectiveness of the relationship between uniformed officers and the Assistant Secretary for civil works with regard to responsiveness, lines of authority, and coordination;

The Corps' compliance with environmental laws—including the Fish and Wildlife Coordination Act, the Endangered Species Act and NEPA—in the design and operation of projects;

The quality and objectivity of the agency's scientific and economic analysis;

The extent to which the Corps coordinates and cooperates with other state and federal agencies in designing and implementing projects;

The appropriateness of the agency's size, budget and personnel; and

Whether the civil works program should be transferred from the Corps to a civilian agency, and whether certain responsibilities should be privatized.

Mr. President, I urge my colleagues to review this legislation.

It is my hope that all those who care about the integrity of the Army Corps of Engineers and its mission will support this effort to identify and implement whatever reforms are necessary to rebuild public support for its work.

I ask unanimous consent that the full text of the legislation be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2309

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Corps of Engineers Civil Works Independent Investigation and Review Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Corps of Engineers Civil Works Independent Investigation and Review Commission established under section 3(a).

(2) SESSION DAY.—The term ''session day'' means a day on which both Houses of Congress are in session.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the President shall establish a commission to be known as the ''Corps of Engineers Civil Works Independent Investigation and Review Commission''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of not to exceed 18 members, and shall include—

(A) individuals appointed by the President to represent—

(i) the Department of the Army;

(ii) the Department of the Interior;

(iii) the Department of Justice;

(iv) environmental interests;

(v) hydropower interests;

(vi) flood control interests;

(vii) recreational interests;

(viii) navigation interests;

(ix) the Council on Environmental Quality; and

(x) such other affected interests as are determined by the President to be appropriate; and

(B) 6 governors from States representing different regions of the United States, as determined by the President.

(2) DATE OF APPOINTMENTS.—The appointment of a member of the Commission shall be made not later than 180 days after the date of enactment of this Act.

(c) TERM; VACANCIES.—

(1) TERM.—A member shall be appointed for the life of the Commission.

(2) VACANCIES.—A vacancy on the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(e) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) IN GENERAL.—The President shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(2) NO CORPS REPRESENTATIVE.—The Chairperson and the Vice Chairperson shall not be representatives of the Department of the Army (including the Corps of Engineers).

SEC. 4. INVESTIGATION OF CORPS OF ENGINEERS.

Not later than 2 years after the date of enactment of this Act, the Commission shall complete an investigation and submit to Congress a report on the Corps of Engineers, with emphasis on—

(1) the effectiveness of civilian control over the civil works functions of the Corps of Engineers, particularly the effectiveness of the relationship between uniformed officers and the office of the Assistant Secretary of the Army for Civil Works with respect to—

(A) responsiveness;

(B) lines of authority; and

(C) coordination;

(2) compliance through the civil works functions of the Corps of Engineers with environmental laws in the design and operation of projects, including—

(A) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(3) the quality and objectivity of scientific, environmental, and economic analyses by the Corps of Engineers, including the use of independent reviewers of analyses performed by the Corps;

(4) the extent of coordination and cooperation by the Corps of Engineers with other Federal and State agencies in designing and implementing projects;

(5) whether the size of the Corps of Engineers is appropriate, including the size of the budget and personnel of the Corps;

(6) whether the management structure of the Corps of Engineers should be changed, and, if so, how the management structure should be changed;

(7) whether any of the civil works functions of the Corps of Engineers should be transferred from the Department of the Army to a civilian agency or should be privatized;

(8) whether any segments of the inland water system should be closed;

(9) whether any planning regulations of the Corps of Engineers should be revised to give equal consideration to economic and environmental goals of a project;

(10) whether any currently-authorized projects should be deauthorized;

(11) whether all studies conducted by the Corps of Engineers should be subject to independent review; and

(12) the extent to which the benefits of proposed projects—

(A) exceed the costs of the projects; or

(B) accrue to private interests.

SEC. 5. POWERS.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from a Federal department or agency such information as the Commission considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION.—On request of the Chairperson of the Commission, the head of the department or agency shall provide the information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or personal property.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—

(1) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(b) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.

(3) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(1) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(2) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act $10,000,000 for each of fiscal years 2001 through 2003, to remain available until expended.

SEC. 8. TERMINATION OF COMMISSION.

The Commission shall terminate on the date on which the Commission submits the report to Congress under section 4(a).

By Mr. COVERDELL (for himself, Mr. LEAHY, Mr. HELMS, and Mr. DEWINE):

S.J. Res. 43. A joint resolution expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru; read the first time.

SUPPORT FOR ELECTIONS AND DEMOCRACY IN PERU

Mr. COVERDELL. Mr. President, I rise today to introduce a joint resolution urging free and fair elections and respect for democratic principles in Peru. I join with my colleagues, Senator LEAHY, Senator HELMS, and Senator DEWINE to express concern about the transparency and fairness of the current electoral campaign in Peru.

Several independent election monitors have issued distressing reports on the conditions surrounding the upcoming April 9 elections in Peru. A Carter Center/National Democratic Institute delegation has concluded that conditions for a free election campaign have not been established. Their report states that ''the electoral environment in Peru is characterized by polarization, anxiety and uncertainties . . . Irreparable damage to the integrity of the electoral process has already been done.'' The Organization of American States (OAS) has come to similar conclusions. An OAS special rapporteur recently concluded that ''Peru lacks that necessary conditions to guarantee the complete exercise of the right to express political ideas that oppose or criticize the government.''

These reports, and others, detail the Peruvian Government's control of key official electoral agencies, systematic restrictions on freedom of the press, manipulation of the judicial process to stifle independent news outlets, and harassment or intimidation of opposition politicians—all with the aim of limiting the ability of opposition candidates to campaign freely. Such reports raise serious concerns about the openness in which the electoral campaign is being conducted and whether free and fair elections will actually occur.

Mr. President, this is a disturbing, though not necessarily surprising, trend for a government that already has an inconsistent record on democracy and the rule of law. Despite his many accomplishments, President Fujimori has often demonstrated little respect for democratic principles—his infamous ''auto-coup'', or dissolution of Congress, and his current bid for a third Presidential term being the best examples. In addition, the current crackdown on independent media highlights Peru's dismal record on press freedom under Fujimori. Freedom House rates only two countries in the Hemisphere, Peru and Cuba, as having a press that is ''not free.'' According to Freedom House, since 1992 media outlets have been pressured into self-censorship or exile by a government campaign of intimidation, abductions, death threats, arbitrary detention, and physical mistreatment. The case of Baruch Ivcher is a good example. In September 1997, a government-controlled court stripped Ivcher of his media business and his Peruvian citizenship after the station ran reports linking the military to torture and corruption. In 1998, Ivcher was sentenced in absentia to 12 years imprisonment.

The continued intimidation of journalists, and the lack of truly independent judicial and legislative branches threaten democracy and the rule of law in Peru. Indeed, Peru, could be said to be undergoing a ''slow-motion coup.'' Though not under attack in a violent or conspicuous manner, democracy and the rule of law in Peru are increasingly in question.

Mr. President, if one considers the incredible spread of democracy around the world over the last century, and in particular over the last twenty years, such a development is indeed disturbing. Consider the following: according to Freedom House, of the 192 sovereign states in existence today, 119 of them are considered true democracies. In 1950, just 22 countries were democracies, meaning that nearly 100 nations have made the transition over this half century. Nowhere was there a more dramatic change than in our own back yard. In 1981, 18 of the 33 nations in the hemisphere were under some

form of authoritarian rule. By the beginning of the 1990's, all but one—Castro's Cuba—had freely elected heads of state.

Despite these gains, freedom in the hemisphere remains fragile and uncertain—Peru being just one example. After 7 years of neglect by the current administration, some of the hard-fought victories for freedom in Latin America are weakened and in jeopardy. There is no doubt that if the elections are not deemed to be free and fair, it will represent a major setback for the people of Peru and for democracy in the hemisphere.

Mr. President, we must recommit ourselves to nurturing and protecting the gains of freedom around the world, but with great attention on our own hemisphere. A message must be sent to President Fujimori that if democratic processes are not respected, their economic and diplomatic relations will suffer. This message should be unanimous from every nation in the region, and not just from the United States. A breach of democracy, especially in this hemisphere, must not be allowed to stand.

I ask unanimous consent that a copy of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 43

Whereas presidential and congressional elections are scheduled to occur in Peru on April 9, 2000;

Whereas independent election monitors have expressed grave doubts about the fairness of the electoral process due to the Peruvian Government's control of key official electoral agencies, systematic restrictions on freedom of the press, manipulation of the judicial processes to stifle independent reporting on radio, television, and newspaper outlets, and harassment and intimidation of opposition politicians, which have greatly limited the ability of opposing candidates to campaign freely; and

Whereas the absence of free and fair elections in Peru would constitute a major setback for the Peruvian people and for democracy in the hemisphere, could result in instability in Peru, and could jeopardize United States antinarcotics objectives in Peru and the region: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress Assembled, That it is the sense of Congress that the President of the United States should promptly convey to the President of Peru that if the April 9, 2000 elections are not deemed by the international community to have been free and fair, the United States will modify its political and economic relations with Peru, including its support for international financial institution loans to Peru, and will work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.

Mr. LEAHY. Mr. President, today I am joining Senators COVERDELL, DEWINE and HELMS in introducing a Joint Resolution regarding the presidential and congressional elections in Peru, which are scheduled for April 9. I want to thank the other sponsors for their leadership and concern for these issues.

These elections have generated a great deal of attention and anticipation, and they have also focused a spotlight on President Fujimori, who is running for an unprecedented third term. He is doing so after firing three of the country's Supreme Court judges, who had determined that a third term was barred by Peru's Constitution.

President Fujimori has often been praised for what he has accomplished since he first took office in 1990. He success in defeating the brutal Sendero Luminoso insurgency, combating cocaine trafficking, and curbing soaring inflation has brought stability and greater economic opportunities.

These are important achievements. Unfortunately, they have often been accomplished through the strong arm tactics of a president who has shown a disturbing willingness to run roughshod over democratic principles and institutions.

In the run up to the April 9th election, President Fujimori's and his supporter's disrespect for democratic procedures and the conditions necessary for free and fair elections has rarely been so blatant.

Journalists and independent election observer groups cite the Peruvian Government's control of key official electoral agencies, systematic restrictions on freedom of the press, manipulation of the judicial process, alleged falsification of electoral petitions and harassment and intimidation of opposition politicians as just a few of the problems plaguing this process.

In February, the National Democratic Institute and the Carter Center concluded that ''extraordinary, immediate and comprehensive measures'' were necessary if the Peruvian elections are to meet international standards. Those measures have not been taken, and NDI and the Carter Center recently reported that ''irreparable damage to the integrity of the election process has already been done.'' The Clinton administration, to its credit, has expressed grave concerns about the transparent attempts by President Fujimori and his supporters to manipulate the election process.

Mr. President, the results of the Peruvian elections will not be known until the final ballot is counted. But one thing is already clear. If the elections are not deemed to have been free and fair, it will be a major setback for the Peruvian people and for democracy in the hemisphere. And if that happens, the United States must react strongly. We will have no choice but to modify our economic and political relations with Peru, and work to restore democracy to that country.

That is the message of this resolution, and I urge other Senators to support it so we can send as strong a message as possible to President Fujimori and the Peruvian people.

Mr. President, I also want to take this opportunity to mention another matter that has caused me and other Members of Congress great concern. The Peruvian Government recently brought to the United States a former Peruvian Army intelligence officer who was responsible for torturing a woman who was left permanently paralyzed as a result. He was convicted in Peru, but released after a military tribunal reversed his conviction. For reasons that I have yet to get a suitable answer to, the U.S. Embassy granted him a visa to come to the United States to testify at a hearing before the Inter-American Human Rights Commission. That was bad enough. But the fact that the Peruvian Government saw fit to include such a person in its official delegation to appear as a witness in a human rights forum says a great deal about that government, and it should be condemned.

Finally, I want to express my personal concern about Lori Berenson, who was convicted by a Peruvian military court and sentenced to life in prison. The United States Government, other governments, Amnesty International and other independent human rights groups, have all concluded that she was denied due process. I and others have called for her release or trial by a civilian court in accordance with international standards. Innocent or guilty, every person deserves a fair trial, and I would hope that a country that professes to respect human rights would recognize the obvious—that Ms. Berenson's conviction was a miscarriage of justice.

ADDITIONAL COSPONSORS

S. 514

At the request of Mr. COCHRAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 577

At the request of Mr. GRAMS, his name was added as a cosponsor of S. 577, a bill to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

S. 656

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 764

At the request of Mr. THURMOND, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 764, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration

process relating to motor vehicle franchise contracts.

S. 1133

At the request of Mr. GRAMS, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Missouri (Mr. ASHCROFT) were added as cosponsors of S. 1133, a bill to amend the Poultry Products Inspection Act to cover birds of the order Ratitae that are raised for use as human food.

S. 1159

At the request of Mr. STEVENS, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1237

At the request of Mr. HUTCHINSON, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1237, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation.

S. 1805

At the request of Mr. KENNEDY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 1805, a bill to restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program , and for other purposes.

S. 1855

At the request of Mr. MURKOWSKI, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1855, a bill to establish age limitations for airmen.

S. 1874

At the request of Mr. GRAHAM, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1874, a bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours.

S. 1946

At the request of Mr. INHOFE, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1946, a bill to amend the National Environmental Education Act to redesignate that Act as the ''John H. Chafee Environmental Education Act,'' to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under that Act, and for other purposes.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2058

At the request of Mr. GRAHAM, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 2058, a bill to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals.

S. 2068

At the request of Mr. GREGG, the names of the Senator from Wyoming (Mr. THOMAS) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2070

At the request of Mr. FITZGERALD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2070, a bill to improve safety standards for child restraints in motor vehicles.

S. 2225

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2225, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. CON. RES. 69

At the request of Ms. SNOWE, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. Con. Res. 69, a concurrent resolution requesting that the United States Postal Service issue a commemorative postal stamp honoring the 200th anniversary of the naval shipyard system.

S. CON. RES. 84

At the request of Mr. WARNER, the names of the Senator from Virginia (Mr. ROBB), the Senator from Massachusetts (Mr. KERRY), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Delaware (Mr. ROTH), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding the naming of aircraft carrier CVN–77, the last vessel of the historic ''*Nimitz*'' class of aircraft carriers, as the U.S.S. *Lexington*.

SENATE CONCURRENT RESOLUTION 99—CONGRATULATING THE PEOPLE OF TAIWAN FOR THE SUCCESSFUL CONCLUSION OF PRESIDENTIAL ELECTIONS ON MARCH 18, 2000, AND REAFFIRMING UNITED STATES POLICY TOWARD TAIWAN AND THE PEOPLE'S REPUBLIC OF CHINA

Mr. LOTT submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 99

Whereas section 2(c) of the Taiwan Relations Act (Public Law 96–8) states ''[t]he preservation and enhancement of the human rights of all the people on Taiwan'' to be an objective of the United States;

Whereas Taiwan has become a multiparty democracy in which all citizens have the right to participate freely in the political process;

Whereas the people of Taiwan have, by their vigorous participation in electoral campaigns and public debate, strengthened the foundations of a free and democratic way of life;

Whereas Taiwan successfully conducted a presidential election on March 18, 2000;

Whereas President Lee Teng-hui of Taiwan has actively supported the consolidation of democratic institutions and processes in Taiwan since 1988 when he became President;

Whereas this election represents the first such transition of national office from one elected leader to another in the history of Chinese societies;

Whereas the continued democratic development of Taiwan is a matter of fundamental importance to the advancement of United States interests in East Asia and is supported by the United States Congress and the American people;

Whereas a stable and peaceful security environment in East Asia is essential to the furtherance of democratic developments in Taiwan and other countries, as well as to the protection of human rights throughout the region;

Whereas since 1972 United States policy toward the People's Republic of China has been predicated upon, as stated in section 2(b)(3) of the Taiwan Relations Act, ''the expectation that the future of Taiwan will be determined by peaceful means'';

Whereas section 2(b)(6) of the Taiwan Relations Act further pledges ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people of Taiwan'';

Whereas on June 9, 1998, the House of Representatives voted unanimously to adopt House Concurrent Resolution 270 that called upon the President of the United States to seek ''a public renunciation by the People's Republic of China of any use of force, or threat to use force, against democratic Taiwan'';

Whereas the People's Republic of China has consistently refused to renounce the use of force against Taiwan;

Whereas the State Council, an official organ at the highest level of the Government of the People's Republic of China, issued a ''white paper'' on February 21, 2000, which threatened ''to adopt all drastic measures possible, including the use of force'', if Taiwan indefinitely delays entering into negotiations with the People's Republic of China on the issue of reunification; and

Whereas the February 21, 2000, statement by the State Council significantly escalates tensions across the Taiwan Straits and sets

forth a new condition that has not heretofore been stated regarding the conditions that would prompt the People's Republic of China to use force against Taiwan: Now, therefore, be it

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

(1) the people of Taiwan are to be congratulated for the successful conclusion of presidential elections on March 18, 2000, and for their continuing efforts in developing and sustaining a free, democratic society which respects human rights and embraces free markets;

(2) President Lee Teng-hui of Taiwan is to be congratulated for his significant contributions to freedom and democracy on Taiwan;

(3) President-elect Chen Shui-bian and Vice President-elect Annette Hsiu-lien Lu of Taiwan are to be congratulated for their victory, and they have the strong support and best wishes of the Congress and the American people for a successful administration;

(4) it is the sense of Congress that the People's Republic of China should refrain from making provocative threats against Taiwan and should instead undertake steps that would lead to a substantive dialogue, including a renunciation of the use of force against Taiwan and progress toward democracy, the rule of law, and protection of human and religious rights in the People's Republic of China; and

(5) the provisions of the Taiwan Relations Act (Public Law 96–8) are hereby affirmed as the statutory standard by which United States policy toward Taiwan shall be determined.

SENATE RESOLUTION 278—COMMENDING ERNEST BURGESS, M.D. FOR HIS SERVICE TO THE NATION AND INTERNATIONAL COMMUNITY

Mr. KERREY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 278

Whereas Dr. Ernest Burgess has practiced medicine for over 50 years;

Whereas Dr. Burgess has been a pioneer in the field of prosthetic medicine, spearheading ground breaking advances in hip replacement surgery and new techniques in amputation surgery;

Whereas in 1964, recognizing his work in prosthetic medicine, the United States Veterans' Administration chose Dr. Burgess to establish Prosthetic Research Study, a leading center for post operative amputee treatment;

Whereas Dr. Burgess was the recipient of the 1985 United States Veterans' Administration Olin E. League Award and honored as the United States Veterans' Administration Distinguished Physician;

Whereas Dr. Burgess' work on behalf of disabled veterans has allowed thousands of veterans to lead full and healthy lives;

Whereas Dr. Burgess is internationally recognized for his humanitarian work;

Whereas Dr. Burgess established the Prosthetics Outreach Foundation, which since 1988, has enabled over 10,000 children and adults in the developing world to receive quality prostheses;

Whereas Dr. Burgess' life long commitment to humanitarian causes led him to establish a demonstration clinic in Vietnam to provide free limbs to thousands of amputees;

Whereas Dr. Burgess has received numerous professional and educational distinctions recognizing his efforts on behalf of those in need of care; and

Whereas Dr. Burgess' exceptional service and his unfailing dedication to improving the lives of thousands of individuals merit high esteem and admiration: Now, therefore, be it

Resolved, That the United States Senate commends Ernest Burgess, M.D. for a life devoted to providing care and service to his fellow man.

Mr. KERREY. Mr. President, I rise today to honor Dr. Ernest M. Burgess, a man who has dedicated his life to cleansing sickness from the lives of countless people.

When my grandchildren study the events that shaped the development of the twentieth century, the American Century as some call it, they will be learning of the life of Dr. Burgess. I often speak of the admirable sacrifices and tremendous foresight of this generation of Americans: a generation who, more than any before it, left an indelible imprint on the course of human history. Dr. Burgess, like thousands of his contemporaries, was an ordinary citizen who lived an extraordinary life of service and accomplishment.

Born eleven years into the new century, Ernie was raised in the character of the rural American West. Influenced by a remarkable aunt who practiced medicine at a time when most women couldn't vote, he became attracted to serving and caring for the sick. Upon completion of his medical degree and residency at Columbia and Cornell Universities, Dr. Burgess served his country in the U.S. Army from 1943 to 1946.

Mr. President, one of the bitterest effects of war visits those who suffer debilitating wounds and then live a life forever altered. As an orthopedic surgeon involved in ground breaking advancements in prosthetic surgery, Dr. Burgess has allowed thousands of amputees the opportunity to return to activities unimaginable at the time of the injury. He is a pioneer in the field of prosthetic research and responsible for the establishment of Prosthetics Research Study (PRS), which is one of the leading centers in the world for post-operative care. Through a career that spans six decades, Dr. Burgess has used his medical gifts to improve the health of his fellow humans.

As a veteran and amputee, I live with the daily reminder of the costs of war. Because of the work of Dr. Burgess, I and thousands of veterans have a more powerful reminder of our service: one where our lives are complete and rewarding.

Through his work with the Prosthetic Research Study, Dr. Burgess pioneered new surgical techniques that allow amputees to move with more comfort and mobility. The development of lightweight and responsive materials have permitted thousands of amputees the freedom to participate in physical activities from skiing to basketball. On a personal note, my passion for running and my ability to ski and play golf and walk these halls could not be a reality without the advances spearheaded by the PRS and Dr. Burgess.

Throughout his career, Dr. Burgess has continued to be at the forefront of improving prosthetic techniques. A teacher and author of surgical and rehabilitation texts, he tirelessly emphasizes constructive surgery for amputees. As he often states, ''the way the surgery is performed will affect the rest of his life.'' Dr. Burgess takes this philosophy to heart and I admire his continued pursuit of improving medical care.

The effects of war are inflicted mainly on the innocent and young. After American participation in Vietnam ended we slowly realized the breadth of the war's destruction on so many Vietnamese. The existence of thousands of injured civilians highlighted the larger world problem of poor medical treatment in many parts of the world—parts that are also the most war-torn. In 1988, at the prompting of United States Vietnam Veterans who had visited Vietnam, Dr. Burgess and others worked to establish the Prosthetics Outreach Center (POC). This clinic has provided thousands of Vietnamese with free limbs and allowed them to rediscover the completeness of their lives.

Mr. President, as the men and women of America's greatest generation, enter a new century, I remain in awe of their continuing achievements. The remarkable career of Dr. Burgess epitomizes the commitment to improving peoples lives through dedicated effort. I am proud to be able to submit this Resolution recognizing a great man and paying tribute to his attainments and his goals. Thank you, Dr. Burgess, and I know my colleagues join me in recognition of your accomplishments.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place Wednesday, April 5, 2000, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this oversight hearing is to receive testimony on the proposed 5-year strategic plan of the U.S. Forest Service in compliance with Government Results and Performance Act.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey at (202) 224–6170.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the hearing originally scheduled for Thursday, April 6, 2000, at 2:30 p.m., before the Subcommittee on National Parks,

Historic Preservation, and Recreation of the Committee on Energy and Natural Resources, a hearing to receive testimony on the incinerator component at the proposed Advanced Waste Treatment Facility at the Idaho National Engineering and Environmental Laboratory and its potential impact on the adjacent Yellowstone and Grand Teton National Parks, has been cancelled.

For further information, please contact Jim O'Toole or Kevin Cark of the committee staff at (202) 224–6969.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, March 28, for purposes of conducting a joint committee hearing with the Committee on Foreign Relations, which is scheduled to begin at 3:00 p.m. The title of this oversight hearing is ''America at Risk: U.S. Dependency on Foreign Oil.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 28, 2000, at 2:30 p.m., to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Children and Families, be authorized to meet for a hearing on ''Keeping Children Safe from Internet Predators'' during the session of the Senate on Tuesday, March 28, 2000, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Tuesday, March 28, 2000, beginning at 9:30 a.m., in room 562 of the Dirksen Senate Office Building to hold a hearing entitled ''Swindling Small Businesses: Toner-Phoner Schemes and Other Office Supply Scams.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Governmental Affairs Committee be authorized to meet during the session of the Senate on Tuesday, March 28, 2000, at 9:30 a.m., for a hearing entitled ''Oversight of HCFA's Settlement Policies: Did HCFA Give Favored Providers Sweetheart Deals?''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, AND NUCLEAR SAFETY

Mr. HATCH. Mr. President. I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, and Nuclear Safety be authorized to meet during the session of the Senate on Tuesday, March 28, 9:30 a.m., to conduct a hearing to receive testimony regarding the Administration's budget for the EPA Clean Air programs and the Army Corps of Engineers Wetlands budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Communications Subcommittee of the Senate Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on Tuesday, March 28, 2000, at 9:30 a.m., on broadband deployment in rural areas.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM AND GOVERNMENT INFORMATION

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on Tuesday, March 28, 2000, at 10 a.m., in SD–226.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ FOR THE FIRST TIME—S.J. RES. 43

Mr. LOTT. Mr. President, there is a joint resolution at the desk which was introduced earlier by Senator COVERDELL and others, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The senior assistant bill clerk read as follows:

A joint resolution (S.J. Res. 43) expressing the sense of the Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru.

Mr. LOTT. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

CONGRATULATING THE PEOPLE OF TAIWAN AND REAFFIRMING U.S. POLICY

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 99, submitted earlier today by me.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 99) congratulating the people of Taiwan for the successful conclusion of Presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BIDEN. Mr. President, on March 18 the people of Taiwan went to the polls and chose their next president through a free and fair multiparty election. The winner of a close three-way race, Chen Shui-bian of the Democratic Progressive Party, will be inaugurated in May.

I had the pleasure of meeting with Mr. Chen in Washington in 1997 when he was the mayor of Taipei. I was impressed by his political smarts and his commitment to building a more democratic and prosperous Taiwan.

I also found him to be genuinely committed to improving relations with the mainland.

I believe that Taiwan's election provides a fresh opportunity for the people of Taiwan and the people of China to reach out and resolve their differences peacefully through dialog on the basis of mutual respect.

I hope that leaders on both sides of the Strait will seize this opportunity and begin to lay the foundation of trust, goodwill, and understanding which must precede true reconciliation.

The inauguration of Chen will end the virtual monopoly of power the Nationalist Party has exercised for most of the past 50 years. This peaceful transition of power at the top of Taiwan's political system will mark the maturation of their democracy, and it is an event worthy of our profound respect and hearty congratulations.

It was only 13 years ago that Taiwan lifted martial law and ushered in a new period of open political discourse and expanded civil liberty. Prior to that, Taiwan's leaders did not tolerate dissent and moved swiftly and sometimes ruthlessly to silence their critics.

Taiwan's president-elect knows this well, because he got his start in politics as a young crusading lawyer working to promote transparency, freedom of speech, and freedom of assembly.

Taiwan's emergence as a genuine multiparty democracy is a significant development in the long history of China. It is all the more remarkable given the fact that China's leaders in Beijing have done their level best to intimidate Taiwan's voters and prevent them from exercising this fundamental right.

I cannot help but wonder how average Chinese on the mainland must view Taiwan's remarkable transformation. On the one hand, the people of China have a deep devotion to national unity and apparently are prepared to use force against Taiwan if it were to declare its independence.

As Zhang Yunling of the Chinese Academy of Social Sciences in Beijing explained to New York Times correspondent Elisabeth Rosenthal on March 20, ''China was divided when it was weak, and now that it is getting strong again, people's nationalist feeling rises and they feel strongly it is time to reunite the country.''

On the other hand, the people of China are beginning to form their own impressions of Taiwan, no longer content only to listen to the government's official propaganda demonizing the island. Some even admit publicly to a certain grudging admiration for Taiwan's accomplishments and hope their own government will do nothing to precipitate a crisis.

As one 22-year-old Beijing University physics major told Rosenthal, ''I think both sides will have to make adjustments to their policies. After all Taiwan is democratic now, and the people have exercised their right to choose a president.''

Let me read the words of that university student again, ''. . . the people have exercised their right to choose a president.''

In America, we take democratic transitions of power for granted. But in China, and until recently on Taiwan, it was a revolutionary concept. And yet that is precisely what the people of Taiwan did on March 18. They changed their leadership through a peaceful, orderly, democratic process. They did so, by all accounts, because they were frustrated with corruption, cronyism, campaign finance abuses, and bureaucratic inefficiency.

These are all faults that China's communist government has in spades. And with Internet use exploding in China, and with cross-straits commercial ties now in the tens of billions of dollars, there is no way that the people of China will not discover what is happening on Taiwan.

And they may become inspired not only by the island's prosperity, but also by its peaceful democratic revolution. I predict they will begin to ask themselves, ''How come we don't enjoy the same standard of living and the same political rights here on the mainland?''

Taiwan's people are responsible for the island's miraculous transformation from authoritarian rule and poverty to democracy and prosperity. They deserve all of the credit. But the people of the United States have reason to feel a little bit of pride as well.

If Taiwan wins the Oscar for Best Actor, then we at least get a nomination for Best Supporting Actor. The United States commitment to Taiwan's security under the terms of the Taiwan Relations Act helped create the stable environment in which Taiwan has thrived.

The other critical component of cross-Strait stability has been our adherence to a ''One-China'' policy, in which we maintain that disputes between the two sides of the Taiwan Strait must be settled peacefully, and that the future relationship between the People's Republic of China and Taiwan must be determined in accordance with the wishes of the people of China and the people of Taiwan.

Maintaining a peaceful, stable environment in the Taiwan Strait has fostered economic growth throughout East Asia. It has also aided the emergence of democratic societies in the Philippines, Thailand, South Korea, Indonesia, and Taiwan.

In the past decade, more people have come under democratic rule in East Asia than were liberated in Europe by the end of the cold war and the collapse of the Soviet Union. This remarkable accomplishment would not have been possible without United States leadership.

Given all that Taiwan has accomplished in such a short span, I look forward to the future with renewed hope that someday all people of China will enjoy the rights and standard of living enjoyed by those fortunate few who live on Taiwan.

Mr. LOTT. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 99) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 99

Whereas section 2(c) of the Taiwan Relations Act (Public Law 96–8) states ''[t]he preservation and enhancement of the human rights of all the people on Taiwan'' to be an objective of the United States;

Whereas Taiwan has become a multiparty democracy in which all citizens have the right to participate freely in the political process;

Whereas the people of Taiwan have, by their vigorous participation in electoral campaigns and public debate, strengthened the foundations of a free and democratic way of life;

Whereas Taiwan successfully conducted a presidential election on March 18, 2000;

Whereas President Lee Teng-hui of Taiwan has actively supported the consolidation of democratic institutions and processes in Taiwan since 1988 when he became President;

Whereas this election represents the first such transition of national office from one elected leader to another in the history of Chinese societies;

Whereas the continued democratic development of Taiwan is a matter of fundamental importance to the advancement of United States interests in East Asia and is supported by the United States Congress and the American people;

Whereas a stable and peaceful security environment in East Asia is essential to the furtherance of democratic developments in Taiwan and other countries, as well as to the protection of human rights throughout the region;

Whereas since 1972 United States policy toward the People's Republic of China has been predicated upon, as stated in section 2(b)(3) of the Taiwan Relations Act, ''the expectation that the future of Taiwan will be determined by peaceful means'';

Whereas section 2(b)(6) of the Taiwan Relations Act further pledges ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people of Taiwan'';

Whereas on June 9, 1998, the House of Representatives voted unanimously to adopt House Concurrent Resolution 270 that called upon the President of the United States to seek ''a public renunciation by the People's Republic of China of any use of force, or threat to use force, against democratic Taiwan'';

Whereas the People's Republic of China has consistently refused to renounce the use of force against Taiwan;

Whereas the State Council, an official organ at the highest level of the Government of the People's Republic of China, issued a ''white paper'' on February 21, 2000, which threatened ''to adopt all drastic measures possible, including the use of force'', if Taiwan indefinitely delays entering into negotiations with the People's Republic of China on the issue of reunification; and

Whereas the February 21, 2000, statement by the State Council significantly escalates tensions across the Taiwan Straits and sets forth a new condition that has not heretofore been stated regarding the conditions that would prompt the People's Republic of China to use force against Taiwan: Now, therefore, be it

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

(1) the people of Taiwan are to be congratulated for the successful conclusion of presidential elections on March 18, 2000, and for their continuing efforts in developing and sustaining a free, democratic society which respects human rights and embraces free markets;

(2) President Lee Teng-hui of Taiwan is to be congratulated for his significant contributions to freedom and democracy on Taiwan;

(3) President-elect Chen Shui-bian and Vice President-elect Annette Hsiu-lien Lu of Taiwan are to be congratulated for their victory, and they have the strong support and best wishes of the Congress and the American people for a successful administration;

(4) it is the sense of Congress that the People's Republic of China should refrain from making provocative threats against Taiwan and should instead undertake steps that would lead to a substantive dialogue, including a renunciation of the use of force against Taiwan and progress toward democracy, the rule of law, and protection of human and religious rights in the People's Republic of China; and

(5) the provisions of the Taiwan Relations Act (Public Law 96–8) are hereby affirmed as the statutory standard by which United States policy toward Taiwan shall be determined.

UNANIMOUS-CONSENT REQUEST—S. 2285

Mr. LOTT. Mr. President, I have a unanimous-consent request which I have communicated to Senator DASCHLE. He is here to respond. Before I propound it, I will say this does have to do with the issue of gasoline taxes, and it is an effort to get a process started so we can have a discussion and debate about votes on this issue.

I ask unanimous consent that the Senate now turn to Calendar No. 473, S.

2285, regarding gas taxes, and that following the reporting of the bill, there be 4 hours equally divided for debate under control of the two leaders or their designees. I further ask unanimous consent that no amendments or motions be in order and, following the use or yielding back of time, the bill be advanced to third reading and passage occur, all without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, reserving the right to object, first, this bill has never been in committee. It has not had the opportunity afforded most legislation to be considered, have hearings, have people come forth and talk about the implications of eliminating the gas tax. Normally bills go through committee, and then they come to the floor. That is No. 1.

No. 2, what kind of a debate would one have when no amendments are made available? I cannot imagine that on an issue of this import we would want to accelerate the debate, accelerate the consideration, and prevent Senators from offering amendments and other ideas.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I regret the objection from the minority leader, but I understand. This agreement would allow the Senate to pass and send a message to all Americans that we are trying to do what we can in the short term to alleviate the rising gas prices all Americans are paying at the pumps.

I would not suggest for a moment that this is the long-term solution, and I should emphasize, this legislation would allow for the suspension of the 4.3-cents-a-gallon gas tax for the remainder of the year, with a trigger device that says that if the average price nationwide reaches $2, then there will be a gas tax holiday for the remainder of the year for the full 18.4 cents a gallon.

It is pretty simple and straightforward. There would be time for debate, but I understand.

We will get the process started, and we will see how it develops in terms of the debate and what votes will occur in order for us to start this process, which looks like we will have to go through a motion to proceed to invoke cloture on the bill and then there will be subsequent votes.

In order for this to be considered in a timely fashion, which could take as long as a week or two, I thought we needed to get it started.

MOTION TO PROCEED—S. 2285

CLOTURE MOTION

Mr. LOTT. Mr. President, I now move to proceed to Calendar No. 473 and send a cloture motion to the desk on the motion.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to the Gas Tax Repeal Act, S. 2285:

Trent Lott, Frank H. Murkowski, Paul Coverdell, Conrad Burns, Larry E. Craig, Mike Crapo, Judd Gregg, Orrin Hatch, Rod Grams, Susan Collins, Robert F. Bennett, Chuck Grassley, Mike Inhofe, Don Nickles, Sam Brownback, and Richard G. Lugar.

Mr. LOTT. Mr. President, this cloture vote will occur then on Thursday. I will work with the Democratic leader to set this vote, hopefully following the passage of the satellite loan guarantee bill, which I know the Senate is anxious to get completed. It was part of an agreement last year that we entered into with regard to the satellite bill that there was a need for a loan program to make sure that it actually worked, and so this bill will be on the floor. I am sure there are going to be some amendments that will be offered on that, but we would like to complete that and then go to this subsequent vote on Thursday. We will work through the timing of it. In the meantime, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

LEADER'S LECTURE SERIES—BOB DOLE

Mr. LOTT. Mr. President, I note that at 6 o'clock tonight, we will be hearing the sixth presentation in the Leader's Lecture Series. Our presenter tonight is our beloved former minority and majority leader, Bob Dole. I encourage all Senators to attend. I know there will be family and friends and guests of Senator Dole. Hopefully, we will be available on C–SPAN so the American people will be interested in hearing from this patriot and one of America's favorite sons.

ORDERS FOR WEDNESDAY, MARCH 29, 2000

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, March 29. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on S.J. Res. 14, the flag desecration bill for up to 30 minutes equally divided between the chairman and the ranking member.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. So then at 9:30, we will resume consideration of the resolution. We will have 30 minutes of debate, and the cloture vote will occur on the resolution. Senators can expect the first vote at 10 a.m. on Wednesday. Following that vote, notwithstanding rule XXII, I ask unanimous consent that the Senate begin a period of morning business until 12:30 p.m. with Senators speaking for up to 5 minutes each with the following exceptions: Senator BROWNBACK, or his designee, the first 30 minutes; to be followed by Senator COVERDELL, or his designee, for 30 minutes; and Senator DURBIN, or his designee, for 60 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. If the cloture motion is agreed to, a final passage vote on the resolution is expected to occur during the day tomorrow, probably in the afternoon session, obviously. As a reminder, cloture was filed on the gas tax legislation, and pursuant to rule XXII, that vote will occur on Thursday at a time to be announced later after consultation between the two leaders.

The Senate will also begin consideration of the loan guarantees legislation as per the unanimous consent agreement.

ORDER FOR ADJOURNMENT

Mr. LOTT. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order following the remarks of the Democratic leader, Senator DASCHLE.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE MATTERS

Mr. DASCHLE. Mr. President, I come to the floor to talk briefly about a matter that we have been especially concerned about in recent months, and that has to do with the Corps of Engineers.

Prior to that, I rise to express my disappointment that we were not able to get to the electronic signature bill conference report today. I thought we had worked out all of the problems. Now, as I understand it, there are some problems on the Republican side. I hope it won't be held up too much longer. We need to get on with that legislation, and we have been trying to move this bill to conference now for some time. We had worked out our concerns with regard to representation, and I was certain we would be able to finish that work today. But given the problems there now appear to be on the Republican side, I am hopeful we can resolve those no later than tomorrow.

I am reminded, again, as we file cloture, that the motion to invoke cloture is a motion to end debate. I am always amused by that phrase, ''end debate.'' How do you end debate that you haven't even started? That is what we are being asked to do on Thursday, end debate on a tax bill that didn't go to the committee, on a tax bill that hasn't had one hearing.

How is it that we would limit Senators' rights to offer amendments when those considerations are paramount as we consider a tax bill—a gas tax bill?

So we are very concerned about why it is we need to move rapidly to this legislation if it is this important, if it is this much a part of finding ways in which to provide relief. You would think that, consistent with past practice and consistent with the recognition of the importance of the issue, it at least would have been given a hearing or some consideration in committee. That has not happened.

(The remarks of Mr. DASCHLE pertaining to the introduction of S. 2309 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 5:46 p.m., adjourned until Wednesday, March 29, 2000, at 9:30 a.m.

EXTENSIONS OF REMARKS

INTERNS FROM DOWN UNDER GIVE CONGRESS A THUMBS UP

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. SANCHEZ. Mr. Speaker, it gives me great pleasure to rise today to honor five outstanding women who recently completed internships on Capitol Hill. The students came to Washington, D.C. at their own expense through a first-of-its-kind program offered by Flinders University in Adelaide, South Australia.

As our colleagues will surely agree, the best congressional internship programs and interns offer a unique window into the future. Every year, Congress offers thousands of students a brief time to look through this window—the chance to explore and examine this legislative world of ours, now 212 years old. Fortunately for those of us who serve in this Chamber, they're not the only beneficiaries. We learn a thing or two ourselves. This was most definitely the case with the Flinders program.

Australia and the United States are close cousins in many, many ways. But despite all that our respective histories and the connectivity of Internet Age have to offer, we remain separated by a great physical distance that cannot change. It's a mere 8,000 miles from my district to Adelaide—and it most definitely was a great privilege for Congress to host five young ambassadors and bridge this distance for however brief a time. This is what Louise King did in the office of Senator CHARLES SCHUMER, Sunshine Elmore contributed to my California colleague JUANITA MILLENDER-MCDONALD, Kerrie Daniel brought to LOUISE SLAUGHTER, and Narelle Hards added to the Democratic staff of the House Transportation and Infrastructure Committee.

Of course, the greatest pleasure I have is singling out Estee Fiebiger for her contributions to me and my office. Estee had a great enthusiasm and propensity for politics, especially foreign policy. She played an essential role in drafting analytical reports and helping me initiate a detailed analysis of the Human Rights situation in Vietnam.

Estee's eagerness to learn and to experience all aspects of American politics highlights her achievements and her potential for continued success. Along with her excellent research, linguistic, and writing abilities, Estee's pleasant personality was accompanied with great skill and intelligence. Very simply, she was a delight to have in the office. The duration of the program—6 weeks—was not nearly enough.

Mr. Speaker, I sincerely hope this modest, unbureaucratic program will inspire other Australian and American institutions to establish similar exchanges, for both students and professionals. To improve understanding of our processes, our politics and of our multicultural peoples to the finest degrees, we need to connect people with people in person. This will never change.

As I'm sure my colleagues who participated in the Flinders program will attest, it was a pleasure to work with interns who are teachers as much as they are students. I know their families, friends, and communities are very proud of their daring to be such pioneers. On February 21st, the Roll Call newspaper published a wonderful account of the experiences of these women.

I submit the article to be included in the CONGRESSIONAL RECORD—and in so doing wish Estee, Louise, Narelle, Sunshine and Kerrie every continued success.

[From Roll Call Around the Hill, Feb. 21, 2000]

INTERNS FROM DOWN UNDER

(By Edith Chan)

Congress isn't very down and dirty—at least in the eyes of a group of interns from Down Under.

Five students from Australia who just wrapped up internships on Capitol Hill say Congress is actually much less partisan than their own country's parliament.

''In Australia, it can get a lot worse,'' said Sunshine Elmore, one of the students who came to Washington through a first-of-its kind program offered by Flinders University in Adelaide, Australia.

Eric Federing, a former Democratic Hill aide who helped found the program, noted that crossing party lines in Australia often proves to be politically damaging.

''The rigor of party politics is much stronger in Australia than in the United States,'' said Federing, who is now director of business public policy at accounting giant KPMG.

''If a Member crossed party lines [on a vote], it is strongly, strongly frowned upon.''

Federing, who most recently worked as press secretary for Sen. Joe Lieberman (D–Conn.), decided to start the internship program after traveling extensively through Australia.

''The experience is fantastic—it is beyond my own expectations,'' he said of the program's first year. ''My only regret is that we could not bring more students over.''

The interns left town last week after spending six weeks in the offices of various Democratic Members, including Sen. Charles Schumer (D–N.Y.) and Rep. Loretta Sanchez (D–Calif.).

''The staff has been really encouraging, and they have been really inspiring in helping us participate in a lot of things,'' said Elmore, who interned in the office of Rep. Juanita Millender-McDonald (D–Calif.).

The students came to Washington in early January. In interviews before leaving town, the students said their perception of America—and Americans—has dramatically changed.

''There were a lot of ideas about America, and lots of surprises too,'' said Narelle Hards, who worked for the House Transportation and Infrastructure Committee.

The students were especially excited about being able to watch the Super Bowl live, instead of at 3 a.m. However, they had to watch the Australia Open tennis tournament, normally on during prime time in their home country, at 3 a.m. instead.

They were also impressed with the way Congressional aides comported themselves.

''I really admire the staff,'' said Louise Kings, who worked for Schumer. ''They are loyal and they work really hard.''

Student Kerrie Daniel recalled that the most memorable moment during her internship came when she got to meet President Clinton earlier this month during a press event. She remembers jumping across the chairs—and getting a small bruise in the process—to shake the the President's hand.

''It was amazing to see an important figure in person rather than on TV,'' said Daniel, who worked for Rep. Louise Slaughter (D–N.Y.). ''The President is a fantastic speaker.''

After spending six weeks on the Hill, Hards said the person she most admires is Rep. James Oberstar (D–Minn.), ranking member of the Transportation Committee.

Hards said she was impressed by her boss's knowledge and recalled one instance when he suddenly went from Speaking English to French in the same sentence.

Their internships also helped to break the cultural barriers and stereotypes between Australians and their American colleagues.

''The idea Australians get is that Americans are very USA-centered,'' said Daniel. ''But I think that they are very interested in knowing about other places, about other things in the world.''

And as Daniel found out, there is one thing that is constantly on Americans' minds.

''Americans are eager to find out about Australians. Everyone wants to know more about the Olympics,'' she said.

Besides admiring the doggedness of many Hill staffers, the interns from Australia are also encouraged by the large number of women working in the federal government.

Estee Fiebiger noted the scarcity of women working in the Australian government, and said the dominating presence of female leaders in Congress has inspired her to brave the grounds of foreign affairs—a traditionally male-dominated field.

''Here, no one puts a damper on us because we are women and we are from Australia,'' said Fiebiger, who interned for Sanchez. ''Instead, everyone was curious and was very willing to help us. Instead of putting a damper on us, it made us more enthusiastic.''

In addition to the legislative workload, the students managed to squeeze in a lot of sightseeing around D.C. Their most interesting day, as Elmore recounted, was building a snowman ''in the middle of the blizzard.''

Their favorite activities outside of work included museum-hopping.

''We thought the Smithsonian was one museum,'' Elmore said, adding that six weeks was not long enough to see and do everything they wanted in Washington.

The students are heading back to Australia to complete their final year at Flinders, where they are all majoring in American studies, and said they can't wait to plan their next visit to the United States.

The only flaw the students saw in their program was that their stay was too short.

''I wish that the internship was longer,'' Daniel said. ''We're leaving just as things were starting to get going.''

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2001

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (House Concurrent Resolution 290) establishing the congressional budget for the United States Government for fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005:

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support of the amendment offered by my colleague JOHN SPRATT, the Democratic alternative to the FY 2001 Budget Resolution. This Democratic alternative is a budget plan that strengthens Social Security, provides a voluntary prescription drug benefit for all seniors, and provides more debt reduction than the Republican budget. The choice is between fiscal responsibility sustaining economic prosperity and large risky tax cuts for the wealthy.

Our national budget is a statement of our national values, and it is hard to say that the Republican budget reflects the values of many hard working families. The Republican budget requires that we cut 310,000 low-income women, infants, and children off WIC assistance; cut 1,000 FBI agents and 800 Drug Enforcement Administration agents; provide 316,000 fewer Pell Grants to low-income students; and eliminate more than 40,000 children from the Head Start program. All this for the politics of special interests and vast tax cuts.

On the other hand, the Spratt Democratic alternative supports the values of America's families. It is fiscally responsible by providing investment in families first; proposing targeted tax cuts, and allocating more funds to pay down our national debt. Specifically, the Democratic alternative extends the solvency of Social Security by 15 years and Medicare by as much as 10 years; protects the Social Security surplus and devotes $365 billion of the non-Social Security surplus over 10 years to reduce additional debt; allows military retirees to use Medicare benefits at military treatment facilities; provides Medicare prescription drug coverage for all and protects low-income seniors from any cost-sharing requirements; and allocates additional funding for paying down the national debt.

Federal Reserve Chairman Alan Greenspan has warned that Congress should not legislate large tax cuts before security measures to pay down the national debt and sustain economic expansion. The Republican budget grants large tax cuts on money that simply is not there to pay for it. The Spratt alternative secures on-budget surpluses for the next 10 years, unlike the Republican budget. Under the Spratt alternative the entire national debt would be eliminated by 2013.

I support the values of America's working families, fiscal responsibility, and the preservation of economic expansion. In short, I encourage us all to vote in favor of the Spratt Democratic alternative.

TRIBUTE TO JACK ROBERTS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. MCINNIS. Mr. Speaker, Jack Roberts was a renowned artist, a knowledgeable historian, but more than all of this, he was a friend to many. Jack not only lived in the West, but he spent his career depicting the West on canvas for all generations to come. His art is coveted for its unique colorful flare of those ''ole cowboys'' all based on authentic Western men and women of the time.

It is known that as a young cowboy Jack rode the ditch for months without seeing people. These times allowed him the solitude to accurately reflect, through art, on the life of the West. His paintings were significant and have a place in the history of the West.

Jack spent over 50 years as an artist of the West. His paintings hang in many residences, businesses, museums and private collections. Jack studied at the University of Oklahoma, The Chicago Art Institute, The American Academy of Art in Chicago, and he spent two years with the great Harvey Dunn at the Grand Central School of Art in New York. Throughout his years Jack continued his study of the arts although he was already recognized as a scholar in the field.

A point of note, from Jack's personal recovery he took many of the hands of alcoholics to help them through their path to recovery. His compassion, like his art, left strong impressions and a lasting thought in the mind.

Jack leaves behind his son Gary, Gary's wife Monica and their son Wade. Additionally Jack had many friends and students of his art.

I considered it a privilege to have known Jack as a friend and to have been fortunate enough to enjoy his art.

We mourn the passing of this fine man from the West, but we keep in mind that he has just saddled up his horse, ridden ahead on the trail—to set up the camp and put on the coffee. Jack, we will miss you, ''ole cowboy.''

TRIBUTE TO ARTHUR ''PAPPY'' KENNEDY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to pay tribute to one of Florida's true heroes and pioneers, Arthur ''Pappy'' Kennedy. Pappy Kennedy passed away today after devoting a life time of service to the Florida political, civic, cultural and educational community. His honors are numerous, and his heroism unparalleled. As the first African American to be elected to the Orlando City Commission since Reconstruction, Pappy served with distinction and was re-elected by the largest percentage between contestants in the City's 101-year history up to that time. This was no great surprise to those who knew Pappy, who knew that his very existence depended upon his service to others. Nor was his service limited to the constituents who elected him. Having raised himself from poverty in rural Florida, Pappy was determined to improve the lot of others less fortunate than himself. And he did all this with the quietest dignity, at a time when dignity came at a premium for black men.

He suffered through segregation and discrimination, and managed to out maneuver both. His personal sacrifices in the face of such trying times are untold and countless. His professional accomplishments were numerous. His pioneering days began when he became one of the first African American men to work at the Orange Court Hotel in downtown Orlando, rising from one position to another in an effort to pay his way through college, which he did. Pappy's college training in Psychology paid off, for everyone who knew him in his later years could extoll his wonderful counseling abilities. He was never too busy to listen to the slightest concern that one of his constituents or neighbors or friends might bring to him. And no problem was too great for Pappy to tackle. One such instance involved the time he began organizing the former Orlando Negro Chamber of Commerce. His pioneering spirit and persevering manner deflected the considerable reluctance on the part of some local business owners. I will never forget his many inspirational, and sage, messages to me over the years, especially as I aspired to political office.

Though not a professional educator, Pappy's passion clearly lay in helping to enhance opportunities for minority schools and the students they served, and his efforts as President of the Jones High School PTA and the Orange County PTA Council left an indelible mark upon the City of Orlando. A spirited entrepreneur, Pappy was elected to the Florida League of Cities Board of Directors and was a Trust Officer of the Washington Shores Federal Savings and Loan Association, a black-owned and operated local financial institution.

Pappy Kennedy was first and foremost a family man, devoted to his late wife Marian, and his two children Arthur Jr. and Shirley. Like so many other politicians, I was blessed to know Pappy: as a counselor in politics, as a guide in life, and as a friend in all that mattered. He will be missed by scores of Floridians, but his legacy of service and sacrifice will endure in the extraordinary opportunities that resulted from all that he gave and all that he was. In Florida, we are proud of Pappy Kennedy and better off because of him.

A TRIBUTE TO THE ROTARY CLUB OF HASTINGS, DOBBS FERRY, ARDSLEY AND IRVINGTON

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. GILMAN. Mr. Speaker, I take this opportunity to recognize the 75th anniversary of the Rotary Club of Hastings, Dobbs Ferry, Ardsley and Irvington, in Westchester County in the State of New York, and urge Americans to take a moment to pay tribute to the efforts of Rotary International.

Rotary clubs were created in 1905 to promote international understanding and peace through cultural, humanitarian and educational exchange programs. Rotary clubs are composed of a group of community leaders, each

of whom is in a different profession or business. These members provide humanitarian services, promote high ethical standards, and strive for peace in the world. Rotary clubs fund scholarships that enable students to study abroad as well as sponsor exchanges between countries of young business and professional people.

The members of Rotary clubs have assisted in health care programs worldwide, including the immunization efforts in developing countries to protect children against infectious diseases.

The Rotary Club of Hastings, Dobbs Ferry, Ardsley and Irvington was founded in 1925. The name rotary was given to the club, resulting from the tradition of members rotating the place of meeting between their businesses.

Mr. Speaker, I invite my colleagues to join in congratulating the Rotary Club of Hastings, Dobbs Ferry, Ardsley and Irvington on their 75th anniversary, and thanking them for their continued service of helping others and our communities.

TRIBUTE TO JACK SHARP

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. DUNCAN. Mr. Speaker, Jack Sharp has now completed 25 years of service as a member of the Knoxville, Tennessee City Council.

Jack is a close friend of mine and is one of the finest men I know.

He has represented the entire City fairly and honorably, but he has been especially effective for his home area.

He holds one of three at-large seats on the Council and is very popular throughout the City.

He has served as Vice-Mayor and has frequently filled in for the Mayor at public functions of all types.

Jack has been a very forceful advocate for the fire fighters, police, and other City employees.

With his wife Doris almost always at his side, they have been outstanding goodwill ambassadors for Knoxville and a great team in thousands of ways for the City and its residents.

This Country would be a much better place if we had more men like City Councilman Jack Sharp. I congratulate him on his 25 years of community service and am thankful that term limits did not deprive us of his knowledge and experience many years ago.

I want to say thank you to Councilman Sharp and bring to the attention of my colleagues and other readers of the RECORD the service of a great Tennessean and great American, my friend, Jack Sharp.

TRIBUTE TO JOSEPHINE ''JO'' BUTLER

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. NORTON. Mr. Speaker, as District of Columbia residents struggle in two lawsuits to reclaim their full rights as American citizens, it is appropriate today to remember Josephine ''Jo'' Butler, who died a year ago this week.

Jo Butler was not a public official or even a public person. She did not count herself among the self-important in the city. Instead, she worked tirelessly for the District's most important causes. Chief among these was statehood for the District of Columbia.

Jo Butler and I became fast friends in the fight for statehood. She was there in 1993, when this body granted my bill, the New Columbia Admission Act, a two-day debate and vote. Many of the city's elected officials and citizens were on hand. What makes Jo so memorable to me, however, is that she was always here. Jo was here when there were few residents to speak up or stand up for statehood or even the more ordinary elements of the city's control over its own affairs.

Nor did Jo ever give up on any of her issues, from peace to the environment. Whether for great causes like statehood for this capital city, or her precious Friends of Meridian Hill, Jo believed that struggle brings victory. She was a radical activist with a rare gift for bringing people together.

The people I represent abhor undemocratic intervention by the Congress. Yet perhaps, as in most great long-standing struggles, few have had the steadfast devotion of Jo Butler. Jo Butler's spirit lives on today in a reinvigorated movement for self-government pressed, in part, by two court cases for equality and democracy for our citizens, now on their way to the U.S. Supreme Court. May Jo's lifelong devotion to her causes infect and influence many more to reach for the level of dedicated struggle Jo Butler achieved.

TRIBUTE TO AMBASSADOR MORRIS ABRAM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in mourning the loss of my dear friend, Ambassador Morris B. Abram. He passed away a few days ago in Geneva, Switzerland.

Ambassador Abram was a dynamic leader in the Jewish community and commanded the respect and affection of all who knew him. Born in Fitzgerald, Georgia, in 1918, Abram was the former President of Brandeis University in Waltham, Massachusetts. He also served previously as the president of the American Jewish Committee and Chairman of the board of Benjamin Cardoza Law School in New York City. As a respected attorney, he argued landmark civil rights cases in the 1950s and 1960s, including the Supreme Court's 1963 ''One Man, One Vote'' decision.

In 1982, Mr. Abram published his autobiography, The Day Is Short (Harcourt, Brace, Jovanovich), detailing his legendary career and his battle with leukemia. But eighteen years ago, his career was far from over. Since that time, he served as Chairman of the NCSJ from 1983 to 1988, and Chairman of the Conference of Presidents of Major Jewish Organizations for three years. In the area of public service, he was head of U.S. delegations to the United Nations Commission on Human Rights and to the Conference on Security and Cooperation in Europe. He was also Vice-Chairman of the U.S. Commission on Human Rights. Under President Bush, Abram was appointed U.S. Ambassador to the United Nations in Geneva. Following his ambassadorial service, he founded United Nations Watch.

Denis C. Braham of Houston, Chairman of the NCSJ, paid an appropriate tribute to Morris Abram: ''The experiences that he brought to NCSJ from his leadership of Brandeis University and national Jewish groups made him uniquely qualified to head the organization at a time when the plight of Soviet Jewry was at the top of the Jewish global agenda. Morris was not just an American Jewish leader but a world Jewish leader.''

PERSONAL EXPLANATION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. BEREUTER. Mr. Speaker, on March 22, 2000, official business off of Capitol Hill caused me to unavoidably miss rollcall vote 65 (final passage on H.R. 3822, the Oil Price Reduction Act). Had I been present I would have voted ''aye.''

Opponents of the legislation were circulating comments that I made as Vice-Chairman of the International Relations Committee during consideration of H.R. 3822. My statement, accurately reported by a prominent news service, was that by the Committee passage of this legislation, ''we're making ourselves feel good, but that's all it is.'' What the article did not include is the fact that my remarks also included the statement that the President already has all the authority to implement all the recommendations of this legislation, including the authority to exact sanctions on the Organization of Petroleum Exporting Countries (OPEC), if he chooses to do so. My statement was prefaced by my remarks that the Administration has been too slow in protesting and working to reverse or counter OPEC's production cutbacks which began last spring and which have let the prices spiral get out of hand. As I said, the Administration should have been pressuring OPEC countries five or six months ago to reduce prices. I concluded my remarks in Committee by stating that the American people are now stuck with higher prices for gasoline, diesel fuel and heating oil for at least the next half year because ''the Administration was asleep at the switch'' and didn't take energetic and prudent actions. If there is any blame to be distributed at the Federal level, the American people should know it falls on the Administration.

NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2000

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2000

Ms. JACKSON-LEE of Texas. Madam Speaker, today I rise in opposition to the Nuclear Waste Amendments Act of 2000. This

bill will establish the largest nuclear waste shipping program in U.S. history. It also endangers the health of our citizens and the environmental integrity of our lands. I cannot in good conscience support a bill that undermines the welfare of our people to provide the expeditious disposal of nuclear waste.

This bill continues to support interim storage of nuclear waste and does not provide the utilities the choice of interim storage in Nevada so that they can begin to remove waste from reactors and Department of Defense sites around the country by the year 2003. Pursuant to this measure, nuclear waste would be shipped to Yucca Mountain before the permanent construction of a repository. We should not place the lives of innocent people in jeopardy prior to the completion of a permanent repository. The safety of human life should be our number one priority not the premature removal of extremely dangerous nuclear waste.

Furthermore, this bill if passed will initiate the shipment of nuclear waste shipments with extraordinary amounts of radioactivity by rail and truck. This activity will potentially expose 50 million people to high levels of radiation for over 30 years. Our Nation's localities are not trained nor equipped to deal with a serious radioactive contamination event. Response teams in our nation's hospitals, police forces, firemen, and schools would be placed in an unfortunate position resulting in human suffering. We should not support a bill that does not provide for the training, equipment, and study needed to give the public reasonable assurances that their children will be safe from any possibility of radiation exposure due to a nuclear waste accident.

This bill also seeks to undermine the EPA's ability to set strong radiation standards. The measure delays the proposed standard of 15 milirems for a year until the next President takes office. The EPA can only issue a standard before the year's end if the Nuclear Regulatory Commission [NRC] agrees; however, the NRC proposes standards that do not provide adequate drinking water protections.

Finally, the selection of the Yucca Mountain site as the nuclear repository was a poor choice. Yucca Mountain happens to be located in an active earthquake zone. An earthquake registering 5.6 on the Richter scale in Yucca Mountain caused $1 million worth of damage to an Energy Department field office near the repository site. Imagine what would happen if nuclear waste was stored in the mountain. It is even possible for radiation to contaminate drinking water for the region for years to come.

For these important reasons, I cannot support the Nuclear Waste Amendments Act of 2000. The people of this country deserve better.

HONORING AVA DONER

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. KUYKENDALL. Mr. Speaker, I rise today to remember and honor Ava Doner, a pioneer in business from my district. Ava recently passed away after a long and illustrious career as president and founder of Engineering Associates.

Ava, a leading figure in the Los Angeles business community, led the way for women for over 50 years, opening doors of opportunity in fields from drafting and design to all disciplines of engineering support services and transportation. Ava was always available to assist young, working women. She helped establish organizations to encourage the growth and development of aspiring women entrepreneurs and found time to support them during her entire career.

She was an active member of the business community and her efforts did not go unnoticed. Some of the commendations she received during her distinguished career included the 1999 Small Business Administration Woman Business Advocate of the Year, the City of Los Angeles Lifetime Achievement Award, and the Los Angeles Woman Business Owner of the Year. She was also the first recipient of the first Women's Referral Service ''Ava Doner Pioneer Award,'' named for her in recognition of her contributions and leadership as a woman pioneer in business.

Ava Doner touched the lives of many women in the working world, leaving a lasting impression upon the business community. Ava will be dearly missed, but her legacy will live on.

WILLIAM CRAWFORD WAS TRULY A HERO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. McINNIS. Mr. Speaker, I wanted to ask that we all pause a moment to remember a true American hero, Mr. William Crawford. Though he is gone, he will live on in the hearts of all who knew him and be remembered for long years by many who didn't.

During World War II, William fought for our country while he served in the Army. Mr. Crawford's bravery as an Army private in World War II led to him becoming the first of Pueblo's four Medal of Honor recipients. Racing through heavy gunfire and detonating hand grenades on enemy gun sites, Mr. Crawford exemplified bravery. In 1945, he was captured by German troops and was presumed dead. As a result, his father received the Medal of Honor on his behalf. However, later that year, Mr. Crawford was rescued from the German troops. In 1947, he re-enlisted in the Army and served until 1967.

As you can see, Mr. Speaker, Mr. Crawford was a model American, embodying patriotism, strength, gentleness and service throughout his lifetime. William will be missed by all of us. Hopefully, we can learn from the example that William Crawford has set.

MARCH SCHOOL OF THE MONTH

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mrs. McCARTHY of New York. Mr. Speaker, I rise today to name Lawrence Middle School in Lawrence as the School of the Month in the fourth congressional district for March 2000. Lawrence Middle School principal is Dr. Mark Kavarsky, and Superintendent of Schools is Dr. Paul Kelleher.

I chose Lawrence Middle as the March School of the Month because the school provides educational activities before school, during school and after school. I'm working on an amendment to this year's education bill to bolster after school programs, and Lawrence is a perfect model of how to help kids learn all day.

The mission of the Lawrence Public Schools is to ensure all learners reach their highest individual potential, through an academically rigorous educational system that inspires lifelong learning; focuses on creative, student-centered teaching and learning; and enables all to possess the confidence and abilities to meet life's challenges.

Lawrence Middle teaches 900 children in grades 6, 7 and 8. Two years ago I was the guest of honor—and first elected offical—at Lawrence's Long Island Middle School Forum, where representatives from the middle schools in the 4th congressional district debated and discussed legislative issues.

When I visited Lawrence, I was impressed with how knowledgeable our kids are about the legislative process It's vital we encourage government participation at such a young age.

In addition to their top academic activities, the youth at Lawrence Middle are civic-minded, participating in the Service Learning Club where the youth collect toiletries, clothes and other items to give to the homeless. An innovative way Lawrence teaches the kids about wastefulness is ''Wrap It Up''—when students collect and wrap all leftover food from the cafeteria and other school events. This food is then forwarded to local food kitchens to provide for the needy in the Long Island community.

The School of the Month program highlights schools with outstanding students, teachers and administrators. Each month, McCarthy will recognize a different school that demonstrates a unique contribution to Long Island education.

TRIBUTE TO REV. DR. HERBERT D. VALENTINE

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. CARDIN. Mr. Speaker, I rise today to praise the work and life of the Rev. Dr. Herbert D. Valentine, who next month will be retiring as the Executive Presbyter of the Presbytery of Baltimore.

Dr. Valentine has held the position of Executive Presbyter for 23 years, serving his faith and his convictions. Dr. Valentine has been instrumental in working for better human rights policy, for better treatment of children and families and policies that speak to the better side of our nature. His work in Baltimore has spoken to the needs and aspirations of all peoples, near and far.

Dr. Valentine's commitment to strengthening ecumenical and interfaith relationships was recognized by the Central Maryland Ecumenical Council in 1995 with their Bryce Shoemaker Ecumenical Leadership Award. Prior to that, Dr. Valentine was honored by the Presbytery when he was elected to serve as moderator of their 203rd General Assembly in

1991–1992. In this capacity, Dr. Valentine traveled around the world representing Presbyterians and sharing his faith.

Throughout his lifetime, Dr. Valentine has demonstrated deep concern for all victims of oppression and injustice, not only in Baltimore but throughout the global community, especially in Central America. A visit from Dr. Valentine and other members of the Baltimore Presbytery, always meant that I would get educated as to the needs of people in distress or despair. We agreed more often than not as to the action our country had to take to assist these efforts to elevate the condition of all peoples.

Dr. Valentine's strong faith and advocacy will be missed, but I am sure he would not be leaving without a well trained and compassionate replacement—I know his coworkers are well prepared to continue his work. I ask my colleagues to join me in thanking Dr. Valentine for his service to his faith and his community and to wish him fair winds and a following sea as he enjoys his retirement.

THE DISTRICT OF COLUMBIA POLICE RETIREMENT EQUALITY ACT OF 2000

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. NORTON. Mr. Speaker, today I introduce the District of Columbia Police Retirement Equality Act of 2000, a bill to provide equity in retirement benefits for Metropolitan Police Department (MPD) officers. This bill would correct an inequity by granting MPD officers and increase in retirement benefits based on the value of longevity bonus pay comparable to those received by D.C. firefighters.

Longevity pay, adopted by the District in 1972, is a bonus granted to both police officers and firefighters, in addition to base salary, as a retention incentive after officers reach milestones in service of fifteen, twenty, twenty-five, and thirty years. A D.C. firefighter, whose retirement benefits are identical in every other aspect to those of a MPD officer, receives a retirement annuity based on the combined value of base salary and longevity bonus pay. An MPD officer's retirement annuity is based only on base salary, not the longevity bonus, and is therefore lower than that of a D.C. firefighter. This benefit was negotiated by D.C. firefighters as part of a 1993 collective bargaining agreement. By 1995, MPD officials were not able to negotiate the same benefit because the District had entered into financial crisis and was essentially insolvent. The District has recovered and has had balanced budgets and surpluses for three years. MPD officers attempted to gain equal retirement benefits with D.C. firefighters through the 1997 Revitalization Act, in which the federal government assumed full responsibility for the District's unfunded pension liability for teacher's, firefighters and police officers. At that time, Representative CONNIE MORELLA, who is an original cosponsor of this bill and has constituents affected by this inequity, introduced legislation similar to the bill I introduced today. That bill was not adopted at that time.

Since then, the Council, the Mayor, and the control board have agreed to pay for this increased annuity benefit if the federal government agrees to pay for the portion of the program that would have been incurred prior to the 1997 Revitalization Act and therefore assumed by the federal government as is the case with firefighters.

This bill amends the 1997 Revitalization Act by authorizing the federal government to pay for the additional pension liability accrued prior to 1997 for police officers. The city will pay for the increased benefits accrued since the 1997 Revitalization Act. All officers retiring before enactment of the Police Retirement Act will receive the retirement benefits at the current level. Only officers retiring after this legislation is passed would be eligible for the increased annuity.

There was no intention to leave police officers worse off than firefighters in this city. Police officers should not have lower retirement pay because their collective bargaining agreement was negotiated at a low point in the city's financial picture, while the firefighters got in just under the wire. At a time when Chief Charles Ramsey is upgrading the quality of police officers, and even bringing in experienced officers on a lateral basis, we need true equity if we want a first-class police department. The retirement pay differential may be an anomaly, but its resulting unfairness hurts not only individual officers but public safety in the city. The city is willing to pay its share to correct this inequity. The Congress must do the same.

I would like to thank Representative TOM DAVIS, Chairman of the District of Columbia Subcommittee, Representatives STENY HOYER, CONNIE MORELLA, and AL WYNN for being original cosponsors of this bill to restore basic parity to the retirements of District police officers and firefighters, and urge swift passage.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. MCDERMOTT. Mr. Speaker, I was absent and unable to vote from March 21, 2000 to March 24, 2000 because I accompanied the President of the United States on his historic visit to India and Pakistan.

On March 21, 2000:

I would have voted in favor of H. Con. Res. 288 (Roll Call number 56).

I would have voted in favor of H. Res. 182 (Roll Call number 57).

On March 22, 2000:

I would have voted in favor of approving the journal (Roll Call number 58).

I would have voted against on ordering the Previous Question H. Res. 444 (Roll Call number 59).

I would have voted against on agreeing to the Resolution H. Res. 444 (Roll Call number 60).

I would have voted against considering S. 1287 (Roll Call number 61).

I would have voted in favor of recommitting S. 1287 with Instructions (Roll Call number 62).

I would have voted against S. 1287 (Roll Call number 63).

I would have voted against ordering the Previous Question on H. Res. 445 (Roll Call number 64).

I would have voted for passage of H.R. 3822 (Roll Call number 65).

March 23, 2000:

I would have voted in favor of approving the Journal (Roll Call number 66).

I would have voted against the previous question on H. Res. 446 (Roll Call number 67).

I would have voted against the amended H. Res. 446 (Roll Call number 68).

I would have voted against the motion to rise on H. Con. Res. 290 (Roll Call number 69).

I would have voted in favor of the Owens substitute to H. Con. Res. 290 (Roll Call number 70).

I would have voted in favor of the DeFazio substitute to H. Con. Res. 290 (Roll Call number 71).

I would have voted in favor of the Stenhomm substitute to H. Con. Res. 290 (Roll Call number 72).

I would have voted against Sununu amendment to H. Con. Res. 290 (Roll Call number 73).

I would have voted in favor of the Spratt substitute to H. Con. Res. 290 (Roll Call number 74).

March 24, 2000:

I would have voted against H. Con. Res. 290 (Roll Call number 75).

TRIBUTE TO SALLY MORRISEY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. MCINNIS. Mr. Speaker, I would like to take a moment to recognize a living legend, Sally Morrisey. On March 24, 2000, Mrs. Morrisey reached a milestone in her life, when she celebrated her 80th birthday. On this day people from all over the nation came to celebrate this event with her.

Mrs. Morrisey is Durango Herald's longest running writer. She wrote a column dubbed ''Sally Says'' for 36 years. Locals swear by her columns, learning about travels, hospital stays, visiting relatives and the ongoing beat of new grandchildren. From an early age, she has demonstrated curiosity and an outgoing temperament, a combination that has served her well as a journalist. From 1982 to 1985, Sally joined the Peace Corps where she lived in Costa Rica and Guatemala.

Sally and her late husband, John Morrisey, Jr., raised a beautiful family of four children, 12 grandchildren and 4 great grandchildren. Some of her other achievements involve: the Peace Beyond War Award from the U.S. Government, the Eye Mission Award, the Animas Grange Citizen of the Year, AAUW's Outstanding Woman of the Year, the Barbershoppers' Harmony Award. In addition, Sally is active in the Reading Club, Tuesday Literary Club, La Plata County Historical Society, Durango Arts Center, Friends of the Arts, the Sewing Club, and an honorary member of Beta Sigma Phi.

On the wall of her apartment, Mrs. Morrisey has a quote by Helen Keller: ''So much has been given to me, I have no time to ponder over that which has been denied.'' Mrs. Morrisey lives her life according to this quote. Mr. Speaker, I ask that we all wish a happy

birthday to this outstanding American, wife, mother, journalist and friend. Hopefully we can all learn from the wonderful example that Mrs. Morrisey has set and follow the life of dignity and integrity that she has led.

OIL PRICE REDUCTION ACT OF 2000

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3822) to reduce, suspend, or terminate any assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act to each country determined by the President to be engaged in oil price fixing to the detriment of the United States economy, and for other purposes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, today I rise in opposition to the Oil Price Reduction Act. This bill does not give the President any more authority or require more action than he currently possesses. Furthermore, the Republican leadership refused to allow any waivers for Democratic amendments that would have significantly improved this measure.

This bill authorizes the President to reduce, suspend, or terminate assistance, such as military assistance or foreign aid, to countries that fix oil prices to the disadvantage of the American economy. Oil price fixing under this measure is defined as participation in any agreement, arrangement or understanding with other countries that are oil exporters that increase the price of oil or natural gas by means of limiting oil or gas production or establishing minimum prices for oil or gas. Furthermore, this bill would require the President to report to Congress as to whether major oil exporters are engaged in the defined oil price fixing to the detriment of the U.S. economy.

It requires the President to ''undertake a concerted diplomatic effort to convince'' countries accused of oil price fixing that their production levels are inadequate and have significant negative impacts on world economies. Recently, the Organization of Petroleum Exporting Countries [OPEC] acted in concert to decrease oil production and hold approximately 4 million barrels of oil a day. Since this decision to curtail production of 6 percent of the global supply of oil, prices have steadily increased from $11 a barrel in December 1998 to $30 a barrel just last month. The United States has not seen prices this high since the 1991 Persian Gulf war.

Our Nation's truckers, airlines, railroads, buses, and automobiles have been adversely impacted by these drastic oil production cuts. Our Nation needs relief; however, we must be careful not to rush legislation that may not fully address our energy needs. I support the Democratic leadership's effort to include the enforcement provisions of this bill that will enable the President to effectively address situations where oil price fixing threatens the U.S. economy.

RETIREMENT TRIBUTE TO DR. H.G. BRYANT

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. LEWIS of Kentucky. Mr. Speaker, today I pay tribute to Dr. H.G. Bryant, Jr., of my district on the occasion of his retirement from Swedish Match North American, Inc., an employer of many in Owensboro, KY.

Dr. Bryant has been with Swedish Match for more than 30 years in a number of positions. He began his career in 1968 as a senior scientist with Liggett Group and ends his career as vice president for research and development, quality control and leaf procurement of Pinkerton Tobacco Co., which is now Swedish Match.

During his time at Swedish Match, Dr. Bryant has made a number of valuable contributions to the Owensboro area. He has served on the Kentucky Wesleyan College board of trustees, the Owensboro Community College Foundation and the Kentucky Council on Economic Education. His civic contributions to the community also include support of the United Way and local food banks.

Dr. Bryant has been a good friend to many in the community of Owensboro, as an employer and a civic leader. Today I acknowledge his commitments and achievements, along with his family, and wish him a happy and healthy retirement.

TRIBUTE TO ROBERT ROSEGARTEN, MAYOR OF GREAT NECK PLAZA

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. ACKERMAN. Mr. Speaker, today I pay tribute to Robert Rosegarten upon his retirement as Mayor of The Village of Great Neck Plaza, NY, on Friday, March 24th.

Mayor Rosegarten's work in Great Neck Plaza has been recognized on both the national and state level. His work to revitalize the downtown Great Neck shopping area is a model for local municipalities nationwide. Under the mayor's dynamic supervision, the village of Great Neck Plaza has not only experienced financial success, but is also highly regarded for its aesthetic beauty. Mayor Rosegarten's service to the community will undoubtably be used as a measuring stick for future Great Neck public officials.

Prior to his distinguished service as mayor of Great Neck Plaza for the past 8 years, Mr. Rosegarten held the position of deputy mayor for 8 years and was also a village trustee for 2 years. Mayor Rosegarten has further distinguished himself in the Great Neck community as president of the Great Neck Village Officials Association, commissioner of the Great Neck Central Police Auxiliary and member of the executive board of Great Neck's United Community Fund.

In addition to his work in the village of Great Neck Plaza, Mayor Rosegarten has been a successful executive in the advertising industry for over a quarter of a century.

Robert Rosegarten is an avid sculptor and painter, whose art works have gained wide attention by appearing in many local galleries on Long Island. Mayor Rosegarten is a loving father of three sons and a proud grandfather to six grandchildren.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me today in honoring Robert Rosegarten as he completes another milestone in his career and in wishing him many more years of active service to his family and his community.

WOMEN'S HISTORY MONTH

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. PELOSI. Mr. Speaker, thanks to the efforts of enterprising women in Sonoma County, CA, March is Women's History Month. As we celebrate women's history, we must focus on the future of women. The right to choose and make family planning decisions is central to women's liberty and freedom in that future. Family planning represents an opportunity for women and empowers families to make decisions that impact their quality of life and their future.

United States support for international family planning is an integral part of a progressive agenda for women and a foreign policy agenda that saves the lives of women and children and improves life circumstances. Unfortunately, many impoverished women are held hostage to the conservative politics of the right wing of the Republican party and damaging restrictions on international family planning assistance that conservatives forced into law.

Last year, conservatives forced President Clinton to accept the undemocratic ''global gag rule'' restrictions that force foreign nongovernmental organizations (NGOs) to give up their right to participate in their own democratic process to become eligible for U.S. funds. These restrictions contradict the main objective of U.S. foreign policy, fostering democracy and stability throughout the world. They represent a strong setback for women and democracy. If the U.S. Government tried to impose similar restrictions on U.S.-based organizations, they would, without a doubt, be unconstitutional. They are undemocratic and deny women a fundamental right.

Restrictions on family planning assistance will restrict access for poor women, which will result in more unintended pregnancies, more births, more maternal deaths and injuries and more abortions. The World Health Organization estimates that 600,000 women die each year from pregnancy-related causes and more than 150 million married women who want contraceptives have no access to them.

Soon, I will introduce legislation, along with Representative NITA LOWEY and Representative CHRIS SHAYS, to ensure that the current restrictions are never again included in law. This forthcoming legislation, the Global Democracy Promotion Act, will stop foreign NGOs from being forced to relinquish their right to free speech in order to participate in U.S.-supported family planning programs. If we can't impose these restrictions on U.S. organizations, we shouldn't be imposing them on foreign organizations. If passed, our legislation will stop foreign NGOs from being

excluded from these programs based solely upon legal health services that they provide with their own, non-U.S. funds. If the services are legal here, and they are legal where the NGO is operating, it would be misguided to deny an NGO the opportunity to carry out its important work.

This new bill will assist women around the world by protecting their fundamental rights and enabling women to access important family planning services from NGO's. As we celebrate Women's History Month, we must continue fighting for fundamental rights for women at home and around the globe.

TRIBUTE TO DEWEY FAUGHT

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a man who is a dear friend of mine, Dewey Faught.

Dewey Faught has served the state of Arkansas and his country all of his life. He graduated in 1953 from Eudora High School in Eudora, Arkansas and went on to attend Florida State University, Arkansas State University and the University of Central Arkansas where he studied Business Administration. He also received degrees in Liberal Arts and Agriculture.

Dewey is a veteran of the U.S. Air Force having served during the Korean, Vietnam and Cold War. He retired as a Senior Master Sergeant in July of 1974 after 20 years of honorable service. His Squadron was the First Combat Evaluation Group responsible for the administration of the RBS radar sites. His accommodations include the Meritorious Service Award and National Defense Medal. He recently received an accommodation from the Secretary of Defense for his service throughout the Cold War.

Dewey also served as Executive Director, Secretary and Treasurer for the Cabot Chamber of Commerce for 20 years. He also served as the Secretary and Treasurer for the Cabot Lions Club for 19 years, where he presently holds the position of President. He has a perfect attendance record for his 20 years of service to the Cabot Lions Club and is responsible for the recruitment of 40 members. He is a lifetime member of the VFW Post #4548 as well as the Disabled American Veterans. He is also a member of the AARP. In 1990 Dewey received recognition from his church, Cabot United Methodist, for his years of service as Sunday school superintendent. In 1983 Dewey was chosen Cabot Citizen of the Year. He was also chosen for the Cabot Community Leadership Award in 1999. His most recent project has him organizing the Cabot Veterans Monument and Memorial, Inc. He is spearheading the construction of this memorial that will honor Veterans in the North Lonoke County communities of Cabot, Austin, and Ward, Arkansas.

Dewey Faught is a great American and great Arkansan. He is the kind of citizen that made this nation the great place it is today. He has made Cabot a great place to work, live and raise a family. I am proud to call him my friend. Dewey has been married for 43 years to Jane Powell formerly of Gillett, Arkansas. They have five sons, 17 grandchildren and one great grandchild.

HONORING THOMAS R. CAFFREY

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. SAXTON. Mr. Speaker, today I rise to congratulate Mr. Thomas R. Caffrey of Tuckerton, New Jersey. Mr. Caffrey was a first prize winner in C–SPAN's American Presidents: Life Portraits Viewers' Contest. Mr. Caffrey's poem on President John Adams is worthy of high praise.

President Adams served as our second president from 1797 to 1801. President Adams, as one of our nation's Founding Fathers helped shape a newly formed nation with his intellect and vigor. His personal correspondence with Thomas Jefferson have delighted scholars for years as they provide a personal glimpse of these two very important Presidents. Mr. Caffrey's poem encapsulates the life and times of President Adams.

I would like to enter into the RECORD Mr. Caffrey's poem, ''Our Dearest Friend''.

OUR DEAREST FRIEND

(A POEM OF JOHN ADAMS)

(By Thomas R. Caffrey)

From Puritan seed a seminal birth to Ancient, he was for the ages.
A blend of the heavens and merciless Earth To a man needing many assuages
The genesis of this patriot as Founder will yet be revealed.
Portending rejection of British flat his fate about to be sealed.
So stubborn affixing himself to the law in defense of the British who fired.
Yes justice was blind and everyone saw that murder had not transpired.
While sufferings mixed with physical his angst was most profound.
So loving his country, he's practical; can America make it uncrowned?
A man in the midst of Freedom's vortex
The lover of laws because they protect and make 'That Chair' a rising sun.
Declaring their freedom with principles inspiring Jefferson's pen.
The Wordsmith's text would soon convulse all parties, including them.
Though stunned by the Lion's thundering roar, some cowed by fear of this mother.
Undaunted courage he'd force to the show, a rally for most of the others.
Prevailing at Yorktown made him celebrate, Conquest! On his date of birth!
Yet sober he was knowing full well his station, the Treaty would reflect his worth.
In Europe he felt the growing unease of absence from 'Portia'—his 'Friend'.
He often would stir for his quick release, when will this humility end?
The tenuous peace was forged with his mettle, in Paris the year '83.
The subsequent years would provoke much nettle. In Britain he yearned to be free.
Soon after he mixed into dear Quincy's soil, a call came for services, more.
For eight years his self-doubt would burden the toil. 'It's hopeless', he'd like to implore.
Before him the Giant of Mount Vernon, the deified A Priori.
In whose shadow he often fell striving for his own glory.
Leading was harder than Founding, it seemed. Not service but politics he loathed.
Betrayals were bad, from Jefferson worse, impossible when they were betrothed.
A premature move back home was his fate, no destiny to be a two-term.
Oft' ringing his hands and imploring his mate, his worth would she please affirm?
He passed many by on the farm at Peacefield, to dust they went, compost for life.
As his time drew near, posterity sealed, he relented, and thus joined his wife.
Today we think mainly of First and of Third, on Rushmore and our currency.
Remember Our Friend, a man of his word, whose heartsleeve was for you and me.

TRIBUTE TO THE LATE CAPTAIN ANTHONY R. STARNER

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. HANSEN. Mr. Speaker, yesterday marked the second year that United States Marine Corps Captain Anthony R. Starner, his wife Ann, and their son Michael were tragically killed in an automobile accident on their way to Michael's baptism. Captain Starner served his country admirably in many places around the world including: Guantanamo Bay, Cuba; Puerto Rico; the Balkans; Estonia; and the United States of America. He was a selfless, well-respected, and caring officer, husband, and father. He and his family are missed by many friends, family members, and loved ones. A flag flew over the Capitol Building yesterday in their honor.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2001

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2000

The House in the Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (House Concurrent Resolution 290) establishing the congressional budget for the United States Government for fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005:

Mr. STARK. Mr. Chairman, the Full Employment and Balanced Growth Act of 1978 provides for the members of the Joint Economic Committee to come before the House and present their views on the current state of the U.S. economy, to serve as input in the debate we are about to have on the budget resolution before us. I rise today to report that while there are many economic achievements to celebrate, there is also a lot more to do in order for everyone to share in the current prosperity.

For the first time since the Full Employment and Balanced Growth Act was passed in 1978, the U.S. economy has met the goals

which Senator Hubert Humphrey and Congressman Gus Hawkins set out in the original bill: 1. The unemployment rate for individuals over 20 is just ½ percentage point above the goal of 3 percent. 2. The unemployment rate for individuals over 16 has met the stated goal of 4 percent. 3. Inflation has remained below the goal of 3 percent since the beginning of the Clinton Administration, 7 years ago. 4. And all of this has been achieved while balancing the federal budget, for the first time in over 40 years.

It is a shame Senator Humphrey and Congressman Hawkins could not witness these achievements.

The great irony is that Senator Humphrey and Congressman Hawkins saw these goals as part of the path toward achieving full employment and balanced economic growth. Today, 20 years later, Alan Greenspan views them as dangerous signs of an overheating economy! I agree with Humphrey and Hawkins—low employment and inflation, and rising wages are always good for an economy.

Currently, unemployment and inflation are low, average wages are rising, and productivity is growing. There is cause to celebrate these achievements, which are due, in large part, to the economic policies of the last 7 years. But the Humphrey-Hawkins bill also called for establishing a national goal to fulfill the RIGHT of all adult Americans who are able, willing and seeking work to find employment at fair compensation. We may have met the numerical targets set out in the bill, we still have a lot to do in order to meet their overarching goal.

Despite the historic economic prosperity we are currently experiencing, the average after-tax income of the wealthiest families continues to grow faster than that for all other Americans, causing the income gap to continue widening. Some of my colleagues like to argue that the tax code should not be used to redistribute income to the poor. Well, I say we should stop using the tax code to redistribute income to the rich, like we have been doing!

Consider the following: Just the richest one percent of Americans—2.7 million people—took home as much after-tax income as the lowest 38 percent—or 100 million people—combined. In 1998, the average income of the wealthiest 20 percent of families was 14 times higher than that of the poorest 20 percent. After adjusting for taxes, the top 20 percent of U.S. households experienced a 43 percent increase in average income from 1977 to 1999, while the average income of the lowest 20 percent experienced a 9 percent decline. In 1999, almost 13 percent of total national after-tax income was concentrated in the top one percent of Americans.

The foundations for this disparity were laid during the 1980s, when average after-tax income for the wealthiest fifth of households increased by 33 percent.

The Republican budget does nothing to narrow the growing gap between the rich and the poor, and in fact would actually make it worse. Tax breaks for multi-millionaires do not help the millions of average Americans or narrow the gap between the rich and the poor.

In addition, the Republican budget would jeopardize the economic prosperity we are currently enjoying.

In 1992, President Clinton inherited budget deficits for ''as far as the eye could see.'' In contrast to his predecessors, President Clinton and the Democrats in Congress implemented policies which eliminated the budget deficit. And contrary to what the critics predicted, we balanced the budget while experiencing the longest period of prosperity in U.S. history.

The Republican budget would put all of this in jeopardy. The Republican budget calls for large tax cuts, increases in defense spending, and drastic reductions to non-defense discretionary spending. Where have we heard this before? This precise mix of policies brought us the record budget deficits of the 1980s, which contributed to a decline in living standards for the vast majority of Americans.

My colleagues claim that their budget fixes Social Security and Medicare, creates a prescription drug insurance program, and does all this while keeping the budget in surplus. Well, this sounds like de ja vu all over again. To paraphrase this month's testimony of Nobel Laureate Robert Solow before the Joint Economic Committee—if you believe that their budget will do all that, I must be Alice and this must be wonderland.

The Reagan supply-side policies were a complete failure. While a few got rich, the vast majority of American workers and their families suffered as the country was saddled with an enormous debt, which those working families are still paying off.

The nation made the mistake of buying that snake oil once, why should we do it again? I am not about to put the incomes of American families at risk once again, especially as they are just beginning to recover from the last Republican attempt to ''save'' the economy.

The Republican budget includes a ''Bush-lite'' tax cut. I must at least give my colleagues some credit for rejecting the full Bush tax cut proposal completely. Their tax cut would only go half as far—which is still way too much. The Republican's current tax cut proposals cost more than the bloated tax cut proposal from last year, which the American people clearly rejected.

There are two fundamental things wrong with their tax proposals. First, they benefit the rich and don't help the vast majority of Americans. Second, these tax cuts, together with the rest of the budget package, are certain to get us back into the mess we were in during the 1980s, which caused real economic hardship on workers and their families.

The Republican budget calls for increasing defense spending by $17½ billion above the caps, which is even more than the Administration's request. According to the Children's Defense Fund, just this additional spending alone would be enough to: Provide Head Start to 1.7 million additional children; and Provide child care to more than 8 million additional children; and Provide 21st Century After-School programs for close to 35 million additional children.

Just think what we could do for our children if we were willing to forgo just one new major weapon system. In addition to being a budget-buster, excessive defense spending forces us to shift our priorities away from feeding, clothing and educating our children and caring for the sick, the elderly and

The Republican budget has a solution to this problem—cut non-defense discretionary spending by 6 percent or $114 billion over 5 years. Where is this money going to come from? I'll tell you. The Republicans want to drop 310,000 low-income women off of WIC, just next year. The Republicans want to deny child care to over 12,000 children of working parents in 2001. The Republicans want to eliminate Head Start services for more than 40,000 children and their families by 2005. The Republicans want to cut off energy assistance to 164,000 low-income families next year, precisely at the same time oil prices are rising. And the list goes on and on.

The Republicans call their budget ''senior-friendly.'' Well, with friends like them, who needs enemies?

The Republicans set aside $40 billion for reforming Medicare and establishing a prescription drug program, yet they fail to provide us with the details of how they plan to do so. There are reports that the Republican's prescription drug program would only cover low-income Medicare recipients. Do they actually think that only the poor take prescription drugs? In fact, over half of Medicare beneficiaries who lack prescription drug coverage have incomes above 150 percent of poverty. The cost of prescription drugs is the fastest growing part of health care, and it affects all Americans. We must establish a comprehensive prescription drug plan which covers all seniors, regardless of income, as they are the ones suffering the most from rising drug costs.

The Republicans claim to put aside funds to shore-up Social Security. But in fact, if they do everything they promise, the Republican budget will actually spend the Social Security surplus. We need to protect Social Security, not put it under any more risk. It seems like everyone has learned the clear lessons of the last 7 years except my colleagues on the other side of the aisle.

Over the last 20 years we have put off addressing some of the major economic problems affecting American workers and their families. Now, during this time of unprecedented prosperity, it is time to begin dealing with these issues. If we can't do it now, then when can we?

Instead of debating tax cuts which favor the rich and will put us back in the fiscal straightjacket of massive debt, we should be discussing how to provide quality health care for all Americans, while controlling costs.

We should be discussing ways to protect the most vulnerable Americans—the sick and the elderly. We should pass a strong patient's bill of rights, which includes a patient's right to sue for damages, that is not cynically loaded with poison bills—like Medical Savings Accounts, which are nothing more than tax cuts for the rich.

We should raise the minimum wage without having to buy-off the wealthy by providing them close to $80 billion in estate tax cuts. Working full-time at the current minimum wage is not even enough to keep a family of 3 or 4 out of poverty. Raising the minimum wage is long overdue and should be done with no conditions attached.

For these reasons and others, I urge my colleagues to reject the Republican budget resolution.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2001

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (House Concurrent Resolution 290) establishing the congressional budget for the United States Government for fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005:

Ms. JACKSON-LEE of Texas. Mr. Chairman, today I rise in strong opposition to the Budget Resolution for FY 2001 (H. Con. Res. 290). For the third consecutive year Republicans have chosen to provide large tax breaks for the wealthy. This Budget Resolution provides at least $200 billion in tax breaks over the next five years for the financial elite of America. Furthermore, this resolution is a major down payment for George W. Bush's proposed trillion-dollar tax scheme. I will not standby while our children's future is bankrupted to fund this irresponsible Budget Resolution.

This budget contains deep cuts in domestic spending by $114 billion over the next five years; fails to provide anything to strengthen Social Security or Medicare; cuts nondefense discretionary spending by $19.7 billion in 2001 and $138 billion over the next five years below the level needed to maintain purchasing power after adjusting for inflation; and pretends to reserve $40 billion for a Medicare prescription drug benefit contingent upon essentially turning Medicare into a voucher program. Republicans have used slight of hand to hide the facts of their irresponsible budget by showing the effects of proposed tax cuts for only the first five years and not the full ten year projections commonly used during the last four years.

I am disappointed in the Budget Resolution because I do not believe that it provides adequate investment in our nation's future. America's future depends on that of her young people—in providing them adequate resources and opportunities to become our future leaders including providing them education and access to adequate health care.

The Budget resolution provides inadequate resources for the education of our young people. I firmly believe that we must focus our attention and our energy on one of the most important challenges facing our country today—revitalizing our education system. Strengthening education must be a top priority to raise the standard of living among American families and to prolong this era of American economic expansion. Education will prepare our nation for the challenges of the 21st century, and I will fight to ensure that the necessary programs are adequately funded to ensure our children's success.

We must provide our children access to superior education at all ages from kindergarten to graduate school. Recent studies emphasize the importance of quality education early in a child's future development. And yet despite these studies, the Budget Resolution still inadequately funds programs that would provide for programs targeting children in their younger years.

In addition, we need to open the door of educational opportunity to all American children. It is well known that increases in income are related to educational attainment. The Democratic budget alternative rejects the Republican freeze on education funding and allocates $4.8 billion more for education for FY 2001, than the Republican budget. Over five years, the Democratic Party demonstrates its commitment to education by proposing $21 billion more than the Republican Budget Resolution.

The Congressional Black Caucus (''CBC'') will offer an amendment in the nature of a substitute that promises to invest for the future of our nation. The CBC substitute is a budget that maximizes investment and opportunity for the poor, African Americans, and other minorities. This Budget for Maximum Investment and Opportunity supports a moderate plan to pay down the national debt; protects Social Security; and makes significant investments in education and training.

The CBC budget requests $88.8 billion in FY 2001 for education, training, and development. This is $32 billion more than the Republican budget provides. The CBC substitute will propose a $10 billion increase over the President's Budget for school construction. Other projected increases include additional funding for Head Start, Summer Youth Employment TRIO programs, Historically Black Colleges and Universities, and Community Technology Centers. In an age of unprecedented wealth the CBC has the vision to invest in the American family and not squander opportunities afforded by a budget surplus.

I will not support the failed policies of the past. Senator MCCAIN has best characterized this Budget Resolution as one that is ''fiscally irresponsible.'' I support a budget that invest strengthening Social Security; provides an affordable prescription drug benefit for all seniors; helps communities improve public education with quality teachers, smaller classes, greater accountability and modern schools; and pay down the national debt. These are the policies that invest in our children and in the future of our nation in the 21st century.

TRIBUTE TO RICHARD ROTH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. CALVERT. Mr. Speaker, I honor an individual whose dedication to the community and the overall well-being of the 43rd Congressional District is notable. On April 1st, Mr. Richard Roth, will step down as the Chair of the Greater Riverside Chamber of Commerce—a day that also marks Chamber's 100 year anniversary of service to the community. My district has been fortunate to have dynamic and dedicated community leaders who willingly give their time and talents to promote the businesses, schools and community organizations. Mr. Roth has proved himself one of these individuals again and again.

Richard Roth has a long and commendable history of serving Riverside County. Currently, he is a member of the Inland Empire Board of Directors for the Employer's Group, the civically minded Monday Morning Group and the Raincross Club. Additionally, in the past, he has selflessly served as Vice Chair of the Parkview Community Hospital Board, Vice Chair of the March Field Museum Foundation Board of Managers and member of the Board of Directors for the Volunteer Center of Riverside.

Richard Roth is a Managing Partner of the Riverside County law firm of Reid & Hellyer. He is also involved in the community as an adjunct instructor in Labor and Employment Law at the University of California at Riverside, Graduate School of Management and in the University Extension Division.

In addition to his private practice of law, Richard Roth is a Brigadier General in the United States Air Force Reserve. In this position, he presently serves as the Mobilization Assistant to the Staff Judge Advocate, Headquarters Air Mobility Command and Reserve Advisor to the Chief Counsel, United States Transportation Command. In 1987, Richard Roth received the Reginald C. Harmon Trophy as the Air Force Outstanding Reserve Attorney and in 1992 he was named California Air Force Association Reserved Man of the Year.

Richard's outstanding accomplishments make me proud to call him my friend, community member, and fellow American. I thank him for his contribution to the betterment of the community and I look forward to continuing to work with him for the good of Riverside County.

RECOGNIZING MARC COTTA

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Marc Cotta for his many years of service in the news industry. Cotta, who is currently the News Director for KJEO–TV 47 in Fresno, is retiring this week after 26 years of service in the broadcast business.

Starting out in 1973 with KSLY (of San Luis Obispo) and KTIP/K100 (of Porterville), Cotta got his early career start working on radio sales, news reporting, and announcing/production. He then spent 3 years as Assistant Program Director for KSLY, before moving into television. From 1978–1980, Cotta worked as a reporter and news sports anchor for KSBY (of San Luis Obispo). In 1980, Cotta moved to Fresno's KJEO, channel 47 and a CBS affiliate, where he worked as a television reporter. By 1981 he had already moved up to be the Sports Director for KJEO, where he served until 1992. From 1992 to 1993, Cotta served as Executive Managing Editor for KJEO. Because of his strong work ethic, attention to detail and ability to know a good news story, it wasn't long before the station promoted Cotta once again, this time to Assistant News Director, where he served until 1995. From 1995 to present, Cotta has served as News Director for KJEO in Fresno.

Cotta is a great news director. He's always on the hunt for the next story. He keeps a Rolodex a mile long with contacts throughout the Central Valley and indeed throughout California.

Among his accomplishments Cotta won the Edward R. Murrow Award in 1998 for the western region. He has had three Emmy-nominated newscasts: for 1996, 1997, and 1998. In addition, he had Emmy-nominated reports in 1997. Cotta started the Fresno market's only weekly half-hour sports show. He has also developed the first live aerial news gathering capabilities in the market, the first digital satellite news gathering in the market, and the first two and half AM show newscasts in the market.

Cotta has produced a variety of T.V. specials and programs, as well as spearheading coverage of several major sporting and news events. Cotta has covered Super Bowls, the World Series, Major League All-Star games, the NIT Championship of 1983, the College World Series, and the 1989 San Francisco earthquake.

While Cotta leaves channel 47, KJEO he remains an outstanding source of news and information and leaves behind a 26 year legacy of dedication to his profession and his community.

Mr. Speaker, I want to recognize Marc Cotta for his tremendous contributions to his community and to the news and broadcast business. I urge my colleagues to join me in wishing Mr. Cotta many more years of continued success.

IN HONOR OF LTC STEVE H. INADA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. FARR of California. Mr. Speaker, today I honor a man who has dedicated his life to serving in the U.S. Army and has pursued all of his military endeavors with the highest degree of bravery and courageousness. Lieutenant Colonel Steve Inada will be retiring from active duty on June 1, 2000, after over twenty years of service to his country.

Born in Marina, California, Steve enlisted in the Army through the University of California at Berkeley ROTC program in April 1978. Throughout his military career, LTC Inada's valiant service has resulted in, among other things, his receipt of various personal awards including: an Army Service Ribbon; a National Defense Ribbon; an Armed Forces Reserve Ribbon; an Army Achievement Medal; a Joint Service Achievement Medal; an Army Commendation Medal; a Joint Commendation Medal; three Meritorious Service Medals; a Joint Meritorious Service Medal; and he will soon receive a Retirement Medal. A life of dedication to his country has also earned Steve a Joint Meritorious Unit Award, an Airborne Badge, a Joint Staff Badge and an Office of Secretary of Defense Badge. We should all aspire to lead a life of public service similar to that of LTC Inada who has time and time again placed his country before himself.

Mr. Speaker, I ask that you join me and our colleagues in recognizing the many contributions which LTC Inada has made as a member of the U.S. Army. At each assignment, he has functioned as an invaluable asset to his division. Although well deserved, LTC India's retirement is a loss for the U.S. Army. I wish Steve many years of happiness as he enjoys his golden years.

''MR. BASEBALL'', A TRIBUTE TO SENATOR HARRY WIGGINS OF MISSOURI

HON. PAT DANNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. DANNER. Mr. Speaker, as famed baseball legend George Herman ''Babe'' Ruth once said, ''Baseball was, is and always will be to me the best game in the world.'' Well Mr. Speaker, for more than 30 years, America's favorite pastime has, indeed, been the best game in the world to my former colleague and longtime friend, Missouri State Senator HARRY WIGGINS. Today I honor him for being named ''Mr. Baseball'' by the Kansas City Royals.

As most fans of the Kansas City Royals are aware, Senator Wiggins has been a lifelong sports enthusiast who has never hesitated in proclaiming the Royals as ''The greatest organization in baseball.'' Since becoming a state senator in 1974, Harry has used his position as a dedicated public servant to rally behind the needs of the franchise while advancing the Royals' image as a team which thrives on the spirit and dedication of its fans.

As a young boy growing up in Kansas City, Harry dreamed of playing third base for the Kansas City Blues, a Triple A Farm Team whose glory days have long since ended. Although Harry would never join the ranks of baseball greats such as Joe Dimaggio, Mickey Mantle and Johnnie Mize on the baseball diamond, his love of the game and passion for baseball in Kansas City has never diminished. Decades later, and now as a seasoned statesman and respected politician, Harry is still the first fan to arrive at Kauffman Stadium and the last to leave—his busy Senate schedule permitting, of course.

Mr. Speaker, I thank the House of Representatives for allowing me to congratulate Senator Harry Wiggins for his many years of support for the Kansas City Royals. His love of the game of baseball, commitment to the team and unwavering advocacy on behalf of all Royals' fans continue to show that he is truly deserving of the title, ''Mr. Baseball''.

CONCURRENT RESOLUTION ON THE BUDGET FISCAL YEAR 2001

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (House Concurrent Resolution 290) establishing the congressional budget for the United States Government for fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005:

Mr. BLUMENAUER. Mr. Chairman, passing a budget resolution should be the first step in a process of guiding our country towards fiscal stability. In a time when the economy is strong and when there is a consensus on things like reducing the national debt, protecting Social Security and getting the most out of the dollars we invest, one would hope the budget resolution could be accomplished in a constructive fashion. At this time, we should establish a blueprint for government spending that guides our spending decisions through the coming years and gives a signal to the American public about our priorities.

Unfortunately, again this year that has not been the case with the budget resolution. The resolution adopted by the Republican majority continues a pattern of budget gimmicks, ambiguity, and deception. The Republican appropriators have no intention of following this blueprint and there is virtually no one in the Republican caucus who's going to have a voting record at the end of this year that would conform to what the budget resolution demands. This budget is rife with double counting, under counting for important priorities such as a Medicare prescription drug benefit, and slashes other priorities for massive tax cuts that are not supported by the American public and will not find their way into law.

I voted for four alternatives to this budget, all of which are superior to the Republican version which was passed. There are details of each that I don't necessarily agree with, but they are each more honest and would be better for America than the Republican version.

I hope I will see the day when we have a budget resolution that actually resembles the final budget at the end of the year.

IN RECOGNITION OF GREEK INDEPENDENCE DAY

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. GEJDENSON. Mr. Speaker, I rise today to recognize March 25th as Greek Independence Day. This past Saturday, as Greeks celebrated the 179th anniversary of their freedom from Ottoman rule, many of my own constituents commemorated this occasion with a special ceremony in Middletown, Connecticut. The blue-and-white Greek flag flew high over Middletown, as city and state officials gathered with residents for the unveiling of a new street sign called Eleftheria Way—the Greek work for freedom.

The pursuit of freedom is just one of the many ideals which have historically bound together our peoples. In many ways, Greece was the birthplace of American democracy. In 370 B.C., Plato wrote in The Republic: ''Democracy is a charming form of government, full of variety and disorder, and dispensing a kind of equality to equals and unequals alike.'' In an address made over 2400 years ago, Pericles explained: ''Our Constitution is called a democracy because power is in the hands not of a minority but of the whole people. When it is a question of settling private disputes, everyone is equal before the law; when it is a question of putting one person before another in positions of public responsibility, what counts is not a membership of a particular class, but the actual ability which the mass possesses.''

As Americans, we are indebted to the contributions of the Ancient Greeks in so many areas, including science, medicine and the

arts. Greek civilization has inspired our passion for truth and justice. And for more than a century, Americans of Greek descent have continued to lend their wisdom, energy and talent to our nation while weaving their own unique history into the social fabric of America.

Greek Independence Day marks an important milestone for lovers of freedom and democracy worldwide. I congratulate Greece for 179 years of independent rule and for a legacy that will extend for an eternity.

TRIBUTE TO WAYNE ASPINALL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Mr. McINNIS. Mr. Speaker, I rise today to pay homage to a man who sat in this august body for 24 years, from 1948 to 1972. Mr. Speaker, he served with six Presidents during that time, and was Chairman of the House Interior and Insular Affairs Committee. It was during his tenure in the House that the focus cleared on land and water issues in this great country. Mr. Speaker, I am referring to the late-Congressman Wayne N. Aspinall from the small peach and winery town of Palisade, Colorado.

Not only did Wayne Aspinall serve with distinction here, but his career in public service spanned over 48 years, including six years on his Town's Board of Trustees and 16 years in the Colorado Legislature. His six years in the Colorado House of Representatives included service as House Speaker for two years. As a state Senator for ten years, he served as both Majority and Minority leader. He was also a sergeant in the Air Service of the Army Signal Corps during World War I.

But let me talk further about Wayne Aspinall's time in the U.S. Congress. In 1956, as Chairman of the Subcommittee on Irrigation and Reclamation, he crafted the Colorado River Storage Project Act of 1956, which authorized Glen Canyon, Flaming Gorge, Navajo and Curecanti projects, plus several smaller projects authorized for construction and others designated for study. Aspinall's legislation was signed into law by President Eisenhower on April 11, 1956.

In 1959, Congressman Aspinall became Chairman of the U.S. House Interior and Insular Affairs Committee, as I mentioned. The ensuing 14-years of his leadership were probably the most productive in history in terms of water projects and national parks authorized and built or developed, wilderness areas designated, redwoods protected, the states of Alaska and Hawaii were admitted to the Union, public land law review, and so much more.

Mr. Speaker, this remarkable Congressman's accomplishments continued. In 1964, he paved the way to the Wilderness Act, which became law September 3 and designated 9.1 million acres of wilderness and set aside more for study. At the same time, the Land and Water Conservation Fund was established primarily for parks acquisition.

Then, in 1968, he created the Colorado River Basin Development Act, signed into law by President Johnson on September 30, which balanced development in the basin. On October 2 of the same year, his bill was signed protecting 58,000 acres of California redwoods and the Land and Water Conservation Fund was further beefed-up.

Finally, Mr. Speaker, he returned to his hometown of Palisade, Colorado in 1973 to live in a new home overlooking the Colorado River which his life's work had done so much to preserve as a valuable resource for the entire western United States. He died October 9, 1983.

Now, the citizens in his hometown plan to honor his memory with a one and a half time life-size bronze sculpture by renowned North Carolina artist Thomas Jay Warren. The statue will be the central feature of a Memorial which will include the representation of a dam and river. Several adjacent Memory Walls will be inscribed with the major achievements of the man known affectionately even today in Colorado as ''Mr. Chairman.'' Members of the Aspinall Memorial Commission envision the Congressman Wayne N. Aspinall Memorial as an educational one, designed as much to teach students and others of the importance of sound water conservation, good government, and the history of water in the West as to record Mr. Chairman's stellar accomplishments.

The $165,000 Memorial will sit in the southeast quadrant of what is now known as Palisade Park, on a bluff above the Colorado River about 50 yards from the home to which he had retired.

Mr. Speaker, I commend the people of Palisade and of the entire State of Colorado for their effort to honor a man who served the great American West with such distinction. And I urge all of who can do so to support this project financially.

ASPINALL MEMORIAL COMMISSION MEMBERS

Tilman N. Bishop, Retired State Senator and Educator.

Greg Walcher, Executive Director Dept. of Natural Resources.

Atty. Charles J. Traylor, former Aspinall Washington aide.

Dean Smith, Mayor of Palisade.

Rich Helm, Executive Director, Museum of Western Colorado.

Robert Helmer, Fruit Grower, President of Palisade Chamber of Commerce.

Robert C. Dougherty, Associate Publisher, Palisade Tribune.

George Distefano, Fruit Grower, representing American Legion.

Harry Talbott, President, Talbott Farms.

Elvis Guin, Retired Engineer, representing Palisades Lions Club.

Don Taylor, former Aspinall student, Retired Military.

Mike McEvoy, President, Palisades National Bank.

Mary White, sister of Mr. Aspinall.

Daily Digest

HIGHLIGHTS

The House agreed to the Senate amendment to H.R. 5, Senior Citizens' Freedom to Work Act—clearing the measure for the President.

The House agreed to H. Con. 269, commending the Library of Congress and its staff for 200 years of outstanding service and encouraging participation in its bicentennial activities.

Senate

Chamber Action

Routine Proceedings, pages S1765–S1832

Measures Introduced: Ten bills and three resolutions were introduced, as follows: S. 2300–2309, S.J. Res. 43, S. Res. 278, and S. Con. Res. 99. **Page S1815**

Measures Reported: Reports were made as follows:

H.R. 1487, to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906. (S. Rept. No. 106–250) **Page S1815**

Measures Passed:

Taiwan Elections: Senate agreed to S. Con. Res. 99, congratulating the people of Taiwan for the successful conclusion of Presidential elections on March 18, 2000, and reaffirming U.S. policy toward Taiwan and China. **Pages S1829–30**

Flag Protection: Senate continued consideration of S.J. Res. 14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, taking action on the following amendments proposed thereto: **Pages S1765–S1807**

Rejected:

By 36 yeas to 64 nays (Vote No. 45), McConnell Amendment No. 2889, in the nature of a substitute. **Pages S1793–94**

Hollings Amendment No. 2890, to propose an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections. (By 67 yeas to 33 nays (Vote No. 46), Senate tabled the amendment.) **Pages S1768–95**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9:30 a.m., on Wednesday, March 29, 2000, with a vote on the motion to close further debate to occur at 10 a.m. **Page S1831**

Gasoline Taxes—Cloture Motion Filed: A motion was entered to close further debate on the motion to proceed to the consideration of S. 2285, instituting a Federal fuels tax holiday and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Thursday, March 30, 2000. **Page S1831**

Subsequently, the motion to proceed was withdrawn. **Page S1831**

Measures Placed on Calendar: **Page S1813**

Measures Read First Time: **Page S1829**

Communications: **Pages S1813–14**

Petitions: **Pages S1814–15**

Statements on Introduced Bills: **Pages S1815–26**

Additional Cosponsors: **Pages S1826–27**

Notices of Hearings: **Pages S1828–29**

Authority for Committees: **Page S1829**

Additional Statements: **Pages S1811–13**

Record Votes: Two record votes were taken today. (Total—46) **Pages S1794, S1796**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 5:46 p.m., until 9:30 a.m., on Wednesday, March 29, 2000. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1831.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee on Energy and Water Development concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of Energy, focusing on defense programs, after receiving testimony from Rose E. Gottemoeller, Acting Deputy Administrator for Defense Nuclear Nonproliferation, Department of Energy; Gen. Eugene E. Habiger, USAF, Retired Director, Office of Security and Emergency Operations; Brig. Gen. Thomas F. Gioconda, USAF, Acting Deputy Administrator for Defense Programs and Principal Deputy Assistant Secretary for Military Application, National Nuclear Security Administration; and Adm. Frank L. Bowman, USN, Director, Naval Nuclear Propulsion Program.

ALTERNATIVE MEDICINE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings to examine issues dealing with complementary and alternative medicine therapies, which are designed to complement traditional healthcare approaches, such as surgery and drug therapy, after receiving testimony from Stephen Straus, Director, National Center for Complementary and Alternative Medicine, National Institutes of Health, Department of Health and Human Services; Andrew Weil, University of Arizona College of Medicine Program in Integrative Medicine, Tucson; Mary Jo Kreitzer, University of Minnesota Center for Spirituality and Healing, Minneapolis; Herbert Benson, Harvard University Medical School/Mind/Body Medical Institute, Boston, Massachusetts; Dean Ornish, University of California School of Medicine/Preventive Medicine Research Institute, San Francisco; James M. Cassidy, Andover, Massachusetts; Kristen Magnacca, Wellesley, Massachusetts; and Walter Czapliewicz, Pittsburgh, Pennsylvania.

APPROPRIATIONS—TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation concluded oversight hearings on proposed budget estimates for fiscal year 2001 for the Department of Transportation, after receiving testimony from Kenneth M. Mead, Inspector General, and Peter J. Basso, Assistant Secretary for Budget and Programs and Chief Financial Officer, both of the Department of Transportation.

DRUG TRAFFICKING

Committee on Armed Services: Committee met in closed session to receive a briefing on the impact of drug trafficking on the security of Columbia and neighboring countries of the Andean Ridge from officials of the Central Intelligence Agency and the Defense Intelligence Agency.

Committee recessed subject to call.

BUSINESS MEETING

Committee on the Budget: Committee began markup of an original concurrent resolution setting forth the fiscal year 2001 budget for the Federal Government, but did not complete action thereon, and will meet again tomorrow.

RURAL BROADBAND ACCESS

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded hearings to examine the current state of deployment of hi-speed Internet technologies, focusing on broadband communication service access in rural America, after receiving testimony from Representative Tauzin; Montana Public Service Commissioner Bob Rowe, on behalf of the National Association of Regulatory Utilities Commissioners, and John S. Fitzpatrick, Touch America, Inc., both of Helena, Montana; Roy Neel, United States Telecom Association, and Timothy J. Regan, Corning Incorporated, both of Washington, D.C.; Stephen C. Gray, McLeodUSA, Inc., Cedar Rapids, Iowa; and David M. Woodrow, Cox Communications, Inc., Atlanta, Georgia.

U.S. DEPENDENCY ON FOREIGN OIL

Committee on Energy and Natural Resources: Committee concluded joint hearings with the Committee on Foreign Relations to examine United States dependency on foreign oil, focusing on oil import needs, diplomacy, strategic petroleum reserve, and domestic oil production, after receiving testimony from Richard Perle, former Assistant Secretary of Defense for International Security, American Enterprise Institute, Washington, D.C.; Denise A. Bode, Oklahoma Corporation Commission, Oklahoma City; and Virginia Lazenby, Bretagne G.P., Nashville, Tennessee, on behalf of the Independent Petroleum Association of America.

BUDGET—EPA/ARMY CORPS OF ENGINEERS

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety concluded hearings on the President's proposed budget request for fiscal year 2001 for the Environmental Protection Agency's clean air programs and the Army Corps of Engineers wetlands programs, after receiving testimony from Robert Perciasepe, Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; and Michael L. Davis, Deputy Assistant Secretary

of the Army for Civil Works, United States Army Corps of Engineers, Department of Defense.

IRAN AND IRAQ PROLIFERATION

Committee on Foreign Relations: Committee resumed hearings to examine issues dealing with Iran and Iraq, focusing on the future of nonproliferation policy, receiving testimony from Anthony H. Cordesman, Center for Strategic and International Studies, Washington, D.C.; and Rolf Ekeus, Ambassador of Sweden, Washington, D.C., and Richard Butler, Diplomat in Residence, Council on Foreign Relations, both of the United Nations Special Commission on Iraq (UNSCOM).

Hearings continue on Thursday, March 30.

HCFA SETTLEMENT POLICIES

Committee on Governmental Affairs: Permanent Subcommittee on Investigations concluded oversight hearings to examine Health Care Financing Administration's (HCFA) settlement policies, focusing on whether certain Medicare providers settlements conform to HCFA regulations, after receiving testimony from Robert H. Hast, Acting Assistant Comptroller General for Special Investigations, Office of Special Investigations, General Accounting Office; and Charles R. Booth, Director, Financial Services Group, Office of Financial Management, Jean Ohl, Technical Health Insurance Specialist, Tony Seubert, Payment Specialist, and Bruce C. Vladeck, former Administrator, all of the Health Care Financing Administration, Department of Health and Human Services.

CYBER CRIMES

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine the incidence of cyber attacks on the nation's information systems, focusing on removing roadblocks to investigation and information sharing, after receiving testimony from Louis J. Freeh, Director, Federal Bureau of Investigation, Department of Justice; Harris N. Miller, Information Technology Association of America, Arlington, Virginia; and Richard D. Pethia, CERT Centers Carnegie Mellon University, Pittsburgh, Pennsylvania.

INTERNET PREDATOR PROTECTION

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded hearings on child safety on the Internet, focusing on online protection from predators, after receiving testimony from Kenneth Neu, Assistant Section Chief, Violent Crimes Major Offenders Section, and William Hagmaier, Unit Chief, Child Abduction Serial Murder Investigative Resources Center, both of the Federal Bureau of Investigation, Department of Justice; Donna Rice Hughes, Phoenix Financial and Advisory Services, Vienna, Virginia, on behalf of the Child Online Protection Commission; Mary Anne Layden, University of Pennsylvania, Philadelphia; Ernest E. Allen, National Center for Missing and Exploited Children, Washington, D.C.; John Ryan, America Online, Inc., Ashburn, Virginia; Tim Remsburg, Nashua, New Hampshire; and Teresa Strickland, Opelika, Alabama.

OFFICE SUPPLY FRAUD

Committee on Small Business: Committee held hearings to examine the effects of certain office supply scams, including toner-phoner schemes on small business, receiving testimony from Jodie Bernstein, Director, Bureau of Consumer Protection, Federal Trade Commission; Joan Bailey, Brownstone Real Estate Company, Hershey, Pennsylvania; Linda Easton-Saunders, Prospect Associates, Silver Spring, Maryland; George Everding, Feed My People, St. Louis, Missouri; Peter Grosfeld, American Flyers, Miami, Florida; William R. Duffy, Imaging Supplies Coalition for International Intellectual Property Protection, Inc., Lexington, Kentucky; and Tricia Burke, Office Equipment Company, Inc., Louisville, Kentucky, on behalf of the Independent Office Products and Furniture Dealers Association.

Hearings recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 15 public bills, H.R. H4094–4108, and 1 resolution, H. Con. Res. 294, were introduced. **Page H1476**

Reports Filed: Reports were filed today as follows:

H.R. 3519, to provide for negotiations for the creation of a trust fund to be administered by the International Bank for Reconstruction and Development of the International Development Association to combat the AIDS epidemic, amended (H. Rept. 106–548); and

H. Res. 450, providing for consideration of H.R. 3908, making emergency supplemental appropriations for the fiscal year ending September 30, 2000 (H. Rept. 106–549). **Pages H1475–76**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Pease to act as Speaker pro tempore for today. **Page H1415**

Recess: The House recessed at 1:04 p.m. and reconvened at 2:00 p.m. **Page H1419**

Committee on Transportation and Infrastructure: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions adopted by the Committee on March 16 and transmitted to the Department of the Army—referred to the Committee on Appropriations. **Page H1421**

Presidential Messages: Read the following messages from the President:

National Emergency Re UNITA: Message wherein he transmitted his six month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA)—referred to the Committee on International Relations; and **Page H1421**

Payments Made to Cuba: Message wherein he transmitted his semiannual report detailing payments made to Cuba as a result of telecommunications services pursuant to Department of the Treasury specific licenses—referred to the Committee on International Relations. **Page H1422**

Suspensions: The House agreed to suspend the rules and pass the following measures:

San Gabriel Basin Water Quality Initiative: H.R. 910, amended, to authorize the Secretary of the Army, acting through the Chief of Engineers and in coordination with other Federal agency heads, to participate in the funding and implementation of a balanced, long-term solution to the problems of groundwater contamination, water supply, and reliability affecting the San Gabriel groundwater basin in California. **Pages H1422–26**

E. Ross Adair Federal Building and United States Courthouse in Fort Wayne, Indiana: H.R. 2412, to designate the Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, as the "E. Ross Adair Federal Building and United States Courthouse" (passed by a yea and nay vote of 417 yeas with none voting "nay", Roll No. 76); **Pages H1426–28, H1448**

Aaron E. Henry Federal Building and United States Post Office in Clarksdale, Mississippi: H.R. 1279, to designate the Federal building and United States post office located at 223 Sharkey Street in Clarksdale, Mississippi, as the "Aaron E. Henry Federal Building and United States Post Office." Agreed to amend the title; **Pages H1428–30**

Congratulating President-elect Chen Shui-bian and Vice President-elect Annette Lu of Taiwan; H. Con. Res. 292, congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China (passed by a yea and nay vote of 418 yeas to 1 nay, Roll No. 77); **Pages H1430–35, H1448–49**

American Institute in Taiwan Facilities Enhancement Act; H.R. 3707, to authorize funds for the site selection and construction of a facility in Taipei Taiwan suitable for the mission of the American Institute in Taiwan. Agreed to amend the title; and **Pages H1435–37**

Commending the Library of Congress, Its Staff and Bicentennial: H. Con. Res. 269, commending the Library of Congress and its staff for 200 years of outstanding service to the Congress and the Nation and encouraging the American public to participate in bicentennial activities (passed by a yea and nay vote of 416 yeas with none voting "nay", Roll No. 78). **Pages H1437–41, H1449–50**

Recess: The House recessed at 4:14 p.m. and reconvened at 5:02 p.m. **Page H1441**

Senior Citizens' Freedom to Work Act. The House agreed to the Senate amendment to H.R. 5, to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age by a yea and nay vote of 419 yeas with none voting "nay", Roll No. 79—clearing the measure for the President. **Pages H1441–47, H1450**

Recess: The House recessed at10:45 p.m. and reconvened at 1:08 a.m. on Wednesday, March 29. **Page H1474**

Senate Messages: Message received from the Senate today appears on page H1415.

Referrals: S. 1731 was referred to the Committee on Commerce. **Page H1475**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H1478–79.

Quorum Calls—Votes: Four yea and nay votes developed during the proceedings of the House today and appear on pages H1448, H1448–49, H1449, and H1450. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 1:08 a.m. on Wednesday, March 29.

Committee Meetings

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on U.S. Army Corps of Engineers. Testimony was heard from the following officials of the Department of the Army, Department of Defense: Lt. Gen. Joe N. Ballard, USA, Commanding General; and Maj. Gen. Hans A. Van Winkle, USA, both with the Corps of Engineers; and Joseph Westphal, Assistant Secretary.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held an oversight hearing on Forest Service Research. Testimony was heard from Robert L. Lewis, Deputy Chief, Forest Service, USDA; and public witnesses.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, held a hearing on Departmental Management Panel and Inspectors General Panel and on the Corporation for Public Broadcasting and the National Labor Relations Board. Testimony was heard from the following officials of the Department of Energy: Frank S. Holleman, Deputy Secretary; and Lorraine Lewis, Inspector General; the following officials of the Department of Labor: Patricia W. Lattimore, Assistant Secretary, Administration and Management; and Patricia A. Dalton, Acting Inspector General; the following officials of the Department of Health and Human Services: John J. Callahan, Assistant Secretary, Management and Budget; and June Gibbs Brown, Inspector General; the following officials of the SSA: William A. Halter, Deputy Commissioner; and James G. Huse, Jr., Inspector General; the following officials of the Railroad Retirement Board: Kenneth P. Boehne, Chief Financial Officer; and Martin J. Dickman, Inspector General; Robert T. Coonrod, President and CEO, Corporation for Public Broadcasting; and John C. Truesdale, Chairman, NLRB.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on Office of Management and Budget, and on National Archives. Testimony was heard from Jacob J. Lew, Director, OMB; and John W. Carlin, Archivist, National Archives and Records Administration.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies held a hearing on Selective Service System, on Office of Science and Technology Policy, and on National Credit Union Association. Testimony was heard from Gil Coronado, Director, Selective Service System; Neal Lane, Director, Office of Science and Technology Policy; and Norman E. D'Amours, Chairman, National Credit Union Association.

MONEY PRODUCTION AND PROTECTION

Committee on Banking and Finance: Subcommittee on Domestic and International Monetary Policy held a hearing on the Production and Protection of Money. Testimony was heard from the following officials of the Department of the Treasury: Thomas A. Ferguson, Director, Bureau of Engraving and Printing; Bruce Townsend, Counterfeiting Head, U.S. Secret Service; and John Mitchell, Deputy Director, U.S. Mint; Louise Roseman, Director, Operations and Payments Systems, Federal Reserve Banks, Federal Reserve System; and Philip Diehl, former Director, U.S. Mint, Department of the Treasury.

TEAMSTERS—ONE YEAR AFTER ELECTING JAMES P. HOFFA

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on "The International Brotherhood of Teamsters One Year After the Election of James P. Hoffa". Testimony was heard from the following officials of the International Brotherhood of Teamsters: James P. Hoffa, President; Patrick Szymanski, General Counsel; and Edward Steir, Consultant.

MUNITIONS LIST EXPORT LICENSING

Committee on International Relations: Held a hearing on Munitions List Export Licensing Issues. Testimony was heard from John D. Holum, Senior Advisor, Arms Control and International Security, Department of State.

ABANDONED MINE RESTORATION ACT

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 2753, Abandoned Mine Restoration Act of 1999. Testimony was heard from Charles R. Smith, Assistant, Environment and Regulatory Affairs, Office of the Assistant Secretary, Civil Works, Department of the Army, Department of Defense; Alan Coyner, Administrator, Division of Minerals, State of Nevada; and public witnesses.

NOAA/NMFS BUDGET REQUEST OVERSIGHT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans, held an oversight hearing on the Administration's Budget Request for NOAA/NMFS for Fiscal Year 2001. Testimony was heard from D. James Baker, Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce.

OVERSIGHT—CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES CONFERENCE

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight hearing on the Eleventh Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Testimony was heard from Don Barry, Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior.

DILLONWOOD GIANT SEQUOIA GROVE EXPANSION ACT

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on H.R. 4021, Dillonwood Giant Sequoia Grove Park Expansion Act. Testimony was heard from Representatives Radanovich, Thomas and Dooley of California; and Randle G. Phillips, Deputy Chief, Programs and Legislation, Forest Service, USDA.

SUPPLEMENTAL APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule on H.R. 3908, making supplemental appropriations for the fiscal year ending September 30, 2000, providing one hour of general debate equally divided between the Chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill) except as specified in the rule. The rule provides, prior to the consideration of any other amendment, for consideration of the amendments printed in Part A of the Rules Committee report which may be offered only in the order printed in the report. The rule provides for consideration of the amendments printed in Part B of the Report which may be offered only at the appropriate point in the reading of the bill. The rule provides that amendments printed in the Rules Committee report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report. Testimony was heard from Chairman Young of Florida, Lewis of California, Goodling, Bereuter, Kasich, Shays, Weldon of Pennsylvania, Ramstad, Campbell, Camp, Bachus, Smith of Michigan, Hoekstra, Largent, Sanford, Hutchinson, Schaffer, Isakson, Obey, Murtha, Hoyer, Kaptur, Pelosi, DeLauro, Hinchey, Farr, Frank of Massachusetts, Sawyer, Taylor of Mississippi, Waters, Stupak, Wynn, Delahunt, and Wu.

BRIDGING THE TECHNOLOGICAL GAP: COMBATING DIGITAL DIVIDE

Committee on Small Business: Subcommittee on Empowerment held a hearing on Bridging the Technological Gap: Initiatives to Combat the Digital Divide. Testimony was heard from public witnesses.

2000 RETURN FILING SEASON AND IRS FY 2001 BUDGET

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the 2000 Tax Return Filing Season and the IRS Budget for Fiscal Year 2001. Testimony was heard from Charles O. Rossotti, Commissioner, IRS, Department of the Treasury; James R. White. Director, Tax Policy and Administration Issues, General Government Division, GAO; and public witnesses.

NATIONAL RECONNAISSANCE PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on National Reconnaissance Program Budget (NRO, etc.) Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 29, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold closed hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on Air Force programs (to be followed by an open session in SD–192), 9:30 a.m., SH–219.

Committee on the Budget: business meeting to continue markup a proposed concurrent resolution setting forth the fiscal year 2001 budget for the Federal Government, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings on S. 2267, to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the

use of performance-enhancing substances by athletes (pending on Senate calendar), 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management, to hold hearings on S. 1778, to provide for equal exchanges of land around the Cascade Reservoir, S. 1894, to provide for the conveyance of certain land to Park County, Wyoming, and S. 1969, to provide for improved management of, and increases accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, 2:30 p.m., SD–366.

Committee on Finance: to resume hearings to examine the inclusion of a prescription drug benefit in the Medicare program, to be followed by a hearing on the nomination of Michelle Andrews Smith, of Texas, to be an Assistant Secretary of the Treasury, 10 a.m., SD–215.

Committee on Governmental Affairs: to hold hearings on how to structure government to meet the challenges of the millennium, 10:30 a.m., SD–342.

Committee on Indian Affairs: to hold hearings on S. 1967, to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band; S. 1507, to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments; and S. 1509, to amend the Indian Employment, Training, and Related Services Demonstration Act of 1992, to emphasize the need for job creation on Indian reservations, 2:30 p.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts, to hold oversight hearings on the handling of the investigation of Peter Lee, 9:30 a.m., SD–226.

Committee on Rules and Administration: to hold hearings to examine Presidential primaries and campaign finance, 9:30 a.m., SR–301.

House

Committee on Agriculture, to mark up H.R. 852, Freedom to E-File Act; and to hold a hearing to review federal farm policy, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, State, and the Judiciary, on the FCC, 9:30 a.m., H–309 Capitol.

Subcommittee on Defense, on Congressional and Public Witnesses, 9:30 a.m. and 1:30 p.m., H–140 Capitol.

Subcommittee on Interior, on National Park Service, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Railroad Retirement Board, and Institute of Museum and Library Services, 10 a.m., and on National Education Goals Panel, and Armed Forces Retirement Home, 2 p.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service, and General Government, on GSA and the Administrative Office of the Courts, 10 a.m., 2362–A Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on the EPA, 9:30 a.m., and 1:30 p.m., 2359 Rayburn.

Committee on Banking and Finance, to mark up the following bills: H.R. 2764, Americas's Private Investment Companies Act; H.R. 2848, New Markets Initiative Act of 1999; and H.R. 4067, Business Checking Modernization Act, 10 a.m., 2128 Rayburn.

Committee on Commerce, to mark up the following bills: H.R. 3615, Rural Local Broadcast Signal Act; and H.R. 3439, Radio Broadcasting Preservation Act of 1999, 2:30 p.m., 2123 Rayburn.

Subcommittee on Finance and Hazardous Materials, hearing on Competition in the New Electronic Market: Part 1, 10 a.m., 2123 Rayburn.

Subcommittee on Health and Environment, to mark up H.R. 3301, to amend the Public Health Service Act with respect to children's health, 1 p.m., 2322 Rayburn.

Committee on Government Reform, Subcommittee on Civil Service, hearing on EEO Data and Complaint Processing Problems, 10 a.m., 2247 Rayburn.

Subcommittee on Government Management, Information, and Technology, hearing on Enhancing Computer Security: What Tools Work Best?'' 10 a.m., 2154 Rayburn.

Committee on House Administration, to hold a hearing on the Federal Election Commission authorization, 3 p.m., 1310 Longworth.

Committee on the Judiciary, oversight hearing on Solutions to Competitive Problems in the Oil Industry, 10 a.m., 2141 Rayburn.

Committee on Rules, to consider H.R. 7, Education Savings and School Excellence Act of 1999, 2 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Energy and Environment, hearing on Fiscal Year 2001 Budget Authorization Request: NOAA, 2 p.m., 2318 Rayburn,

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on the Coast Guard icebreaking mission, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on Fiscal Year 2001 Tasking, Processing Exploitation, and Dissemination, (TPED, etc.), 1 p.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 29

Senate Chamber

Program for Wednesday: Senate will continue consideration of S.J. Res. 14, Flag Desecration Prohibition, with a vote on the motion to close further debate to occur at 10 a.m.; following which, Senate will begin a period of morning business (not to extend beyond 12:30 p.m.), during which three Senators will be recognized to speak.

Also, Senate may begin consideration of S. 2097, Loan Guarantees.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 29

House Chamber

Program for Wednesday: Consideration of H.R. 3908, 2000 Emergency Supplemental Appropriations Act (open rule, one hour of debate)

Extensions of Remarks, as inserted in this issue

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