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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GUTKNECHT).

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DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 3, 2000.

I hereby appoint the Honorable GIL GUTKNECHT to act as Speaker pro tempore on this day.

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

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PRAYER

The Rabbi Israel Zoberman, Congregation Beth Chaverim, Virginia Beach, Virginia, offered the following prayer:

Our God of freedom and responsibility, Dear Legislators, at this sacred season of both remembrance and rejoicing, haunted by the Holocaust's vast tragedy, while inspired by the miracle of Zion restored, I humbly yet proudly stand before you, son of Polish survivors who was born in Kazakhstan in 1945, lived in a displaced persons' camp in Germany and raised in Haifa, Israel.

May we be mindful of our divine mandate to build a world community reflecting the universal God of love who embraces us all with Shalom's holy gifts of healing, hope and harmony.

Grateful for our Nation's essential leadership and sacrifice with Your own invaluable input, and my Congressman OWEN PICKETT's distinguished service, may we ever, one family, strive to be a blessing.

Let us say, Amen.

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THE JOURNAL

The SPEAKER pro tempore. 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.

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PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. 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.

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MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3642. An act to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world.

H.R. 3707. An act to authorize funds for the construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan.

The message also announced that the Senate has passed a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 81. Concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

The message also announced that pursuant to sections 276h–276k, of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Mexico-United States Interparliamentary Group Meeting during the Second Session of the One Hundred Sixth Congress, to be held in Puebla, Mexico, May 5–7, 2000—

The Senator from Alaska (Mr. MURKOWSKI); and

The Senator from Alabama (Mr. SESSIONS).

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MAKING IN ORDER MOTIONS TO SUSPEND THE RULES ON TODAY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that it be in order at any time on Wednesday, May 3, 2000 for the Speaker to entertain motions to suspend the rules and pass the following bills:

H. Con. Res. 295, relating to continuing human rights violations and political oppression in the Socialist Republic of Vietnam 25 years after the fall of South Vietnam to Communist forces;

H. Res. 464, expressing the sense of Congress on international recognition of Israel's Magen David Adom Society and its symbol the Red Shield of David;

H. Con. Res. 304, expressing the condemnation of the continued egregious violations of human rights in the Republic of Belarus, the lack of progress toward the establishment of democracy and the rule of law in Belarus, calling on President Alyaksandr Lukashenka's regime to engage in negotiations with the representatives of the opposition and to restore the constitutional rights of the Belarusian people, and calling on the Russian Federation to respect the sovereignty of Belarus;

H.R. 3879, Sierra Leone Peace Support Act of 2000;

H. Res. 449, congratulating the people of Senegal on the success of the multiparty electoral process;

S. 2323, Worker Economic Opportunity Act;

H.R. 4055, IDEA Full Funding Act of 2000;

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H.R. 1729, to designate the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the ''Pamela B. Gwin Hall'';

H.R. 1405, to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building''; and

H.R. 1901, to designate the United States border station located in Pharr, Texas, as the ''Kika de la Garza United States Border Station''.

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

There was no objection.

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FISCAL RESPONSIBILITY

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

Mr. GIBBONS. Mr. Speaker, the Treasury Department recently announced that due to Congressional fiscal responsibility, it expects to reduce the national debt by a record $216 billion this year.

Furthermore, this means that the national debt will have been reduced by $350 billion or 10 percent in just 3 years.

The 2001 Republican budget continues this fiscal responsible trend.

Our budget will pay off more than $1 trillion of the public debt over the next 5 years without raiding Social Security trust fund or bankrupting Medicare.

The Clinton administration, however, has proposed a budget full of new programs and additional bureaucracy, all funded from the projected surplus or new tax increases.

Mr. Speaker, we need to continue to reduce, not increase, wasteful spending on efficient government programs and bureaucracy.

Let us build upon our past successes and pass the budget that our children can be proud of and can afford when they grow up.

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ELIAN GONZALEZ

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

Mr. PITTS. Mr. Speaker, it was with shock, disgust and outrage that I watched on TV over Easter weekend flack-jacketed government agents, acting like military commandoes armed with high-powered rifles breaking down doors, assaulting reporters, ransacking a private home and seizing an innocent child in the dark of night, while negotiations were ongoing, with something they called a search warrant. But the warrant they had was not based on a proper court order. It was based on an after-hours ex parte application that claimed Elian was being ''concealed'' and ''unlawfully restrained.''

The Justice Department should have waited until a judge had a chance to hold a hearing to determine if anyone was in contempt of court. Only then would a court order have been appropriate. Why did they not follow that procedure? Because an earlier application by the Justice Department for such a court order had already been turned down.

So what did they do? They just broke into the home of an American citizen and seized him. For the executive branch to ignore a court ruling is a very dangerous precedent. So much for the rule of law. We have a constitutional system of checks and balances. Checks on the executive branch will only work if they are made to obey the courts. It was a bad day for America and a new low for this administration.

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INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, today I rise to tell the story of Joseph Howard, whose child was abducted across international borders. His child is just one of 10,000 American children who have been abducted to foreign countries.

In 1994, Joseph Howard's wife took his child when he was at work and fled to Germany. Joseph notified the police and the FBI. Two months after the abduction, the German lower court issued an ex parte order granting temporary custody to the mother and informed Joseph 1 month later. The German lower court later confirmed custody to the mother and stated that ''the father lives in the United States of America and is therefore no longer in a position to exercise his custody rights.''

Joseph was not given access rights, but received a demand for child support. He appealed to German higher court, but the appeal was rejected. In April of 1998, Joseph was granted access rights to be exercised only in the office of the German Youth Authority and only after he surrendered his passport. Joseph has not seen his child since 1994.

Mr. Speaker, this kind of treatment of American parents and their children must stop. Signatories to the Hague Convention should uphold their agreement, and this House should urge them to do so.

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H.R. 4055, IDEA FULL FUNDING ACT OF 2000

(Mr. GARY MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. GARY MILLER of California. Mr. Speaker, I rise to ask my colleagues to fulfill Congress' promise to fund special education at the 40 percent level that was promised in 1975.

For the past 25 years, Congress has consistently ignored its responsibility to special education students. The result has impacted all students in public schools throughout our Nation.

In Orange County, California, the special education funding shortfall now exceeds $70 million annually. Each year, local school boards face the inevitable question: What programs will be cut to meet our responsibility to educate students with special needs? The paradox is unfair. We have required these school districts to provide high quality services to a population with significant needs with only a fraction of the funds we promised.

Mr. Speaker, on behalf of the school districts which have struggled to balance the needs of all their students, I implore my colleagues to support H.R. 4055. This bill sets out a plan that will allow Congress to meet the 40 percent funding promise it made to all by 2010. If we fail to fulfill this commitment, we will continue to fail not only children with special needs, but all students in public schools.

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TRIGGER LOCKS ARE NOT THE ANSWER

(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, on March 23 in my district a 12-year-old boy took a loaded gun to school. Thank God, no one was hurt. But guess what, Mr. Speaker. The gun had a trigger lock. The boy simply searched for and found the key and, bingo, the gun was at school.

So I checked out this trigger lock business and uncovered a General Accounting Office report that says trigger locks are only effective for children under 6 years of age.

Six-year-old criminals? Beam me up, Mr. Speaker.

I assure my colleagues, no 6-year-old will mug them at 3 o'clock in the morning. It is not about trigger locks. It is about enforcing the gun laws we already have.

Mr. Speaker, I yield back what is left of our decimated second amendment rights.

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TAX FREEDOM DAY COMES WAY TOO LATE FOR WORKING AMERICAN FAMILIES

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

Mr. CHABOT. Mr. Speaker, today is Tax Freedom Day. Today is the day that working Americans for the first time this year can stop working for the government and begin working for themselves and for their own families. May 3, 5 months into the year, 124 days working for the government. Incredible.

Mr. Speaker, we have an obligation to those working American families to trim the size of big government and trim the size of their tax bills. Rather than picking up the tab for a host of government programs that simply refuse to die because the President and the Congress refuse to kill them, taxpayers should be able to spend their

hard-earned money on their own needs. Rather than supporting billion-dollar corporate welfare programs, taxpayers should be allowed to provide for the welfare of their own families.

Mr. Speaker, we can help. We can move Tax Freedom Day to an earlier slot on the calendar by cutting big government down to size and providing American people with the healthy tax cut that they richly deserve. And next year, we can celebrate Tax Freedom Day a little earlier.

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SCHOOL CONSTRUCTION

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

Mr. HOLT. Mr. Speaker, this morning I am talking about trailers. Temporary school buildings. I have visited over 80 schools in my district and everywhere I go, parents, teachers, and students all talk to me about the problem of overcrowding and the expense of construction.

Just last week, Secretary of Education Riley and I visited Crossroads School in a school district where the total student population has doubled in the past 11 years from 3,500 students to 7,000 now.

Mr. Speaker, study after study shows that smaller class sizes produce better students. With the median school construction cost for an elementary school in New Jersey at $13 million, and the price of a new high school at more than $22 million on average, these are expenses that our beleaguered taxpayers cannot afford. They cannot continue to have staggering tax increases year after year.

So, Mr. Speaker, they are putting up temporary trailers. Temporary buildings may be a temporary solution, but they are not cheap. They cost nearly $40,000 to install, $6,000 a year to lease, and there is a maintenance cost.

There is also a cost to the students. Trailers may provide more space, but do not provide the optimal learning environment for a quality education. Because of their long, rectangular shape, students have trouble seeing the blackboard, and many do not have Internet connections.

Congress must act to pass legislation that will provide much-needed financial assistance to fast growing school districts.

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□ 1015

SOCIAL SECURITY

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

Mr. SMITH of Michigan. Mr. Speaker, I want to just make a couple comments on Social Security. Mr. Speaker, I see a lot of young people joining us today. They are the generation at risk on Social Security. The actuaries of the Social Security Administration report that, if we do nothing with Social Security, we are either going to see taxes increase by 54 percent or benefits cut by 33 percent.

The chart I have here is a pie chart of the Federal Government spending this year. The bottom green piece of that pie represents Social Security benefits and equals 20 percent of total Federal spending. The cost of senior programs continues to grow. The problem is exacerbated by the fact that people are living longer and therefore are drawing on Social Security longer. At the same time our birth rate is going down. The result is fewer workers paying payroll tax to finance higher benefit costs.

That leads us to a predicament where we are going in the red on Social Security. This year, with the Presidential race, it is an appropriate time to discuss Social Security, to get into the details of how we are really going to solve this problem and how we are really going to save this very important program.

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BRAIN TUMOR AWARENESS WEEK

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

Mr. ROTHMAN. Mr. Speaker, this is Brain Tumor Awareness Week. Each year, over 100,000 people in the United States alone will be diagnosed with a brain tumor. Unfortunately, the general public is not that familiar with this disease. Brain tumors are the second leading cause of cancer death for children under 19, the third leading cause of cancer death for young adults ages 20 to 39.

Brain tumors attack the essence of what it means to be an individual. They ravage the control center for thought, emotion, and movement. The developing minds of children are especially susceptible.

There are over 100 different types of brain cancers, making effective treatments very complicated and expensive. There is no proven cure for most malignant brain tumors. Congress needs to appropriate increased funding for the National Cancer Institute and provide a strong investment in brain tumor research. We need to give patients as many options as possible to ensure quality cancer care and improve long-term survival.

Mr. Speaker, I urge my colleagues to educate themselves about brain tumors, and as we head into the heart of the appropriation season, to support increased funding for the National Cancer Institute.

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BUDGET SURPLUS SHOULD BE USED FOR DECREASING DEBT, PROTECTING SOCIAL SECURITY AND DECREASING TAXES

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

Mr. KINGSTON. Mr. Speaker, how did the Army lose a $1 million rocket launcher? How did the Air Force lose 15 jets? How did the Department of Interior build a $300,000 outhouse? Why is it that Ben and Jerry's Ice Cream gets an $800,000 taxpayer supplement? Why is it that, if one eats cheese pizza, the FDA inspects it; but if one has the cheese and pepperoni, the USDA inspects it? It is easy. It is called OPM, ''other people's money.''

In Washington, the departments, the bureaucracies are all operating on other people's money, taxpayers' money, hard-working men and women who put in 40, 50, 60 hours a week paying their tax dollars to Washington only to have it squandered by unelected faceless bureaucrats who know the beauty of OPM. They do not have to be accountable because it is not their money.

Mr. Speaker, the Republican party knows whose money it is. It is the hard-working American taxpayers. That is why we believe budget surpluses should be used to pay down the debt, protect Social Security, and give a tax decrease to the working Americans; and that is what we are working for.

□

GRANTING PERMANENT NORMAL TRADE RELATIONS TO CHINA

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

Mr. ARMEY. Mr. Speaker, in 3½ weeks, we will take what will be, I believe, the most important vote in this Congress, the vote to extend permanent normal trade relations to China.

Mr. Speaker, this vote is important. It is not only important to our own domestic industries, our driving high-tech industry or to America's workers in other industry or to America's farmers, but it is very, very important, perhaps even more important, to the sense of freedom and dignity to the Chinese people.

Mr. Speaker, this vote is not about allowing Chinese product access to American markets, it is about allowing American product access to Chinese markets. It is about having the Chinese Government accept the discipline of conforming to a worldwide trade regime of rules and proper conduct and behavior. That can be infectious, Mr. Speaker. If they can accept those disciplines with respect to commerce, they are most likely going to accept them with respect to other aspects of their life.

It is about allowing the Chinese people, the normal every day working Chinese man or woman, the opportunity to enjoy the information, the freedom, the cultural experience, the sharing of America's freedom and, by doing so, getting a case to freedom in their own life.

History has proven, Mr. Speaker, that once people acquire the experience

of freedom through commerce, they then require freedom in a greater share of their life.

If we want to see the Chinese people free from an oppressive government, if we want to see a Chinese Government reform, put freedom in the hands of the Chinese people. They, Mr. Speaker, will reform the Chinese Government, improve their human rights; and while doing that, we will be able to maintain, not only an American economic boom, but a world economic boom to the greater good of all the world's people.

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TEXAS 49TH IN BOSNIA

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

Mr. GREEN of Texas. Mr. Speaker, during this last Easter weekend, several Members of the Texas delegation, led by our U.S. Senator KAY BAILEY HUTCHINSON, the gentleman from Texas (Mr. FROST), the gentleman from Texas (Mr. SAM JOHNSON), the gentleman from Texas (Mr. EDWARDS), the gentleman from Texas (Mr. BRADY), the gentleman from Texas (Mr. REYES), the gentleman from Texas (Mr. SANDLIN), and myself traveled to Bosnia with Senator HUTCHINSON to visit the Texas National Guard's 49th Division and observed Easter Sunrise Services with our Guard in Tuzla.

We had the opportunity to examine the operating situation of U.S. forces in Bosnia. We were accompanied by General Russell Davis, the chief of the National Guard Bureau, but also our General in Texas, Daniel James of the Texas National Guard, to observe the Commanding General Robert Halverson in the 49th Texas division.

I personally had the opportunity to visit with Colonel Tom Roman who, in his real life, is a lieutenant in the Houston Police Department, who is currently serving in the division. Frankly, we have three Houston police officers who, not only serve Houston during their regular jobs, but are now serving in Tuzla, Bosnia, serving our country with the 49th Division.

For the first time in history, we have a National Guard division who is in charge of a regular Army unit in Bosnia.

I am proud of the outstanding job our troops are doing in helping bring peace to this ravaged war-torn area. They have been successful in stopping the killing of women and children and trying to bring stability to that area.

They are serving our country with honor and are proving that the Guard is a reliable part of our Armed Forces.

Let me just show for national television the T-shirt that shows the Eagle Base with the 49th Lone Star Texas Division emblem on it. Thank you.

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AMERICANS DESERVE MEANINGFUL TAX RELIEF

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

Mr. HAYWORTH. Mr. Speaker, we return to Washington to be about the business of the American people. During our district work period, in the 6th Congressional District of Arizona, an area in square mileage almost the size of the Commonwealth of Pennsylvania, one of the largest districts in the country, not only geographically, but also now as we do the estimates on representing close to 1 million people, I was pleased that close to 1,000 people joined my family and me at a tax relief rally April 15.

Despite the talk of the pundits here on the banks of the Potomac, the American people understand, Mr. Speaker, the gentleman from Georgia (Mr. KINGSTON) alluded to it earlier, it is not the other people's money, it is not the government's money, the money belongs to the hard-working taxpayers of the United States.

We owe it to the people who work hard and play by the rules to make sure that their money, our money is spent the right way. The best way to spend it is to put it back in the hands of people who earned it. Meaningful tax relief, we have offered it in terms of ending the earnings penalty for seniors. We hope that others will act on the marriage penalty as this body has done. The American people deserve more of their hard-earned money.

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GOP BUDGET INVESTS IN EDUCATION TO HELP OUR KIDS LEARN

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

Mr. COOKSEY. Mr. Speaker, for America to remain competitive in the 21st Century, we must improve public schools and help children reach their full potential. I have a particular outstanding, I think many outstanding schools in my district, but today I have the Ruston Junior High School students in town.

That is why the Republican budget proposal increases our commitment to public education so that today's children will be tomorrow's leaders in America and around the world. Republicans are providing $2.2 billion more in the elementary and secondary education funding over the last year's level. That is an increase of almost 10 percent, and more than $20 billion over the next 25 years or over the next 5 years.

We need new solutions to help students learn, not just more money. That is why Republicans want to give parents and local teachers, not Washington bureaucrats, more control over Federal education dollars. That is why we need to expand education savings accounts to help students get out of failing schools. The Republican budget means more resources and a brighter future for millions of America's children and students.

JUSTICE DEPARTMENT OVERPOWERS IN ELIAN GONZALEZ SAGA

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

Mr. DUNCAN. Mr. Speaker, most people apparently felt Elian Gonzalez should have been returned to his father. However, regardless of what anyone felt about custody, the actions of the Justice Department were ridiculously excessive in busting into that home in Florida in the early morning hours several days ago.

To send in officers in full riot gear, brandishing submachine guns was something a Federal police state would do. It was something that we would have expected in some Communist dictatorship, but not here.

The picture of that officer pointing a gun at Elian and that fisherman is something that should have shocked and saddened everyone. Taking the law into its own hands just after it had been severely criticized by a U.S. Court of Appeals, not waiting for the next scheduled court hearing just a few days away, the Justice Department has shown once again that it has grown far too arrogant, far too abusive, far too big and really out of control.

Mr. Speaker, if we do not drastically decrease the size, power, and especially the funding of the Justice Department in the years ahead, the freedom of all Americans will be in jeopardy.

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ENCOURAGING TRADE IN VIETNAM

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

Mr. CUNNINGHAM. Mr. Speaker, last year I went to Vietnam with Hal Rogers, chairman, at the behest of Pete Peterson, who is the ambassador, and was asked to raise the American flag over Ho Chi Mihn City for the first time for over 25 years.

On that trip, I met with the prime minister, Communist prime minister in Hanoi, and I asked the prime minister, ''Why do you not get involved in trade?'' In perfect English, the Communist prime minister said, ''Congressman, we are Communist. If we get involved in trade, we will be out of power as Communists.'' At that moment, I said trade is good.

□ 1030

If we take a look at whether there are problems with the trade with China, whether it is humanitarian or whether it is with national security issues, it is in our best interest. That is why Taiwan supports trade with China. They want China in 20 to 30 years to move in a direction of pro democracy, not back to a totalitarian Communist State.

Regardless of how one feels on the trade issue, both human rights and national security, it is in the United States' best interest to support the trade with China.

IRANIAN SHAM TRIAL

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

Mr. GILMAN. Mr. Speaker, I rise to alert my colleagues to the ongoing sham trial of 13 Jews in Iran. Iran's judiciary said on Monday that suspect Hamid ''Danny'' Tefileen had confessed to passing classified information to Israel's Mossad, and Iranian state television broadcast an interview with Mr. Tefileen in which he stated he had been trained in Israel. It is obvious, Mr. Speaker, that his confession was coerced since the defendant's court-appointed attorney noted there was no information to back up that confession.

Israel has repeatedly denied this man was a spy. And since I understand that it is not illegal for any Iranian citizen to visit Israel, the charges against Mr. Tefileen should be promptly dismissed.

Mr. Speaker, I urge the Iranian government to free these men at once. They are not guilty of anything more than being Jewish. Moreover, I request my colleagues to cosponsor H. Con. Res. 307, a measure I introduced, along with the Speaker, the gentleman from Illinois (Mr. HASTERT), opposing this ongoing prosecution of 13 members of the Jewish community.

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OPPOSITION TO WTO FOR COMMUNIST CHINA

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

Mr. ROHRABACHER. First and foremost, Mr. Speaker, I would like to commend the gentleman from New York (Mr. GILMAN) on the statement that he just made. All of us should be very united in this effort to draw a spotlight on what is going on in Iran. If the Iranian people, who I am convinced want to have better relations with the United States, then Iran must know that they cannot conduct this sham trial and brutally terrorize their Jewish population or any other part of their population. We need to pay attention to this and send a message to the Iranians that we want to have good relations with them.

But what I wanted to mention today, and with my last 30 seconds, is that we have heard a lot about trade with China this morning and we will hear more about it. The trade that we have had with Communist China these last 10 years have not made this world a safer world. In fact, it has done nothing but build up the powerful forces in Communist China that now threaten the peace of the world.

Furthermore, it has not worked to the benefit of the people of the United States. What we have in China is the building up of their infrastructure. Our trade with them is building up their technological capabilities; building them factories so that they can then export to the United States and get enough money to buy weapons in order to put us under a threat. I would oppose any of this WTO for China.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to the provisions of 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.

Such record votes on postponed questions may be taken in two groups: The first occurring before the debate has concluded on all motions to suspend the rules, and the second after debate has concluded on the remaining motions.

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RELATING TO CONTINUING HUMAN RIGHTS VIOLATIONS AND POLITICAL OPPRESSION IN SOCIALIST REPUBLIC OF VIETNAM

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 295) relating to continuing human rights violations and political oppression in the Socialist Republic of Vietnam 25 years after the fall of South Vietnam to Communist forces, as amended.

The Clerk read as follows:

H. CON. RES. 295

Whereas April 30, 2000, marks the 25th anniversary of the fall of Saigon to Communist forces of North Vietnam;

Whereas 25 years after the Vietnam War ended, the Socialist Republic of Vietnam is a one-party state ruled and controlled by the Vietnamese Communist Party;

Whereas the Government of the Socialist Republic of Vietnam continues to violate the liberties and civil rights of its own citizens through arbitrary arrests, detentions without trial, and the censorship of peaceful expressions of political and religious beliefs;

Whereas the Department of State Country Reports on Human Rights Practices for 1999 notes that the Government of the Socialist Republic of Vietnam ''continued to repress basic political and some religious freedoms and to commit numerous abuses'';

Whereas the Socialist Republic of Vietnam still retains Article 4 in its Constitution that ensures the supremacy of the Vietnamese Communist Party as the only political party in the country while continuing to enforce an extra-legal administrative decree to detain or place under house arrest any dissidents or civilians for up to two years, without trial, under the pretext of ''endangering national security'';

Whereas the Socialist Republic of Vietnam is one of the most politically repressive and poorest countries in the world, with an average annual per capita income of $330;

Whereas, according to the Department of State and international human rights organizations, the Government of the Socialist Republic of Vietnam continues to restrict unregistered religious activities and persecutes citizens on the basis of their religious affiliation through arbitrary arrests and detention, harassment, physical abuse, censorship, and the denial of the rights of free association and religious worship;

Whereas the Department of State Annual Report on International Religious Freedom for 1999 on Vietnam estimates that ''there are from 30 to 50 religious prisoners'' but ''the number is difficult to verify with any precision because of the secrecy surrounding the arrest, detention, and release process'';

Whereas the Government of the Socialist Republic of Vietnam continues to prevent human rights organizations from unfettered and open investigations of allegations of state-sponsored oppression of the right to worship by its citizens, and has prevented the United Nations Special Rapporteur on Religious Intolerance, Abdelfattah Amor, from meeting with various religious leaders during his visit to Vietnam in October 1998;

Whereas the Government of the Socialist Republic of Vietnam systematically violates the Universal Declaration of Human Rights in contravention of its status as a member of the United Nations;

Whereas the Government of the Socialist Republic of Vietnam systematically violates the International Covenant on Civil and Political Rights in contravention of its status as a signatory to that agreement; and

Whereas it is in the interest of the United States to promote political, religious, and economic freedom throughout the world: Now, therefore, be it

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

(1) requests the President to restate and make clear to the leadership of the Government of the Socialist Republic of Vietnam that—

(A) the American people are firmly committed to political, religious, and economic freedom for the citizens of the Socialist Republic of Vietnam; and

(B) the United States fully expects equal protection under law with all Vietnamese citizens, regardless of religious belief, political philosophy, or socio-political association;

(2) urges the Government of the Socialist Republic of Vietnam—

(A) to cease violations of religious freedom as defined by the International Religious Freedom Act of 1998;

(B) to release all religious prisoners, political prisoners, and prisoners of conscience, and immediately cease the harassment, detention, physical abuse, and imprisonment of Vietnamese citizens who have exercised their legitimate rights to freedom of belief, expression, and association;

(C) to allow all Vietnamese citizens the right to free expression, freedom of association, freedom of the press, and religious worship; and

(D) to formally commit to a framework and a set timetable for open and fair elections that will facilitate the ability of Vietnamese citizens to peacefully choose their own local and national leaders, free from fear and intimidation; and

(3) commends the Vietnamese-American community for initiating a memorial to American and South Vietnamese soldiers who sacrificed their lives for the cause of freedom during the Vietnam War, which is under development and will be located in Westminster, California.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) 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 House Concurrent Resolution 295, the measure under consideration.

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 today in support of House Concurrent Resolution 295, which was introduced by my distinguished colleague, the gentleman from California (Mr. ROHRABACHER). And I would also like to thank the chairman of the Subcommittee on Asia and the Pacific, the gentleman from Nebraska (Mr. BEREUTER), for his work in crafting the current language in this resolution.

Mr. Speaker, it is truly unfortunate that 25 years after the end of the Vietnam War the Socialist Republic Vietnam is still a one-party state ruled and controlled by the Vietnamese Communist party. Regrettably, the government in Hanoi continues to repress basic political and some religious freedoms, and to commit numerous human rights abuses.

This resolution rightfully requests the President to make clear to the government of Vietnam the firm commitment of the American people to fundamental human rights and equal treatment for all people of Vietnam still persist.

It further urges Vietnam to cease its violations of human rights and to undertake the long overdue liberalization of its antiquated political system.

And, finally, it appropriately commends the Vietnamese American community for a memorial to fallen American and South Vietnamese soldiers being developed in Westminster, California. In that regard, I call upon the Vietnamese government to do all it can to assist in bringing our POWs and MIAs home to American soil.

Mr. Speaker, democracy and human rights are not eastern or western values, as some might contend. They are universal values and the right of people everywhere, including the 77 million people of Vietnam. I want to praise this resolution for pointing out the injustice that tragically exists in Vietnam today. Communism is a dead idealogy. Somehow, and surprisingly, the government in Hanoi still has not received that news.

I sincerely hope that the bureaucrats in Hanoi are listening today and, as a result, will undertake the necessary reforms to release minds and spirits of the Vietnamese people. The people of Vietnam clearly deserve much better.

Once again I commend the gentleman from California (Mr. ROHRABACHER) for introducing this resolution and his continuing commitment to human rights and democracy, and I also want to commend the distinguished chairman of the Subcommittee on Asia and the Pacific, the gentleman from Nebraska (Mr. BEREUTER), for bringing it to the floor at this time. Accordingly, I urge my colleagues to strongly support this measure.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

At the outset, I would like to commend my friend, the gentleman from California (Mr. ROHRABACHER), for crafting this resolution, which is so necessary to focus attention on the continuing violations of human rights in all forms in Vietnam.

I also want to commend the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), and the chairman of the Subcommittee on Asia and the Pacific, my good friend, the gentleman from Nebraska (Mr. BEREUTER) for their work on this resolution.

Mr. Speaker, Vietnam continues to be—25 years after the conclusion of that tragic war—one of the most repressive societies on the face of this planet. Similarly to China, Vietnam has opened up its economy to some extent, but its political system is as rigid, unbending, and repressive as it has ever been.

I call, therefore, on the government of Vietnam to release all religious and political prisoners, all prisoners of conscience; and to immediately cease the harassment, detention, physical abuse and imprisonment of Vietnamese citizens who are exercising their legitimate rights to freedom of belief, expression, and association.

I call on the government of Vietnam, Mr. Speaker, to abolish article four of the Vietnamese constitution and repeal all regulations and codes and decrees prohibiting citizens the rights to free expression, freedom of association, freedom of the press and religious worship.

I also think it is critical that we as a body call on the government of Vietnam to set an early timetable for open and fair elections that at long last will facilitate the inclusion of Vietnam in the community of civilized nations and allow its citizens to peacefully choose their own local and national leaders, free from fear and intimidation.

I think it is particularly significant, Mr. Speaker, that the government of Vietnam has prevented the United Nations special rapporteur on religious intolerance from meeting with the various religious leaders during his visit to Vietnam. Vietnam has an obligation, as a signatory of the appropriate treaties, to allow access by United Nations' officials to all religious practitioners.

We are indeed pleased that a quarter century has gone by since the conclusion of that tragic war, but we are appalled at the continued suppression of the Vietnamese people. I earnestly hope and trust that this move by the Congress of the United States, which I trust will be approved unanimously, will begin the process of opening up the political situation in that country. And I once again commend my friend from California (Mr. ROHRABACHER).

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

Mr. GILMAN. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROHRABACHER), the sponsor of the measure.

Mr. ROHRABACHER. Mr. Speaker, I thank the chairman of the committee, the gentleman from New York (Mr. GILMAN), and the chairman of the subcommittee, the gentleman from Nebraska (Mr. BEREUTER), as well as the ranking member, the gentleman from California (Mr. LANTOS) for being very cooperative on this measure.

This is one of those measures, Mr. Speaker, that goes through Congress that has bipartisan support because it reflects fundamental values which I believe that this body is supposed to be all about. This is a body that represents the greatest democracy in the world, and all of us who meet here share these values of democracy and freedom. And when we are talking about issues that go to the heart of our country, we stand united.

This resolution commemorates the 25th anniversary of the end of the Vietnam War and expresses a tribute to the Americans and South Vietnamese who gave their lives in the cause of freedom in that conflict. The international press reports from Vietnam this past weekend unanimously emphasized the ongoing repression that the people of Vietnam have had to suffer under the Communist regime in Hanoi.

The violation of human rights and the denial of democracy for the people of Vietnam has been just a horrific experience over these last 25 years and has caused a firsthand observer, Senator JOHN MCCAIN, to state that regardless of America's shortcomings in conducting that war, that the wrong side won.

Singapore's senior statesman and ASEAN founding member, Lee Kuan Yew, commented recently that the sacrifices by the Americans in Vietnam in the 1960s and 1970s gave the rest of the region, which also faced Communist-backed guerilla movements, time to stabilize and even prosper. So, yes, there were some good things that came out of Vietnam, yet the people of Vietnam still suffer.

And there was great sacrifice during that war: 58,000 Americans perished and more than 300,000 were wounded. In addition, 270,000 South Vietnamese military personnel perished, and over 570,000 were wounded. And that was before, of course, the final offensive by the Communist forces 25 years ago today.

This resolution honors their sacrifice and calls attention to the cause of freedom in Vietnam. This resolution is entirely in support of the people of Vietnam who deserve the right and the opportunity to participate in the democratic process of a free and Democratic society.

The greatest example of the potential of Vietnam is perhaps the tremendous educational and economic success of the Vietnamese American community, such as that in Little Saigon, which is in my district. And I am very proud to represent these freedom loving people who came here in such turmoil and have made a success of their lives despite great hardship.

□ 1045

In fact, the fact that they came here with little more than the shirts on their back and now live in relative prosperity and have made wonderful citizens for our country indicates just how important freedom and democracy is considering that the people that they left behind still languish in poverty and still are repressed and suffer great tyranny there in Vietnam.

This resolution expresses the hope that some day the people of South Vietnam will enjoy the same kind of freedom that the people who came here after the war enjoy. The resolution urges the Vietnamese regime to commit to a framework, a set timetable for open and free elections.

Twenty-five years after the end of the war, it is time for Vietnamese leaders to make peace with their own people and to permit their citizens to peacefully choose their own local and national leaders without fear of intimidation.

This resolution also, as the gentleman from New York (Chairman GILMAN) stated, congratulates the Vietnamese-American community in Southern California and throughout the United States for initiating and funding through private donations the first memorial to honor both American and South Vietnamese military personnel who sacrificed their lives during the Vietnam War, which is now being developed in Orange County, California.

Finally, I urge my colleagues on both sides of the aisle to support this bipartisan resolution which honors the sacrifice of American citizen soldiers who perished for the cause of freedom during the Indochina conflict by supporting the struggle for democracy in Vietnam.

And finally, I would like to salute a member of my staff, Mr. Al Santoli, who is standing behind me at this moment, who helped me put this resolution together. Al Santoli, a triple Purple Heart winner from the Vietnam War, has dedicated his life to the cause of freedom and justice not only in Southeast Asia but throughout the world; and we appreciate the effort that he put into this resolution, as well.

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

Mr. Speaker, in the relatively short time that she has been with us, the gentlewoman from California (Ms. SANCHEZ) has demonstrated extraordinary qualities of leadership in many fields but particularly in the field of defending human rights.

Mr. Speaker, I am delighted to yield 3 minutes to my friend and colleague, the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, I thank my colleague from California for yielding me the time for this gracious ability to give me some time to speak a little about April 30, 1975, marking the beginning of a treacherous boat journey for many Vietnamese who sought refuge in an unknown land to them and an uncertain future. These individuals risked everything for a chance to live freely and to provide better opportunities for their children and their families.

I rise today as a proud cosponsor of the H. Con. Res. 295, legislation relating to continuing human rights violations and political oppression in the Socialist Republic of Vietnam still 25 years later since the fall of Saigon.

I also rise to pay special tribute and to recognize the efforts of those servicemen and women who served as Vietnam War veterans and also to the Vietnamese who fought for freedom and democracy in Vietnam.

As my colleagues know, I represent the largest Vietnamese-American community in the Nation in Orange County, California. As a proud member of the Congressional Human Rights Caucus, it was my distinct honor just last month to hold a second hearing on the human rights conditions in Vietnam. We held one a couple years ago.

We received testimony from expert witnesses who tell us still freedom of religion, freedom of expression, freedom of the press, freedom of collective bargaining are still sorely missed in Vietnam.

The Vietnamese Government continues to grossly violate human rights by incarcerating prisoners of conscience and placing dissidents under strict surveillance.

So as we continue to move forward with furthering relations between our two countries, it is my hope that we will address the current human rights issues in Vietnam: the violations, the religious persecution, the social injustice that many individuals still face in Vietnam.

Mr. Speaker, as we reflect on this tragic day, it is our duty as Members of Congress to honor the memories of the individuals that have fought for liberty and democracy in Vietnam.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Nebraska (Mr. BEREUTER), the distinguished chairman of the Subcommittee on Asia and the Pacific.

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

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

Mr. Speaker, as the chairman of the Subcommittee on Asia and the Pacific, I rise in strong support of H. Con. Res. 295.

This Member congratulates and thanks the distinguished gentleman from California (Mr. ROHRABACHER) for bringing this matter to the body's attention and for recognizing that the 25th anniversary of the fall of Saigon was an important time to focus the American attention on what we were fighting for and to also recognize the contributions of so many men and women among our countrymen who made tremendous sacrifices in that war and I imagine with the hope that some impact might prevail in Vietnam, as well.

I also, once again, want to thank the distinguished gentleman from California (Mr. LANTOS), the ranking minority member of the subcommittee, for his cooperation and his assistance in bringing this legislation to the floor.

We were happy to work with the gentleman from California (Mr. ROHRABACHER) on any kind of perfecting amendments, but his legislation is very timely and was very well crafted to begin with.

Certainly it is appropriate to express concerns about the continuing human rights violations and the political repression in the Socialist Republic of Vietnam.

Even as the United States moves forward in establishing relations with Vietnam, which this Member supports, we should be mindful that serious human rights concerns do remain.

Indeed, in the 25 years since the end of the war, regretfully this Member must say flatly that there has been no discernible progress, no discernible progress, towards representative government or basic democratic freedom in Vietnam.

The Vietnamese Constitution enshrines the principle of one-party communist rule. Political dissidents are routinely harassed or arrested for attempting to exercise their fundamental human rights, such as freedom of speech and association.

The Vietnamese Government also continues to restrict unregistered religious activities and to persecute citizens on the basis of their religious affiliations. Vietnam can be said to be an equal opportunity oppressor of religious freedoms as Buddhists, Christians, and over groups also suffer to some extent from Government harassment and repression.

The Government has also refused to allow human rights groups and the U.N. special rapporteur on religious intolerance unfettered access to investigate allegations of religious oppression.

This resolution urges the Government of Vietnam to release religious and political prisoners and cease harassment of those exercising their legitimate rights to allow basic freedoms, such as freedom of speech and

association, and to commit to a framework and a timetable for open and fair elections.

It is time that the Vietnamese Government realizes that one-party communist regimes have no place in the modern world. It is time that the talented, hard-working, and energetic people of Vietnam enjoy their rights to fundamental religious, economic, and political freedom.

Mr. Speaker, a few minutes ago the gentleman from California (Mr. ROHRABACHER) referred to comments recently made by the senior senator from Arizona, Senator MCCAIN, who said the wrong side won.

Well, I would also like to reference the senior senator from my home State of Nebraska, a member of the opposite party, Senator ROBERT KERREY, who is a courageous, distinguished American who won the Congressional Medal of Honor in Vietnam and who lost part of his leg in the process. He came home and protested the way the war was being conducted.

But this past weekend, in the major papers of our State, he had an opinion piece; and he said, I was fighting and we were fighting on the right side. Upon reflection, upon visitation to Vietnam and to Southeast Asia, I understand what we were doing there was appropriate.

I want and will include that as a matter of the RECORD. It is an outstanding reflection upon his service in Vietnam and also his reflection upon service in the Congress of the United States as he prepares to retire from the other body.

Mr. Speaker, this resolution attempts to send a clear message to the Vietnam regime about the need for fundamental reforms. This Member urges his colleagues to support strongly H. Con. Res. 295.

Mr. Speaker, I include the following article authored by Senator KERREY for the RECORD:

VIETNAM: 25 YEARS LATER; IN HINDSIGHT, A JUST CAUSE

(By Bob Kerrey)

Today we mark the 25th anniversary of the fall of Saigon, the day Americans witnessed the end of a war in which our enemy emerged victorious and our ally defeated. For many years afterward, Americans buried this experience and turned their backs on the problems of Southeast Asia. Anger and self-absorption dominated the debates that occasionally occurred about what went wrong.

In the past 10 years, anger and self-absorption have been replaced with active, optimistic policies. In Southeast Asia, we have seen impressive successes. Beginning with President Bush's initiatives to bring peace to Cambodia and continuing with President Clinton's initiatives to normalize relations with Vietnam, we have started to return with an American spirit that advances the cause of freedom.

No doubt the war affected America, but it wasn't our worst war-connected failure. The most difficult war of the last century was not Vietnam; it was World War I. In 1943, the year I was born, veterans of the Great War were remembering the 25th anniversary of their armistice while their sons were fighting in Italy and the Pacific against enemies whose military strength was ignored on account of the bitter memories of the failures of the first World War. So, as I remember April 30, 1975, I will also remember Nov. 11, 1918, and what happened when America isolated itself from the world. But I will also remember the pride I felt when I sat in joint sessions of Congress listening to Vaclav Havel, Kim Dae Jung, Lech Walesa and Nelson Mandela thank Americans for the sacrifices they made on behalf of their freedom.

The famous photo of South Vietnamese ascending a stairway to a helicopter on the roof of our Saigon embassy represents both our shame and our honor. The shame is that we, in the end, turned our back on Vietnam and on the sacrifice of more than 55,000 Americans. We succumbed to fatigue and self-doubt, we reneged on the promise we had made to support the South Vietnamese, and the communists were able to defeat our allies. The honor is that during the fall of Saigon we rescued tens of thousands of our South Vietnamese friends, and in the years following we welcomed over a million more Vietnamese to our shores.

For a young, college-educated son of the clean, optimistic American heartland, the war taught some valuable lessons. My trip to Vietnam gave me a sense of the immense size and variety of our world. I was also awed by something that still moves me: That Americans would risk their lives for the freedom of another people. At the Philadelphia Naval Hospital, I learned that everyone needs America's generosity—even me.

During the war, I knew the fight for freedom was the core reason for our being in Vietnam. But after the war, as I learned more about our government's decision-making in the war years, I became angry. I was angry at the failure of our leaders to tell the truth about what was happening in Vietnam. I was angry at their ignorance about the motives of our North Vietnamese adversaries and the history of Vietnam. Our leaders didn't seem to understand the depth of commitment of our adversaries to creating their version of an independent Vietnam. I particularly detested President Nixon for his duplicity in campaigning on a promise to end the war, and then, once in office, broadening the war to Cambodia. But time has taught me the sterility of anger. So, as I recently told former Secretary of Defense Robert McNamara, I forgive our leaders of the Vietnam period.

I am able to forgive, not out of any great generosity of mine, but because the passage of time and the actions of the communist government of Vietnam have proven to me we were fighting on the right side. In their harsh treatment of the Vietnamese people, in denying them medicine and essential consumer goods, and in persecuting religious practice, the Vietnamese communists in the post-war years proved themselves to be communists. The most eloquent comment on life under Ho Chi Minh's heirs was the flight of millions of Vietnamese who risked death on the high seas rather than live under that regime. If there was to be a trial to determine if the Vietnam War was worth fighting, I would call the Boat People as my only witness.

Was the war a mistake, or was it worth the effort and sacrifice? Everyone touched by it must answer that question for themselves. When I came home in 1969 and for many years afterward, I did not believe it was. Today, with the passage of time and the experience of seeing both the benefits of freedom won by our sacrifice and the human destruction done by dictatorships, I believe the cause was just and the sacrifice not in vain.

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

Mr. GILMAN. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from New Jersey (Mr. SMITH) who is the chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, let me just begin by thanking the gentleman from California (Mr. ROHRABACHER) for his excellent piece of legislation, which tells the truth about the ongoing repression in Vietnam.

Today, Mr. Speaker, I want to share some observations from a human rights fact-finding mission I made in December to Saigon. The principal purpose of the trip was to inspect the new refugee processing program, which, as most of my colleagues know, has recently moved from Bangkok to our new U.S. Consulate in Saigon.

As I think many of my colleagues know as well, I am very pleased to have been the sponsor, the prime author, of comprehensive foreign policy legislation, the Foreign Relations Authorization Act for Fiscal Year 2000 and 2001, which became law last November.

That bill provided for an extension of the McCain amendment on Vietnamese refugee children through fiscal year 2001, along with an expansion of the amendment to cover the so-called co-residency cases.

The new law also included very important language making clear that our refugee programs in Vietnam should be far more than a token effort. We made that clear in all kinds of cases. For example, with the Montagnards who were turned down because they kept fighting the Communists after 1975, with reeducation camp survivors whose refugee applications were denied because they were afraid to talk in front of government-hired interpreters, with former U.S. Government employees who were turned down for no good reason at all, and with people who have suffered recent persecution for their political or religious beliefs, we need to be far more generous than we have been in the past.

It is too early, Mr. Speaker, to know whether or not our Saigon refugee program will live up to those expectations, which is the clear meaning and intent of the law. But I promise, as Chairman of the Subcommittee on International Operations and Human Rights, to keep my eye on the ball and to keep pushing hard for it.

In addition to focusing on the refugee programs, Mr. Speaker, we also focused heavily on the human rights issues, democracy, and transparency in Vietnam, which we have also done in our subcommittee over the last several years.

I met with Dr. Nguyen Dan Que, who—like the great Professor Hoat, who is now in this country—is a courageous and brilliant former prisoner of conscience. He is now under virtual house arrest, however, in Saigon. His

phone is tapped. His Internet connections have been cut off. He and members of his family are followed wherever they go.

Notwithstanding the fact that I had a Government thug following me wherever I went, Dr. Que invited us into his home and gave us a fascinating lecture on the future prospects for reform and democracy in Vietnam.

He explained, for example, that the principal contradiction in Vietnamese society is not between North and South, not between traditionalism and modernity, but between the Politburo and everybody else in the country.

We also met with religious leaders, including Archbishop Man, Father Chan Tin, and members of the Hoa Hao Buddhist Church. And we met with Montagnard students, some of whom are Protestants who have been forbidden to have prayer meetings in their country.

Unfortunately, on the advice of Ambassador Peterson, we were unable to meet with the leaders of the Unified Buddhist Church, who have come in for some of the most brutal treatment of all. The ambassador felt the time was not right. The next trip, I can assure my colleagues, we will meet with them. But we have continued to raise their issues, as well.

One thing that was very clear from all of our conversations with human rights advocates, religious figures, and ordinary Vietnamese was that international pressure does indeed work.

For example, Dr. Que pointed out that while trade may bring some reforms to Vietnam, these reforms will come quicker if the United States strongly uses each economic concession, especially the prospect of a bilateral trade agreement, as leverage to require immediate progress on human rights.

If anyone doubts that economic leverage works to change the behavior of the Vietnamese Government, these doubts should be resolved by the experience of the ROVR program.

In mid-1996, the Vietnamese Government promised that if the 20,000 or so people who were eligible for ROVR would return to Vietnam, the U.S. would be able to interview them for refugee resettlement in the U.S.

Eighteen months after making this promise, the Vietnamese Government had let us interview only a few hundred of the 20,000 people. But when it was made clear to them that they would not get a waiver of the Jackson-Vanik amendment, which would be necessary to allow subsidized loans under the U.S. Export-Import and OPIC programs, they allowed us to start interviewing people almost immediately.

We eventually got 18,000 people to freedom under the ROVR program. So linkage to economic issues does work.

Let me also focus on a couple of human rights issues. As the gentleman from California (Mr. LANTOS) said so eloquently, the Vietnamese Government must stop imprisoning people for their political or religious beliefs. They must release all prisoners of conscience that they currently hold.

□ 1100

Hanoi insists that it has no political or religious prisoners, only ordinary law breakers. When visiting, American delegations like my own point out that these law breakers include Catholic priests and Buddhist monks. When we raise these issues, they say that these people have been imprisoned for such crimes as activities to overthrow the government, which is utter nonsense, or using freedom and democracy to injure the national unity, whatever that means.

Vietnamese officials cheerfully remind visitors that they have a ''different system.'' They need to be persuaded that if they are going to do business with us they have to abide by internationally recognized norms regarding human rights.

The Vietnamese government must eliminate other gross human rights violations such as its two-child-per-couple policy, which deprives the parents of unauthorized children of employment and other government benefits.

It must grant workers the right to organize independent trade unions and stop the practice of forced labor. It has to stop jamming Radio Free Asia, which tries to bring the Vietnamese people the kind of broadcasting they would provide for themselves if their government would allow freedom of expression.

Mr. Speaker, I would submit for the RECORD an excellent article written by Le Van Tien on ''Vietnam's Failed Revolution.'' It was in the Asian Wall Street Journal on April 28, 2000.

[From the Wall Street Journal, Fri., Apr. 28, 2000]

VIETNAM'S FAILED REVOLUTION . . .

(By Le Van Tien)

We are marching to Saigon.
We are entering the city.
We are liberating the South.

This was the song I heard the National Liberation Front soldiers singing as they marched behind the North Vietnamese tanks that rolled into Saigon on April 30, 1975. Later the lyrics were taught to children, who sang them enthusiastically enough. Say what you will about the Communists, they have always understood that children love parades.

In the years just after the unification of Vietnam, even as many South Vietnamese were either fleeing in boats or being sent to prison or ''re-education,'' others—particularly young people—were willing to join the Communists in efforts to rebuild the country. Many were even willing to fight and die in the wars against Cambodia and China.

Yet 25 years later most of the survivors can barely remember the songs they used to sing about the revolution. For those of us who were imprisoned or forced into exile, it is tempting to judge the revolution by our own standards. It is more instructive, however, to judge a movement by the extent to which it has met its own goals. Life in Vietnam has indeed changed in many ways since 1975, but not in any of the ways promised by the revolution.

Vietnam was never a rich country, but now it is one of the poorest in the world, with a per capita GDP of about $300. Teachers make $20 per month, construction workers about $30, medical doctors $35. Of the 37 million working-age Vietnamese, only 7 million have stable jobs, almost all in government or in state-owned enterprises. The remaining 30 million are seasonal workers employed for 200 days or less per years.

Almost everyone in Vietnam is struggling for survival day by day, and almost everyone blames the government—especially corruption in government. It is no accident that people in rural areas are the poorest of all (according to the World Bank, about 45% of Vietnamese farmers live below the poverty line) because these are the areas where government is most corrupt and has the greatest power over people's lives.

Despite the harsh measures taken by the Vietnamese government against those who openly express their displeasure with government policies, there have been periodic demonstrations and even uprisings among rural people protesting corruption and oppression.

In 1989, several hundred people from villages in the Mekong Delta traveled to Saigon, now called Ho Chi Minh City, to demand improved conditions in the countryside. These demonstrations were partly motivated by resentment at continued North Vietnamese domination of the South, but in the early 1990s there were riots in three provinces in Central Vietnam, in an area known as the ''cradle of the revolution.''

These events culminated in 1997 in Thai Binh, a northern province noted for the unusually high percentage of enthusiastic Communists among its people, in which thousands of peasants and farmers detained armed public security officers and demanded an end to confiscatory taxes, corruption, and other official abuses. Even a group of high-ranking Army officers from Thai Binh openly announced that ''the Communist party has succeeded in abolishing the old regime in which man exploited man, only to replace it with a regime in which the Party itself exploits the people.'' Many of the Thai Binh demonstrators were sent to prison or re-education, but the government also dismissed about 50 officials including the head of the provincial People's Committee.

The poor living conditions of the farmers and the working class contrast sharply with the lifestyle of many Communist cadres, government officials, and executives in state-owned enterprises. They can afford conspicuous consumption not because of their salaries, but because of their far larger income from official corruption. In recent years, the government itself has recognized that corruption is at the heart of its problems, strangling the economy and scaring away foreign investors.

In mid-1999 General Secretary Le Kha Phieu announced a two-year campaign of ''self-criticism.'' The campaign is intended to end bribery, extortion, smuggling, and other corrupt practices, in order to win the confidence of the people and also of foreign investors. These investors were initially attracted by the official policies of economic ''renovation'' and ''openness'' announced in the early 1990s, but they have been discouraged not only by the burdens of corruption and hyperregulation, but also by the consequent decline in economic growth rates from about 8% annually to just over 4%. Most ominously, many are frighted by the prospect of political instability as a consequence of the steady erosion of the government's legitimacy.

The Vietnamese government seems to understand that it is in danger of losing its grip on power. It has been quietly advised by scholars, international financial institutions

and representatives of other governments that it must act to regain the trust of the Vietnamese people. The most obvious way to do this would be through a campaign of renovation and openness extending beyond the economic sphere to include freedom of expression, religion, and the press as well as steps toward more representative government.

Party leaders, however, regard these freedoms as an even greater threat to their power than the current popular dissatisfaction with government. In August 1999, at the closing session of the Seventh Communist Party Plenum, General Secretary Le Kha Phieu stated that ''there will be no sharing of power. The Communists will hold firmly to leadership. Any request for democracy, freedom, human rights, or 'peaceful evolution,' is a conspiracy by the enemy forces to erase the socialist regime in Vietnam.''

This injunction has manifested itself in strong measures by local authorities throughout the country against actions suspected to be harmful to internal stability and order. Most recently, a number of Hoa Hao Buddhists were imprisoned for participating in a ceremony to commemorate the 53rd anniversary of the disappearance of their founder.

Father Chan Tin, an outspoken Roman Catholic priest and human rights advocate, was recently ''tried'' in absentia at public meeting organized by the People's Committee in the district where his church is located. Father Tin was charged with such crimes as ''seeking to abolish the leadership of the Communist Party'' and ''destroying the solidarity between religions and the state.'' And the principal leaders of the Unified Buddhist Church of Vietnam, the country's largest religious denomination, remain under virtual house arrest.

The government also recently arrested, searched, and deported French reporter Sylvaine Pasquier, who was apprehended outside the house of former political prisoner Nguyen Dan Que, whom she was attempting to interview. Ms. Pasquier reports that at one point her interrogator made a gesture to simulate a gun at her head and said she could put heroin in her purse and condemn her as a drug smuggler.

Next month Mr. Phieu will make an official visit to France at the invitation of President Chirac—the first visit to a democratic country by a General Secretary of the Vietnamese Communist Party since Ho Chi Minh visited France in 1946. The Phieu visit was arranged with the help of the French Communist Party, which recently announced its determination to ''rejuvenate the spirit of communism'' as a movement committed to ''return political power to the individual citizen.''

Perhaps Mr. Phieu and his colleagues in the Vietnamese Communist Party will come to share the insight of their French comrades that Communism can only survive by finding a way to coexist with democracy and individual freedom. If not—if they keep trying to cure the consequences of Stalinism with more Stalinism—it is hard to imagine that anyone will be singing songs about the revolution in another 25 years.

Mr. Speaker, I want to salute the gentleman from California (Mr. ROHRABACHER) for this excellent resolution.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) for his supportive comments.

Mr. Speaker, I yield the balance of the time to the distinguished gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank my friend, the gentleman from New York (Mr. GILMAN), for yielding me this time.

Mr. Speaker, I rise to support H. Con. Res. 295 relating to continuing human rights violations and political oppression in the socialist Republic of Vietnam, 25 years after the fall of South Vietnam to Communist forces.

This past weekend, April 30, marked the fall of Saigon, which ended the Vietnam war 25 years ago. There were a series of events held across America, including in my district in Northern Virginia, to commemorate this tragic event in history.

Vietnamese Americans from the Washington, DC, metropolitan area gathered this past weekend to honor the fallen heroes who sacrificed their lives in the name of freedom. In addition, they staged an all-night candlelight vigil, a flag ceremony, and a peaceful demonstration to keep the hope and flame of democracy alive for those still living in the socialist Republic of Vietnam.

The Vietnam war took its toll on American families sending fathers, brothers, husbands, and uncles thousands of miles away to the jungles of Vietnam to fight the enemy they could never face. We must never forget that over 58,000 Americans and over 300,000 South Vietnamese soldiers lost their lives defending and protecting fundamental ideals, such as freedom of speech, freedom of religion, and free and open elections.

Their noble sacrifices should serve as a reminder that the Vietnam war was fought on the principles and values of democracy.

H. Con. Res. 295 is a timely resolution which reiterates America's commitment to political, religious, and economic freedom for the citizens of the socialist Republic of Vietnam.

Furthermore, this resolution urges the government to release all political and religious prisoners and prisoners of conscience, to allow their citizens the right to freedom of speech, freedom of association, freedom of the press and freedom of religious worship, and more importantly to formally commit to a framework and timetable for open and fair elections.

Finally, H. Con. Res. 295 recognizes and commends the Vietnamese American community for initiating an international memorial to American and South Vietnamese soldiers who gave their lives for the cause of freedom during the Vietnam war, which will be located in Westminster, California.

I urge my colleagues to support H. Con. Res. 295 to honor all those who valiantly fought during the Vietnam war and to commemorate the fall of Saigon.

I commend the gentleman from California and his staff for their hard work to bring to our attention this important issue.

The SPEAKER pro tempore (Mr. GUTKNECHT). 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. 295, 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.

□

EXPRESSING SENSE OF CONGRESS ON INTERNATIONAL RECOGNITION OF ISRAEL'S MAGEN DAVID ADOM SOCIETY AND ITS SYMBOL THE RED SHIELD OF DAVID

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 464) expressing the sense of Congress on international recognition of Israel's Magen David Adom Society and its symbol the Red Shield of David.

The Clerk read as follows:

H. RES. 464

Whereas Israel's Magen David Adom Society has provided emergency relief to people in many countries in times of need, pain, and suffering since 1930, regardless of nationality or religious affiliation;

Whereas in the past year alone, the Magen David Adom Society has provided invaluable services in Kosovo, Indonesia, and Kenya following the bombing of the United States Embassy in Kenya, and in the wake of the earthquakes that devastated Greece and Turkey;

Whereas the American Red Cross has recognized the superb and invaluable work done by the Magen David Adom Society and considers the exclusion of the Magen David Adom Society from the International Committee of the Red Cross and Red Crescent Movement ''an injustice of the highest order'';

Whereas the American Red Cross has repeatedly urged that the International Red Cross and Red Crescent Movement recognize the Magen David Adom Society as a full member;

Whereas the Magen David Adom Society utilizes the Red Shield of David as its emblem, in similar fashion to the utilization of the Red Cross and Red Crescent by other national societies;

Whereas the Red Cross and the Red Crescent have been recognized as protected symbols under the Statutes of the International Red Cross and Red Crescent Movement;

Whereas the International Committee of the Red Cross has ignored previous requests from the United States Congress to recognize the Magen David Adom Society;

Whereas the Statutes of the International Red Cross and Red Crescent Movement state that it ''makes no discrimination as to nationality, race, religious beliefs, class or political opinions'' and it ''may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature'';

Whereas although similar national organizations of Iraq, North Korea, and Afghanistan are recognized as full members of the International Red Cross and Red Crescent Movement, the Magen David Adom Society has been denied membership since 1949; and

Whereas in fiscal year 1999 the United States Government provided $119,400,000 to the International Committee of the Red Cross and $7,300,000 to the Federation of Red Cross and Red Crescent Societies: Now, therefore, be it

Resolved, That—

(1) the International Committee of the Red Cross should immediately recognize the Magen David Adom Society and the Magen David Adom Society should be granted full membership in the International Committee of the Red Cross and Red Crescent Movement;

(2) the Federation of Red Cross and Red Crescent Societies should grant full membership to the Magen David Adom Society immediately following recognition by the International Committee of the Red Cross of the Magen David Adom Society as a full member of the International Committee of the Red Cross; and

(3) the Red Shield of David should be accorded the same protections under international law as the Red Cross and the Red Crescent.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) 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. Res. 464, the resolution being considered.

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, today we are calling up for the consideration of the House, H. Res. 464, expressing the sense of Congress on international recognition of Israel's Magen David Adom Society and its symbol the Red Shield of David, which I introduced along with the ranking member of our Committee on International Relations, the gentleman from Connecticut (Mr. GEJDENSON).

This measure reaffirms our support for justice and inclusiveness in the International Red Cross movement. Resolution 464 lends our support to the efforts of the Magen David Society and strongly encourages its acceptance as a full member into the international governing body of the International Committee of the Red Cross, the ICRC.

The Magen David Society is equivalent to our own American Red Cross. It has served countless citizens of nations in need for over 70 years. It might come as a shock to some that while the national organizations of countries such as Iraq, Libya and North Korea are all Members of the International Conference of the Red Cross and the Red Crescent, the Magen David Society, though, has been left out. The Magen David Society has fulfilled its criteria for full membership, has requested membership and recognition of the Shield of David as their symbol. The American Red Cross has repeatedly sought to have the Magen David Society admitted as part of the International Red Cross and the Red Crescent Movement but has so far been thwarted by the political prejudices of a small number of its member nations and others that raise what I believe to be spurious issues concerning the adoption of another emblem, the Red Shield of David, into the movement.

Congress in 1987 affirmed its support for the Magen David Society requesting that they be admitted as full members. After 13 years, 13 long years, the ICRC is still dragging its feet on this issue, and the Israeli Magen David Adom Society remains the victim of politics. We must reinforce our support for this praiseworthy organization by passing this resolution, H. Res. 464, and letting other members of the International Red Cross and Red Crescent Movement know that we do not look favorably on this kind of bias and hypocrisy.

A working group charged with resolving this issue has recently decided to call later this year a diplomatic conference of all the signatories of the Geneva Conventions, as well as representatives of each of the International Red Cross and Red Crescent Societies. That diplomatic conference will decide whether the Magen David Adom Society will be admitted to the International Movement of the Red Cross and Red Crescent and whether its emblem, the Red Shield of David, will be accorded the same protections under international law as the Red Cross and Red Crescent.

By adopting this resolution today, the House will put all the participants of that diplomatic conference on notice that this is a matter we take seriously, that it must be resolved fairly and in conformity with the principles of the Red Cross and the Red Crescent Movement.

Accordingly, Mr. Speaker, I urge my colleagues to join with us in adopting H. Res. 464.

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

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

Mr. Speaker, let me join with my colleague, the gentleman from New York (Mr. GILMAN), in his remarks. In somewhat a stunning occurrence over the last 20 years or so, the International Red Cross has argued that the religious symbols they have, the Red Cross and the Red Crescent, are not religious, but the religious symbol that Israel uses somehow is religious.

Frankly, it always astounded me that year after year we would hear from the Red Cross annually that the Magen David was a separate category. One does not want to jump to the conclusions that somehow prejudice has saturated their thinking, but it was very difficult to come to any other conclusion.

Well, after almost 20 years of contact with them on this issue I am frankly heartened that the present leadership of the Red Cross recognizes there needs to be a solution. It has taken all too long. The Magen David Adom has participated in International Red Cross humanitarian crises in Indonesia, in Kosovo, in Greece, in Turkey, in Kenya where the American Embassy in Nairobi was attacked. It has been in operation since the 1930s. It functions with the International Red Cross and Red Crescent in every way, except for official recognition.

It seems to me, as we enter this second millennium, that it is long overdue for the Red Cross to accept what is the American proposal to include the Magen David Adom in these international organizations and to stop what has been, frankly, a bad reflection on what is a great international organization, an international organization that has done so much to save people, to stop suffering, to help people in crisis, to have them continue to battle over what is clearly a prejudice that even they are having a hard time now defending. It is long overdue. I commend the chairman for his efforts.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I want to thank my friend and colleague, the gentleman from Connecticut (Mr. GEJDENSON), for yielding me this time.

Mr. Speaker, I want to commend the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), for introducing this legislation. I want to commend the ranking member, the gentleman from Connecticut (Mr. GEJDENSON), for supporting it.

Mr. Speaker, earlier this year in January several of us visited the headquarters of the International Red Cross, and we had extended discussions with the top leaders of this very fine organization concerning the issue we are debating this morning.

While I must say I am deeply impressed by the work of the International Red Cross, I was appalled by the failure of the leadership in Geneva to take decisive action to put an end to this outrageous form of discrimination.

The International Red Cross and Red Crescent have been doing an outstanding job and Israel's parallel organization, the International Magen David Adom, has been there helping in every single international crisis. They were in the front lines of the humanitarian effort both in East Timor and Indonesia and in the tragic bloody crisis of Kosovo. They were among the very first groups to arrive, both in Greece and Turkey, in the wake of the earthquake, and, of course, they stood shoulder to shoulder with us to save American and Kenyan lives following the outrageous bombing of the U.S. Embassy in Nairobi.

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I particularly want to commend the Chairman of the American Red Cross, Dr. Bernadine Healy, for proposing

that we withhold any dues to the International Red Cross until this singularly appalling form of discrimination is terminated. I strongly support her posture, as I am sure all of my colleagues in this body and in the other body do.

The Red Cross is doing an outstanding job. It should not besmirch its reputation internationally by being part and parcel of an appalling medieval discriminatory measure. The time is long overdue to put an end to this practice and to recognize Magen David Adom as a full-fledged member of the International Society of the Red Cross.

Mr. Speaker, I again want to commend my colleagues for introducing this resolution.

Mr. GEJDENSON. Mr. Speaker, it is a privilege to yield 5 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

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

Mr. Speaker, I am here today to express my strong and full support for House Resolution 464, and I do want to acknowledge the tremendous work of our chairman, the gentleman from New York (Mr. GILMAN), and our ranking member, the gentleman from Connecticut (Mr. GEJDENSON).

Mr. Speaker, what is wrong with the following picture: Many of the nations of the world have what are called Red Cross societies, or societies that provide emergency humanitarian relief, not only to their own people, but to other nations when there are tragedies that occur around the world. There is the International Red Cross, with a red cross as its symbol; there is the International Red Crescent in Arab lands with the red crescent as their symbol. The state of Israel has its own version of the Red Cross, which, as my colleagues have said, provides emergency humanitarian relief all over the world, in Europe, Africa, Asia, all over the world, and their symbol in Israel is the Red Star of David.

What is wrong with this picture? Well, the International Red Cross Societies and the International Red Crescent Societies refuse to permit Israel's Red Cross, the Magen David Adom Society, to be admitted into the International Society of Red Cross and Red Crescents. They refuse to acknowledge the legitimacy of that Israeli Red Cross Society, and they refuse particularly to consider including Israel's Red Star of David, which its ambulances and emergency humanitarian vehicles fly overhead, like the Red Cross and the Red Crescent Societies. We are in the year 2000, Mr. Speaker, and this kind of blatant prejudice still exists.

What should we do as American legislators and as American citizens? The United States Government provides to the International Red Cross $119 million a year. The United States Government provides to the Federation of Red Cross and Red Crescent Societies over $7 million a year, those same organizations that refuse to allow the inclusion of Israel's Red Cross, the Magen David Adom Society, which has been providing emergency services around the world, obviously, without regard to race, religion or nationality since the 1930s.

What should we do? Our own American Red Cross says it is one of the greatest acts of injustice, that the International Red Cross and Red Crescent Societies will not admit Israel's Red Cross Society, the Magen David Adom Society, and refuses to accept the legitimacy of the Red Star of David. Hypocrisy? Injustice? Obviously.

So I urge my colleagues in the House and my friends around the country to speak loudly about this act of injustice, and, hopefully, through the work of the gentleman from New York (Chairman GILMAN) and the ranking member, the gentleman from Connecticut (Mr. GEJDENSON) and our other members on the Committee on International Relations, finally the International Red Cross and International Red Crescent Societies will do what is right now in the year 2000, and admit the Red Star of David, which has flown over so many tragedies, lending helping hands to peoples all over the world for the last 70 years, to be included in the family of those who wish to help others in need.

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

Mr. ENGEL. Mr. Speaker, I rise in support of H. Res. 464 which urges the International Committee of the Red Cross (ICRC) and the Federation of Red Cross and Red Crescent Societies to fully recognize the Magen David Adom, Israel's counterpart to the American Red Cross, as a member. I am pleased that the President of the International Committee of the Red Cross, Dr. Jakob Kellenberger, has made membership of the Magen David Adom a priority this year. However, the Magen David Adom has been kept waiting for more than fifty years for full membership. It is imperative that the ICRC recognize the Magen David Adom immediately and not further delay the process. This could be done most easily by applying the American Red Cross' solution: to ''grandfather'' the Magen David Adom into the ICRC since it has met all necessary conditions to become a national society.

I would like to commend the American Red Cross and Dr. Bernadine Healy for their support and commitment to ensuring full membership for the Magen David Adom. Furthermore, Chairman GILMAN and Ranking Member GEJDENSON also deserve recognition for their leadership on this issue.

I hope my colleagues will join me in voting for this resolution.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 5, 2000.

Dr. JAKOB KELLENBERGER,
President, International Committee of the Red Cross, Geneva, Switzerland.

DEAR DR. KELLENBERGER: We are writing to urge the International Committee of the Red Cross and the Federation of the Red Cross and Red Crescent Societies to recognize the Magen David Adom (MDA) as a full member as expeditiously as possible.

As you know, the MDA was founded in 1930 and is the national humanitarian society in the state of Israel. The MDA is the Israeli counterpart to the American Red Cross and carries out all of the traditional roles of a voluntary medical aid society including emergency medical services, maintenance of blood supplies, first aid, and disaster relief. Unfortunately, despite its dedicated humanitarian relief efforts around the world, MDA has not yet been recognized as a full member of the International Red Cross and Red Crescent Movement.

The International Red Cross and Red Crescent Movement is a worldwide institution in which all national Red Cross and Red Crescent Societies have equal status. However, MDA is in a decidedly unequal position. The Magen David Adom Society is excluded from full membership in the International Committee of the Red Cross and Red Crescent Movement solely because the Red Shield of David, the organization's emblem, is not an official emblem recognized by either the Geneva Conventions governing the International Red Cross and Red Crescent Movement or the Statutes of the International Red Cross and Red Crescent Movement.

While other countries utilize the red cross or the red crescent as emblems of their national humanitarian societies, we respect the decision of MDA in Israel, a Jewish state, to maintain the 70-year tradition of using the Red Shield of David as its emblem. With peace slowly but surely coming to the Middle East and Israel developing progressively more relations with its neighbors, it is time that the ICRC recognize the Magen David Adom as a full member, and the Federation grant it membership.

As you are likely aware, the US House of Representatives passed an amendment last year which expressed the sense of the Congress that the MDA should be recognized as a full member of the International Red Cross and Red Crescent Movement. Congress may consider additional legislation this year about MDA's exclusion from your organization.

We understand that there have been recent meetings between you and the government of Israel which have brought the two sides closer to a resolution. While we are encouraged by the new positive atmosphere, we will be monitoring this situation closely until the MDA is fully recognized by the ICRC and the Federation.

Sincerely,

Eliot L. Engel; Constance A. Morella; Stephen Horn; Jerrold Nadler; Rush D. Holt; Dana Rohrabacher; John M. Spratt, Jr.; Anthony D. Weiner; James E. Rogan; Henry A. Waxman; Joseph Crowley; Tim Holden; Christopher Shays; Nita M. Lowey; Benjamin A. Gilman; Steven R. Rothman; Tom Lantos; Peter Deutsch; Sam Gejdenson; John F. Tierney; Howard L. Berman; John Lewis; Sander M. Levin; Sherrod Brown; Charles B. Rangel; Juanita Millender-McDonald; Gary L. Ackerman; James H. Maloney; Edward J. Markey; Robert Wexler; Carolyn B. Maloney; Janice D. Schakowsky.

Mr. CROWLEY. Mr. Speaker, I speak today in strong support of House Resolution 464 to urge the International Committee of the Red Cross and the Federation of the Red Cross and Red Crescent Societies to formally recognize its Israeli counterpart, the Magen David Adom (MDA) as a full member.

Unfortunately, international bias against the State of Israel still exists today. While the Israeli people have taken tremendous risks in negotiating peace with their Arab neighbors and promoting normalized relations with all nations, anti-Israel sentiment in international organizations still prevails.

The reluctance of the International Red Cross and Red Crescent Movement to provide recognition to the Magen David Adom is just another manifestation of this attitude.

The Magen David Adom not only provides important services in the State of Israel but also works internationally alongside other humanitarian relief organizations providing invaluable emergency aid to people in many countries, regardless of nationality or religious affiliation.

Israel's recent response to the tragic earthquake in Turkey underlines that the Magen David Adom is an important member of the worldwide humanitarian community.

I am proud to be a cosponsor of this important resolution.

Mr. Speaker, the House International Relations Committee on which I am privileged to serve, unanimously supported this resolution and I urge my fellow Members to give this legislation the same overwhelming support on the floor today and send a strong message that the United States will not accept discrimination against the State of Israel.

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

The SPEAKER pro tempore (Mr. GUTKNECHT). 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 resolution, H. Res. 464.

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

A motion to reconsider was laid on the table.

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EXPRESSING CONDEMNATION OF CONTINUED HUMAN RIGHTS VIOLATIONS IN REPUBLIC OF BELARUS AND CALLING ON RUSSIAN FEDERATION TO RESPECT SOVEREIGNTY OF BELARUS

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 304) expressing the condemnation of the continued egregious violations of human rights in the Republic of Belarus, the lack of progress toward the establishment of democracy and the rule of law in Belarus, calling on President Alyaksandr Lukashenka's regime to engage in negotiations with the representatives of the opposition and to restore the constitutional rights of the Belarusan people, and calling on the Russian Federation to respect the sovereignty of Belarus.

The Clerk read as follows:

H. CON. RES. 304

Whereas the United States has a vital interest in the promotion of democracy abroad and supports democracy and economic development in the Republic of Belarus;

Whereas in the Fall of 1996, Belarusian President Alyaksandr Lukashenka devised a controversial referendum to impose a new constitution on Belarus and abolish the Parliament, the 13th Supreme Soviet, replacing it with a rubber-stamp legislature;

Whereas President Lukashenka organized a referendum in violation of the 1994 Belarusian Constitution, which illegally extended his term of office to 2001;

Whereas Lukashenka's legal term in office expired in July 1999;

Whereas Belarus has effectively become an authoritarian police state, where human rights are routinely violated;

Whereas Belarusian economic development is stagnant and living conditions are deplorable;

Whereas in May 1999, the Belarusian opposition challenged Lukashenka's unconstitutional lengthening of his term by staging alternative presidential elections, unleashing the government crackdown;

Whereas the leader of the opposition, Semyon Sharetsky, was forced to flee Belarus to the neighboring Baltic state of the Republic of Lithuania in fear for his life;

Whereas several leaders of the opposition, including Viktor Gonchar, Anatoly Krasovsky, and Yuri Zakharenka have disappeared;

Whereas the Belarusian regime harasses and persecutes the independent media and works to actively suppress freedom of speech;

Whereas former Prime Minister Mikhail Chygir, who was a candidate in the opposition's alternative presidential elections in May 1999, was held in pretrial detention on trumped up charges from April through November 1999;

Whereas the Lukashenka regime provoked the clashes between riot police and demonstrators at the October 17, 1999, ''Freedom March'', which resulted in injuries to demonstrators and scores of illegal arrests;

Whereas hundreds of peaceful demonstrators and over thirty journalists were arrested during a March 25, 2000, pro-democracy rally in Miensk, once again illustrating the Lukashenka regime's disregard for freedom of assembly, association, and information;

Whereas the Lukashenka regime has refused to engage in meaningful dialogue with the opposition and has used the tactics of delay and obfuscation in disregarding the Organization for Security and Cooperation in Europe (OSCE)-mediated dialogue process;

Whereas genuine dialogue with the opposition and legitimate, free and fair elections cannot take place in the present climate of repression and fear existing in Belarus;

Whereas on April 3, 1996, Russian Federation President Boris Yeltsin and President Lukashenka signed an agreement to form a Union State of Russia and Belarus;

Whereas there have been credible press reports that the Government of the Russian Federation has been providing assistance to the Lukashenka regime since the signing of the agreement to form a Union State, such as official Russian Federation Government credits, uncollected customs duties, assistance for export sales of Belarusian arms and joint manufacturing of arms, and reduced prices for energy supplies;

Whereas there has been a credible estimate cited in press reports that Russian Federation economic subsidies to Belarus reached $1,500,000,000 to $2,000,000,000 in 1996 and 1997 alone, enabling the Lukashenka regime to maintain a large police force and state control of the economy;

Whereas the Union Treaty, signed on December 8, 1999, by Belarus and the Russian Federation, undermines Belarus sovereignty and the prospect of democracy;

Whereas the Consultative Council of Belarusian opposition parties appealed to the Government of the Russian Federation, the State Duma, and the Federation Council calling for a cessation of support for the Lukashenka regime;

Whereas the former Chairmen of the Belarusian Supreme Soviet, Stanislav Shushkevich and Semyon Sharetsky, have stated that economic support from the Russian Federation has been crucial to the survival of the Lukashenka regime;

Whereas a Union Treaty between the Russian Federation and Belarus was ratified by the Russian Parliament and the illegitimate parliament of Belarus;

Whereas the Union Treaty between the Russian Federation and the Lukashenka regime violates Russian Federation Government respect for the sovereignty of Belarus per the memorandum on security guarantees signed by Russian Federation President Boris Yeltsin at the December 1994 Summit of Organization for Security and Cooperation in Europe Heads of State in Budapest, Hungary; and

Whereas the introduction of any nuclear weapons on the territory of Belarus, a declared non-nuclear state under the Treaty on the Non-Proliferation of Nuclear Weapons, would be a violation of Belarus's obligations under that Treaty: Now, therefore, be it

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

(1) condemns continued egregious violations of human rights by President Alyaksandr Lukashenka's regime in the Republic of Belarus;

(2) further condemns the Lukashenka regime's conviction and sentencing of Andrei Klimov, Vasiliy Leonov, and Vladimir Koudinov on politically motivated charges and urges their release;

(3) is gravely concerned about the disappearances of Viktor Gonchar, Anatoly Krasovsky, and Yuri Zakharenka and calls on the Lukashenka regime to ensure a full and timely investigation of these cases;

(4) calls for immediate dialogue between the Lukashenka regime and the opposition and the restoration of a democratically elected government in Belarus;

(5) urges the Lukashenka regime to respect and ensure the human rights of all Belarusian citizens, including those members of the opposition who are currently being illegally detained in violation of their constitutional rights and further urges the regime to respect the rule of law and an independent judiciary;

(6) further urges Lukashenka to hold legitimate, free and fair parliamentary elections in accordance with Organization for Security and Cooperation in Europe (OSCE) standards;

(7) supports the appeal by the Consultative Council of Belarusian opposition parties to the Government of the Russian Federation, the State Duma, and the Federation Council calling for a cessation of support for the Lukashenka regime;

(8) calls on the international community to support the opposition in Belarus by continuing to meet with the legitimately elected parliament;

(9) supports Belarus's sovereignty, independence, and territorial integrity, as well as its market democratic transformation and integration among the broader trans-Atlantic community of nations;

(10) calls on the President of the United States—

(A) to ensure assistance to and cooperation with Belarusian opposition figures;

(B) to ensure that adequate resources are made available on an urgent basis to support those programs aimed at strengthening independent media, human rights, civil society, independent trade unions, and the democratic opposition in Belarus; and

(C) to support the free flow of information into Belarus;

(11) calls on the President of the United States to raise the issue of financial support provided by the Russian Federation to the Lukashenka regime at the highest levels of the Russian Federation Government;

(12) calls on the President of the United States to urge the Government of the Russian Federation, in accordance with its international commitments, to fully respect the sovereignty of Belarus, particularly in light of the illegitimate nature of the Lukashenka regime; and

(13) calls on the President of the United States to prepare and transmit to the Congress a report on—

(A) the human rights situation, democratic process, elections, independence of the media, and the Lukashenka regime's control of the economy in Belarus;

(B) the steps undertaken by the United States to persuade the Russian Federation Government to end support to the Lukashenka regime in Belarus; and

(C) the status of Russian Federation-Belarus military integration.

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

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

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

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 304.

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. Speaker, this resolution is extraordinarily important for the people of Belarus, for their liberty and their freedom. I want to thank our ranking minority member on the Committee on International Relations, the gentleman from Connecticut (Mr. GEJDENSON), for introducing this measure which calls it like it really is in Belarus, pointing out quite simply that the regime of Belarusan President Alyaksandr Lukashenka is unconstitutional and illegitimate. It points out that the Lukashenka regime uses the very worst of Soviet-style tactics to repress political opposition and democratic government and to deny the people of Belarus their fundamental human rights. It points out that the Lukashenka regime is, in short, nothing less than a dictatorship, pure and simple.

Mr. Speaker, I have been pleased to join the ranking member as an original sponsor of this resolution, not just for those important reasons, but because it also points to some very troubling facts with regard to the foreign policy of Belarus' neighbor, Russia.

First, as this measure notes, the Government of Russia has been pursuing a reunification with Belarus and is actively pursuing such reunification just as we speak. Such a reunification is inappropriate and I believe an affront under international law for the following reasons: The president of the Belarusan parliament is an illegitimate one, having been dissolved by the President, and no such negotiations should be conducted with it or, much less, agreements ratified with it.

Any such reunification of results in Russia extending its military nuclear forces to cover Belarus would, I believe, be a violation of Belarus status as a nonnuclear state under the Nuclear Nonproliferation Treaty.

Mr. Speaker, the second important point raised by this resolution regarding Russia is the fact that Russia has been providing considerable financial support, billions of dollars worth of such support, to that dictatorship in Belarus, and at a time when the Russian government is getting hundreds of millions of dollars in aid from our Nation to pay its costs for reducing its arms under the START–I Treaty, at a time when the Russian government is seeking billions of dollars in debt forgiveness from foreign governments, including our own Nation, at a time when the Russian government has received billions of dollars in loans from international financial institutions, and at a time when our Nation is turning over to the Russian government hundreds of millions of dollars in monies earned from the sale of donated American food in Russia, it is nothing less than shocking that the Russian government is spending millions of dollars to support a brutal dictatorship in Belarus and to fight a war in Chechnya that has killed thousands of innocent civilians.

Mr. Speaker, I believe that this resolution should be a wake-up call to our President that now is the time to take action, appropriate action, that Russia cease its support for Lukashenka and his dictatorship. This resolution calls on the President to raise the issue of Russian financial support for the Lukashenka regime and to report to the Congress on the steps undertaken to persuade it to end that kind of support.

Once again, that simply has to come to an end, and our Nation should make it clear that we not going to support further IMF loans, debt forgiveness or other forms of assistance of importance to the Russian government until it ends this kind of support to Belarus.

Mr. Speaker, let me state in closing that there are some important issues that, regrettably, are not raised in this measure, including the mysterious incident in September of 1995 in which a Belarusan helicopter gunship shot down an American hot air balloon involved in an international race, killing two American civilians; Lukashenka's eviction of our American ambassador from his official residence, in violation of international diplomatic conventions; and, finally, reports that the illegitimate government in Belarus may be engaged in the proliferation of advanced military technology to other such regimes around the world.

This comprehensive resolution does not go into those issues, but, as I have noted, it makes it clear that now is the time to halt Russian support for the Lukashenka dictatorship, and it does indeed do a great service to the repressed people of Belarus simply by stating the obvious, that the government of Belarus is nothing but a dictatorship.

Mr. Speaker, it is time for the Russian government to cease its financial support for the regime in Minsk, to halt its moves to reunify its government and military with Lukashenka's regime and its Armed Forces, to respect the sovereignty of Belarus, and to join us in sincerely working for the cause of true democracy in that suffering country.

Mr. Speaker, I fully support the passage of this resolution.

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

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

Mr. Speaker, I join with my chairman, the gentleman from New York (Mr. GILMAN), in support of this resolution. It was interesting that in less than half an hour on this floor we had over one-quarter of the Members join us as cosponsors of this legislation. If we had spent any time, we would have had virtually every Member joining us.

This resolution may not even be directed at Mr. Lukashenka, because it is clear he is not listening. He is not listening to his own citizens who have experienced some of the worst economic hardship in the former Soviet Union. He is not listening to the international community. His country today is among the most isolated of the former Soviet countries. While many are moving towards democratic institutions and a better standard of living for their citizens, Belarus sadly continues to see both its democratic institutions and its economy deteriorate.

The people of Belarus deserve better. They have suffered so much through World War II in history, as the armies of Germany and Russia pushed back and forth, and you need only go to the capital city of Minsk to see that virtually no buildings remain from the pre-war era.

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So hopefully, those in the government in Belarus who recognize that what Mr. Lukashenka is doing to their country is wrong, is damaging, will join with the opposition, join to bring about change to work out a new democratic agreement to develop a civil society there.

We hope that Mr. Putin and the Russians will put pressure on Belarus to move forward to try to attain democratic institutions and a free economy. It is in Russia's interests to see that its neighbor be developed in a democratic way and have a stronger economy. Russian subsidies of the Lukashenka government and cheap energy will only continue to harm the Russian economy, whereas a strong, independent, democratic and free Belarus would actually help the Russian economy and society.

Mr. Speaker, we have all seen the abuse by the government in Minsk, Mr. Lukashenka's attack on people who want to protest for freedom. He is robbing the political system of the proper election process, and we now hear that he may be involved in illegal arms sales to the government of Saddam Hussein.

Mr. Speaker, every Member of this House who treasures democracy, every one of our allies in the world today recognizes that sadly it is Belarus alone that has the worst of the post-Soviet era, a crumbling economy, a lack of democracy; and the fact that the dialogue continues to deteriorate is a very bad sign there. It will not go unnoticed in this Chamber. It is one place where our European allies stand with us in opposition to the Lukashenka government. We will not end this struggle until the good people of Belarus have their chance at freedom and a better life.

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

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

Mr. SMITH of New Jersey. I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman from Connecticut (Mr. GEJDENSON) and the gentleman from New York (Mr. GILMAN) for their leadership in constructing this resolution condemning violations of human rights and the erosion of democracy in Belarus in calling upon the Lukashenka regime to restore the constitutional rights of the Belarusian people and on the Russian Federation to respect the sovereignty of Belarus.

In March, Mr. Speaker, I chaired a second Helsinki Commission hearing on Belarus which addressed many of the issues that are very importantly highlighted in this resolution. The hearing featured key leaders of Belarus's opposition, including Semyon Sharetsky and two leading State Department officials as well as the person in the OSCE Parliamentary Assembly, Adrian Severin, who was attempting to forge dialogue between the Belarusian authorities and the opposition. This hearing was a follow-up to our April 1999 hearing on Belarus. In the last year our commission has made repeated and consistent intercessions, including through the OSCE, to draw attention to the deplorable situation in Belarus and to encourage the establishment of a democracy there.

As my friend and colleague from Connecticut just pointed out, there are the allegations, and they would seem to be real, that have been in some of the newspapers, including the London Sunday Telegraph about the Russians brokering an arms deal to rebuild the Iraqi air defenses using the Belarusians as the conduit. The Telegraph reported that Beltechexport, the State-owned Belarusian military hardware company, has agreed to upgrade Iraqi's air defense systems to reequip the Iraqi Air Force and to provide air defense training for Iraqi troops. The deal is estimated to be worth about $90 million. It was signed in the middle of April, or last February, I should say, during a visit to Baghdad by high-ranking Belarusians.

It also points out, the article, that Belarusian officials have agreed to undertake a detailed overhaul of 17 Soviet-made Iraqi war planes which had been in Belarus since the late 1980s.

Again, Mr. Speaker, this directly puts our pilots at risk who are trying to enforce the no-fly zone, and I think this resolution again gets this Congress focused on the egregious human rights situation and also the military implications of the Belarusian regime.

Mr. PALLONE. Mr. Speaker, I rise in support of this Resolution, of which I am proud to be an original co-sponsor. I would like to praise the sponsor, the Gentleman from Connecticut, Mr. GEJDENSON, for introducing this Resolution, and to thank both the Ranking Member and the Chairman of the International Relations Committee, Mr. GILMAN, for bringing the Resolution to the Floor of the House so quickly.

Mr. Speaker, while there have been many success stories among the new independent states of the former Soviet Union and the other former Warsaw Pact nations, Belarus has not been one of them. Over nearly a decade of independence, the promise of democracy, freedom of expression and association, and a new flowering of a national identity have not come to pass for the Belarusan people. The fault for this sad state of affairs rests with President Alyaksandr Lukashenka. The President has illegally extended his term of office beyond the legally mandated expiration date. Throughout his tenure, President Lukashenka has monopolized the mass media, undermined the constitutional foundation for the separation of powers, used intimidation and strong-arm tactics against the political opposition, suppressed freedom of the press and expression, defamed the national culture, maligned the national language and eroded Belarus's rightfull position as a sovereign nation.

Apart from the daily deprivations and indignities that the Belarusan people must endure, perhaps the saddest outcome of Mr. Lukashenka's rule is that his efforts have created the impression—a false one—that Belarus really has no distinct national culture or character. Nothing could be further from the truth. But the formation of the Union State between Russia and Belarus only serves to further perpetuate this false impression. While the tragic reality is that Belarus has been dominated politically for centuries by Russia, the fact remains that Belarus has its own national symbols and a distinct language.

It's no coincidence that authoritarian President Lukashenka has targeted such national symbols as the nation's flag and coat of arms. As part of this campaign, Lukashenka's regime has ordered that schools go back to using Soviet-Russian textbooks, while the Russian language has been made the official language of the Belarusan Parliament in Minsk. Lukashenka's strategy has been to create conditions to justify the claim that history, language and culture inevitably tie the two countries together.

The Belarusan language endures to this day as a key to national survival, both for the people living in the Republic of Belarus and among the Belarusan diaspora in the U.S. and elsewhere. There are centuries-old legal documents and religious texts written in the Belarusan language, as well as modern literary and historic works. Despite Lukashenka's repression, the cause of Belarusan nationalism still burns in the heart of the Belarusan people, with the Belarusan language the means of expressing it.

Failure to acknowledge the harm done to Belarusan culture and national singularity by the Russian-Belarus merger can only give comfort to Lukashenka and the Russian-Soviet irredentists.

Mr. Speaker, the negligence and mismanagement of Mr. Lukashenka's regime has also put at risk the nation's environment and the health of the people. Just last week, former Belarusan President Stanislau Shushkevich spoke at Radio Free Europe/Radio Liberty's (RFE/RL) Washington office on the occasion of the 14th anniversary of the Chernobyl nuclear disaster in neighboring Ukraine. More than 70 percent of the radioactive fallout from the world's worst nuclear accident fell on Belarusan territory. While there is plenty of blame to go around for mishandling of this disaster—among Soviet officials, and post-Soviet officials in Russia, Ukraine and Belarus—President Lukashenka exacerbates the problems by insisting that all aid to Chernobyl victims pass through his hands. These funds often are diverted to other uses. Fortunately, some Western NGOs and religious organizations have bypassed Lukashenka to get aid to the people who really need it.

Also last week, RFE/RL President Thomas A. Dine denounced efforts by the Belarusan KGB to intimidate journalists from that organization working in Belarus. Mr. Dine's statement came in response to the threats against Yahor Mayorchyk, a reporter for the news service funded by this Congress to provide objective information to people from the region. A KGB officer told Mr. Mayorchyk that the ''same thing will happen to you as to Babitsky,'' a reference to RFE/RL journalist Andrei Babitsky who was arrested for his coverage of the war in Chechnya and faces trumped-up charges in Moscow.

Mr. Speaker, the abuses of the Lukashenka regime have been a source of concern for at least the past four years. In 1996, I introduced a Resolution expressing concern over the Lukashenka regime's violations of human and civil rights in direct violation of the Helsinki accords and the constitution of Belarus, and expressing concern about the union between Russia and Belarus. That Resolution also recognized March 25 as the anniversary of the declaration of an independent Belarusan state. A year later, I worked with leaders of the International Relations Committee to include language in the State Department Authorization bill, which passed the House, calling for our President to press the Government of President Lukashenka on defending the sovereignty of Belarus and guaranteeing basic freedoms and human rights.

For years now, the Belarusan-American community has been trying to inform the American people about the truth in Belarus, that President Lukashenka's actions do not have widespread support and his regime has lost any sense of legitimacy it once may have had. I want to thank the Belarusan-American

community in New Jersey and throughout the nation for continuing to speak the truth about events in the land of their ancestors.

Obviously, President Lukashenka has not been moved by these expressions of concern by the United States and the international community. But we must not give up. We should go on record condemning the abuses that have taken place, and continue to take place in Belarus. We must urge our President and State Department to keep the pressure on President Lukashenka—and also Russian President Vladimir Putin.

For these and many other reasons, I urge my colleagues to support passage of this Resolution.

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

The SPEAKER pro tempore (Mr. GUTKNECHT). 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. 304.

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.

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SIERRA LEONE PEACE SUPPORT ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3879) to support the Government of the Republic of Sierra Leone in its peace-building efforts, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3879

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 ''Sierra Leone Peace Support Act of 2000''.

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—The Congress makes the following findings:

(1) Eight years of civil war and massive human rights violations have created a humanitarian crisis in the Republic of Sierra Leone, leaving over 50,000 dead and 1,000,000 displaced from their homes.

(2) As many as 480,000 Sierra Leoneans have fled into neighboring countries, especially Guinea.

(3) All parties to the conflict have committed abuses, but the Revolutionary United Front (RUF) and its ally, the former Sierra Leonean army (AFRC) are responsible for the overwhelming majority.

(4) The RUF and AFRC have systematically abducted, raped, mutilated, killed, or forced children to fight alongside RUF soldiers.

(5) The RUF continues to hold hundreds and perhaps thousands of prisoners, including many child soldiers, despite the agreement of RUF leadership at Lome to release all children.

(6) The civil defense forces committed human rights violations, including killings and recruitment of child soldiers, and Economic Community of West African States Military Observer Group (ECOMOG) forces have also committed human rights abuses, including executions of captured combatants and killings of civilians.

(7) Neighboring countries, especially Liberia and Burkina Faso, have contributed greatly to the destruction of Sierra Leone by aiding and arming the RUF and providing sanctuary for RUF fighters.

(8) International humanitarian efforts to assist Sierra Leoneans, both at home and in Guinea, have fallen far short of need such that conditions in refugee camps and among displaced persons camps are deplorable, food and medicine is dangerously inadequate, and the refugee population on the Sierra Leonean border continues to be preyed upon by RUF insurgents and subjected to rape, mutilation, or killing.

(9) Demobilization, demilitarization, and reintegration (DDR) efforts, as called for in the Lome agreement of July 1999, have begun months late and are still at beginning stages.

(10) With the withdrawal of the West African peacekeeping forces, the United Nations Security Council has approved the deployment of 11,000 peacekeeping forces for Sierra Leone.

(11) There are approximately 45,000 combatants, including many child soldiers, in Sierra Leone who must be demobilized, provided with alternate employment, and reintegrated into their communities.

(12) Both the Government of Sierra Leone and the RUF/AFRC formally agreed in the Lome Convention of July 7, 1999, to uphold, promote, and protect the human rights (including the right to life and liberty, freedom from torture, the right to a fair trial, freedom of conscience, expression, and association, and the right to take part in the governance of one's country) of every Sierra Leonean as well as the enforcement of humanitarian law.

(b) SENSE OF CONGRESS.—The Congress urges the President to vigorously promote efforts to end further degradation of conditions in the Republic of Sierra Leone, to dramatically increase United States assistance to demobilization, demilitarization, and reintegration (DDR) efforts and humanitarian initiatives, to assist in the collection of documentation about human rights abuses by all parties, and to engage in diplomatic initiatives aimed at consolidating the peace and protecting human rights.

SEC. 3. DEMOBILIZATION, DEMILITARIZATION, AND REINTEGRATION ASSISTANCE.

(a) IN GENERAL.—There is authorized to be appropriated to the President $13,000,000 for fiscal year 2001 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2221 et seq.) to the Sierra Leone DDR Trust Fund of the International Bank for Reconstruction and Development for demobilization, demilitarization, and reintegration assistance in Sierra Leone. Assistance under the preceding sentence may not be used to provide stipends to ex-combatants of the civil war in the Republic of Sierra Leone.

(b) ADDITIONAL REQUIREMENTS.—Amounts appropriated pursuant to subsection (a)—

(1) are in addition to any other amounts available for the purpose described in such subsection; and

(2) are authorized to remain available until expended.

SEC. 4. DEMOCRATIZATION, ELECTORAL, AND JUDICIAL ASSISTANCE.

(a) JUDICIAL ASSISTANCE.—There is authorized to be appropriated to the President $5,000,000 for fiscal year 2001 for assistance to rebuild and strengthen the capacity of the judiciary in the Republic of Sierra Leone and to assist efforts to establish the rule of law and maintain law and order in Sierra Leone.

(b) EXPANDED INTERNATIONAL MILITARY EDUCATION AND TRAINING ASSISTANCE.—Beginning 1 year after the conclusion of free and fair elections in Sierra Leone, the President may provide expanded international military education and training assistance to the military forces and related civilian personnel of Sierra Leone under section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) solely for the purpose of providing training relating to defense management, civil-military relations, law enforcement cooperation, and military justice.

(c) ADDITIONAL REQUIREMENTS.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a)—

(1) are in addition to any other amounts available for the purposes described in such subsection; and

(2) are authorized to remain available until expended.

SEC. 5. ACCOUNTABILITY.

(a) STATEMENT OF CONGRESSIONAL CONCERN ABOUT ACCOUNTABILITY.—It is the sense of the Congress that a thorough and nonpartisan initiative to collect information on human rights abuses by all parties to the conflict in the Republic of Sierra Leone be undertaken. Comprehensive and detailed information, particularly the identification of specific units, individuals, and commanders found to have been especially abusive, will be essential for vetting human rights abusers from the newly formed armed forces and police forces of Sierra Leone and for deterring abuses by all parties in the future. Accordingly, the Congress calls upon the administration to strongly support an independent process of data collection on human rights abuses in Sierra Leone, for use by the Truth and Reconciliation Commission when it has been established, and to support any future initiatives of international accountability for Sierra Leone.

(b) ASSISTANCE FOR TRUTH AND RECONCILIATION COMMISSION.—

(1) ASSISTANCE FOR ESTABLISHMENT AND SUPPORT OF COMMISSION.—The President is authorized to provide assistance for the establishment and support of a Truth and Reconciliation Commission to establish accountability for human rights abuses in the Republic of Sierra Leone.

(2) ASSISTANCE FOR HUMAN RIGHTS DATA COLLECTION.—The Secretary of State, acting through the Assistant Secretary of the Bureau of Democracy, Human Rights and Labor, is authorized to collect human rights data with respect to Sierra Leone and assist the Truth and Reconciliation Commission in carrying out its functions.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) ESTABLISHMENT AND SUPPORT OF COMMISSION.—There is authorized to be appropriated to the President $1,500,000 for fiscal year 2001 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 to carry out paragraph (1).

(B) HUMAN RIGHTS DATA COLLECTION.—There is authorized to be appropriated to the Secretary of State $500,000 for fiscal year 2001 to carry out paragraph (2). Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence shall be deposited in the ''Human Rights Fund'' of the Bureau of Democracy, Human Rights and Labor of the Department of State.

(C) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subparagraphs (A) and (B) are authorized to remain available until expended.

SEC. 6. NEIGHBORING COUNTRIES OF SIERRA LEONE.

(a) REPORTS TO CONGRESS.—

(1) ARMS FLOWS.—Not later than 6 months after the date of the enactment of this Act,

the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report which provides information, including measurable, credible, and verifiable evidence (to the extent practicable), concerning the extent to which neighboring countries of the Republic of Sierra Leone are involved in arms flows into Sierra Leone.

(2) SIERRA LEONEAN MINERALS.—Not later than 6 months after the date of the enactment of this Act, the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report which provides information, including measurable, credible, and verifiable evidence (to the extent practicable), concerning illicit sales of Sierra Leonean gold and diamonds through neighboring countries of the Republic of Sierra Leone.

(b) NOTIFICATION BY SECRETARY OF STATE.—If a report transmitted by the President pursuant to paragraph (1) or (2) of subsection (a) contains measurable, credible, or verifiable evidence that a country is involved in arms flows into Sierra Leone, or that a country is involved in illicit sales of Sierra Leonean gold or diamonds through that country, then the Secretary of State—

(1) shall take all necessary steps to initiate diplomatic efforts to bring about the termination of such activities by the country; and

(2) if the country has not ceased the proscribed activity within 3 months of the initiation of such diplomatic efforts, shall inform the country of the possibility that United States foreign assistance for the country may be terminated or suspended if the country does not cease the proscribed activity.

(c) ASSISTANCE FOR NEIGHBORING COUNTRIES.—United States assistance may be provided to the central government of a neighboring country of the Republic of Sierra Leone only if such government—

(1)(A) provides demonstrated support for the peace process in the Republic of Sierra Leone in accordance with the Lome Convention of July 7, 1999; and

(B) does not provide training or other support for the RUF/AFRC forces or any other forces proscribed under the Lome Convention; and

(2) cooperates with efforts to monitor arms flows to Sierra Leone.

(3) UNITED STATES ASSISTANCE.—In this subsection, the term ''United States assistance'' means assistance of any kind which is provided by grant, sale, loan, lease, credit, guaranty, or insurance, or by any other means, by any agency or instrumentality of the United States Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) 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. 3879.

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 rise to support this measure, which was introduced by the ranking member of the Committee on International Relations, the gentleman from Connecticut (Mr. GEJDENSON), and considered by our Committee on International Relations.

I wish I could express strong confidence that Sierra Leone will enjoy a peaceful and democratic future, but at this point we cannot. I fear that the significant problems and lack of cooperation with the U.N. peacekeepers in Sierra Leone that they have experienced since the outset of their deployment will continue. We also fear that the Revolutionary United Front, the RUF, which has waged a war of terror and atrocity against its own citizens, has not changed in its ultimate objective; that is, the complete dominance of Sierra Leone.

Nonetheless, I support this measure on the basis that we must make every effort, and even take some chances, where the future of so many innocent and suffering people is concerned.

My hope is that these funds can be used for a variety of purposes, including the documentation of continuing abuses and the tracking of arms flows. They can also support the effort to contain an emerging international criminal enterprise that operates with the consent, support, and even the direction of President Charles Taylor of Liberia.

President Taylor pioneered the technique of election by exhaustion in which a population becomes so fatigued by war and violence that it is willing to accept as a leader even the very person who inflicted that violence if he promises to ease their suffering.

The RUF rebels in Sierra Leone seem to be operating from Mr. Taylor's play book. Of course, they have added their own creative touches such as carving their initials into the bodies of the children they kidnapped and chopping the limbs of toddlers to invoke terror in the population. It is disgraceful that our government gave its blessing to this brutal and twisted group's entries into the government of Sierra Leone. I am saddened that the President's special representative for democracy in Africa presided over the signing of this Faustian bargain in July last year.

Despite these misgivings, we cannot abandon hope for the beleaguered people of Sierra Leone. Accordingly, I support the passage of this measure by the House.

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

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent that, at the conclusion of my remarks, the gentleman from New Jersey (Mr. PAYNE) control the remaining time on this legislation.

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

There was no objection.

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

The connection between Sierra Leone and Connecticut is an old one, starting with the Amistad. The gentleman from New Jersey (Mr. PAYNE) and others just joined us in Connecticut to remember the courage of the cargo of the Amistad, those people who had been enslaved in their fight for freedom.

It is sad to see the continued torture of the citizens of Sierra Leone, and therefore, the little effort that we are putting forth here, the United States involvement, to try to end the bloodshed, to try to immobilize and disarm the armed combatants. We need to make sure that the killing stops. Many of these soldiers are really children, and we have to work with those in the country to provide accountability for the victims to work with the Truth and Reconciliation Commission, to make sure the guilty are pursued, that the rights of the victims are not forgotten. We must be the leaders here to promote peace in Sierra Leone, because as almost everywhere, the world looks to the United States.

The international community is ready to make a significant effort here, but American leadership, as always, is critical. So I would hope we would have broad support for this resolution. I commend the chairman of the subcommittee and the chairman of the full committee for all of their great work here.

Mr. Speaker, I reserve the balance of my time, to be controlled by the gentleman from New Jersey (Mr. PAYNE) henceforth.

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE), the distinguished chairman of our Subcommittee on Africa.

Mr. ROYCE. Mr. Speaker, I rise in support of this legislation.

Sierra Leone has experienced one of the most horrific civil wars in the world over the past decade. The atrocities there have perhaps been some of the most shocking that we have seen in the world. Tens of thousands of people have been victimized. There have been killings, there have been rapes, but most shockingly, there has been a policy of forced amputations carried out as a terror tactic by the Revolutionary United Front.

It is hard to imagine, but this rebel group which has won the world's disdain, has a policy of cutting off the hands, the arms of little boys and little girls. The streets of the capital, Freetown, is full of amputees, thousands of amputees, including many children. This is sheer cowardliness. It deserves the strongest condemnation that is possible out of this institution, and out of the world.

There should be no question on another issue: the RUF and its allies have been guilty of attacking a democratically elected government. This group has been aided and abetted by neighboring Liberia. This bill brings attention to that aid and has constructive measures designed to pressure those

neighbor governments to not wage war on the people of Sierra Leone.

There is a peace agreement in place in Sierra Leone. It is a precarious peace. Unfortunately, the RUF appears to be reverting to form, waging war, disregarding peace. The RUF most recently has taken U.N. peacekeepers hostage. Its leaders have made clear in the most inflammatory statements that the U.N. is not welcome. Since the beginning of the peace process, I have expressed my serious reservations about the policy of bringing the RUF into the Sierra Leone Government. Well, that has been done. Now I hope that the peace can be built anyway.

Mr. Speaker, this bill makes a modest contribution to building peace. We should do this. We should help Nigeria and other West Africa states who have made a great sacrifice in lives and funds to bring stability to this country of Sierra Leone. It is in America's interests to see that terror does not win the day in Sierra Leone. For if it does, more than Sierra Leone will be imperiled. All of West Africa will be imperiled, and America would suffer too.

Mr. Speaker, I congratulate the gentleman from Connecticut for his legislation. Many of us on the Committee on International Relations have been concerned about Sierra Leone. We have held several hearings, we have passed resolutions, and now we have this legislation. There is strong committee support for this approach.

For the sake of the little boys and girls who tragically will live their lives with no hands and arms, for the sake of the future of West Africa, and for America's interest in a stable and better world, I ask my colleagues to support this legislation.

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

Mr. Speaker, let me thank the gentleman from New York (Mr. GILMAN), the chairman of the full committee, and our ranking member, the gentleman from Connecticut (Mr. GEJDENSON) for moving this legislation forward. I certainly would like to commend my chairman of the Subcommittee on Africa, the gentleman from California (Mr. ROYCE) for his untiring devotion to the subcommittee and for moving legislation forward and the interest that he has taken in the problems of the continent.

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Let me say that Sierra Leone is a country which gained its independence back in 1961, but since that time it has had a difficult time from its first president, Momoh, to the current president, Kabbah. It is a country which has had a difficulty in the quality of life for its rural people in particular. A country which, incidentally, is small enough to be able to deal with its problems, a country very rich in diamonds and other natural resources.

And so I strongly support the Sierra Leone Peace Support Act of 2000, H.R. 3879, because what this legislation will do is to help to support the peace-building efforts of Sierra Leone. It would help with the demobilization and demilitarization and reintegration of the military, which is essential in order to have people who are carrying arms to put them back and get back into civilian life.

Mr. Speaker, let me also commend the Nigerian military, as the gentleman from California (Mr. ROYCE) has already done, with the forces of ECOMOG that for many years kept the peace in Freetown and in Sierra Leone. Without their efforts, the situation would have been much more difficult.

I would certainly agree that the RUF has been extraordinarily brutal. Nowhere in the world has there been more horrific behavior on the part of a military group, because this group would take its vengeance out on civilians, and not only civilians, but usually children and women, amputating hands and legs.

And so it was difficult to come to an accord with the RUF in a government of reconciliation where President Kabbah has allowed Foday Sankoh to be a part of the new government, bringing in the rebels with the government to try to simply have the people of Sierra Leone have a quality of life that they deserve.

Sierra Leone is a country that has a tremendous background as relates to the United States. As my colleagues may know, the Amistad, as the gentleman from (Mr. GEJDENSON) talked about, Cinque was from Sierra Leone; and in the trial they were found not guilty and allowed to go back to Sierra Leone. I had an opportunity to hear from his great, great grandchildren who came to Connecticut.

And so, as a matter of fact, after the Revolutionary War, African American slaves who fought with the British were given their freedom by Britain and allowed to go back to Sierra Leone, and people who were picked up on the high seas were also allowed to go to Sierra Leone. So that is a country that has strong ties with African Americans and Africans.

We hope that the peace will keep. We are disturbed at the recent behavior of a small group of the RUF. The majority of them have come in; but there is a group, anarchist group that has broken off from the regular RUF organization that Mr. Foday Sankoh is attempting to bring in. We know that this legislation will go forward to help ameliorate the situation, and we are hoping to see peace for the people of Sierra Leone.

Mr. WOLF. Mr. Speaker, I rise in support of H.R. 3879, the Sierra Leone Peace Act of 2000.

Congressman TONY HALL and I were in Sierra Leone a few months ago. We witnessed the brutal atrocities carried out against the civilian population by the rebel forces in Sierra Leone. Although both the government of Sierra Leone and the rebel forces signed the Lome Peace accord, reports continue to flow out of Sierra Leone about continued unrest and further atrocities committed by rebel forces.

It is my hope that the Sierra Leone Peace Act will greatly assist the Lome Peace accords and the continued pursuit of peace, reconciliation, and recovery for this country that has endured so much.

I recently wrote both President Clinton and Secretary Albright urging the Administration to set a to be determined date by which the Sierra Leonian rebels should comply with the peace accords or face being named by the U.S. as war criminals and that they not be allowed to travel to the U.S. I submit this correspondence and a copy of my trip report from my time in Sierra Leone for the RECORD.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 1, 2000.

Hon. WILLIAM J. CLINTON,
The President, The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am writing to you about the continuing tragedy in Sierra Leone.

As you know, although a tenuous peace is in place, the former rebels from the Revolutionary United Front (RUF) are disarming at a slow to minimal rate. Numerous reports indicate that the RUF has taken weapons from U.N. peacekeepers at gun point. Reports also indicate that atrocities such as rape, intimidation, and forced conscription are continuing by the supposedly disbanded RUF.

Present and former RUF units still operate and control certain sections of the country, specifically the diamond producing areas.

I have enclosed a letter which I sent to Secretary Albright outlining proposed action that the U.S. should take if the RUF continues its atrocities, occupation, and reluctance to disarm by a to be determined designated date.

The entire country of Sierra Leone will continue to experience suffering and turmoil unless leadership is exercised by the U.S.

You must do something (see my letter to Secretary Albright for proposed courses of U.S. action). I urge you to act quickly.

Best wishes

Sincerely,

FRANK R. WOLF,
Member of Congress.

OBSERVATIONS BY U.S. REP. FRANK R. WOLF OF VIRGINIA, VISIT TO WESTERN AFRICA: SIERRA LEONE AFTER A DECADE OF CIVIL WAR, NOVEMBER 30–DECEMBER 8, 1999

This report provides details of a trip Congressman Tony Hall of Ohio and I made to Western Africa to see the conditions in Sierra Leone and in refugee camps nearby in Guinea. We spent two days in Sierra Leone and an additional day visiting refugee camps in bordering Guinea. The people desperately need an end to years of civil strife, terrorism and brutality. Humanitarian assistance in the form of food, medical and public health assistance is urgently required. The country's leaders are struggling with a most fragile peace accord and the community of nations must do whatever it can to strengthen it.

Our trip to Western Africa provided the opportunity to observe conditions in and around Sierra Leone resulting from a decade-long civil war. I have been to Africa a number of times, but this was my first time in Western Africa. Congressman Hall had visited Sierra Leone once about 10 years ago. I have followed the history of this country for a long while and have been looking for ways to help the people.

Sierra Leone is a part of the immense portion of Africa that juts westward into the Atlantic Ocean just above the equator. It is

slightly larger than West Virginia and has a population of about 4.6 million of which about one half million people live in the capital of Freetown. Though the country is rich in natural resources, per capita income is only about $285, which ranks Sierra Leone among the very poorest nations in the world. This can be attributed primarily to civil strife and rebel terrorism.

Sierra Leone gained independence from Great Britain in 1961 and a continuing struggle for self governance has followed. The elect government was toppled by an army coup in 1992 and a state of civil war has largely existed since. Elections were again held in 1996 when current President Kabbah emerged as the winner. He has held office ever since and his government, with military assistance from The Economic Community of West African States Military Observer Group (ECOMOG), has continued to battle rebel forces made up of the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Counsel (AFRC). In July 1999, the Lome Peace Accords were finally signed and a very fragile peace is beginning to take hold in the region. Presently, it is the best hope if not the only hope to end years of brutality, poverty and despair in Sierra Leone.

On December 5, we visited two refugee camps in the Forecariah Provence of Guinea located about 20 kilometers across the border from Sierra Leone. Each camp held thousands of refuges, some of whom have lived there for years. Barely adequate food supplies are dwindling and there was some unrest. There is little progress in educating the children or in pursuing efforts to upgrade an existence reduced to the most basic of simply sustaining life.

On December 6 and 7, we visited Sierra Leone and its capital of Freetown. We met with the President and with leaders of Parliament. We met rebel leaders, members of the clergy and Non-Governmental Organizations (NGO) representatives. And we met with many victims who will carry throughout their lives horrible physical and emotional scars of years of civil war perpetrated because of greed and power.

Existence for too many in Sierra Leone is one of hunger, homelessness, poverty and pain. And this seems strange. Sierra Leone is, or should be, an agricultural oasis. Its temperate climate, fertile soil and abundant rain should result in the production of crops and goods far above what the people could consume. The Atlantic Ocean yields an unending harvest of seafood and offers immediate access to important trade routes around the world. And the country is rich in diamonds and minerals for which there is a huge market and huge demand. Yet, because of the civil war, people are without even the basic necessities of life.

We visited a housing reclamation project established by Catholic Relief Services (CRS). Much of Freetown has been destroyed, looted and burned by rebel forces and CRS has started a program of helping people to rebuild their lost homes. The Sierra Leonians supply the labor, the muscle and much of the raw material from other destroyed structures and CRS offers guidance, harder-to-get building supplies, food rations and a great deal of encouragement. Many new homes are rising out of the rubble. It is a good program.

We visited the Holy Mary Clinic. Two doctors, a husband and wife team, have been operating a clinic for several years to deal with young children who are the worst victims of the war. About 3,000 girls and boys have been taken hostage by rebel forces and many continue to be held today. Some 500 young girls have been returned. They have been horribly sexually abused and were used as sex slaves, temporary wives and household workers. They have been returned or have escaped and are psychologically devastated. Some have no parents left alive and have no one to turn to, no family to help them. Many are pregnant and have sexually transmitted diseases (STD). These are young girls, many are barely 14 years old. The boys taken by the rebels are also young children and have been brainwashed, probably drugged and then recruited into the rebel army.

Holy Mary Clinic does a wonderful job of dealing with this trauma and with young infants and pregnant girls needing pre-natal and medical care and counseling. The clinic doctors rely on friends, colleagues and family from Italy for supplies, medicines and equipment. They are doing an outstanding job, but are stretched so thin and could use help. The AIDS virus adds to the despair and the hopelessness, too. We visited a therapeutic feeding center where dozens of starving infants hover on the edge of death. These young children are so malnourished they have no strength to eat and are being force fed in an attempt to sustain life. They are so thin and so fragile that we were afraid that they would break if we just even touched them.

We saw a former railroad repair factory converted to housing for displaced persons where thousands of homeless refugees are being warehoused. This huge former factory building provides a roof over the refugees' heads and little more. There were few indications of real help being applied to return refugees to a self-sufficient life.

The Murray Town amputee camp is where victims of rebel brutality go after having their limbs mindlessly hacked off with machetes, axes or knives simply to frighten and terrorize. The amputees receive counseling, some medical care and the beginnings of assistance with crutches and prostheses. They are also fed and have a place to stay.

One of the first people we saw was a 14-year-old girl whose parents had been killed. She was pregnant, having been raped by rebel soldiers, and had both hands cut off above the wrist. We saw tiny children who had lost limbs. We heard tales of a grotesque lottery where a person drew a slip from a bag. If the slip contained the word ''hand'', ''arm'', ''leg'', ''ear'', ''both feet'', ''head'' or other parts of the body, then the rebels proceeded to carry out the sentence. This sounds unbelievable, but we saw the painful results. Sometimes the rebel butcher offered a choice—long sleeve or short sleeve. That meant: do you want your arm cut off at the wrist or above the elbow?

Yet one of the camp leaders who had lost his right arm this way told us of seeing the two rebels who mutilated him when they paid a visit to the amputee center. He said that he had forgiven them. He said it was time to move forward from this chapter of despair. Reconciliation is what he was talking about.

We heard a member of the clergy tell of listening to a small boy ask of the camp counselor, ''When will my hands grow back?'' The rebels abused children too young to even have an inkling of what was happening to them.

COMMENTS AND RECOMMENDATIONS

The West, including the United States and European Union (EU) nations, should quickly provide food and medical supplies to save lives which are in danger. The World Food Programme has asked that more food supplies be directed to Guinea and Sierra Leone so basic food needs can be met. We were told that the food allotment to the refugees is down from a caloric intake of 2,100 a day to 1,400 a day.

The civil war is largely being funded by the sale of unregulated diamonds (conflict diamonds) being mined in regions held by rebel forces. Congressman Hall has introduced legislation to certify the country of origin of all diamonds. Thus a diamond buyer will know where diamonds have been mined and a purchaser can avoid buying conflict diamonds. Not only are the profits from these illicit diamonds used to fund a war of terror against the people of Sierra Leone, but the people are being deprived of the benefits that these natural resources could offer their society. Passage of Congressman Hall's bill would be a huge stride in ending this practice. Also, we have written United Nations Secretary General Kofi Annan asking the U.N. to sanction black-market diamonds that are not certified by the government of Sierra Leone.

Every effort should be made to support the current disarmament program which is in place but wobbly. More needs to be done to make it desirable for the rebels to turn in their weapons, come in out of the bush and rejoin society. So far only a few thousand out of about 45,000 rebels have surrendered their arms.

The West should exert every possible leverage on rebel leaders and also Charles Taylor in Liberia, who is aiding the rebels, to end the civil war. The fragile peace agreement between the government, the RUF, the AFRC and their leaders must be sustained, enforced and nourished. There is an African saying we heard, ''When the elephants fight, the grass dies.'' This is certainly the case here. Bad leaders motivated by greed and power have nearly destroyed a nation and its people.

Pressure from the United States government and others including European Union (EU) nations on the leadership of the RUF/AFRC to implement the provisions of the accord would be helpful in ensuring success.

Similar pressure on Liberian President Taylor to ensure that arms and men do not enter Sierra Leone from Liberia would also help.

The U.S. government joined by EU nations should send these leaders the message that unless peace is achieved, they will not be welcomed in the West. Their families and children will not be welcomed. No visas will be issued. Outside their borders, these leaders will be treated as war criminals and there will be no place for them to spend their ill-gotten gains.

And the process of reconciliation for the people of Sierra Leone needs to begin. Here, as elsewhere around the globe, lasting peace will depend upon the people being able to reconcile their differences.

Lastly, I would like to acknowledge and salute all those in the region who came from America and elsewhere to lend a hand to the people of Sierra Leone. The ambassadors and embassy staff personnel, the NGO representatives, doctors and medical staff and clergy who are there at personal risk and discomfort are truly making a difference, and I was so proud to see the job they are doing.

We saw the great service of citizens from Congressman Tony Hall's district in Dayton, Ohio. They have been working for years on schools, housing, training academies for the blind and other terribly needed programs that have been helping the people of Sierra Leone. It has been said that it is better to light a candle than to curse the darkness. The people of Dayton have ignited an eternal flame in Freetown.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 16, 2000.

Hon. MADELEINE KORBEL ALBRIGHT,
Secretary of State,
Washington, DC.

DEAR MADAM SECRETARY: I write today about the worsening situation in Sierra

Leone. Congressman Troy Hall and I visited Sierra Leone last December. We were horrified at the atrocities we saw. Throughout the country, rebel groups have tortured, killed, and maimed thousands of people to gain control of the country's diamond industry, fueling the trade in illicit ''conflict diamonds.'' Across a broad spectrum, the conditions in Sierra Leone were among the worse I have ever seen in the many places I've visited in the world.

At the time of our visit, it was too early to determine the effectiveness of the Lome Peace Accord and the rebels' compliance with it. In my trip report, which I have enclosed for you, I outlined several recommendations about the developing situation in Sierra Leone and the prospective response and involvement of the United States and Europe in achieving peace and stability in the region. In light of the current situation in Sierra Leone, I want to reiterate those recommendations with you.

First, the flow of conflict diamonds from rebel held areas must stop. Reports indicate that rebel forces still control most of the diamond producing regions in Sierra Leone, suggesting that the trafficking of these diamonds is going to continue to fuel bloodshed upon the people of Sierra Leone. Reports indicate that an overwhelming majority of rebels have not disarmed and that they have control of most, if not all, of the diamond producing region. This condition cannot be tolerated by the U.S., Europe, ECOMOG, and the United Nations.

Congressman Hall has introduced legislation, H.R. 3188, to certify the country of origin of all diamonds. Thus a diamond buyer will know where a diamond has been mined and a purchaser can avoid buying conflict diamonds. Passage of Congressman Hall's bill will be a huge stride in ending this practice. Your support for this important legislation would be very helpful.

My report stated that every effort should be made to support the disarmament program in Sierra Leone. Reports include that not only are the rebels not disarming, but they have repeatedly confronted at gunpoint ECOMOG and U.N. peacekeepers and taken their weapons, ammunition, armored personnel carriers, etc. Bold action is needed from the Administration on this matter. I urge you to issue a statement and a fixed date, that you think is reasonable and helpful, to the rebels making clear when the rebels should be completely disarmed and what action the U.S. will take if they are not disarmed.

Promised U.S. action if the rebels do not comply with the conditions for disarmament should be:

They and their families will not be allowed entry into the U.S., Britain or any other country—no visas should be issued to rebels or their family members;

If the rebels have bank accounts in the U.S. and in Europe, they should be frozen and they should be denied access to these accounts and to future commerce with the U.S., bank accounts of rebel family members should be included in this prohibition too;

The rebel leaders should be declared war criminals by the U.S. and other Western countries and direct its intelligence and police agencies to actively pursue apprehending rebels who have not disarmed.

These same conditions should also be applied to Liberian Charles Taylor and all Liberians who have assisted the rebels in Sierra Leone. It has come to my attention that Taylor escaped from a Massachusetts prison and fled to Liberia. Taylor and many Liberians have blood on their hands from their support of these rebels. By being the primary conduit for trading the conflict diamonds mined by the rebels, and by reportedly supplying the rebels with military assistance, Taylor and others have fueled the atrocities committed by the rebels upon the people of Sierra Leone. The U.S. should enact similar measures and conditions against Taylor and other Liberians as those I proposed for the rebels in Sierra Leone.

If the rebels are not disarmed and if Taylor and other Liberians continue to traffic in conflict diamonds and to provide the rebels with military assistance, Taylor and others should be named as war criminals and they should not be allowed to travel outside of their country. You should fix a date that you think is reasonable and helpful.

Lastly, I ask that the U.S. continue to bolster its efforts to bring belief, aid, and ultimately reconciliation to the region. U.S. leadership in helping the people of Sierra Leone recover from the brutality is integral in creating stability and peace in the region.

I do appreciate you taking the time to visit Sierra Leone. It was a good thing to do.

I would be happy to discuss with you in more detail my recommendations and observations. Thank you for your consideration.

Best wishes.

Mr. PAYNE. Mr. Speaker, 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 (Mr. GUTKNECHT). 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. 3879, 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.

□

CONGRATULATING THE PEOPLE OF SENEGAL ON SUCCESS OF MULTI-PARTY ELECTORAL PROCESS

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 449) congratulating the people of Senegal on the success of the multi-party electoral process.

The Clerk read as follows:

H. RES. 449

Whereas the Republic of Senegal held free, fair, and transparent multi-party elections on March 19, 2000;

Whereas Senegalese President Abdou Diouf conceded defeat to longtime rival Abdoulaye Wade on Monday, March 20, 2000, after a hotly contested run-off election;

Whereas President Diouf's party, Parti Socialist, has ruled in the West African country of Senegal since independence from France in 1960;

Whereas President-elect Abdoulaye Wade of the Parti Democratique Senegal (PDS) was voted into office by a majority of the electorate and is Senegal's third President;

Whereas the citizens of Dakar, Senegal, joyously welcomed the results of Senegal's free and fair elections;

Whereas on February 27, 2000, during the first round of voting, President Diouf amassed 41.3 percent of the vote to Wade's 31 percent;

Whereas President-elect Wade won 22 of the country's 31 districts and received 60 percent of the total 1,616,307 votes cast;

Whereas President-elect Wade's victory ends 40 years of uninterrupted rule by Mr. Diouf's Socialist Party;

Whereas President Diouf telephoned Mr. Wade to congratulate him on winning the elections;

Whereas President-elect Wade campaigned on the principles of ''probity, good work, and involvement of the youth'' in the construction of Senegal;

Whereas Mr. Wade received the endorsement of five leading opposition candidates after the second round of voting, including Mr. Moustapha Niasse, a former foreign minister in President Diouf's party;

Whereas Mr. Niasse said the new government's first task would be to re-establish the country's equilibrium and fight corruption;

Whereas the newly elected President Wade first ran for the presidency in 1978 against ex-President Leopold Senghor and ran in four subsequent polls;

Whereas this West African country of 10 million people has remained relatively stable and prosperous;

Whereas Senegalese President Diouf took office 19 years ago and served as prime minister for 10 years;

Whereas his predecessor and mentor, poet and politician Leopold Sedar Senghor, surprised the country in 1980 by voluntarily stepping down and turning over power to President Diouf, as prescribed by Senegal's constitution;

Whereas Senegal has a free press and judiciary;

Whereas Senegal is a recipient of the African Crisis Responsive Initiative;

Whereas Mr. Wade's history symbolizes a triumph for a country which has long been considered a model of African democracy although ruled by one party; and

Whereas this election marks a contribution to a paradigm shift of a new political system on the West African coast: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the people of the Republic of Senegal for voting in this historic Presidential election;

(2) congratulates President Diouf for stepping down before the results were officially announced and upholding democracy and good governance;

(3) encourages the Administration to send a Presidential delegation to the West African Country of Senegal to welcome President Wade into office;

(4) strongly urges the Economic Community Of West African States (ECOWAS) to follow Senegal's lead and make efforts to promote democratic reforms and prevent future conflicts;

(5) calls upon the newly elected President to involve all Senegalese to accept the election results and move the country forward;

(6) calls on all factions within the Secessionist Movement of Democratic Forces in the Casamance (MFDC) rebel group in Casamance to commit to a cessation of hostilities and create stability for its people;

(7) strongly urges newly elected President Wade to continue the peace initiative started by former President Diouf with the Secessionist Movement of Democratic Forces in the Casamance (MFDC);

(8) urges President-elect Wade to dialogue with the MFDC to settle the Casamance conflict through political negotiations and urges prompt initiation of peace talks; and

(9) recognizes Senegal as one of the first African states to adopt a multi-party system in the early 1980's and a nation that has been a longtime beacon of democracy on a continent of one-party states and military dictatorships.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from New Jersey (Mr. PAYNE) 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 this measure.

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. Speaker, I support this resolution introduced by our friend and colleague, the gentleman from New Jersey, (Mr. PAYNE). In a region afflicted by military coups, authoritarian leaders and one-party states, Senegal has been be a model of a stable and pluralist society.

As a matter of fact, later today I will introduce a resolution on Zimbabwe, along with the gentleman from New Jersey, a country whose leadership could learn much from Senegal's example.

The people of Senegal voted for a change in leadership and the president stepped down. It sounds simple, and it is something that we in our 224-year-old republic have come to take for granted, but it is anything but the norm in many other parts of the world, and in this region in particular.

Accordingly, I urge passage of House Resolution 449.

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

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

Mr. Speaker, I rise in strong support of H. Res. 449. Let me thank the gentleman from New York (Mr. GILMAN), the gentleman from Connecticut (Mr. GEJDENSON), and the gentleman from California (Mr. ROYCE) for helping to bring this bill to the floor.

As it has been noted, Senegal held free and fair elections on May 19, and it was recognized as an election that all democratic governments should follow when there is a possible shift in regimes.

Senegal held these fair and free elections. The recent multi-party elections were peaceful; however, there was an attempt in the southern part to disrupt the voting in that region. But the people decided that they wanted to have fair and free elections and persisted.

I would like to extend my best wishes to President-elect Wade. I had the privilege of meeting in my New Jersey office with then-candidate Wade who indicated that he felt that he had a very good chance to win the election. He just wanted to alert me and our committee and our government that he was going to insist that the election be fair and free. We were very pleased that it did happen to be that way.

We would like to recognize the composure of President Diouf in his honorable defeat as an example of the true spirit of democracy. It is apparent that President Diouf respects the democratic process, which sends a signal to the people of Sierra Leone to respect the democratic process as well as to embrace change. They can have change without having disruption and military action.

President-elect Wade has made a noble gesture to bridge the divide between his party and the other multiparties by endorsing five leading opposition candidates after the second round of voting, including Mr. Niasse, who is the former foreign minister of President Diouf's party. This is merely another example of Senegal's respectable democratic system, adding to the willing resignation of former President Leopold Senghor in 1980 when power was turned over to President Diouf, adhering to the Senegal constitution.

Senegal should be internationally recognized for their action and should be treated with equal respect given to all functioning governments worldwide.

On our trip to Africa with the President when he made a historic six-country, 12-day trip, the final country that we visited was Senegal, visiting Goree Island, the place where slaves came. It is estimated close to 6 million may have perished, it is estimated, over the 600, 700 years that slavery was legal. And so Senegal has a tremendous place in the heart of African Americans and Africans in general, and Americans in general.

Mr. Speaker, once again, we are very pleased that this transition of government was done in a most noble way. With that, I urge my colleagues to support the resolution.

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

Mr. GILMAN. Mr. Speaker, I do not have 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 agree to the resolution, H. Res. 449.

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

A motion to reconsider was laid on the table.

□

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today, and on yesterday, in the order in which that motion was entertained.

Votes will be taken in the following order:

H. Con. Res. 295, by the yeas and nays;

H. Con. Res. 304, by the yeas and nays;

S. 1744, by the yeas and nays;

H.R. 1509, by the yeas and nays;

H. Con. Res. 310, by the yeas and nays.

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

□

RELATING TO CONTINUING HUMAN RIGHTS VIOLATIONS AND POLITICAL OPPRESSION IN SOCIALIST REPUBLIC OF VIETNAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 295, 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, H. Con. Res. 295, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 415, nays 3, not voting 16, as follows:

[Roll No. 133]

YEAS—415

Abercrombie	Cannon	Etheridge
Ackerman	Capps	Evans
Aderholt	Capuano	Everett
Allen	Cardin	Ewing
Andrews	Carson	Farr
Archer	Castle	Fattah
Armey	Chabot	Filner
Baca	Chambliss	Fletcher
Bachus	Clay	Foley
Baird	Clayton	Forbes
Baker	Clement	Ford
Baldacci	Clyburn	Fossella
Baldwin	Coble	Fowler
Ballenger	Collins	Frank (MA)
Barcia	Combest	Franks (NJ)
Barr	Condit	Frelinghuysen
Barrett (NE)	Conyers	Frost
Barrett (WI)	Cooksey	Gallegly
Bartlett	Costello	Ganske
Barton	Cox	Gejdenson
Bass	Coyne	Gekas
Bateman	Cramer	Gephardt
Becerra	Crane	Gibbons
Bentsen	Crowley	Gilchrest
Bereuter	Cubin	Gilman
Berkley	Cummings	Gonzalez
Berman	Cunningham	Goode
Berry	Danner	Goodlatte
Biggert	Davis (FL)	Goodling
Bilbray	Davis (IL)	Gordon
Bilirakis	Davis (VA)	Goss
Bishop	Deal	Graham
Blagojevich	DeFazio	Granger
Bliley	DeGette	Green (TX)
Blumenauer	Delahunt	Green (WI)
Blunt	DeLauro	Greenwood
Boehlert	DeLay	Gutknecht
Boehner	DeMint	Hall (OH)
Bonilla	Deutsch	Hall (TX)
Bonior	Diaz-Balart	Hansen
Bono	Dickey	Hastings (FL)
Borski	Dicks	Hastings (WA)
Boswell	Dingell	Hayes
Boucher	Dixon	Hayworth
Boyd	Doggett	Hefley
Brady (PA)	Dooley	Herger
Brady (TX)	Doolittle	Hill (MT)
Brown (FL)	Doyle	Hilleary
Brown (OH)	Dreier	Hilliard
Bryant	Duncan	Hinchey
Burr	Dunn	Hinojosa
Burton	Edwards	Hobson
Buyer	Ehlers	Hoeffel
Callahan	Ehrlich	Hoekstra
Calvert	Emerson	Holden
Camp	Engel	Holt
Campbell	English	Hooley
Canady	Eshoo	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
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
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)
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)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
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
Salmon
Sanchez
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
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (FL)

NAYS—3

Chenoweth-Hage
Gillmor
Paul

NOT VOTING—16

Coburn
Cook
Gutierrez
Hill (IN)
Kennedy
Lucas (OK)
McIntosh
Moore
Myrick
Oxley
Sanders
Souder
Velazquez
Wise
Woolsey
Young (AK)

□ 1217

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.

□

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□

EXPRESSING CONDEMNATION OF CONTINUED HUMAN RIGHTS VIOLATIONS IN REPUBLIC OF BELARUS AND CALLING ON RUSSIAN FEDERATION TO RESPECT SOVEREIGNTY OF BELARUS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 304.

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 304, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 2, answered ''present'' 2, not voting 21, as follows:

[Roll No. 134]

YEAS—409

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
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
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
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)
Franks (NJ)
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
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
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
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
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)
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)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
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
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
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
Salmon
Sanchez
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
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Wu
Wynn
Young (FL)

NAYS—2

Chenoweth-Hage Paul

ANSWERED ''PRESENT''—2

Barr Wicker

NOT VOTING—21

Burr
Coburn
Collins
Cook
Cooksey
Frelinghuysen
Gutierrez
Hutchinson
Kennedy
Lucas (OK)
McIntosh
Moore
Myrick
Napolitano
Sanders
Souder
Spence
Velazquez
Wise
Woolsey
Young (AK)

□ 1226

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. NAPOLITANO. Mr. Speaker, on rollcall No. 134, I was unavoidably detained in a meeting with constituent Board of Supervisors. Had I been present, I would have voted "yea."

□

ENDANGERED SPECIES ACT REPORT RESTORATION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1744.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 1744, 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 420, nays 0, not voting 14, as follows:

[Roll No. 135]

YEAS—420

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
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
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)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
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
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
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)
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)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
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)
Quinn
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
Salmon
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
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—14

Coburn
Cook
Gutierrez
Hilliard
Hutchinson
Kennedy
Lucas (OK)
McIntosh
Moore
Myrick
Souder
Velazquez
Wise
Young (AK)

□ 1235

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□

MEMORIAL TO HONOR DISABLED VETERANS OF THE UNITED STATES ARMED FORCES

The SPEAKER pro tempore (Mr. QUINN). The unfinished business is the question of suspending the rules and passing the bill, H.R. 1509.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1509, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 13, as follows:

[Roll No. 136]

YEAS—421

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
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
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)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson

Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
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
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
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)
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)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
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)
Quinn
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
Salmon
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
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—13

Coburn
Cook
Cooksey
Cox
Gutierrez
Kennedy
Lucas (OK)
McIntosh
Myrick
Souder
Velazquez
Wise
Young (AK)

□ 1243

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.

□

PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, on May 3, 2000, I was unavoidably detained and consequently missed four votes. Had I been here I would have voted: ''Yes'' on the passage of H. Con. Res. 295; ''yes'' on the passage of H. Con. Res. 304; ''yes'' on the passage of S. 1744; ''yes'' on the passage of H.R. 1509.

□

SUPPORTING A NATIONAL CHARTERS SCHOOLS WEEK

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 310.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 310, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 20, not voting 17, as follows:

[Roll No. 137]

YEAS—397

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
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
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
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—20

Bonior	Kucinich	Scott
Capuano	Lee	Serrano
Carson	McDermott	Slaughter
Clay	Mink	Tierney
Conyers	Olver	Towns
Hilliard	Payne	Visclosky
Hinchey	Rivers	

NOT VOTING—17

Coburn	Filner	Myrick
Cook	Gutierrez	Souder
Cummings	Kasich	Velazquez
DeLay	Largent	Wise
Doolittle	Lucas (OK)	Young (AK)
Evans	McIntosh	

□ 1252

Ms. CARSON changed her vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DOOLITTLE. Mr. Speaker, on rollcall No. 137, I was inadvertently detained. Had I been present, I would have voted ''yea.''

□

WORKER ECONOMIC OPPORTUNITY ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2323) to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

The Clerk read as follows:

S. 2323

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 ''Worker Economic Opportunity Act''.

SEC. 2. AMENDMENTS TO THE FAIR LABOR STANDARDS ACT OF 1938.

(a) EXCLUSION FROM REGULAR RATE.—Section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)) is amended—

(1) in paragraph (6), by striking ''or'' at the end;

(2) in paragraph (7), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(8) any value or income derived from employer-provided grants or rights provided pursuant to a stock option, stock appreciation right, or bona fide employee stock purchase program which is not otherwise excludable under any of paragraphs (1) through (7) if—

''(A) grants are made pursuant to a program, the terms and conditions of which are communicated to participating employees either at the beginning of the employee's participation in the program or at the time of the grant;

''(B) in the case of stock options and stock appreciation rights, the grant or right cannot be exercisable for a period of at least 6 months after the time of grant (except that grants or rights may become exercisable because of an employee's death, disability, retirement, or a change in corporate ownership, or other circumstances permitted by regulation), and the exercise price is at least 85 percent of the fair market value of the stock at the time of grant;

''(C) exercise of any grant or right is voluntary; and

''(D) any determinations regarding the award of, and the amount of, employer-provided grants or rights that are based on performance are—

''(i) made based upon meeting previously established performance criteria (which may include hours of work, efficiency, or productivity) of any business unit consisting of at least 10 employees or of a facility, except that, any determinations may be based on length of service or minimum schedule of hours or days of work; or

''(ii) made based upon the past performance (which may include any criteria) of one or more employees in a given period so long as the determination is in the sole discretion of the employer and not pursuant to any prior contract.''.

(b) EXTRA COMPENSATION.—Section 7(h) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(h)) is amended—

(1) by striking ''Extra'' and inserting the following:

''(2) Extra''; and

(2) by inserting after the subsection designation the following:

''(1) Except as provided in paragraph (2), sums excluded from the regular rate pursuant to subsection (e) shall not be creditable toward wages required under section 6 or overtime compensation required under this section.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of enactment of this Act.

(d) LIABILITY OF EMPLOYERS.—No employer shall be liable under the Fair Labor Standards Act of 1938 for any failure to include in an employee's regular rate (as defined for purposes of such Act) any income or value derived from employer-provided grants or rights obtained pursuant to any stock option, stock appreciation right, or employee stock purchase program if—

(1) the grants or rights were obtained before the effective date described in subsection (c);

(2) the grants or rights were obtained within the 12-month period beginning on the effective date described in subsection (c), so long as such program was in existence on the date of enactment of this Act and will require shareholder approval to modify such program to comply with section 7(e)(8) of the Fair Labor Standards Act of 1938 (as added by the amendments made by subsection (a)); or

(3) such program is provided under a collective bargaining agreement that is in effect on the effective date described in subsection (c).

(e) REGULATIONS.—The Secretary of Labor may promulgate such regulations as may be necessary to carry out the amendments made by this Act.

The SPEAKER pro tempore (Mr. QUINN). Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from New York (Mr. OWENS) each will control 20 minutes.

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

Mr. GOODLING. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in strong support of S. 2323, the Worker Economic Opportunity Act. The Department of Labor, in a recent opinion letter, has jeopardized a successful and popular new trend in employment, and they did it not because of any fault of theirs but because they interpreted the Labor Standards Act of 1938, which is what I have said over and over again, year after year, we are trying to run businesses, labor and management, based on rules and regulations that were written back in the 1930s, when it was a manufacturing economy only and men only. We cannot do that in the 21st century.

Well, of course, if they had followed through, we would have eliminated the very popular stock option for hourly employees.

I want to thank the gentleman from New York (Mr. OWENS) and the gentleman from Indiana (Mr. ROEMER) and the gentleman from Wisconsin (Mr. KIND), among others, for helping us develop the bipartisan resolution. I want to certainly thank the gentleman from California (Mr. CUNNINGHAM), who has worked tirelessly to help bring about this resolution, as well as our subcommittee chair, the gentleman from North Carolina (Mr. BALLENGER).

The Worker Economic Opportunity Act reflects a consensus reached among the bill's chief sponsors in the House and the Senate committees of jurisdiction and the Department of Labor. The other body passed it 95 to nothing; and to further explain the consensus we have reached, I am going to include into the RECORD a statement of legislative intent which is substantially identical to what was the legislative intent presented in the other body by Senators MCCONNELL, DODD, JEFFORDS, and ENZI.

I urge my colleagues to vote for the Worker Economic Opportunity Act.

STATEMENT OF LEGISLATIVE INTENT REGARDING S. 2323, THE WORKER ECONOMIC OPPORTUNITY ACT

I. INTRODUCTION AND PURPOSE

The purpose of S. 2323, the Worker Economic Opportunity Act, is to allow employees who are eligible for overtime pay to continue to share in workplace benefits that involve their employer's stock or similar equity-based benefits. More working Americans are receiving stock options or opportunities to purchase stock than ever before. The Worker Economic Opportunity Act updates the Fair Labor Standards Act to ensure that rank-and-file employees and management can share in their employer's economic well being in the same manner.

Employers have provided stock and equity-based benefits to upper level management for decades. However, it is only recently that employers have begun to offer these programs in a broad-based manner to non-exempt employees. Historically, most employees had little contact with employer-provided equity devices outside of a 401(k) plan. But today, many employers, from a broad cross-section of industry, have begun offering their employees opportunities to purchase employer stock at a modest discount, or have provided stock options to rank and file employees; and they have even provided outright grants of stock under certain circumstances.

The Federal Reserve Board of Governors recently estimated that 17 percent of large firms have introduced a stock options program and 37 percent have broadened eligibility for their stock option programs in the last two years.[1] The Employment Policy Foundation estimates between 9.4 million and 25.8 million workers receive benefits

[1]Footnotes at end of article.

through some type of equity participation program.[2] The trend is growing, and given the current state of the economy, it is likely to continue.

The tremendous success of our economy over the last several years has been largely attributed to the high technology sector. One of the things that our technology companies have succeeded at is creating an atmosphere in which all employees share the same goal: the success of the company. By vesting all employees in the success of the business, stock options and other equity devices have become an important tool to create businesses with unparalleled productivity. The Worker Economic Opportunity Act will encourage more employers to provide opportunities for equity participation to their employees, further expanding the benefits that inure from equity participation.

II. BACKGROUND AND NEED FOR LEGISLATION

A. Background on Stock Options and Related Devices

Employers use a variety of equity devices to share the benefits of equity ownership with their employees. As the employer's stock appreciates, these devices provide a tool to attract and retain employees, an increasingly difficult task during a time of record economic growth and low unemployment in the United States. These programs also foster a broader sense of commitment to a common goal—the maintenance and improvement of the company's performance—among all employees nationally and even internationally, and thus provide an alignment between the interests of employees with the interests of the company and it shareholders. They can also reinforce the evolving employer-employee relationship, with employees viewed as stakeholders.

Employer stock option and stock programs come in all different types and formats. The Worker Economic Opportunity Act focuses on the most common types: stock option, stock appreciation right, and employee stock purchase programs.

Stock Option Programs. Stock options provide the right to purchase the employer's securities for a fixed period of time. Stock option programs vary greatly by employer. However, two main types exist: nonqualified and qualified option programs.[3] Most programs are nonqualified stock option programs, meaning that the structure of the program does not protect the employee from being taxed at the time of exercise. However, the mechanics of stock option programs are very similar regardless of whether they are nonqualified or qualified. Some of these characteristics are described below.

Grants. An employer grants to employees a certain number of options to purchase shares of the employer's stock. The exercise price may be around the fair market value of the stock at the time of the grant, or it may be discounted below fair market value to provide the employee an incentive to participate in the option program.

Vesting. Most stock option programs have some sort of requirement to wait some period after the grant to benefit from the options, often called a vesting period. After the period, employees typically may exercise their options by exchanging the options for stock at the exercise price at any time before the option expires, which is typically up to ten years. In some cases, options may vest on a schedule, for example, with a third of the options vesting each year over a three-year period. In addition to vesting on a date certain, some options may vest if the company hits a certain goal, such as reaching a certain stock price for a certain number of days. Some programs also provide for accelerated or automatic vesting in certain circumstances such as when an employee retires or dies before the vesting period has run, where there is change in corporate control or when an employee's employment is terminated.

Exercise. Under both qualified and nonqualified stock option programs, an employee can exchange the options, along with sufficient cash to pay the exercise price of the options, for shares of stock. Because many rank-and-file employees cannot afford to pay the cost of buying the stock at the option price in cash, many employers have given their employees the opportunity for ''cashless'' exercise, either for cash or for stock, under nonqualified option plans. In a cashless exercise for cash, an employee gives options to a broker or program administrator, this party momentarily ''lends'' the employee the money to purchase the requisite number of shares at the exercise price, and then immediately sells the shares. The employee receives the difference between the market price and the exercise price of the stock (the profit), less transaction fees. In a cashless exercise for stock, enough shares are sold to cover the cost of buying the shares the employee will retain. In either case, the employee is spared from having to provide the initial cash to purchase the stock at the option price.

An employee's options usually expire at the end of the option period. An employee may forfeit the right to exercise the options, in whole or in part, under certain circumstances, including upon separation from the employer. However, some programs allow the employee to exercise the options (sometimes for a limited period of time) after they leave employment with the employer.

Stock Appreciation Rights. Stock appreciation rights (SARs) operate similarly to stock options. They are the rights to receive the cash value of the appreciation on an underlying stock or equity based security. The stock may be publicly traded, privately held, or may be based on valued, but unregistered, stock or stock equivalent. The rights are issued at a fixed price for a fixed period of time and can be issued at a discount, carry a vesting period, and are exercisable over a period of time. SARs are often used when an employer cannot issue stock because the stock is listed on a foreign exchange, or regulatory or financial barriers make stock grants impracticable.

Employee Stock Purchase Plans. Employee stock purchase plans (ESPPs) give employees the opportunity to purchase employer stock, usually at up to a 15 percent discount, by either regularly or periodically paying the employer directly or by having after-tax money withdrawn as a payroll deduction. Like option programs, ESPPs can be qualified or nonqualified.

Section 423 of the Internal Revenue Code[4] sets forth the factors for a qualified ESPP. The ability to participate must be offered to all employees, and employees must voluntarily choose whether to participate in the program. The employer can offer its stock to employees at up to a 15 percent discount off of the fair market value of the stock, determined at the time the option to purchase stock is granted or at the time the stock is actually purchased. The employee is required to hold the stock for one or two years after the option is granted to receive capital gains treatment. If the employee sells the stock before the requisite period, any gain made on the sale is treated as ordinary income.

Nonqualified ESPPs are usually similar to qualified ESPPs, but they lack one or more qualifying features. For example, the plan may apply only to one segment of employees, or may provide for a greater discount.

B. The Fair Labor Standards Act and Stock Options

The Fair Labor Standards Act of 1938[5] (FLSA) establishes workplace protections including a minimum hourly wage and overtime compensation for covered employees, record keeping requirements and protections against child labor, among other provisions. A cornerstone of the FLSA is the requirement that an employer pay its nonexempt employees overtime for all hours worked over 40 in a week at one and one-half times the employee's regular rate of pay.[6] The term ''regular rate'' is broadly defined in the statute to mean ''all remuneration for employment paid to, or on behalf of, the employee.''[7]

Section 207(e) of the statute excludes certain payments from an employee's regular rate of pay to encourage employers to provide them, without undermining employees' fundamental right to overtime pay. Excluded payments include holiday bonuses or gifts,[8] discretionary bonuses,[9] bona fide profit sharing plans,[10] bona fide thrift or saving plans,[11] and bona fide old-age, retirement, life, accident or health or similar benefits plans.[12] By excluding these payments from the definition of ''regular rate,''[13] Congress recognized that certain kinds of benefits provided to employees are not within the generally accepted meaning of compensation for work performed.

Thus, by excluding these payments from the regular rate in section 207(e) of the FLSA, Congress encouraged employers to provide these payments and benefits to employees. The encouragement has worked well—employees now expect to receive from their employer at least some of these benefits (i.e. healthcare), which today, on average, comprise almost 30 percent of employees' gross compensation.[14] For similar reasons, Congress decided that the value and income from stock option, SAR and ESPP programs should also be excluded from the regular rate, because they allow employees to share in the future success of their companies.

C. The Department of Labor's Opinion Letter on Stock Options

The impetus behind the Worker Economic Opportunity Act is the broad dissemination of a February 1999 advisory opinion letter[15] regarding stock options issued by the Department of Labor's Wage and Hour Division, the agency charged with the administration of the FLSA. The letter involved an employer's stock option program wherein its employees would be notified of the program three months before the options were granted, and some rank-and-file employees employed by the company on the grant date would receive options. The options would have a two-year vesting period, with accelerated vesting if certain events occurred. The employer would also automatically exercise any unexercised options on behalf of the employees the day before the program ended.[16]

The opinion letter indicated that the stock option program did not meet any of the existing exemptions to the regular rate under the FLSA, although it did not explain the reasons in any detail. Later, the Administration's testimony before the House Workforce Protections Subcommittee explained that the stock option program did not meet the gift, discretionary bonus, or profit sharing exceptions to the regular rate because, among other reasons, it required employees to do something as a condition of receiving the options—to remain employed with the company for a period of time.[17] Such a condition is not allowed under the current regular rate exclusions. The testimony also noted that the program was not excludable under the thrift or savings plan exception because

the employees were only allowed to exercise their options using a cashless method of exercise, and thus the employees could not keep the stock as savings or an investment.[18]

The opinion letter stated that the employer would be required to include any profits made from the exercise of the options in the regular rate of pay of its nonexempt employees. In particular, the profits would have to be included in the employee's regular rate for the shorter of the time between the grant date and the exercise date, or the two years prior to exercise.[19]

Section 207(e)'s exclusions to the regular rate did not clearly exempt the profits of stock options or similar equity devices from the regular rate, and thus from the overtime calculation. Thus, the Department of Labor's opinion letter provided a permissible reading of the statute. A practical effect of the Department of Labor's interpretation was stated by J. Randall MacDonald, Executive Vice President of Human Resources and Administration at GTE during a March 2, 2000 House Workforce Protections Subcommittee hearing on the issue: ''[i]f the Fair Labor Standards Act is not corrected to reverse this policy, we will no longer be able to offer stock options to our nonexempt employees.''[20]

As the contents of the letter became generally known in the business community and on Capitol Hill, it became clear that the letter raised an issue under the FLSA that previously had not been contemplated. It further became clear that an amendment to the FLSA would be needed to change the law specifically to address stock options.

A legislative solution was not only supported by employers at the House hearing, it was also supported by employees and unions. Patricia Nazemetz, Vice President of Human Resources for Xerox Corporation, read a letter from the Union of Needlework, Industrial and Textile Employees (UNITE), the union that represents many Xerox manufacturing and distribution employees, in which the International Vice President stated:

Xerox's UNITE chapter would strongly urge Congress to pass legislation exempting stock options and other forms of stock grants from the definition of the regular rate for the purposes of calculating overtime. . . . It is only recently that Xerox has made bargaining unit employees eligible to receive both stock options and stock grants. Without a clarification to the FLSA, we are afraid Xerox may not offer stock options or other forms of stock grants to bargaining unit employees in the future.[21]

At the House hearing, the Administration also acknowledged that the problem needed to be fixed legislatively in a flexible manner, ''Based on the information we have been able to obtain, there appears to be wide variations in the scope, nature and design of stock option programs. There is no one common model for a program, suggesting the need for a flexible approach. Given the wide variety and complexity of programs, we believe that the best solution would be to address this matter legislatively.''[22]

The general agreement on the need to fix the problem among these diverse interests led to the development of the Worker Economic Opportunity Act.

III. EXPLANATION OF THE BILL AND SPONSORS' VIEWS

Congress worked closely with the Department of Labor to develop this important legislation. The sections below reflect the discussions between the sponsors and the Department of Labor during the development of the legislation, and the sponsors' intent and their understanding of the legislation.

A. Definition of Bona Fide ESPP

For the purposes of the Worker Economic Opportunity Act, a bona fide employee stock purchase plan includes an ESPP that is (1) a qualified ESPP under section 423 of the Internal Revenue Code,[23] or (2) a plan that meets the criteria identified below.

1. Qualified Employee Stock Purchase Plans

Qualified ESPPs, known as section 423 plans, comprise the overwhelming majority of stock purchase plans. Thus, the intent of the legislation is to deem ''bona fide'' all plans that meet the criteria of section 423.

2. Nonqualified Employee Stock Purchase Plans

As described above, section 423 plans are considered bona fide ESPPs. Further, those ESPPs that do not meet the criteria of section 423, but that meet the following criteria also qualify as bona fide ESPPs:

(a) the plan allows employees, on a regular or periodic basis, to voluntarily provide funds, or to elect to authorize periodic payroll deductions, for the purchase at a future time of shares of the employer's stock;

(b) the plan sets the purchase price of the stock as at least 85% of the fair market value of the stock at the time the option is granted or at the time the stock is purchased; and,

(c) the plan does not permit a nonexempt employee to accrue options to purchase stock at a rate which exceeds $25,000 of fair market value of such stock (determined either at the time the option is granted or the time the option is exercised) for each calendar year.

The sponsors note that many new types of ESPPs are being developed, particularly by companies outside the United States, and that many of these companies may also intend to apply them to their U.S.-based employees. These purchase plans have several attributes which make them appear to be more like savings plans than traditional U.S. stock purchase plans, such as a period of payroll deductions of between three and five years, or an employer provided ''match'' in the form of stock or options to the employee.

Further many companies are developing plans that are similar to section 423 plans. The sponsors believe that it is in the best interests of employees for the Secretary of Labor to review these and other new types of plans carefully in the light of the purpose of the Worker Economic Opportunity Act—to encourage employers to provide opportunities for equity participation to employees—and to allow section 7(e), as amended, to accommodate a wide variety of programs, where it does not undermine employees' fundamental right to overtime pay. It is the sponsors' vision that this entire law be flexible and forward-looking and that the Department of labor apply and interpret it consistently with this vision.

B. ''Value or Income'' Is Defined Broadly

The hallmark of the Worker Economic Opportunity Act is that section 7(e)(8) provides that any value or income derived from stock option, SAR or bona fide ESPP programs is excluded from the regular rate of pay. For this reason, the phrase ''value or income'' is construed broadly to mean any value, profit, gain, or other payment obtained, recognized or realized as a result of, or in connection with, the provision, award, grant, issuance, exercise or payment of stock options, SARs, or stock issued or purchased pursuant to a bona fide ESPP program established by the employer.

This broad definition means, for example, that any nominal value that a stock option or stock appreciation right may carry before it is exercised is excluded from the regular rate. Similarly, the value of the stock or the income in the form of cash is excluded after options are exercised, as is the income earned from the stock in the form of dividends or ultimately the gains earned, if any, on the sale of the stock. The discount on stock option, SAR or stock purchase under a ESPP program is likewise excludable.

C. The Act Preserves Programs Which Are Otherwise Excludable Under Existing Regular Rate Exemptions

The Worker Economic Opportunity Act recognizes two ways that employer equity programs may be excluded from the regular rate. Such equity programs may be excluded if they meet the existing exemptions to the regular rate pursuant to Section 7(e)(1)–(7), which apply to contributions and sums paid by employers regardless of whether such payments are made in cash or in grants of stock or other equity based vehicles, and provided such payment or grant is consistent with the existing regulations promulgated under Section 7(e). Employer equity plans also may be excluded under new section 7(e)(8) added by the Worker Economic Opportunity Act.

This is reaffirmed in new section 207(e)(8), which makes clear that the enactment of section 7(e)(8) carries no negative implication about the scope of the preceding paragraphs of section (e). Rather, the sponsors understand that some grants and rights that do not meet all the requirements of section 7(e)(8) may continue to qualify for exemption under an earlier exclusion. For example, programs that grant options or SARs that do not have a vesting period may be otherwise excludable from the regular rate if they meet another section (7)(e) exclusion. This would be true even if the option was granted at less than 85% of fair market value. This language was not intended to prevent grants or rights that meet some but not all of the requirements of an earlier exemption in 7(e) from being exempt under the newly created exemption.

D. Basic Communication to Employees Required Because it Helps Ensure a Successful Program

For grants made under a stock option, SAR or bona fide ESPP program to qualify for the exemption under new section 7(e)(8), their basic terms and conditions must be communicated to participating employees either at the beginning of the employee's participation in the program or at the time of grant. This requirement was put into the legislation to recognize that when employees understand the mechanics and the implications of the equity devices they are given, they can more fully participate in exercising meaningful choices with respect to those devices. As discussed below, this is a simple concept, it is not intended to be a complicated or burdensome requirement.

1. Terms and Conditions To Be Communicated to Employees

Employers must communicate the material terms and conditions of the stock option, stock appreciation right or employee stock purchase program to employees to ensure that they have sufficient information to decide whether to participate in the program. With respect to options, these terms include basic information on the number of options granted, the number of shares granted per option, the exercise price, the grant date or dates, the length of any applicable vesting period(s) and the dates when the employees will first be able to exercise options or rights, under what conditions the options must be forfeited or surrendered, the exercise methods an employee may use (such as cash for stock, cashless for cash or stock, etc.), any restrictions on stock purchased through options, and the duration of the option, and what happens to unexercised options at the end of the exercise period. Pending issuance of any regulations, an employer who communicated the information in the

prior sentence is to be deemed to have communicated the terms and conditions of the grant. Similar information should be provided regarding SARs or ESPPs.

2. The Mode of Communications

The legislation does not specify any particular mode of communication of relevant information, and no particular method of communication is required, as long as the method chosen reasonably communicates the information to employees in a understandable fashion. For example, employers may notify their employees of an option grant by letter, and later provide a formal employee handbook, or other method such as a link to a location on the company Intranet. Any combination of communications is acceptable. The intent of the legislation is to ensure that employees are provided the basic information in a timely manner, not to mandate the particular form of communication, nor to bar the use of new forms of communication. Therefore, an employer should be able to use current electronic communication methods, as well as other forms of communication that develop later.

3. The Timing of Communications

The legislation specifies that the employer is to communicate the terms and conditions of the stock option, SAR and ESPP programs to employees at or before the beginning of the employee's participation in the program or at the time the employee receives a grant. It is acceptable, and perhaps even likely, that the relevant information on a program will be disseminated in a combination of communications over time. This approach allows flexibility and acknowledges that types of participation vary greatly between stock option and SAR programs, on the one hand, and ESPPs on the other.

For example, under an ESPP, an employee may choose to begin payroll deductions in January, but not actually have the option to purchase stock until June. By contrast, with an option or SAR program, employees are given the options or rights at the outset, but those rights may not vest until some year in the future.

The timing of the communication is flexible, because often it is difficult to have materials ready for employees at the beginning of a stock option or stock appreciation right program, immediately following approval by the Board of Directors, because of confidentiality requirements. Thus, within a reasonable time following approval of a stock option grant by the Board of Directors, the employer is required to communicate basic information about the grant employees have received. For example, an initial letter may notify the employees that they have received a certain number of stock options and provide the basic information about the program. More detailed information about the program may precede or follow the grant in formats such as an employee handbook, options pamphlet, or an Intranet site that provides options information.

E. Exercisability Criteria Applicable only to Stock Options and SARs

As discussed above, a common feature in grants of stock options and SARs is a vesting or holding period, which under current practice may be as short as a few months or as long as a number of years. For a stock option of SAR to be excluded from the regular rate pursuant to the Worker Economic Opportunity Act, new section 7(e)(8) requires that the grant or right generally cannot be exercisable for at least six months after the date of grant.

For stock option grants that include a vesting requirement, typically an option will become exercisable after the vesting period ends. Some option grants vest gradually in accordance with a schedule. For example, a portion of the employee's options may vest after six months, with the remaining portion vesting three months thereafter. Options may also vest in connection with an event, such as the stock reaching a certain price or the company attaining a performance target.

In addition, the sponsors recognize that a grant that is vested may not be currently exercisable by the employee because of an employer's requirement that the employee hold the option for a minimum period prior to exercise. In other words, there may be an additional period of time after the vesting period during which the option remains unexerciseable. An option or SAR may meet the exercisability requirements of the bill without regard to the reason why the right to exercise is delayed.

Further, if a single grant of options or SARs includes some options exercisable after six months while others are exercisable earlier, then those exercisable after the six month period will meet the exercisability requirement even if the others do not. The determination is made option by option, SAR by SAR. In addition, if exercisability is tied to an event, the determination of whether the six-month requirement is met is based on when the event actually occurs. Thus, for example, if an option is exercisable only after an initial public offering (IPO) and the IPO occurs seven months after grant, the option shall be deemed to have met the provision's exercisability requirement.

However, section 7(e)(8)(B) specifically recognizes that there are a number of special circumstances when it is permissible for an employer to allow for earlier exercise to occur (in less than 6 months) without loss of the exemption. For example, an employer or plan may provide that a grant may vest or otherwise become exercisable earlier than six months because of an employee's disability, death, or retirement. The sponsors encourage the Secretary to consider and evaluate other changes in employees' status or circumstances.

Earlier exercise is also permitted in connection with a change in corporate ownership. The term change in ownership is intended to include events commonly considered changes in ownership under general practice for options and SARs. For example, the term would include the acquisition by a party of a percentage of the stock of the corporation granting the option or SAR, a significant change in the corporation's board of directors within 24 months, the approval by the shareholders of a plan or merger, and the disposition of substantially all of the corporation's assets.

The sponsors believe it important to allow employers the flexibility to construct plans that allow for these earlier exercise situations. However, this section is not intended to in any way require employers to include these or any other early exercise circumstances in their plans.

F. Stock Option and SAR Programs may Be Awarded at Fair Market Value or Discounted up to and Including 15%

Stock options and SARs generally are granted to employees at around fair market value or at a discount. New section 7(e)(8)(B) recognizes that grants may be at a discount, but that the discount cannot be more than a 15% discount off of the fair market value of the stock (or in the case of stock appreciation rights, the underlying stock, security or other similar interest).

A reasonable valuation method must be used to determine fair market value at the time of grant. For example, in the case of a publicly traded stock, it would be reasonable to determine fair market value based on averaging the high and low trading price of the stock on the date of the grant. Similarly, it would be reasonable to determine fair market value as being equal to the average closing price over a period of days ending with or ending shortly before the grant date (or the average of the highs and lows on each day). In the case of a non-publicly traded stock, any reasonable valuation that is made in good faith and based on reasonable valuation principles must be used.

The sponsors understand that the exercise price of stock options and SARs is sometime adjusted in connection with recapitalizations and other corporate events. Accounting and other tax guidelines have been developed for making these adjustments in a way that does not modify a participant's profit opportunity. Any adjustment conforming with these guidelines does not create an issue under the 15% limit on discounts.

G. Employee Participation in Equity Programs Must Be Voluntary

New section (8)(C) of the Worker Economic Opportunity Act states that the exercise of any grant or right must be voluntary. Voluntary means that the employee may or may not choose not to exercise his or her grants or rights at any point during the stock option, stock appreciation right, or employee stock purchase program, as long as that is in accordance with the terms of the program. This is a simple concept and it is not to be interpreted as placing any other restrictions on such programs.

It is the intent of the sponsors that this provision does not restrict the ability of an employer to automatically exercise stock options or SARs for the employee at the expiration of the grant or right. However, an employer may not automatically exercise stock options or SARs for an employee who has notified the employer that he or she does not want the employer to exercise the options or rights on his or her behalf.

Stock option, SARs and ESPP programs may qualify under new section 7(e)(8) even though the employer chooses to require employees to forfeit options, grants or rights in certain employee separation situations.

H. Performance Based Programs

The purpose of new section 7(e)(8)(D) is to set out the guidelines employers must follow in order to exclude from the ''regular rate' grants of stock options, SARs, or shares of stock pursuant to an ESPP program based on performance. If neither the decision of whether to grant nor the decision as to the size of the grant is based on performance, the provisions of in new section 7(e)(8)(D) do not apply. For example, grants made to employees at the time of their hire, and any value or income derived from these grants, may be excluded provided they meet the requirements in new sections 7(e)(8)(A)–(C).

New section 8(D) is divided into two clauses. The first, clause (i), deals with awards of options awarded based on pre-established goals for future performance, and the second, clause (ii), deal with grants that are awarded based on past performance.

1. Goals for Future Performance

New section 7(e)(8)(D)(i) provides that employers may tie grants to future performance so long as the determinations as to whether to grant and the amount of grant are based on the performance of either (i) any business unit consisting of at least ten employees or (ii) a facility.

A business unit refers to all employees in a group established for an identifiable business purpose. The sponsors intend that employers should have considerable flexibility in defining their business units. However, the unit may not merely be a pretext for measuring the performance of a single employee or small group of fewer than ten employees. By way of example, a unit may include any of the following: (i) a department,

such as the accounting or tax departments of a company, (ii) a function, such as the accounts receivable function within a company's accounting department, (iii) a position classification, such as those call-center personnel who handle initial contacts, (iv) a geographical segment of a company's operations, such as delivery personnel in a specified geographical area, (v) a subsidiary or operating division of a company, (vi) a project team, such as the group assigned to test software on various computer configurations or to support a contract or a new business venture.

With respect to the requirement to have ten or more employees in a unit, this determination is based on all of the employees in the unit, not just those employees who are, for example, non-exempt employees.

A facility includes any separate location where the employer conducts its business. Two or more locations that would each qualify as a facility may be treated as a single facility. Performance measurement based on a particular facility is permitted without regard to the number of employees who are working at the facility. For example, a facility would include any of the following: a separate office location, each separate retail store operated by a company, each separate restaurant operated by a company, a plant, a warehouse, or a distribution center.

The definition of both a business unit and a facility are intended to be flexible enough to adapt to future changes in business operations. Therefore, the examples of business units set forth above should be viewed with this in mind.

Options may be excluded from the regular rate in accordance with new section 7(e)(8)(D)(i) under the following circumstances:

Example 1—Employer announces that certain employees at the Wichita, Kansas plant will receive 50 stock options if the plant's production reaches a certain level by the end of the year (note that in order to fit within this subsection, the grant does not have to be made on a facility wide basis);

Example 2—Employer announces that it will grant employees working on the AnyCo. account 50 stock options each if the account brings in a certain amount of revenue by the end of the year, provided that there are at least 10 employees on the AnyCo. account.

Example 3—Employer announces that certain employees will receive stock options if the company reaches specified goal.

New section 7(e)(8)(D)(i) also makes clear that otherwise qualifying grants remain excludable from the regular rate if they are based on an employees' length of service or minimum schedule of hours or days of work. For example, an employer may make grants only to employees: (i) who have a minimum number of years of service, (ii) who have been employed for at least [24] a specified number of hours of service during the previous twelve month period (or other period), (iii) who are employed on the grant date (or a period ending on the grant date), (iv) who are regular full-time employees (i.e., not part-time or seasonal), (v) who are permanent employees, or (vi) who continue in service for a stated period after the grant date (including any minimum required hours during this period). Any or all of these conditions, and similar conditions, are permissible.

2. Past Performance

New section 7(e)(8)(d)(ii) clarifies that employers may make determinations as to existence and amount of grants or rights based on past performance, so long as the determination is in the sole discretion of the employer and not pursuant to any prior contract. Thus, employers have broad discretion to make grants as rewards for the past performance of a group of employees, even if it is not a facility or business unit, or even for an individual employee. The determination may be based on any performance criteria, including hours of work, efficiency or productivity.

Under new section 7(e)(8)(D)(ii), employers may develop a framework under which they will provide options in the future, provided that to the extent the ultimate determination as to the fact of and the amount of grants or rights each employee will receive is based on past performance, the employer does not contractually obligate itself to provide the grant or rights to an employee. Thus, new section 7(e)(8)(D)(ii) would allow an employer to determine in advance that it will provide 100 stock options to all employees who receive ''favorable'' ratings on their performance evaluations at the end of the year, and it would allow the employer to advise employees, in employee handbooks or otherwise, of the possibility that favorable evaluations may rewarded by option grants, so long as the employer does not contractually obligate itself to provide the grants or in any other way relinquish its discretion as to the existence or amount of grants.

Similarly, the fact that an employer makes grants for several years in a row based on favorable performance evaluation ratings, even to the point where employees come to expect them, does not mean in itself that the employer may be deemed to have ''contractually obligated'' itself to provide the rights.

Some examples of performance based grants that fit within new 7(e)(8)(D)(ii) are as follows:

Example A: Company A awards stock options to encourage employees to identify with the company and to be creative and innovative in performing their jobs. Company A's employee handbook includes the following: ''Company A's stock option program is a long-term incentive used to recognize the potential for, and provide an incentive for, anticipated future performance. Stock option grants may be awarded to employees at hire, on an annual basis, or both. All full-time employees who have been employed for the appropriate service time are eligible to be considered for annual stock option grants.''

Company A provides stock options to most nonexempt employees following their performance review. Each employee's manager rates the employee during a review process, resulting in a rating of from 1 to 5. The rating is based upon the manager's objective and subjective analysis of the employee's performance. The rating is then put into a formula to determine the number of options an employee is eligible to receive, based on the employee's level within the company, the product line that the employee works on, and the value of the product to the company's business. Employees are aware a formula is used. The Company then informs the employee of the number of options awarded to him or her.

Managers make it clear to employees that the options are granted in recognition of prior performance with the expectation of the employee's future performance, but no contractual obligation is made to employees. This process is repeated annually, with employees eligible for stock options each year based on their annual performance review. Most employees receive options annually based upon their performance review rating and their level in the company.

Example B: Company B manages its program similarly to company A, with some notable exceptions. Company B has a very detailed performance management system, under which all employees successfully meeting the expectations of their job receive options. The employee's job expectations are more clearly spelled out on an annual basis than under Company A's plan. Once a year, the employee under goes a formal, written, performance review with his or her manager. If work is satisfactory, the employee receives a predetermined but unannounced number of options. Unlike Company A, which provides different amounts of options to employees based upon a numeric performance rating, Company B provides the same number of options to all employees who receive satisfactory employment evaluations. Over 90 percent of Company B's employees receive options annually, and in many years, this percentage exceeds 95 percent.

In both Example A and Example B, the employers set up in advance the formula under which option decisions are made; however, the decisions as to whether an individual employee would receive options and how many options he or she would receive was made based on past performance at the end of the performance period, but not pursuant to a prior contractual obligation made to the employees. The fact that the employer determines a formula or program in advance does not disqualify these examples from new section 7(e)(8).

I. Extra Compensation

The Worker Economic Opportunity Act also amends section 7(h) of the FLSA (29 U.S.C. §207(h)) to ensure that the income or value that results from a stock option, SAR or ESPP program, and that is excluded from the regular rate by new section 7(e)(8), cannot be credited by an employer toward meeting its minimum wage obligations under section 6 of the Act or overtime obligations under section 7 of the Act. The language divides section 7(h) into two parts, 7(h)(1) and 7(h)(2). Section 7(h)(1) states that an employer may not credit an amount, sum, or payment excluded from the regular rate under existing sections 7(e)(1–7) or new section 7(e)(8) towards an employers' minimum wage obligation under section 6 of the Act. When section 7(h)(1) is read together with section 7(h)(2), it states that an employer may not credit an amount excluded under existing sections 7(e)(1–4) or new section 7(e)(8) toward overtime payments. However, consistent with existing 7(h), extra compensation paid by an employer under sections 7(e)(5–7) may be creditable towards an employer's overtime obligations. This change shall take effect on the effective date but will not affect any payments that are not excluded by section 7(e) and thus are included in the regular rate.

J. The Legislation Includes a Broad Pre-Effective Date Safe Harbor & Transition Time

In drafting the Worker Economic Opportunity Act, the sponsors hoped to create an exemption that would be broad enough to capture the diverse range of broad-based stock ownership programs that are currently being offered to non-exempt employees across this nation. However, in order to reach a consensus, the new exemption had to be tailored to comport with the existing framework of the FLSA. The result is a series of requirements that stock option, SAR and ESPP programs must meet in order for the proceeds of those plans to fit within the newly created exemption.

Because of the circumstances that give rise to this legislation, the pre-effective date safe harbor is intentionally broader than the new exemption. The sponsors did not want to penalize those employers who have been offering broad-based stock option, SAR and ESPP programs simply because these programs would not meet all the new requirements in section 7(e)(8). Thus, the safe harbor in section 2(d) of the Act comprehensively protects

employers from any liability or other obligations under the FLSA for failing to include any value or income derived from stock option, SAR and ESPP programs in a non-exempt employee's regular rate of pay. The safe harbor applies to all grants or rights that were obtained under such programs prior to the effective date, whether or not such programs fit within the new requirements of section 7(e)(8). If a grant or right was initially obtained prior to the effective date, it is covered by the safe harbor even though it vested later or was contingent on performance that would occur later. In addition, normal adjustments to a pre-effective date grant or right, such as those that are triggered by a recapitalization, change of control or other corporate event, will not take the grant or right outside the safe harbor.

On a prospective basis, the sponsors realized that many employers would need time to evaluate their programs in light of the new law and to make the changes necessary to ensure that the programs will fit within the new section 7(e)(8) exemption. Consequently, the sponsors adopted a broad transition provision to apply to stock option, SAR and ESPP programs without regard to whether or not they meet the requirements for these plans set forth in the legislation. Specifically, section 2(c) of the legislation contains a 90 day post enactment delayed effective date. The sponsors believe that the vast majority of employers who offer stock option, SAR and ESPP programs to non-exempt employees will be able to use the transition period in section 2(d)(1) to modify their programs to conform with the requirements of the legislation.

In addition, the sponsors felt that there were two circumstances where a further extension of this broad transition relief was appropriate. First, the legislation recognizes that some employers would need the consent of their shareholders to change their plans. Section 2(d)(2) provides an additional year of transition relief to any employer with a program in place on the date this legislation goes into effect that will require shareholder approval to make the changes necessary to comply with the new requirements of section 7(e)(8). Second, the legislation extends the transition relief to cover situations wherein an employers' obligations under a collective bargaining agreement conflict with the requirements of this Act. Section 2(d)(3) eliminates any potential conflict by allowing employers to fulfill their pre-existing contractual obligations without fear of liability.

V. REGULATORY IMPACT STATEMENT

The sponsors have determined that the bill would result in some additional paperwork, time and costs to the Department of Labor, which would be entrusted with implementation of the Act. It is difficult to estimate the volume of additional paperwork necessitated by the Act, but the sponsors do not believe that it will be significant.

VI. SECTION-BY-SECTION ANALYSIS

Sec. 2. (a) Amendments to the Fair Labor Standards Act—The legislation amends Section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C.§207(e)) by creating a new subsection, 7(e)(8), which will exclude from the definition of the regular rate of pay any income or value nonexempt employees derive from an employer stock option, stock appreciation right, or bona fide employee stock purchase program under certain circumstances. Specifically, the legislation adds the following provisions to the end of Section 7(e) of the Fair Labor Standards Act:

(8) The new exclusion provides that when an employer gives its employees an opportunity to participate in a stock option, stock appreciation right or a bona fide employee stock purchase program (as explained in the Explanation of the Bill and Sponsor's Views), any value or income received by the employee as a result of the grants or rights provided pursuant to the program that is not already excludable from the regular rate of pay under sections 7(e)(1–7) of the Act (29 U.S.C. §207(e)), will be excluded from the regular rate of pay, provided the program meets the following criteria—

(8)(A) The employer must provide employees who are participating in the stock option, stock appreciation right or bona fide employee stock purchase program with information that explains the terms and conditions of the program. The information must be provided at the time when the employee begins participating in the program or at the time when the employer grants the employees stock options or stock appreciation rights.

(8)(B) As a general rule, the stock option or stock appreciation right program must include at least a 6 month vesting (or holding) period. That means that employees will have to wait at least 6 months after they receive stock options or a stock appreciation right before they are able to exercise the right for stock or cash. However, in the event that the employee dies, becomes disabled, or retires, or if there is a change in corporate ownership that impacts the employer's stock or in other circumstances set forth at a later date by the Secretary in regulations, the employer has the ability to allow its employees to exercise their stock options or stock appreciation rights sooner. The employer may offer stock options or stock appreciation rights to employees at no more than a 15 percent discount off the fair market value of the stock or the stock equivalent determined at the time of the grant.

(8)(C) An employee's exercise of any grant or right must be voluntary. This means that the employees must be able to exercise their stock options, stock appreciation rights or options to purchase stock under a bona fide employee stock purchase program at any time permitted by the program or to decline to exercise their rights. This requirement does not preclude an employer from automatically exercising outstanding stock options or stock appreciation rights at the expiration date of the program.

(8)(D) If an employer's grants or rights under a stock option or stock appreciation right program are based on performance, the following criteria apply.

(1) If the grants or rights are given based on the achievement of previously established criteria, the criteria must be limited to the performance of any business unit consisting of 10 or more employees or of any sized facility and may be based upon that unit's or facility's hours of work, efficiency or productivity. An employer may impose certain eligibility criteria on all employees before they may participate in a grant or right based on these performance criteria, including length of service or minimum schedules of hours or days of work.

(2) The employer may give grants to individual employees based on the employee's past performance, so long as the determination remains in the sole discretion of the employer and not according to any prior contract requiring the employer to do so.

(b) Extra Compensation—The bill amends section 7(h) of the Fair Labor Standards Act (29 U.S.C. 207(h) to make clear that the amounts excluded under section 7(e) of the bill are not counted toward an employer's minimum wage requirement under section 6 of the Fair Labor Standards Act and that the amounts excluded under sections 7(e)(1–4) and new section 7(e)(8) are not counted toward overtime pay under section 7 of the Act.

(c) Effective Date—The amendments made by the bill take effect 90 days after the date of enactment.

(d) Liability of Employers—

(1) No employer shall be liable under the FLSA for failing to include any value or income derived from any stock option, stock appreciation right and employee stock purchase program in an non-exempt employee's regular rate of pay, so long as the employee received the grant or right at any time prior to the date this amendment takes effect.

(2) Where an employer's pre-existing stock option, stock appreciation right, or employee stock purchase program will require shareholder approval to make the changes necessary to comply with this amendment, the employer shall have an additional year from the date this amendment takes effect to change its plan without fear of liability.

(3) Where an employer is providing stock options, stock appreciation rights, or an employee stock purchase program pursuant to a collective bargaining agreement that is in effect on the effective date of this amendment, the employer may continue to fulfill its obligations under that collective bargaining agreement without fear of liability.

(e) Regulations—the bill gives the Secretary of Labor authority to promulgate necessary regulations.

FOOTNOTES

[1] David Lebow et al., Recent Trends in Compensation Practices, Board of Governors of the Federal Reserve System, Fin. and Econ. Discussion Series, No. 1999–32, July 1999.

[2] Anita U. Hattinagadi, Taking Stock: $470,000 at Risk for Hourly Workers, Employment Policy Foundation, Mar. 2, 2000, at 4, and Fig. 2.

[3] Any stock option program that meets the criteria under section 422 of the Internal Revenue Code (called an Incentive Stock Option) is considered a qualified option. 26 U.S.C. §422.

[4] 26 U.S.C. §423.

[5] 29 U.S.C. §201, et seq.

[6] 29 U.S.C. §207(a)(1).

[7] 29 U.S.C. §207(e).

[8] 29 U.S.C. §207(e)(1).

[9] 29 U.S.C. §207(e)(3).

[10] Id.

[11] *Id.*

[12] 29 U.S.C. §207(e)(4).

[13] See e.g., Conference Report on H.R. 5856, H. Rept. No. 1453.

[14] U.S. Dept. of Lab. Bureau of Lab. Statistics, Employer Costs for Employee Compensation—March 1999, available at ftp://146.142.4.23/pub/news.release/ecec.txt.

[15] A wage-hour opinion letter responds to a request for the Department of Labor's view of how the law applies to a given set of facts. The letters are available to the public upon request or through commercial reporting services. Opinion letters have significant practical effects: ''[T]he Administrator's interpretation . . . has the characteristic not only of securing 'expected compliance' . . . but of possibly stimulating double damage suits by employees who need not fear that they would be at odds with the Government Officials involved.'' National Automatic Laundry & Cleaning v. Schultz, 143 U.S. App. D.C. 274 (D.C. Cir. 1971).

[16] Letter from Daniel F. Sweeney, Office of Enforcement Policy, Fair Labor Standards Team, Wage & Hour Division, Feb. 12, 1999.

[17] Hearing on the Treatment of Stock Options and Employee Investment Opportunities Under the Fair Labor Standards Act before the House Committee on Education and the Workforce, Subcommittee on Workforce Protections, 106th Cong. 2d Sess. Mar. 2, 2000 (Statement of T. Michael Kerr, at 4–5).

[18] Id. at 5. The testimony also noted that the program's automatic exercise feature prevented the employees' participation from being voluntary, as required under the Division's rules for thrift savings programs.

[19] Letter from Daniel F. Sweeney, Office of Enforcement Policy, Fair Labor Standards Team, Wage & Hour Division, Feb. 12, 1999.

[20] Hearing on the Treatment of Stock Options and Employee Investment Opportunities Under the Fair Labor Standards Act before the House Committee on Education and the Workforce, Subcommittee on Workforce Protections, 106th Cong. 2d Sess. Mar. 2, 2000 (Statement of J. Randall MacDonald, at 2).

[21] Id. (addendum to statement of Patricia Nazemetz, Letter from Gary J. Bonadonna, Director

& International Vice President, UNITE, February 22, 2000).

[22] Id. (statement of T. Michael Kerr, at 7).

[23] 26 U.S.C. §423.

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

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

Mr. Speaker, I rise in support of the Worker Economic Opportunity Act. It is kind of complicated so I think it is important that the record reflect that we understand those complications.

Stock option programs have existed for decades, but traditionally they have only been provided to top executives. Laudably, in recent years a number of companies have expanded these programs to cover rank and file workers. However, when this practice was brought to the attention of the Department of Labor, it correctly found that in many cases income earned by workers participating in these kinds of programs do not qualify within any of the existing statutory exemptions for exclusion from overtime.

As a general matter, ignorance of or disregard for the law should not serve to justify its violation. In this instance, however, I fully concur that speculative stock options should not be subject to overtime and that invoking the requirements of the law at this late date ex post facto would be unfair and unwise.

This legislation provides that if certain conditions are met, income earned by workers as a result of participation in certain recognized option programs, stock appreciation programs, or bona fide employee stock purchase programs, shall not be counted for the purpose of calculating overtime.

The legislation is not intended to alter or to undermine in any way any other existing protection afforded to workers under the overtime provisions of the Fair Labor Standards Act. By the same token, income from stock option-type programs that is already exempt from the overtime calculation is not intended to be affected by this legislation. That income remains exempt.

Stock programs vary widely in their structure. This legislation is not intended to impose a single structure on such programs but has been broadly crafted to try to accommodate their variety. Consequently, the bill is solid with regard to certain definitions and implementation issues, and broad regulatory authority has been given to the Department of Labor to implement the legislation.

The legislation requires that employees must be informed of the terms and conditions of any grants made to employees and that the employees must be able to voluntarily exercise any grant or right offered by the employer. The intent of these provisions is to ensure that employees are able to knowledgeably and freely determine whether they wish to participate in the program before they are required to do so and that they are able to knowledgeably and freely exercise such rights and options as they are afforded within the program. Employees must have a basis for assessing the value and the risk inherent in the choices they face.

This legislation provides that employers may sell stock options or stock appreciation rights to employees at a discounted rate but that the discount may not be greater than 15 percent of the market value of the stock. This provision applies equally to closely held companies as well as publicly traded companies. Necessarily then stock appraisals by closely held companies may become subject to review.

□ 1300

The legislation provides that there must be at least a 6-month period between the grant of stock option or stock appreciation right and the date on which that right is exercisable. This requirement is waived in cases involving an employee's death, disability, retirement, or a change in corporate ownership or in other circumstances permitted by regulation.

The limitation on stock discounts and the 6-month holding period, taken together, reflect the intention that some level of risk be assumed by employees in order that this legislation does not serve as an incentive for employers to convert wages to stock options as a means of evading overtime.

Where an employee separates from employment with an employer, whether voluntarily or involuntarily, overtime is no longer an issue. In my view, it is, therefore, wholly appropriate for the 6-month holding period requirement to be waived in such instances.

Finally, while many refer to the 6-month period as a vesting period, the use of the term vesting is not accurate. The only requirement imposed by this legislation is that an employee may not exercise a grant for at least 6 months.

This legislation provides that an employer may not condition the offer of a stock program based on an employee's future performance unless such an offer is made to all employees in a facility or in a business unit consisting of at least 10 employees.

An exception to this rule is provided to permit employers to condition offers upon length of service or minimum schedule of hours or days of work. The purpose of the exception is to permit employers to distinguish between part-time and full-time employees or between employees on temporary or probationary status and those on permanent status.

The purpose is not to permit employers to target offers predicted on future performance to a single employee or to require employees to work overtime as a condition of participation.

Likewise, the term business unit is intended to be meaningful. Assuming an offer is made on less than a facilitywide basis, an employer may not make an offer that is conditioned on future performance if that offer excludes some employees within a business unit who are otherwise eligible under the grant's terms, nor may an employer make such an offer arbitrarily to some employees without regard to their duties.

As is generally the case under current law with regard to performance bonuses, an employer may offer program participation to individual employees based upon the employee's past performance. The intent is to enable the employers to reward employees for past service. This provision is not intended to undermine or supersede limitations applicable to grants that are conditioned upon future performance.

Stock-option programs are new avenues for the front-line worker; however, the right to overtime remains protected by the Fair Labor Standards Act for the same group of employees.

The overtime law plays a more important role in the daily lives of Americans than any other provision of labor law. It guarantees that workers will be fairly compensated when they are required to work excessive hours. It creates more job opportunities for workers. It ensures that workers will have enough time away from work to meet family and personal responsibilities. As women enter the workforce in increasing numbers, the overtime law has become even more vital to the health of American families.

This legislation is necessary to accommodate the increasing participation of rank and file workers in stock programs. This legislation is not intended to otherwise weaken or to diminish the vital protection afforded workers under the FLSA and should be interpreted in the manner that is consistent with the intent and remedial purposes of the Fair Labor Standards Act.

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

Mr. GOODLING. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM) who has worked tirelessly to bring this legislation to the floor.

Mr. CUNNINGHAM. Mr. Speaker, as a lead House sponsor of H.R. 4182, I rise in strong support today of this identical Senate counterpart, S. 2323. Originally, we came up with an idea based on the 1938 language, and thanks to the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from North Carolina (Mr. BALLENGER), the subcommittee chairman, and the ranking minority member, they had hearings with an attempt to match this not only with the Senate, but with the Department of Labor and with the White House in a very bipartisan way.

Mr. Speaker, I think the outcome in the Senate of 95 to 0 vote shows the work that went forward on this bill, not only from Republicans but Democrats, the White House and the Labor Department as well.

Why would we do this? Well, when the 1938 legislation first came about, they did not know that every day you pick up a newspaper that there is jobs wanted in there that offer stock options; whether it is medical benefits;

whether it is stock options or safety programs within the workplace, workers look at these things when they select those jobs to help their families. This bill provides for that.

This will affect over 65 million Americans, union, nonunion, private individuals, public individuals. They want a piece of the rock, and I laud those individuals who have helped with this.

Profits from stock options have been taken to account for too long, Mr. Speaker, and I want to thank personally the gentleman from California (Mr. KUYKENDALL); the gentleman from Virginia (Mr. DAVIS); the gentleman from California (Mr. OSE); the gentleman from California (Mr. BALLENGER), chairman of the committee; the gentleman from Virginia (Mr. MORAN); on the Democrat side, the gentleman from California (Mr. DOOLEY); the gentleman from Indiana (Mr. ROEMER); the gentlewoman from California (Ms. ESHOO). And I say to the gentleman from New York (Mr. OWENS) there is not but a handful of issues that we agree on in a year, but this is one where we come together in support of it. I would like to thank the gentleman as well.

Mr. Speaker, I want to also thank Senator MCCONNELL on the Senate side that drove this. In an election year, it is not important who takes credit for this thing, it is the workers and the families that benefit from this bill. I want to thank those individuals. This will help protect the dot-coms of America.

Another issue is where for example, the biotechs, we have had to bring in Ph.D.s for biotech industries from other countries. I think that is a crime to where our education system does not provide for our people to take those jobs, Americans to take those workers, but yet when they brought in other doctors and Ph.D.s, there is a group that wanted to tax that as real income, because they did not have the cash flow to do that, it prohibited those companies from helping with medical research.

This is a good bill, Mr. Speaker, a lot of good people worked on it on both sides of the aisle, the White House, and with the Department of Labor.

Mr. Speaker, I want to specifically thank the gentleman from California (Mr. KUYKENDALL), for his effort in this; the gentleman from North Carolina (Mr. BALLENGER), who worked tirelessly on this, and the gentleman from California (Mr. ROGAN) and the gentleman from California (Mr. BILBRAY), my seatmate down in San Diego.

Washington, DC, April 27, 2000.

Hon. RANDY ''DUKE'' CUNNINGHAM,
House of Representatives,
Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE CUNNINGHAM: The National Association of Manufacturers (NAM) is the nation's largest, broad-based industrial trade group. Our membership includes more than 14,000 companies and subsidiaries, including approximately 10,000 small manufacturers and 350 member associations, located in every state. On behalf of our member companies, we ask you to cosponsor and support H.R. 4182, the Worker Economic Opportunity Act. H.R. 4182 is a bipartisan bill, sponsored by Representatives CUNNINGHAM (R–CA), JIM MORAN (D–VA), CASS BALLENGER (R–NC), TIM ROEMER (D–IN) and many more of their colleagues, which simply ensures that non-exempt (hourly) workers can continue to receive stock options and other equity-participation programs.

H.R. 4182 is needed because of a February 1999 compliance letter by the Department of Labor's (DOL) Wage and Hour Division that placed stock options and other equity-participation programs for hourly workers in jeopardy. It required employers to recalculate overtime pay based on profits realized when an employee exercises the stock options. In response to the letter, many companies have already put their programs on hold until there is legislative clarification. If hourly employees are to continue to receive these options, the House needs to act swiftly. This bipartisan bill has already passed the Senate by a 95–0 margin and enjoys the strong support of the Department of Labor.

On behalf of our members and their employees, the NAM thanks you in advance for your support of H.R. 4182, The Worker Economic Opportunity Act.

Sincerely,

PATRICK J. CLEARY.

UNION OF NEEDLETRADES,
INDUSTRIAL AND TEXTILE EMPLOYEES,
Rochester, NY, February 22, 2000.

TO WHOM IT MAY CONCERN: I am writing on behalf of UNITE and its approximately 5,300 United States bargaining unit employees covered by a contract with Xerox Corporation. It is our understanding that Congress is currently considering legislation to clarify the Fair Labor Standards Act (FLSA) treatment of stock options and other forms of stock grants in computing overtime for non-exempt workers. Xerox' UNITE chapter would strongly urge Congress to pass legislation exempting stock options and other forms of stock grants from the definition of the regular rate for the purpose of calculating overtime.

It is only recently that Xerox has made bargaining unit employees eligible to receive both stock options and stock grants. Without a clarification to the FLSA, we are afraid Xerox may not offer stock options or other forms of stock grants to bargaining unit employees in the future. In addition, without such a change in the law if options are granted there could be tremendous differentials in the amount of overtime each individual employee receives based on what he or she decides, to exercise an option or sell stock. However, *our position that stock options should be exempt from the regular rate for purposes of overtime* in no way *diminishes our position that* bargaining unit employees *must have the* right to receive overtime pay for actual hours worked.

As we begin the 21st century, UNITE hopes more companies will begin to provide all their employees with stock options and other forms of stock, it is a great way to assure that when the company does well the employees share the reward through employee ownership. Thank you for your consideration of this matter.

Sincerely,

GARY J. BONADONNA,
Director, International Vice President.

ASSOCIATION OF PRIVATE PENSION
AND WELFARE PLANS,
Washington, DC, April 19, 2000

Hon. J. C. WATTS,
Chairman, House Republican Conference,
Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE WATTS: I am writing on behalf of the Association of Private Pension and Welfare Plans (APPWP—The Benefits Association) to ask you to co-sponsor and support H.R. 4182, the Worker Economic Opportunity Act, a bipartisan bill to ensure that rank and file employees continue to benefit from stock ownership programs. A companion bill (S. 2323) has already passed the Senate by a 95 to 0 vote and the legislation enjoys the support of the Clinton Administration.

APPWP is a public policy organization representing principally Fortune 500 companies and other organizations that assist employers of all sizes in providing benefits to employees. Collectively, APPAP's members either sponsor directly or provide services to employees benefit plans that cover more than 100 million Americans.

Many stock option and stock participation plans, which extend the benefits of equity ownership to working Americans at all income levels, are in jeopardy due to an opinion letter issued by the Department of Labor (DOL) in February 1999. The opinion letter stated that the Fair Labor Standards Act (FLSA) requires any stock option profits earned by a non-exempt employee to be included in that employee's regular rate of pay for purposes of calculating overtime. The practical result of this unexpected ruling is that employers will feel compelled to exclude their non-exempt employees from broad-based stock ownership plans or not offer such plans at all. To its credit, the DOL recognizes that this result is not beneficial to workers but has stated that only legislative action can reverse the ruling. H.R. 4182, introduced by Representatives ''Duke'' Cunningham (R-CA), Jim Moran (D-VA), and Cass Ballenger (R-NC), is the product of bipartisan discussions and agreement with the DOL and provides the necessary revisions to the FLSA.

APPWP believes that broad-based stock ownership plans provide important benefits to American workers. Such plans make workers corporate owners, can serve as a significant vehicle for wealth accumulation and enhance retirement security. As the attached fact sheet shows, stock ownership and its benefits are spreading to all levels of the workforce and across the entire spectrum of American industry. Despite these positive developments, many employers are now caught in the quandary of how, or even whether, to proceed with extending equity ownership to rank-and-file employees. Therefore, quick passage of H.R. 4182 is necessary. Your commitment to join 37 other House members as a co-sponsor of H.R. 4182 will help achieve this goal and ensure that non-exempt employees will continue to be eligible for stock ownership programs.

Thank you for your consideration of this important matter. If we can provide more information or answer any questions you may have, please contact James Deleplane, APPWP's Vice President, Retirement Policy, at jdeleplane@appwp.org or (202) 289–6700.

Sincerely,

JAMES A. KLEIN,
President.

STOCK OPTION BILL UNANIMOUSLY APPROVED BY SENATE; LPA-BACKED LEGISLATION MOVES TO HOUSE

BIPARTISAN BILL BACKED BY LABOR DEPARTMENT CORRECTS LAW DISCOURAGING EMPLOYERS FROM PROVIDING STOCK, STOCK OPTION PROGRAMS TO HOURLY EMPLOYEES

APRIL 12, 2000—Today, LPA praised the Senate's passage of the Worker Economic Opportunity Act (S. 2323), bipartisan legislation that would amend the Fair Labor Standards Act of 1938 (FLSA) to ensure that employers can continue to offer stock options to non-exempt employees without fear of violating overtime requirements. Many stock and stock option programs had been placed on hold when companies learned last December about a potential conflict with the FLSA. That conflict would require overtime payments to be calculated retroactively based on profits earned through stock option programs.

According to Jeff McGuiness, President of LPA, ''We are very pleased that the Senate has come to the rescue of tens of thousands of working Americans who receive stock and stock options from their employers. We applaud its effort to ensure that companies will be able to continue to offer broad-based stock option programs. Because proxy season is upon us, we hope the House will act quickly on this important bill so that stock programs can be resumed.'' Labor Secretary Alexis Herman has indicated that she will strongly recommend that the President sign the bill if it reaches his desk.

Senators Mitch McConnell (R-KY) and Chris Dodd (D-CT) introduced S. 2323 in March. Rep. Duke Cunningham (R-CA) has introduced an identical bill (H.R. 4182) in the House.

The need for legislation became apparent after the Department of Labor's Wage and Hour Division advised an employer to include employees' stock option profits as part of base pay for the purposes of calculating overtime. The additional administrative burden imposed by such calculations and the liability arising from making them incorrectly has resulted in a large number of companies suspending future employee equity programs.

LPA is a public policy advocacy organization representing human resource executives of more than 200 leading companies doing business in the United States, many of whom give stock options to hourly employees. Collectively, LPA members, many of whom have substantial numbers of employees represented by labor unions, employ more than 12 percent of the private sector workforce in the United States.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, May 2, 2000.

Hon. RANDY ''DUKE'' CUNNINGHAM,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE CUNNINGHAM: I am writing to commend you on your leadership role in bringing to the floor of the House S. 2323, the Worker Economic Opportunity Act. As you know, this bill passed the Senate by a vote of 95–0 in April, and is identical to H.R. 4182, which you introduced along with seven other original co-sponsors from both sides of the aisle. The Chamber strongly supports this bipartisan legislation, which will help millions of hourly workers retain or obtain stock options.

Last year, the U.S. Department of Labor issued a letter ruling stating that companies providing stock options to their employees must include the value of those options in the base rate of pay for hourly workers. Employers must then recalculate overtime pay over the period of time between the granting and exercise of the options. This costly and administratively complex process will cause many employers to cease offering stock options and similar employee equity programs to their nonexempt workers.

Clearly, the Fair Labor Standards Act must be modernized to reflect the fact that many of today's hourly workers receive stock options. For this reason, the Chamber strongly supports S. 2323, legislation that would exempt stock options and similar programs from the regular rate of pay for nonexempt workers. This carefully crafted legislation will provide certainty to employers who want to increase employee ownership and equity building by offering stock options and similar programs to their hourly workers. The bill is broadly supported by members from both sides of the ideological spectrum, as well as the U.S. Department of Labor.

We urge prompt enactment on S. 2323, which will help millions of American workers build equity in the companies for which they work.

Sincerely,

R. BRUCE JOSTEN.

THE ERISA INDUSTRY COMMITTEE,
Washington, DC, May 1, 2000.

DEAR REPRESENTATIVE: The ERISA Industry Committee (ERIC) strongly urges you to support H.R. 4182, the ''Worker Economic Opportunity Act.'' H.R. 4182 is expected to come before the House for a vote during the week of May 1. Timely enactment of this legislation is critical to the continued viability of broad-based stock options and other similar programs that provide employees with equity ownership in the companies for which they work.

Introduced April 5 by Representative Randy ''Duke'' Cunningham, the ''Worker Economic Opportunity Act'' enjoys strong bipartisan and bicameral support. The bill is the result of a cooperative effort between congressional leaders, the Department of Labor, and the business community. The Senate unanimously passed its companion to H.R. 4182 on April 12.

Stock options increasingly are available to a broad range of employees, not just executives. A recent survey by William M. Mercer, Inc., reports a better than twofold increase since 1993 in the percentage of major industrial and service corporations that have a broad-based stock option plan.

In spite of the growing enthusiasm for employee equity ownership among employers and employees, an advisory letter interpreting current law issued by the Department of Labor's Wage and Hour division has effectively stopped this movement in its tracks.

According to the Department's interpretation of the Fair Labor Standards Act (FLSA) of 1938, and gains from the exercise of stock options recognized by rank and file workers must be included in their ''regular rate of pay'' for purposes of computing overtime wages. Thus, in order to comply with the Wage and Hour Division's interpretation of the FLSA, employers would be required to track stock options granted to rank and file employees and recalculate their overtime payments once the options have been exercised.

No rational employer will subject itself to this impracticable burden. As a result, rank and file workers will be denied the valued opportunity to become a stakeholder in their employer's future.

H.R. 4182 is narrowly tailored to directly address the issues raised by the Wage and Hour Division's advisory letter without compromising any long-standing worker protections under FLSA. Most important, this legislation will benefit millions of working Americans by facilitating the continued expansion of equity-based compensation programs. It should be enacted without delay.

Thank you for considering our views. Please feel free to call on us if you have any questions or need additional information.

Very truly yours,

MARK J. UGORETZ,
President.

INFORMATION TECHNOLOGY
INDUSTRY COUNCIL,
Washington, DC, May 2, 2000.

Hon. RANDY CUNNINGHAM,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN CUNNINGHAM: I am writing to thank you for your leadership during House consideration of S. 2323, the Worker Economic Opportunity Act. I would also like to let you know that ITI anticipates making the vote on final passage of S. 2323 a ''key vote'' for our 106th Congress High-Tech Voting Guide.

ITI is the association of leading U.S. providers of information technology products and services. It advocates growing the economy through innovation and supports free-market policies. ITI members had worldwide revenue of more than $440 billion in 1998 and employ more than 1.2 million people in the United States. The High-Tech Voting Guide is used by ITI to measure Members of Congress' support for the information technology industry and policies that ensure the success of the digital economy. At the end of the 106th Congress, key votes will be compiled and analyzed to assign a ''score'' to every Member of Congress.

We believe that passage of this legislation is an important piece in ensuring the future growth of our industry and the nation's economy. As you know, today more and more working Americans worker are receiving stock options. The Worker Economic Opportunity Act updates the Fair Labor Standards Act to guarantee that rank-and-file employees and management can share in their employer's economic well being in the same manner.

We look forward to working with you on other issues important to the information technology industry.

Best regards,

RHETT DAWSON,
President.

Mr. OWENS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DOOLEY).

Mr. DOOLEY of California. Mr. Speaker, I rise today in support of H.R. 4182, a bipartisan effort to address a problem that could impede advancements in many sectors of our economy.

In many ways this legislation I think is a reflection of the transition our economy is making from an industrial-based economy to an information-based economy. We are seeing some of the most rapid growth in our economy now in this information sector, where a lot of those companies are making great efforts to recruit talent and personnel by offering them a stake in the company. By ensuring that stock options can be available not only to management, but to employees, we are going to ensure that that employee will have the opportunity to benefit from the technology and the product development that is adding so much wealth to our entire economy.

I am real pleased that this legislation will certainly benefit not only the

technology sector, but also a lot of other companies on the more manufacturing side of things, who are seeing some examples of how they too can reach out to make their employees more a part of their efforts to move forward.

Mr. Speaker, I just want to join the chairman and the ranking member in their efforts in bringing this bill to the floor, and thank all of the efforts of the administration and other Members that have joined in support of this legislation.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER), the subcommittee chair responsible for this legislation.

Mr. BALLENGER. Mr. Speaker, I am pleased today to rise in support of this act, a bipartisan bill to protect the stock option programs for rank and file employees.

Stock option programs can be configured in a variety of ways and are referred to by different names, but all the programs share similar objectives, to reward employees, to provide ownership in the company, and to attract and maintain a motivated workforce.

In testimony before my Subcommittee on Workforce Protections earlier this month, witnesses discussed how stock ownership programs are now available to more and more employees. In the past, such programs were used to reward executives, top management and other key employees. However, there has been a dramatic increase in the past several years in the number of companies offering broad-based employee ownership plans to rank and file employees.

The Department of Labor's recent interpretation saying that stock options may be part of an employee's ''regular rate,'' threatened to undermine the ability and willingness of employers to make stock options available to their own nonexempt employees. Ms. Abigail Rosa, an employee who testified at the hearing, expressed concern that the Department of Labor's interpretation of the law would force companies to do away with stock option programs for employees who are covered by the overtime law.

Allowing hard-working rank and file employees to share in the growth of their companies is good for morale, good for families, and good for the country. I am pleased that we were able to work together to fashion a bill that updates the 1938 labor law. We have a bill that fosters stock option plans and has the FLSA taking a baby step into the 21st century.

This bill represents the hard work and attention of many Senators and Members of the House on both sides of the aisle, as well as the Department of Labor, and I urge my colleagues to vote for this legislation.

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

Mr. Speaker, I would like to express my gratitude to the gentlemen on the other aisle for their cooperation in working together on this piece of legislation.

I think the bipartisan cooperation of this legislation shows that both parties are willing to go into the rest of this age of information and to continue on to what I call the cyber-civilization and make the necessary adjustments to various factors in our economy. But I think it is important to note that the gentleman from California (Mr. Cunningham) said that it is a crime that large numbers of foreign workers are being imported and that they will be occupying these high-paying jobs, they will be getting these stock options, and large numbers of our own workforce will be denied the opportunity because they do not have the proper education and training. So at a time when our economy is leaping ahead and there is unprecedented prosperity, and we heard recently that the budget surplus is going up since we were on recess and came back, the budget surplus is going up, I think they expect about $200 billion surplus this year or more, and over the next 10 years you may have a $2 trillion surplus, it is a crime that we do not have the kind of education system which will develop and train the workers who can take the jobs that are paying so well that they offer stock options in addition to regular salaries.

This great budget surplus that we anticipate, if we were only to take 10 percent of it for education, just 10 percent, we could deal with these 21st century problems of large numbers of vacancies in industries which require highly educated workers. Just 10 percent. I would say 5 percent for the all-important activity of school construction, school repairs, various things related to school infrastructure, because part of the training process requires that you have the facilities and you have the equipment.

There is a great need for capital investment in our schools in order to get the workforce trained who would be able to take advantage of such lucrative items as stock options, as well as higher paying jobs. Take 5 percent for physical infrastructure and deal with the problem that the National Education Association has cited as requiring $254 billion. Their survey, their report, shows that we need $254 billion to bring the infrastructure of the public school systems up to a level where they can take care of the present population. We are not talking about long-term enrollment projections. $254 billion is needed at this point to do that.

We have it. Money is not the problem. It is there in the surplus. I am not asking for that much, but I think we ought to reserve 10 percent for education. Five percent of $2 trillion would be like $20 billion. Five percent of $2 trillion would be $10 billion for construction and another $10 billion for other educational improvements. $20 billion a year reserved out of the projected surplus would take care of the problem of training workers so those workers could make the salaries and be eligible for the stock options we are talking about today.

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

□ 1315

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

Mr. GOODLING. Mr. Speaker, I yield myself 30 seconds, just to indicate that if we in the Congress of the United States refuse to admit that billions and billions, hundreds of billions of dollars that we have spent on education from the Federal level have not closed the academic achievement gap one little tiny bit, and if we will not admit that those programs have failed, I do not care how much money we spend or how many more programs we introduce, failure is bound to follow as it has over the last 30 years.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BOEHNER), the other subcommittee chair of the labor side of our committee.

Mr. BOEHNER. Mr. Speaker, team-building is replacing bureaucracy throughout our country. That is really what we define today as the New Economy. New Economy companies are not just high-tech firms. They are companies that understand the value of their workforce as a team and organize themselves around team dynamics. That goes for companies that make sofas in southwestern Virginia, as well as companies that make Internet servers in Silicon Valley.

A critical part of team-building is getting everyone on the same page, making sure everyone is motivated by common interests. By making the employee a shareholder, stock options also make them valued team members who see their interests and those of the rest of their team as one and the same.

Our subcommittee held a hearing in March on another stock options-related measure, one that I introduced last winter. One of the witnesses at our hearing was Timothy Byland, a sales employee with a San Diego-based Internet firm. Tim told our committee, and I quote, ''Stock options are a way of sharing the gains of the business with those responsible for those gains. With stock options, I am part of that shared success. I am rewarded for the contributions I make and I am motivated to make them.''

Stock options are part of almost any employee compensation package in the high-tech sector today, but increasing numbers of more established companies today are recognizing the value of helping employees become shareholders, giving them an unprecedented chance to share in their company's performance and profits. These companies range from 3M to Pepsi to Merrill Lynch, Citigroup and CBS.

In short, Mr. Speaker, stock options just are not for the executive anymore. This is a new economy with new opportunities for workers at every step along the pay scale.

The Labor Department's current policy on stock options for overtime employees illustrates how out of step Washington's rules are with the opportunities of the new economy. It is a throwback to the old days when stock options were available to almost no one except top executives.

If fully implemented, this policy would be a dramatic step backward. It would needlessly discourage employers from granting stock options to hourly employees. It would limit opportunities for millions of workers to build greater wealth and, most importantly, retirement security.

Swift passage of this measure today will remove a major Federal obstacle to the vision of a shareholder society shared by many members on both sides of the political aisle. It will also help to ensure continued movement toward a regulatory system that reflects the opportunities of the 21st century, and it will pave the way for us to address some other problems that current law poses for rank and file workers with stock options such as the IRS Tax Code dual taxation of nonqualified stock options.

Mr. Speaker, I commend the gentleman from North Carolina (Mr. BALLENGER), the gentleman from Pennsylvania (Mr. GOODLING), and all of the Members who have worked on this bill, and I urge all of my colleagues to support it today.

Mr. OWENS. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the distinguished gentleman from New York for yielding me this time.

Mr. Speaker, as the lead Democratic sponsor of the House version of this bill, the Stock Options Preservation Act, I want to thank all of the people in both Chambers and particularly on both sides of the aisle who put aside partisanship and traditional turf battles to get this important legislation passed into law. Particularly, I want to thank the gentleman from California (Mr. CUNNINGHAM) and the gentleman from Virginia (Mr. DAVIS), who reached out to Members on both sides of the aisle and worked with the administration to craft meaningful, substantive legislation. I wish we could do more of this. Not only is this a substantive piece of legislation, but it also ought to be an example of how we can do things when we can get together in a bipartisan way.

What drove this, of course, was the understanding that in business, there is only one way to increase total compensation without raising inflation, and that is increasing productivity. Increased productivity means that workers can take home more and that businesses can earn more. It represents a win/win scenario and is directly responsible for the tremendous economic growth we have experienced over the last 8 years. It has been unbelievable to be able to keep inflation down, while wages and benefits are going up; and, of course, it is all because of the increased productivity that we are seeing throughout our workforce.

This is not just because of technological advances; it is achieved by improving the way in which employees work together. When employers and employees share the same goals, which is the success of a business, then productivity increases. Employees and employers both win, and of course the American economy wins too. That is why we have this enormous surplus. We are finally going to be able to stop paying down the debt, investing in education and research, and setting aside money for our retirement. It is all because we have this tremendously more productive economy.

As one example, let me just share an example. One large company that distributed food products was losing millions of dollars each year because of very low recycling rates. So when it imprinted the logo for its stock option program on all of its products, the recycling rates went up to 99 percent; 99 percent got recycled. It was because the employees realized that recycling boxes and other waste products saved the company millions, that improved the bottom line and consequently, the stock price.

No longer are stock options exclusively for the CEO and top management. Two-thirds of large companies give options to portions of their nonexecutive workforce, and over one-fourth of those companies give options to all of their employees.

Stock options unite employees. Some businesses have stock tickers in their cafeterias. When the price is up, the employees all feel a sense of achievement. When it is down, they know they have more work to do. It overcomes divisions that oftentimes pit employees against employers, and that is better for all of us. It promotes a sense that employees from the CEO to the line worker in all parts of the country are part of the same team.

This has been a long time in coming, but when we can work as a team and we can stop that gap between management and the workforce, we are all better off. This new economy should bring increased opportunities for all American workers. Stock option programs provide that opportunity by making workers into owners, investing them in the success of the business.

The administration has endorsed this bill, the Senate passed it unanimously, and I strongly support it, and I trust it will pass unanimously. This is what the new economy should be all about and what the American workforce should be all about, being invested more in the product, in the efficiency and the effectiveness of the way in which we develop a product and not just in the process. We are all part of this economy, and workers need to be owners. Stock options are enabling us to achieve that.

Again, I want to congratulate my colleague, the gentleman from Virginia (Mr. DAVIS), for being one of the first people to bring that up, and as I said, the gentleman from California (Mr. CUNNINGHAM) and the gentleman from Pennsylvania (Mr. GOODLING), and all of the other speakers, and the gentleman from New York (Mr. OWENS). It is both sides of the aisle, and this is the way we get things done, and this is very important for our economy.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. SAM JOHNSON), a member of the committee.

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is a rare occasion when we agree with the Department of Labor on legislation, but today we do. This bill will ensure that all employees, including rank and file workers, are allowed to participate in employee-provided stock option programs.

With the advent of new technology and Internet companies that offer stock options to lure the best and the brightest, we must make sure that outdated laws do not stifle our growth and innovation.

It is unfair to allow only top executives to participate in these stock options, excluding those who provide the labor for the same company, but on an hourly basis. I believe rank and file employees deserve the chance to make their fortune, secure their retirement, and increase opportunities for savings. The time is long overdue to help millions of workers and employees achieve the American dream.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. DAVIS), another Member who worked hard on this legislation.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Mr. Speaker, the Department of Labor's opinion letter that was issued in February was really outrageous. The letter stated that the Fair Labor Standards Act did not allow the value of stock options to be excluded from the calculation of a nonexempt worker's overtime pay. Now, this had not been a problem in 20 years. When I was a corporate executive and we were giving stock options to nonexempt employees, we did it with the idea of they being owners of companies.

The effect of this rule and regulation would have been that many workers who are salaried employees would no longer be eligible for stock options, that they were going to be deprived of their piece of the American dream: homeownership, to be able to build equity, and get the kind of income that exempt workers were routinely getting. That was the effect of that decision.

Unfortunately, it created a lot of uncertainty within the business community. When this was brought to the attention of the higher-ups, Congress started to act and the administration moved into gear. We appreciate everybody working together now to bring

this legislation where it is today. I think the unanimous Senate vote, the fact that the administration is now going to sign legislation that will basically solve the problem that was created when they sent this letter out in February, is an indication that when we work together, we can solve these problems. I want to applaud all concerned.

Mr. Speaker, I rise today to express my strong support for S. 2323, the Worker Economic Opportunity Act, a measure that exempts stock options, stock appreciation rights, and employee stock purchase programs from the calculation of overtime pay for certain employees under the Fair Labor Standards Act. As a sponsor of the House companion to this measure, introduced by my colleague, Congressman CUNNINGHAM, I cannot emphasize enough how important this legislation is to the continued growth of our nation's New Economy in the 21st Century.

Over the past decade, our economy has boomed and the shortage of workers has intensified. Within this context, employers have used innovative ways to improve their workplaces and attract and retain workers. Offering new financial opportunities—such as stock options—has allowed many companies to draw in good workers and at the same time, give employees an ownership right in the growth potential of a business. According to Fortune magazine, of the 100 best companies to work for, over one-third now offer stock options to all of their employees. And the National Center for Employee Ownership reports that over 80 percent of companies receiving venture capital financing provide options to both nonmanagerial and key management employees.

The Department of Labor's opinion letter, issued in February, brought a great deal of uncertainty for employers and employees. The letter stated the Fair Labor Standards Act did not allow the value of stock options to be excluded from calculation of non-exempt worker's overtime pay, sparking serious concerns among those of us here in the House of Representatives and the other body as to how this ambiguity would affect economic growth. While the increased use of stock options is on the rise in traditional businesses, the high technology industry in particular owes a great deal of its growth to the issuance of stock options. The high technology industry has been a boon to our economy, creating more than 1 million high-paying jobs since 1993. In my home state of Virginia, some 12,100 technology-based firms call Virginia home, employing more than 370,000 workers and contributing more than $19.4 billion in wages.

S. 2323 passed the Senate overwhelmingly with a vote of 95–0 last month and received the support of the Secretary of Labor, Alexis Herman. It will assure the protection of worker's stock options and ability to share in the success of a company without harming the computation of fair overtime pay. I want to commend Chairman GOODLING, Chairman BALLENGER, and Congressman CUNNINGHAM, for their leadership on this issue. I urge all of my colleagues to support this bill and save stock options for all workers.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KUYKENDALL).

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

Mr. KUYKENDALL. Mr. Speaker, I rise today in strong support of S. 2323, the Worker Opportunity Act. It is important legislation that encourages companies to grant stock options to all employees without triggering overtime calculations of the Fair Labor Standards Act. It is a much-needed update to reflect current realities in the workforce and our economy.

Passed in 1938, the Fair Labor Standards Act guaranteed that hourly workers would receive fair pay for their work. It set strict requirements with respect to how overtime would be calculated. Over the years, overtime pay provisions have been amended to reflect changing realities of the workplace.

For example, today current law excludes health and pension plans from overtime calculations as a means of encouraging employers to offer these important benefits to hourly employees. The United States economy has changed dramatically since 1938. It is an economy fueled by information technology and high-tech industries.

Many companies today have tight capital constraints when starting out. Companies in this new economy attract potential employees by offering the promise to share future corporate profitability through stock options or other stock purchase plans; and for the first time, employees at all levels have a meaningful stake in the success of their businesses, creating other positive benefits. Imagine, the attitude that every employee is important to the success and welfare of their employer, and they can participate in the benefits of ownership are attitudes that our labor laws and policies should encourage.

Unless changes are made to the Fair Labor Standards Act, most employers have indicated that they would exclude nonexempt employees from participation in stock purchase plans. According to the Employment Policy Foundation, the potential impact of the Department of Labor's interpretation is that 26 million Americans would stand to lose their stock options or other corporate equity. This is not a result intended by the Fair Labor Standards Act, by the Department of Labor, or by labor representatives. With passage of this bill today, we undertake the much needed revision to provide the Department of Labor with additional flexibility.

I was pleased to be an original cosponsor of the House companion bill, and I am proud to support S. 2323 today, and I urge all of my colleagues to vote in favor of this important resolution.

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

□ 1330

Mr. OWENS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think it is important to note that the language on both sides has been the same. The concepts have been the same. We basically agree that the Committee on Education and the Workforce understands the implication of the New Economy. We understand the kind of society we are going into. We understand that we have responsibilities for the workforce.

Here we are exercising an important responsibility in terms of payment; that they should not be barred from enjoying the prosperity and should not in any way be kept from having stock options as other people do within the confines of a corporate enterprise. So we all agree.

Mr. Speaker, I think we all ought to agree that the Committee on Education and the Workforce is primarily for the American workforce. We may have some international obligations sometime in the future; we may choose to assume those, but it is the American workforce that we would like to see take advantage of the opportunities that exist in our economy now.

The sad thing about this bill, as the gentleman from California (Mr. CUNNINGHAM) pointed out, is that so many of our people who ought to be qualified for these jobs are not qualified, and we are going to be reaching out to the rest of the world to bring in workers who will not pay into the Social Security system, who will not contribute to the full economy of our Nation, while we are denying the opportunity to our own people because we have not developed a sufficient education system.

So given the fact that we now have an opportunity with a huge surplus, 10 percent of that surplus ought to be devoted to revamping our education system. Revamping it in ways that do not interfere with local controls, starting with school construction, which is a capital expenditure. Buying computers is a capital expenditure. We can do the things that capital expenditures require, get out, and do not interfere with the operation of the schools.

It is relevant to this discussion. At the end of the war in Vietnam, we did not jettison or throw away our military establishment. We did not say, look, they have lost a war to a Third World country; and, therefore, they have not succeeded so we will not continue to support our military. Just the opposite happened. We began to pour more and more resources more and more dollars into revamping and building up the world's greatest military system that existed.

So the failure of our school systems up to now, the huge amount of problems that we have in terms of educational reform and improvement, should not prevent us from utilizing this window of opportunity to provide help for working families. Working families should be allowed to join the economy and enjoy the stock options, because they qualify for those good-paying jobs.

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

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the Senate bill, S. 2323.

The question was taken.

Mr. GOODLING. 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.

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GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 2323.

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

There was no objection.

□

IDEA FULL FUNDING ACT OF 2000

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4055) to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of the act by 2010.

The Clerk read as follows:

H.R. 4055

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 ''IDEA Full Funding Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) All children deserve a quality education, including children with disabilities.

(2) The Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) provides that the Federal Government and State and local governments are to share in the expense of educating children with disabilities and commits the Federal Government to provide funds to assist with the excess expenses of educating children with disabilities.

(3) While Congress committed to contribute up to 40 percent of the average per pupil expenditure of educating children with disabilities, the Federal Government has failed to meet this commitment to assist States and localities.

(4) To date, the Federal Government has never contributed more than 12.6 percent of the national average per pupil expenditure to assist with the excess expenses of educating children with disabilities under the Individuals with Disabilities Education Act.

(5) Failing to meet the Federal Government's commitment to assist with the excess expense of educating a child with a disability contradicts the goal of ensuring that children with disabilities receive a quality education.

SEC. 3. PURPOSE.

It is the purpose of this Act to reach the Federal Government's goal under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) of providing 40 percent of the national average per pupil expenditure to assist States and local educational agencies with the excess costs of educating children with disabilities.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

Notwithstanding section 611(j) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(j)), for the purpose of carrying out part B of such Act, other than section 619, there are authorized to be appropriated—

(1) $7,000,000,000 for fiscal year 2001;

(2) $9,000,000,000 for fiscal year 2002;

(3) $11,000,000,000 for fiscal year 2003;

(4) $13,000,000,000 for fiscal year 2004;

(5) $15,000,000,000 for fiscal year 2005;

(6) $17,000,000,000 for fiscal year 2006;

(7) $19,000,000,000 for fiscal year 2007;

(8) $21,000,000,000 for fiscal year 2008;

(9) $23,000,000,000 for fiscal year 2009;

(10) $25,000,000,000 for fiscal year 2010; and

(11) such sums as may be necessary for each subsequent fiscal year.

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

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

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

Mr. Speaker, I have looked forward to this day for 26 years, and I am glad it has arrived and I hope it is just the beginning.

For many years in the minority, I pleaded and pleaded and pleaded to do something about getting somewhere near that 40 percent of excess costs. Finally, I got the gentleman from Michigan (Mr. KILDEE) to join with me on the Committee on the Budget and as powerful as we two are, we did not move the Committee on the Budget nor did we move the appropriators. But we are still fighting.

Today, of course, we have an opportunity to do something about it. As I have said over and over again, if we would meet that obligation, if we had met it over the years of paying 40 percent of the excess costs, today we are talking probably about $2,500 per student for each child.

I have said over and over again that how much we could have done over those years in maintaining school buildings, improving school buildings, reducing class size. And then people will say that is not very much money. Well, I have got news for my colleagues. New York City would get $170 million a year. Twenty times $170 million sounds like a lot of money to me. Los Angeles, $95 million every year. Twenty times $95 million every year sounds like a lot of money to me.

The problem is, we have not met our obligations. If we had met our obligations, of course, we can see on the chart the number of children with disabilities, the national average per pupil in the year 2000 was $6,300. So 40 percent of that gives about $2,500 per child.

On the other chart, of course, I indicate what Los Angeles, Chicago, New York City, Dallas, Miami, Washington, D.C., St. Louis, just to mention a few, would have gotten year after year after year if they had gotten the 40 percent that they expected us to put forth on the excess costs.

I ought to caution, however, that unless we can control over-identification, we can never get to the 40 percent. There is not anybody that has enough money to get to that 40 percent. So we have to work at both ends.

The legislation was proper because the legislation said every child, whether you have a disability or not, should have an equal opportunity for a good education. Our problem is that we did not put our money where our mouth was. That meant that local school districts have had to raise all of this money locally and take it away from reducing classes and away from school construction and maintenance, and they have had to take it away from better education for every other child because they had to fund this 40 percent.

I am very pleased to indicate, however, in the last 4 years we have convinced the budget people and we have convinced the appropriators, and they have upped us $2 billion each year. That gives us 115 percent increase in a 4-year period, and I am very thankful for that. If we keep doing the same for the next 10 years, we will be in very good shape.

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

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

Mr. Speaker, I join the gentleman from Pennsylvania (Chairman GOODLING) in supporting H.R. 4055. I want to commend the gentleman for bringing this legislation before the House today.

Several years ago, when we both served on the Committee on the Budget, the gentleman from Pennsylvania had the wisdom and the courage to vote for full funding of IDEA. He was the only one on his side of the aisle in that committee to vote ''yes,'' and I certainly appreciate his courage. Despite opposition to this effort, he doggedly pursued this goal.

Mr. Speaker, I admired him for his perseverance then and continue to admire him for it now. The work of the gentleman from Pennsylvania (Mr. GOODLING) has touched the lives of so many children during his career, providing many of them with the means to better themselves.

Today, I find myself as a better person because of the gentleman from Pennsylvania. His retirement at the end of this Congress is a great loss to this institution and to the children of our country.

Having extolled the virtues of my chairman, and he is my chairman and my friend, I also want to discuss the importance of this legislation. When the gentleman from Pennsylvania introduced H.R. 4055, I was pleased to learn that his bill is similar to the text of H.R. 3545, the bill introduced by the gentleman from California (Mr. MARTINEZ) and myself.

I want to especially acknowledge the leadership of the gentleman from California (Mr. MARTINEZ) on this issue. It has been a goal of mine, and that of Members on both sides of the aisle, to provide full funding for IDEA.

With this legislation, we will create guideposts that the Committee on Appropriations can use to put us on a 10-year path to reaching our goal of providing 40 percent of the excess costs of educating a child with a disability. I truly hope that this bill provides the impetus to reach full funding of IDEA. That would be the greatest tribute we could pay to the gentleman from Pennsylvania (Chairman GOODLING).

Clearly, the educational needs of children with disabilities and their access to a free, appropriate public education is a critical issue in assuring they become productive members of our society. Moreover, Mr. Speaker, I believe that Federal funding we target to all populations often provides the link to a high-quality education that would not exist without that funding.

This legislation allows us to take a bigger step towards fully funding IDEA and increasing the funding for all of our Federal educational programs.

Every child has dignity. Every child has worth. Their education must be a high priority. Together with the President, who has shown great leadership in the area of increased education funding, we can and should be making increased investments in education for our Nation and for our children.

In closing, Mr. Speaker, I want to urge Members to support this bipartisan legislation.

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

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Chairman BALLENGER), and I too want to congratulate the gentleman from California (Mr. MARTINEZ) for his doggedness to help us get this legislation to the floor.

Mr. BALLENGER. Mr. Speaker, I rise in strong support of the IDEA Full Funding Act of 2000.

In October 1997, the 105th Congress reauthorized IDEA, allowing continued funding to the States for education of children with disabilities. In 1997, funding for IDEA was only $2.6 billion. In the last 3 years, the Republican-controlled Congress has nearly doubled Federal funding on IDEA to approximately $4.3 billion. Although Congress has allocated more money to IDEA, there is still a shortfall in the obligation to States and local school districts to fund this act.

This bill would free up funds that currently States and local school districts are forced to use to compensate for the Federal Government's failed commitment to fund IDEA. By steadily working to increase IDEA funding to $2 billion each year annually until 2010, Congress would increase opportunity and flexibility for local school districts to fund the programs that they feel are best for their students, whether it be school construction, Title I funding, teacher training or smaller classrooms.

Mr. Speaker, it is time that Congress honors its commitment to States and local school districts, and I urge my colleagues to vote for H.R. 4055.

Mr. KILDEE. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, I rise in strong support of H.R. 4055. I would like to give a little history. In 1972, two landmark cases, Parc versus the State of Pennsylvania and Mills versus the Board of Education, found that children with disabilities are guaranteed an equal education under the 14th amendment.

In response to these cases, Congress enacted the Education for All Handicapped Children Act of 1975, the predecessor of today's Individuals with Disabilities Education act, to assist State and local governments in meeting their responsibility to these children by agreeing to pay up to 40 percent of the excess costs of educating children with disabilities.

However, to date, as the gentleman from Pennsylvania (Chairman GOODLING) has said, the Federal Government has never contributed more than 12.6 percent, leaving States and school districts to make up the difference.

Mr. Speaker, I would like to give an example in my own district. Los Angeles Unified School District, which serves schools in my district, currently spends $891 million to educate 81,000 disabled students. While the school district receives approximately $500 million from the State and $42 million from the Federal Government for that purpose, it still must tap into its general education funds to make up the $300 million shortfall.

□ 1345

I will say that again, $300 million shortfall. The share of responsibility that falls on the school district grows every year. That fact has not been ignored by the gentleman from Pennsylvania (Chairman GOODLING), as he has at various times tried to rectify the wrong. Therefore, to help him, to help the L.A. school district and school districts all over the country facing similar situations, I introduced a bill to incrementally increase the amount until we achieved the 40 percent commitment.

My bill would authorize an additional $2 billion a year for 10 years to reach full funding of IDEA by 2010.

I am extremely pleased that the gentleman from Pennsylvania (Chairman GOODLING) who has been calling for funding and increased funding for IDEA for many years, long before it was politically popular, has embraced this idea of funding IDEA incrementally over a period of time, in his own bill, H.R. 4055.

In my view, his bill, H.R. 4055, is a first good step to funding our commitment, not only to children with disabilities, but to all children, because, after all, the money that goes to disabled children comes from the general fund for the other children.

I hope that H.R. 4055 is the first of many education full funding bills considered by the Congress.

As we move into the 21st century, we must make critical decisions about the priorities of this Nation. In countries like Japan and China, education is a top priority above even defense. This year alone the Department of Defense will ask for $11 billion in new spending. I do not deny them that. According to OMB's most recent estimates, we can expect an $80 billion budget surplus.

Certainly if the Department of Defense can get $11 billion in new spending, we can spare $2 billion a year to ensure a brighter future for all our children.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding to me. I, too, rise in support of the legislation before us.

I am a strong believer this is something we really should have done a long time ago at the Federal government level. It is something we should make the commitment to do now because we have to make up for lost time, and it really does free up other opportunities with respect to local and State spending.

We need to understand that we at the Federal Government level only supply about 6 or 7 percent of all of the funding of education in this country. But every now and then, we mandate something. We have done that with children with disabilities. We have said that we have got to educate. The Supreme Court has come along and said, not only do we have to educate, but we have to provide some health services as well.

This is extraordinarily expensive on a local basis; and as a result, we have an obligation, I think, to stand up and to do something about it.

So for all these reasons, I rise in support of the legislation and what the gentleman from Pennsylvania (Chairman GOODLING) is doing, and hopefully this entire body will speak to it in a positive sense.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman from Michigan for yielding me the time.

Mr. Speaker, as a member of the Committee on Education and the Workforce, I rise in strong support of this legislation. I commend the gentleman from Pennsylvania (Mr. GOODLING), chairman of the Committee on Education and the Workforce for his resolute stand on this issue. I am proud to be a supporter, along with the gentleman from Michigan (Mr. KILDEE),

the ranking member on the subcommittee, on this issue as well.

It is a wise investment of Federal funds to see that schools accommodate students with special needs. It is one that Congress has not taken seriously enough throughout the years.

I am concerned, however, that too many of my colleagues, both on the Committee on Education and the Workforce and throughout the rest of the body, use the IDEA funding issue as a tool for divisiveness on education policy.

Reasonable minds, I believe, can disagree over whether the statutory language of IDEA created a Federal mandate to fund 40 percent of the excess cost of education for special education students. If it does create that 40 percent obligation, then we have only lived up to, over the years, roughly 12 or 13 percent of that responsibility. Reasonable minds can also disagree over how exactly those educational services should best be provided.

But we all should be able to agree that this kind of targeted funding to help schools provide a quality education for students with special needs is exactly the proper role for the Federal Government in education.

Accordingly, we should do all we can to fund IDEA at adequate levels. But we should not use IDEA funding to hold the rest of the Federal education program hostage. We should not, as some of my colleagues are quick to do, insist on funding IDEA only or as a prerequisite for any other funding for other important educational goals in this body.

This country has the wealth and the public will to do great things on behalf of our children's educational needs. The question remains, does the Congress have the will to make hard choices across the whole of the Federal budget to see that America's commitment to education is supported?

Unfortunately, the battles over ESEA in both Houses that seem inevitable in the closing months of the 106th Congress leave many in America doubting our collective will and wisdom.

Again, Mr. Speaker, I support the efforts of my colleagues here today in focusing attention on helping to provide quality education to all students. Let us hope that we can continue this effort in a bipartisan fashion when it comes to reauthorizing the whole of the ESEA legislation throughout the remaining months of this session of Congress.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Chairman MCKEON).

Mr. McKEON. Mr. Speaker, I, too, rise in strong support of H.R. 4055, the IDEA Full Funding Act. First, I would like to commend the gentleman from Pennsylvania (Chairman GOODLING) for all of his hard work on this important issue. He has long been an advocate for special needs children. His leadership will sorely be missed when he retires at the end of this year.

Now, in this era of budget surpluses, we must resist the temptation to create new untested Federal programs. Instead, I believe that, before we pass any new programs, we must first fulfill a promise we made a quarter of a century ago, a promise to assist our local schools so that they can provide our special needs children with a public education.

Time and again, I hear our States and schools must sacrifice other educational needs and priorities in order to make up for the Federal shortfall on IDEA funding.

For example, the Antelope and Santa Clarita Valleys in my Congressional District must find nearly $5 million in additional funds to cover the Federal share for educating special education students.

I am sure there are a lot of other things those schools could do with $5 million if the Federal government would simply live up to its obligation.

I am hopeful the President will join us in this important endeavor. If the President would first fund the special education mandate, our State and local school districts would have the funds to do the things the President proposes, such as building new schools, hiring new teachers, buying more computers, and ensuring accountability.

Already, as earlier speakers have said, the Republican Congress has dramatically increased funding for special education. Under H.R. 4055, this Congress will provide fair Federal funding for special education so, in the end, we can approve special education for all of our children.

Therefore, as a proud cosponsor of the IDEA Full Funding Act, I urge all of my colleagues to vote for this bill.

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that the time be extended 5 additional minutes on each side.

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

There was no objection.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. ISAKSON), a member of the committee.

Mr. ISAKSON. Mr. Speaker, I commend the gentleman from Pennsylvania (Chairman GOODLING) for his commitment to Georgia's children and America's children. Twenty-five years ago, this Congress made a promise with the passage of 42–194 and established public education, a mandate to teach all children regardless of their disability, physical or otherwise. Today, millions of American children, because of special education improvements, now live far more productive lives.

I want to talk about two citizens in my district Jonathon Hughes, a young man wheelchair bound, a young man with learning disabilities, a young man who, at the age of 23, graduated from public high school. It took him 9 years to do it, but because of special education and IDEA, he did it. Had he been born 20 years sooner, he would have been in a baby-sitting service and never lived the productive life he will now.

Paul Cobb, a foster child, who, without special education, would not have graduated, but today is a productive worker in our society as a professional photographer.

Thousands of stories all over America are true all because of IDEA, but today the promise made 25 years ago is now a promise kept because we in this Congress are saying to America's public schools, we are sending along with a mandate the funds; and with those funds, we will alleviate local pressures, enhance the education of children with special needs. This Congress will have done what it should have done a long time ago; and that is, made an investment in those American children most in need of our attention, most in need of our love, and most in need of this funding.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me the time, and I thank him for his support and his introduction of H.R. 4055.

Mr. Speaker, I served for 8 years in the Kansas legislature before being elected to Congress. During that 8-year period of time, it became clear to me that the consequences of the Federal Government's failure to fund special education were dramatic and significant upon the taxpayers of the State of Kansas, upon our school system, and most importantly upon the students.

So it is with pleasure that, upon arriving in Congress, I discovered there was a group of individuals, including the chairman and the ranking member, who were willing and interested in this topic, that cared about the quality of education across the country, and were willing to assist in allowing the Federal Government to at least now gradually meet that mandate.

This year, the Kansas legislature just concluded its session. For that 90-day session, we spent most of it wrangling over the cost of education with a budget shortfall predicted of about $73 million or $74 million. Had the special education funding mandate by the Federal Government been fully funded as promised in 1975, the $75 million that we were struggling to try to find in Kansas would have been there. In fact, it would have been there in double. We would receive about an additional $143 million.

So it is with pleasure today that I rise in strong support of H.R. 4055 on behalf of the students, teachers, parents, and taxpayers of our State and believe that it is well past time that the Federal Government step forward to meet its commitment. This is a matter of significant importance, and I urge its passage.

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

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

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to rise today as a cosponsor and in support of H.R. 4055, the IDEA Full Funding Act of 2000 and to thank the gentleman from Pennsylvania (Mr. GOODLING) and his committee for their historic leadership on this special education issue, which is so vital.

Every year, we in Congress talk about the importance of fully funding the Federal Government's share of the Individuals with Disabilities Act, and this bill finally does it, this bipartisan bill.

When the Federal Government neglects its share of IDEA, the State and local governments are forced to pick up the tab. In my State of New Jersey alone, full funding of IDEA would mean an additional $300 million more per year from the Federal Government, money that local governments could spend to hire new teachers, improve school facilities, or reduce local property taxes.

After 25 years of underfunding IDEA, we are considering legislation which will finally authorize the money needed to finally meet the Federal Government's obligation to this critical program for our children. H.R. 4055 authorizes enough funding to fully fund IDEA by the fiscal year 2010, and it deserves our full support.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS) who has been helping us lead this battle the last several years.

Mr. BASS. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding to me. Nobody has led the battle longer and harder than the distinguished gentleman from Pennsylvania (Mr. GOODLING), chairman of the Committee on Education and the Workforce.

Mr. Speaker, I rise in support of the IDEA Full Funding Act of 2000. Full funding of IDEA, as I said, for many, many years now is good for communities. It is good for families. It is good for school boards. But most importantly, it is good for the children who are affected by the funding of this program.

We all recognize that we have a constitutional obligation to provide equal education opportunity to everyone, regardless of disability or need.

Unfortunately, as we have heard over the last few minutes, this government has failed to meet its statutory obligation year after year after year.

Now, with the passage of this bill, we will fully authorize the funding of IDEA over a 10-year period. Now, Mr. Speaker, after the passage of this bill, the challenge moves to the Committee on Appropriations, and it is my sincere hope that the Committee on Appropriations can meet its commitment as is outlined in the sense of Congress and the Budget Resolution to increase funding for special education by $2 billion for fiscal year 2001 and meet the authorized levels in H.R. 4055, which I strongly support.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Mr. Speaker, I, too, rise in strong support of this bill, which I have cosponsored, and I applaud the gentleman from Pennsylvania (Chairman GOODLING) for his leadership.

Over the last Christmas recess, I spent a lot of my time visiting dozens of schools in my District, and I heard one theme over and over and over again, and it was with regard to IDEA and full funding. We have all heard how, since 1975, the Federal Government has been quick to put mandates on local school systems but has never lived up to its financial commitment. That is what this bill is all about, to finally fund what has been heretofore an unfunded mandate.

It is also important in so many other ways because we talk about reducing class size, putting computers in the classroom, all of these other needs. Fully funding IDEA is probably the quickest way to do that, because this will free up local and State money for other needs that school systems need to address and give them flexibility in the process. That is another reason it is so important.

I have sponsored a separate bill to immediately fully fund IDEA, and I certainly would like to do it quicker. But this bill is very aggressive, very productive. I am a proud cosponsor, and again I applaud the gentleman from Pennsylvania (Chairman GOODLING) on his very productive efforts.

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Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I want to thank my distinguished friend and the ranking member, the gentleman from Michigan (Mr. KILDEE), for yielding me this time.

Mr. Speaker, I was not going to speak, but I decided to take just a short period of time. I want to compliment the gentleman from Pennsylvania (Mr. GOODLING) from our neighbor State. I know he is now tied up and occupied over there with matters of this bill, but I just want to tell him that he has helped every American, and I want to echo and associate myself with the comments of one of the most distinguished Democrats in America, the gentleman from Michigan (Mr. KILDEE), when he said that every child and every student in America owes the gentleman from Pennsylvania a debt of gratitude.

I want to personally thank the gentleman from Pennsylvania for being a leader on this bill. This bill would not have happened without him. And I also want to say that he and the gentleman from Michigan (Mr. KILDEE) over the years have set an example for many Members to look at where bipartisanship has helped to make America better and stronger.

But I know the gentleman is leaving, and I am sad to hear he is leaving. I think he is truly one of our great leaders. I want to thank him for this bill. I think what he has done on this bill will help America more than anybody might imagine, and I think the fingerprints of the gentleman will be on improvements in education for years to come, even as he is out golfing or doing whatever he wants to do.

I want to close by saying to the gentleman from Michigan (Mr. KILDEE) that he has also been an outstanding leader too. And for the two of these Members to have worked together like they have, and to bring legislation like this to the Congress, is truly helpful for all Americans.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Kansas (Mr. TIAHRT).

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

Mr. TIAHRT. Mr. Speaker, I rise in strong support of this legislation, and I also want to thank the gentleman from Pennsylvania (Mr. GOODLING) and members of his committee for their outstanding work on this legislation. Since 1995, when I came to Congress, we have doubled IDEA funding and that has been a great accomplishment.

Mr. Speaker, Americans are compassionate people. We want every American to be able to climb the ladder of success, even if we have to provide the less fortunate with an escalator. Twenty-five years ago, when the Individuals with Disabilities Education Act was enacted, the Federal Government mandated that our local school systems educate all children, even those with severe mental and physical disabilities.

During the floor debate, it was clear that the Federal Government was committed to paying 40 percent of the cost needed to educate a special-needs child. Today we are falling far short of that mark. Now our good intentions have turned into bad consequences.

The Federal Government's mandate has undermined the public school system's ability to adequately meet the needs of these special children. This is not acceptable for either the children who need special education or those without disabilities who watch their education programs cut in order to fund IDEA.

Educating every child is the right thing to do and I am proud that we are doing that today. Yet IDEA has placed an extreme financial burden on our public schools forcing school districts to rob Peter to pay Paul.

But we can fix this problem. By fully funding IDEA we can put an end to this practice, helping all of our children reach their full potential.

Last week I visited with Barbara Fuller, president of the United Teachers of Wichita, along with a group of special education teachers in my home district. Speaking with them, it became clear the paperwork was also a big burden.

It takes a special and loving person to care for our mentally and physically disabled children. We should be commending their work and doing all we can to make their jobs easier. Instead, Washington and the States drain our teachers' time and patience by forcing them to fill out endless paperwork and Individual Education Plans (IEPs).

This Congress has passed special laws reducing paperwork for small businesses and others; yet we have allowed bureaucrats to expand the number of forms educators are required to fill out. Congress needs to provide an escalator for those with special needs and paper relief for those teachers who dedicate their lives to educating them.

Mr. KILDEE. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, with thanks and appreciation to the chairman and the gentleman from Michigan, I rise in strong support of increased funding for IDEA.

Mr. Speaker, there is nothing better we can do for this nation than to ensure that all children in all communities have access to a quality education. IDEA was enacted with this credo in mind.

In 1975, Congress enacted this legislation to help states and localities meet their legal responsibility of providing a free and appropriate public education to children with disabilities. Congress' goal was to contribute up to 40 percent of the national average per pupil expenditure for each child with a disability. We are nowhere close to that goal. In fact, we currently provide only 12.6 percent of the national average per pupil expenditure—the most we have ever contributed. According to estimates from the Department of Education, there are 6.3 million children with disabilities being served by our Nation's schools, at a cost to the states of roughly $73 billion. However, this year, Congress is contributing only $5 billion in assistance. That is not enough. We must do more to help the state meet our responsibility that we as a society have undertaken.

The Federal Government has always played a role in helping the states provide an education. We have given billions of dollars to ensure that kids from disadvantaged backgrounds have the same educational opportunities as kids from more privileged homes; we have given money to help the states recruit and train teachers; and we have provided assistance to help schools get connected to the Internet. We must not short change the state in this area of IDEA.

This IDEA money benefits more than 6.3 million kids in our schools. It benefits our whole community. It helps ensure that our children will grow up to be valuable and productive members of our communities. Even in this era of hi-tech stocks, where people are becoming millionaires and even billionaires almost overnight, I believe there is no better investment we can make for our future than providing a quality education for all children.

This bill seeks to do that, and I urge my colleagues to support H.R. 4055.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of this proposal today.

I am very pleased that we are finally considering moving forward on funding of IDEA. I am concerned, however, that promises are easy and follow-through is not always so easy, especially when follow-through is costly.

Mr. Speaker, there is a $15 billion walk that goes along with this talk, and I think it is imperative that we discuss that today. Because, frankly, I fear that what we will have is an authorization bill which allows us to make a promise, but no appropriation which allows us to fund the program.

As a matter of fact, I am very concerned that this activity today really represents a fig leaf rather than real progress for American schools. We need authorization, yes; but the real commitment comes when we pass appropriations, when we see the Subcommittee on Labor, Health and Human Services and Education of the Committee on Appropriations pass full funding for this program and then see it pass in the full House.

Now, I am sure this bill will pass today overwhelmingly. I question, however, whether this body will be willing to give the money to effectuate the promise that we make today.

I am also concerned that any proposal that comes forward in appropriations will take from existing educational programs. And of course we will create exactly the same problem that schools struggle with today, which is when we do not fund Federal programs, when we do not fund programs with dollars that schools can rely upon, we ask them to spend their own money to pursue the goals that are currently in effect.

This is a big commitment. The commitment is not just to say we are for it; the commitment is to say we will pay for it. I for one will look at the proposal that comes out of appropriations. Will it be new money? Will it actually be monies going to the schools in a new way that can be used? Or will it simply be a fig leaf which will allow some people to say they support IDEA.

I would hope that the American public will take a look at the names of the people who vote for this proposal today and then line them up come August with the people who vote for appropriations, and we will see whether or not people who give the talk are willing to walk the walk.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership on this issue.

Mr. Speaker, for too many years the Federal Government has broken its promise to children with disabilities as well as to the local taxpayers. Back when IDEA was first mandated, Congress promised to provide 40 percent of the cost of educating a child with special needs. Yet today we fund less than 13 percent of those costs. As a result, States and local school districts must turn to other sources, mostly local taxpayer dollars, to compensate for the lack of Federal funding. It is time to put an end to this practice.

All across my State of South Dakota, local school districts are forced to take money out of their general funds. Construction plans get put on hold, new teachers are not hired, new programs get pushed aside, and our children pay the price.

I would hope that the administration would support full funding, Mr. Speaker; yet the President's budget falls short of this bill's funding level. I believe the Federal Government must do a better job. This bill will simply commit the Federal Government to do today what it promised to do 25 years ago, and that is provide States and local school districts with the full 40 percent funding.

Mr. Speaker, let us end the IDEA funding gap and support this legislation. And I once again thank the chairman for his leadership on this issue.

Mr. GOODLING. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. OSE). The gentleman from Pennsylvania (Mr. GOODLING) has 9½ minutes remaining, and the gentleman from Michigan (Mr. KILDEE) has 12½ minutes remaining.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me this time; and I want to thank him for his leadership on IDEA. Indeed, as he goes off to do other things, leaving this Congress, he will be remembered for many education programs, and IDEA will indeed be among them.

Mr. Speaker, I certainly want to express my support for H.R. 4055 to fully fund the Individuals with Disabilities Education Act. Twenty-five years ago, Congress enacted and President Ford signed the Education for all Handicapped Children Act. Mr. Speaker, in this country education is a right; it is not a privilege. In my opinion, IDEA is one of the most important civil rights that has ever been written into law.

The basic premise of this Federal law, now known as IDEA, the Individuals with Disabilities Education Act, is that all children with disabilities have a federally protected civil right to have available to them a free appropriate public education that meets their education and related services needs in the least restrictive environment. The statutory right articulated in IDEA is grounded in the Constitution's guarantee of equal protection under law and the constitutional power of Congress to authorize and place conditions on participation in Federal spending programs.

Actually, getting to the heart of it, IDEA established the Federal commitment to provide funding at 40 percent of the average per-pupil expenditure to

assist with the cost of educating students. Today, IDEA is funded at 12 percent of the average per-pupil expenditure, much higher than the 7 percent of 5 years ago, but this is not good enough when we talk about 40 percent.

That is the goal that we have to continue to work to reach, and this bill is a good step. It urges Congress to fully fund IDEA while maintaining its commitment to existing Federal education programs so that we can ensure that children with disabilities receive a free and appropriate public education and, at the same time, ensure that all children have the best education possible if we just provide fair Federal funding for students with disabilities. I urge my colleagues to support H.R. 4055.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today in support of H.R. 4055, authorizing full funding for IDEA.

Before we even consider any new programs for education, we need to fulfill our promise to fund this program. In 1975, the Federal Government committed to providing 40 percent of the funding for IDEA, while 60 percent was to come from State and local governments. Under the Democrat-controlled Congress, IDEA was funded at a dismal 7 percent. Only 7 percent for 24 years. Today it is at 12 percent.

This Republican Congress has nearly doubled the Federal commitment to these children, but much more needs to be done. Teachers in my district have told me over and over again how much difficulty they have meeting the IDEA requirements, and still these teachers are expected to perform with inadequate Federal funding. It is a disgrace that my State and all others have been forced to take money away from other programs to cover unpaid Federal shares of IDEA.

Let us fully fund IDEA and free up State and local money to meet other needs, such as books, construction, and, yes, more teachers and technology in the classroom.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Speaker, I thank the gentleman for yielding me this time; and to my friend, the gentleman from Pennsylvania (Mr. GOODLING), I join with all my colleagues in thanking him for his service over the many, many years.

The gentleman from Pennsylvania (Mr. GOODLING) and I have some things in common, as he and I both know, but perhaps some of our colleagues who might listen to some of our exchanges in the committee may not believe. The gentleman from Pennsylvania came to Congress in 1974, succeeding his father. I succeeded my father in 1996. My father started in Congress the same year the gentleman from Pennsylvania started.

Mr. Speaker, I can remember standing with my dad as he took the oath of office here on the floor, and me holding my hand up as well with my dad knowing one day I wanted to come here and serve as well.

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The gentleman from Pennsylvania (Mr. GOODLING) obviously had that same passion early in life and was able to not only come here and do a great job representing his constituents but do a good job on behalf of the children around this country.

I rise in strong support of this effort today and would join colleagues on both sides of the aisle in searching for ways in which to make this a reality.

In fairness to the gentleman from Pennsylvania (Chairman GOODLING), there are many on both sides who demagogue this issue at times, and in fairness to him, he has been since my short time in the Congress, he has been an outspoken leader on the committee and has been consistent in all of his language. And I appreciate that.

I would hope that as the gentleman from Pennsylvania (Chairman GOODLING) moves on to do what I would not necessarily say bigger and better things, because I think we are doing important things here in the Congress, but as he moves on to do more fulfilling things in his life, I would hope that those of us here would take seriously what he is asking us to do today.

As we propose tax proposals and other revenue generating in other ways in which to further the prosperity or prolong the prosperity of this great economy, I would hope that we would be mindful of the fact that we have initiatives and programs like this, commitments that this Congress made to States including mine, Tennessee; California; Michigan; Pennsylvania; and New York. I would hope that as we offer proposals before this Congress that we would keep in mind that we have obligations and have commitments.

I thank the chairman for his leadership on this issue for many, many years. I look forward to even working with him when he leaves this Chamber in continuing to work on behalf of children.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Chairman GILMAN).

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

Mr. Speaker, I am pleased to rise today in full support of H.R. 4055, calling for full funding for IDEA, the Individuals with Disabilities Act.

I commend the gentleman from Pennsylvania (Mr. GOODLING), our distinguished chairman of our Committee on Education and Workforce, for his continual efforts to raise the need for fully funding IDEA.

In passing IDEA in 1975, Congress required Federal, State and local governments to share the cost of educating children with disabilities; and when enacted, the Federal Government was to assume 40 percent of the national average per-pupil expense for such children.

While Congress has authorized this program since 1982, appropriation levels has never come close to the stated goal of 40 percent.

The result has been an enormous unfunded mandate on State and local school systems to absorb their cost of educating students with disabilities, leading to the draining of school budgets, decreasing the quality of education, and unfairly burdening our taxpayers. Local school districts have had to spend as much as 20 percent of their total budgets to fund IDEA.

Once the Federal Government begins to pay its fair share, local funds will be available for school districts to hire more teachers, reduce class size, invest in technology, and even lower local property taxes for their constituents.

H.R. 4055 demonstrates our commitment to our Nation's children and their education in their already overburdened school districts.

I applaud the gentleman from Pennsylvania (Chairman GOODLING) and the Committee on Education and the Workforce for their dedication to the education of children around the Nation. And accordingly, I urge our colleagues to fully support this important legislation.

Since the Republican Party took control of Congress, I.D.E.A. appropriations have jumped dramatically. Since 1995, the funding levels have jumped 85 percent and have demonstrated our commitment to help States and local school districts provide public education to children with disabilities. It is now time for this Congress to make good on its promise to fully fund I.D.E.A at 40 percent. We can no longer let the States try to make up the difference between the funds they have been promised and the funds that they actually receive.

In my congressional district, the schools are feeling the negative effects of the lack of idea funding. East Ramapo School District in Rockland County should receive $2.04 million in I.D.E.A. money but according to 1995 figures, they only saw $398,000. That is a difference of $1.6 million. Similarly, the Middletown City School District in Orange County was expecting $1.6 million but actually only saw $316,000. A difference of $1.3 million.

In addition to cutting I.D.E.A. funding, the President refuses to recognize the strain on local school districts by requesting no increase in funds for grants to States for providing assistance to educate children with disabilities. Moreover, the President wants to create new Federal programs which will do good things for this country, but shouldn't we be concerned about the programs we already have, but never fund completely? We cannot continue to underfund I.D.E.A. and impose this unfunded mandate on the States while introducing new ones.

Mr. Speaker, it is time for this Congress to show that we are truly concerned about our Nation's children's education. By fully funding I.D.E.A., Congress will simultaneously ease the burden on local school budgets while ensuring that students with disabilities receive

the same quality of education as their non-disabled counterparts.

H.R. 4055 demonstrates our commitment to our Nation's children, their education and the already over-burdened school districts. I applaud Chairman GOODLING and the Education and Workforce Committee for their dedication to the education of our children around the country and, I urge my colleagues to fully support this vital legislation.

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

Mr. Speaker, this bill starts us on a real measurable track to full funding of IDEA. Again, I wish to thank my chairman and my good friend, the gentleman from Pennsylvania (Mr. GOODLING), for bringing this bill to the floor and to the children of this country.

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

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

Mr. Speaker, as I said at the beginning of our discussion this afternoon, it was a lonely road for many, many years; and then I met my good buddy, the gentleman from Michigan (Mr. KILDEE) and the road was not as lonely as it was. And then we picked up one or two, the gentleman from Maryland (Mr. HOYER), and then since that time it has grown and grown and grown.

Because the people back home are realizing that, hey, we cannot provide the education for all of our students because of something that they did not necessarily mandate, they highly recommended, and I put that in quotes, because if they did not do it they were in real trouble. And rightfully so. Because, as I also said earlier, every child should have an opportunity for a good education.

I thank the gentleman from California (Mr. MARTINEZ) again who joined with us in this effort.

What I want to point out, the gentlewoman from Michigan was quite concerned as to whether we would keep our promise that we are making today since we did not keep our promise before. Well, I will not be here, so I cannot say, yes, they will.

Many of my colleagues who spoke today will be here, and so it is their responsibility to make sure that that happens.

However, I to want to point out that keeping what we are promising today is not anything differently than we were able to get the leadership and then the appropriators to do the last 4 years. That is what they have been doing.

So on the chart I show the President's request in yellow and what the Congress came up with. So we see in 1997 the yellow, and then the red is the Congress. And we see in 1998 the yellow, and the red is the Congress. In 1999 the yellow is the present; the red is the Congress. Each time we have gone up, up, up. So we have increased 115 percent in the last 4 years.

So I would say to her, if she is able to keep moving everybody the way they have been moving the last 4 years, the way our leadership and the way the appropriators have moved the legislation, we should not have any problem because those are the steps that we are suggesting that they take now.

Again let me remind everyone that when I came here as a superintendent, I realized that one of the most difficult things we had to do back in the local district was to take State mandates, Federal mandates, rules and regulations from both the State and the Federal Government, and then try to find some way to finance the overall education program.

With this 40 percent, as I mentioned, just in New York City alone we are talking about $170 million every year. In Los Angeles, another $90-some million. So we are talking about big dollars that would have been coming every year to help local districts if we would have only put our money where our mouth was.

Well, we cannot do anything about the past. We can do something about the present. Continue what we have been doing in the last 4 years and we will give the greatest gift to children in this country we possibly can give because we will give an opportunity for local districts to give every child a good education because they will have the money freed up from the mandates that come from here.

Let me caution all of those on the State level. I am seeing all over this country that their regulations are even worse or greater than ours from the Federal level. So to the local school boards and to the local parents, I say make sure they know exactly what regulations have been piled on at the State level on top of what we have done.

Now, they do it for one reason I am sure; and that reason is they fear that if they are not doing everything we say they are supposed to do, they are going to lose their money, so they go overboard.

Again, we are on the right track. For those of my colleagues who will be back for years to come, and I am sure some of them will, make sure that they put their money where their mouth is and every child will have a far better education in this country.

Mr. TERRY. Mr. Speaker, I rise today in support of full funding for special education.

All children deserve a quality education, including children with disabilities. Over 24 years ago Congress committed to contribute up to 40 percent of the average per pupil expenditure of educating children with disabilities. We must keep this promise. The Federal Government has failed to keep its commitment to assist states and localities. This contradicts the goal of ensuring that children with disabilities receive quality educations. By keeping our promise, Congress will give state and local school districts the flexibility to educate children in the best possible way.

This vote is an important step in securing the future of our children. Currently school districts have to divert money from their general fund to cover the costs of special education. When school districts are relieved of these federally mandated costs, the result will be increased flexibility in education. Necessarily undertakings such as wiring schools for new technology, increasing teacher salaries, new school construction, and local tax relief will be possible with these long-overdue funds.

This vote is an important step forward in fulfilling our Nation's commitment to children and families who need special education services and to the local school districts that have been paying these mandated costs since the mid-1970's. Recent increases in Federal funding and the proposed schedule to fully fund these costs by 2010 represent significant relief for the local school districts in Nebraska and all across America.

Mr. TALENT. I rise today in strong support of the IDEA Full Funding Act of 2000. Mr. Speaker, 25 years ago Congress made a promise to children and families with special education needs under the Individuals with Disabilities Education Act [IDEA]. Under IDEA the Federal Government promised to provide children with disabilities access to quality public education, as well as to contribute 40 percent of the average per pupil expenditure to assist state and local schools with the additional cost of educating these students. Mr. Speaker, to date the Federal Government has failed to meet this commitment to assist the states and local school districts.

During the past four fiscal years the Republican majority in Congress has increased Federal funding for IDEA by 115 percent or $2.6 billion. Sadly, even with the increase, the Federal Government has never contributed more than 12.6 percent of the national average per pupil expenditure the assist children with disabilities. That is less than ⅓ of the funding Congress promised under IDEA.

The Congressional Research Service estimates that more than $15 billion would be needed to fully fund the Federal portion of IDEA. In fiscal year 2000 IDEA received $4.9 billion, leaving states and school districts with an unfunded mandate of more than $10 billion. This is $10 billion dollars that states and local school districts could have spent on smaller class size, school construction, new computer equipment, and hiring new teachers; instead this money is being spent to cover the Federal share of IDEA. What does that mean for the State of Missouri, Mr. Speaker? The additional funds needed to meet the commitment to the State of Missouri is over $161 million this year. What does that mean for St. Louis? The additional funds needed to meet the commitment to St. Louis is over $8 million this year.

Mr. Speaker, it is essential that Congress fully fund IDEA and this legislation is a step in the right direction. This legislation authorizes an increase of $2 billion per year to meet the Federal commitment of 40 percent by the year 2010. Mr. Speaker, 25 years ago the Federal Government placed a mandate on our state and local school districts to provide education for all special needs and disabled students. The Federal Government also promised to pay 40 percent of the average cost of the average per pupil expenditure. Today, there is a lot of talk about new education programs and new education initiatives but we still have yet to meet the Federal commitment to IDEA. IDEA is the mother of all unfunded mandates. Local schools are required by Federal law to meet the special education needs of our Nation's IDEA students. It is time that Congress gives

our schools the resources that were promised to provide all children with disabilities a quality education.

Mr. HORN. Mr. Speaker, I am pleased to join with my colleague, Mr. GOODLING, in supporting H.R. 4055 that will increase the educational opportunities of all of America's students. Twenty-five years ago, Congress passed the Individuals with Disabilities Act, making it possible for children with disabilities to receive a quality public education, get jobs, and lead more productive and fulfilling lives. When this legislation was passed, the Federal Government committed to paying 40 percent of the cost of educating these students. Currently, the Federal Government pays only 13 percent of the cost of IDEA.

Over the past 5 years, special education funding has increased by more than $2.7 billion. I commend my colleagues on the House Budget Committee and the Appropriations Committee for recognizing the importance of special education. As important as these increases are, they are not enough. Special education is expensive. The average cost of educating a special education student is more than twice the national average per pupil cost of $5,955. Schools with already strained resources are struggling to educate these students.

To mandate that the States provide special education services without adequate funding is grossly unfair, both to the States and to the students themselves. H.R. 4055 would eliminate this unfunded mandate by requiring that the Federal Government provide the 40 percent that it promised. This legislation is an important step in ensuring that this commitment is honored. The additional funding provided by this legislation will significantly improve the quality of education for special education students across the country. I urge my colleagues to support H.R. 4055 and I urge the House to pass it.

Mr. MCINTOSH. Mr. Speaker, I rise in support of H.R. 4055, the IDEA Full Funding Act.

In the 1970's, the U.S. Supreme Court ruled that children with disabilities are entitled to a free, appropriate public education. In 1975, Congress passed the All Handicapped Children Act to ensure that children with disabilities received a quality education. In the 105th Congress, we built on this law by passing the IDEA Improvements Act of 1997 which strengthened the program. The IDEA Improvements Act, like the earlier 1975 act, pledged to fund 40 percent of the average per-pupil expenditure to educate children with special needs. Unfortunately, the Government has fallen far short of this goal, providing a mere 11 or 12 percent a year for the costs of IDEA. Although Republicans have increased funding for this program, funding still falls woefully short.

Last year, Congress provided $5.0 billion for the grants to states program, which assists participating states in providing a free appropriate public education to school-age children with disabilities. An estimated $15.8 billion would be required to provide states the maximum allotment allowed per disabled child served last year, about 3.1 times more than the appropriation of $5.0 billion.

To address the underfunding of IDEA, I joined the chairman of the Education and the Workforce Committee BILL GOODLING in introducing the IDEA Full Funding Act of 2000, which provide an authorization schedule for reaching the Federal mandate to assist states and local school districts in the excess costs of educating children with disabilities. It will fulfill the promise made by Congress in 1975 and again in 1997 to provide 40 percent of the national average per pupil expenditure to assist states and local school districts in paying the excess costs of educating children with disabilities. In other words, it will help us fulfill our promise to states and schoolhouses and ultimately, the children who attend those schools. It will help ensure that no child is left behind.

The IDEA Improvements Act makes the following statement, ''Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.''

The IDEA Full Funding Act backs this statement with the funds to carry it out. There are 146,550 special education students in Indiana. For their sake and for the sake of other special education students, I support this important piece of legislation.

Mr. KUYKENDALL. Mr. Speaker, I rise today to express my strong support of H.R. 4055, a measure to fully fund the Individuals with Disabilities Education Act (IDEA). Twenty-four years ago, Congress made a promise to children and families with special needs. That promise was to provide children with disabilities access to a quality public education by contributing 40 percent of the average per student expenditure to assist states and local schools with the extra costs of educating these children. However, since 1975 when IDEA was signed into law, Congress has consistently failed to meet its financial commitment.

Every child deserves a first rate education. We can no longer tolerate the inadequate education that special-needs children have received. Congress has ignored its IDEA funding obligation, burdening state and local governments with unfunded mandates. The time has come for Congress to fulfill its commitment to children with disabilities and fully fund IDEA.

Today's legislation authorizes increases of $2 billion a year to meet the federal government's commitment of 40 percent per student expenditure by the year 2010. This measure is a step in the right direction in ensuring that all children receive a quality education.

Mr. HILLEARY. Mr. Speaker, when the federal government originally created the mandate on local districts stating that they must comply with the Individuals with Disabilities Education Act, also known as IDEA, the federal government promised that in exchange for imposing these new constraints, it would provide 40 percent of the cost. In reality, we have supplied only about 12 percent of the cost. I think this is shameful. If you make a deal, you should keep your side of the bargain. Think of all the local school money that could be used on teachers, buildings and teaching supplies that instead must be used on special education because the federal government will not give their promised share.

That is why I am such a strong supporter of H.R. 4055, the IDEA Full Funding Act of 2000. As an original cosponsor of this legislation, I support the effort to channel our education dollars into IDEA. Such an action will not only help the disabled children this act serves, but also allow for more flexibility to local schools in the use of their funds.

This act works by setting up a definitive time line in an effort to meet the government's goal of funding 40 percent of the per pupil expenditure associated with IDEA. By setting up a set of goals, we finally are taking definitive steps in meeting the obligation we owe to our states, local communities and, most importantly, the disabled which they serve.

This effort to fully fund IDEA is just another in a long running desire by this Congress to aid our special needs children. Already, the 12 percent funding that I mentioned earlier represents a doubling of previous funding levels before 1994. In addition, as a member of the Budget Committee, I am proud that we were able to make fully funding the IDEA a priority above all other new education programs in the federal budget that passed this year. In addition, last year we overwhelmingly passed of H. Con. Res. 84, a resolution urging the President to fully fund IDEA, of which I was a cosponsor and strong supporter.

Unfortunately, we still have a long way to go. Some in government just do not believe that this is a high priority. For example, the President traditionally refuses to increase IDEA funds in his budget. In addition, we must also address the problem associated with over identifying individuals who qualify as special needs. As a result, these individuals dilute the funds intended for those disabled children who desperately need these funds. I hope that we can overcome obstacles like this when it comes time to fund this program in the appropriations process this year and years to come.

Ms. SANCHEZ. Mr. Speaker, I rise today in support of the Individuals with Disabilities Act, IDEA.

As Orange County's representative to the Education and Workforce Committee, I know that many of the students, schools and families in my district rely on IDEA funding. All children are entitled to a quality public education with the resources that will enable them to fully pursue their academic dreams.

The Individuals with Disabilities Act is an important part of our national education program. IDEA has brought many students with disabilities the educational resources they need, empowering them to become contributing members of society.

Inadequate IDEA funding has been a widespread problem for many years. Although we have recently increased federal funding, IDEA is still only funded at 12 percent of the average per-pupil expenditure. While this is much higher than the 7 percent of five years ago it is, as many advocates and educators have stated, still inadequate. Full federal funding would enable local school districts to focus resources on other needs.

Today the House has an opportunity to keep our promise to America's public schools by increasing IDEA funding. H.R. 4055, the ''IDEA Full Funding Act of 2000'' will authorize funding to reach the federal government's goal of providing 40 percent of the per-pupil expenditure over the next 10 years. I am a cosponsor of this bill and am proud to support this legislation.

Our students, their families and our schools have asked Congress to keep its commitment. Today I ask my colleagues to join me in ensuring that these special children will have access to a quality education.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his strong support for H.R. 4055, the IDEA Full Funding Act of 2000, of which he is a cosponsor.

Within his home state of Nebraska, the number of children enrolled in special education programs has risen 3,700 students from 1995–1999, a nine percent increase. To continue supporting these increasing numbers, we must fulfill the commitment by Congress made in 1975, prior to my service in the U.S. House to fund IDEA at 40 percent. This is a classic and very damaging unfunded mandate.

Currently the Federal Government is funding an average of 12.6 percent of the per-pupil expenditure for children with disabilities. The other 27.4 percent of our unfilled promise is a burden that state and local governments are having to include in their budgets. This Member has said for many years now that the one significant way that Congress can help decrease property taxes for my Nebraska constituents is to keep the promise to provide 40 percent of the costs of special education.

Nebraska is currently facing teacher shortages and has among the lowest teacher salaries in the country and yet continues to produce top-ranked students. By meeting this commitment and fully funding IDEA, Nebraska could use its state and local dollars to meet the needs of attracting and maintaining quality teachers or direct dollars to programs the local school districts deem to be priorities, such as school modernization, curriculum improvement or more advanced technology.

Mr. Speaker, this Member encourages his colleagues to meet our commitments and phase-up that 40 percent by the year 2010. Support the IDEA Full Funding Act of 2000.

Mr. ROGAN. Mr. Speaker, I thank the gentleman from Pennsylvania and my colleagues from the Education and Workforce Committee for their leadership on this issue.

The IDEA program was developed as a partnership, uniting local and federal education funds for students with disabilities. Under this program, the federal government committed to funding up to 40 percent of the average cost of educating disabled students.

Sadly, over the lifetime of this bill, the government has never contributed more than about 12 percent of the average. The time has come for Congress to pay its fair share in this long unfunded mandate.

Despite the federal government's two-decade old commitment to educating disabled students, Congress has never once funded its full share, leaving local and state educators to scramble for funds to pay for special education programs.

The result has been an unnecessary and unfair competition, pitting the funding needs of disabled students against the needs of students in traditional programs. In turn this has spurred excessive litigation resulting in exorbitant costs for local educators. By failing to meet its original commitment, the federal government has put local educators in a financial catch-22. The bill we support will aid in ending this crisis, and enact much needed reforms in the IDEA program.

H.R. 4055, the Individuals with Disabilities Full Funding Act will guarantee that the federal government keeps its commitment to support local education programs for students with disabilities, and authorize the federal government to fund the full 40 percent of the cost of local programs for students with disabilities.

The IDEA Full Funding Act will authorize approximately $7 billion in FY 2001 and expand this allocation by $2 billion per year over the next decade. It is a necessary measure and will help the federal government maintain its commitment to provide a quality education to disabled students.

I urge my colleagues to join me in supporting the long-overdue proposal, and thank the gentleman for his leadership on this vital issue.

Mr. MOORE. Mr. Speaker, I am pleased that today the House of Representatives is rising above partisan politics to address a matter of utmost importance. Be it urban, rural, small or large, every school district in our country is suffering because the federal government had not made good on its 1975 commitment to fund 40 percent of education costs for special needs students.

I commend Chairman GOODLING for bringing this bill to the floor, and for his commitment to fully fund IDEA by 2010. Fulfilling our commitment to our special needs students is absolutely the right thing to do.

I would like, however, to challenge this House today. I'll take this bill and raise you one. I urge my colleagues to cosponsor H.R. 4090, a bill introduced by Representative VITTER of Louisiana. This bill would fulfill our commitment to our schools and our children in two years. I know this is an ambitious goal, but I think 25 years of unfulfilled promises is long enough. So does Representative VITTER. I am one of a group of cosponsors from both sides of the aisle who think our government should step up to the plate and make good on its promise.

I urge my colleagues to pass this bill today. And tomorrow we should come to this floor and pass H.R. 4090, the IDEA Keeping our Commitment Act. It's the right thing to do and it's about time.

Mr. BLUMENAUER. Mr. Speaker, my goal in Congress has been the promotion of livable communities. A community that is safe, healthy and economically secure must view educating our children as a priority. The well-being of our families depends upon the health of our schools.

In the 94th Congress, we mandated—appropriately—that there would be special education access for children with severe learning disabilities. Along with that mandate came a promise that the federal government would pay 40 percent of the cost. This too was appropriate, for these children are the most difficult and expensive to educate. Unfortunately, the federal government has not met this important commitment. Funding has fallen as low as 9 percent, and currently, we fund only 12.6 percent of the average per pupil expenditure to assist children with disabilities. As a result, the financial burden has fallen on local districts.

I am proud to support H.R. 4055, the IDEA Full Funding Act, which addresses the critical issue of assistance for the children whose needs are the greatest. This bill authorizes increases of $2 billion a year to meet the federal commitment of 40 percent by the year 2010. I have cosponsored similar legislation because programs such as IDEA offer the chance to improve the lives of more disabled people than ever before.

Livable communities are for all of us, not just a select few. The federal government should lead by example in offering the best possible education to our nation's disabled children.

Mr. RAMSTAD. Mr. Speaker, I rise in strong support of H.R. 4055, the IDEA Full Funding Act. I am proud to be a cosponsor of this important legislation.

It is high time the federal government kept its statutory commitment to fully fund the Individuals with Disabilities Act (IDEA).

In 1975, the Federal Government mandated that all states provide Free Appropriate Public Education (FAPE) to all children with disabilities by 1978. This law established a federal commitment to provide funding aid at 40 percent of the average pupil expenditures to assist with the excess costs of educating students with disabilities.

Unfortunately, annual appropriations for IDEA have not even come close to the 40 percent level! Before Republicans took control of the Congress in 1995, the federal government was only paying 7 percent of the average per pupil expenditure. We are now paying 12.6 percent of the cost, but this still is not enough.

The Congressional Research Service (CRS) estimates that almost $16 billion would be needed to fully fund Part B of IDEA. The FY2000 appropriations for Part B was $6 billion, leaving State and local governments with an unfunded mandate of nearly $10 billion.

Local school districts currently spend on average 20 percent of their budgets on special education services. Much of this goes to pay the unpaid Federal share of the mandate.

Passing H.R. 4055 would be a giant step closer to our goal of fulfilling the promise. If the federal government would keep its commitment, this money could be used to hire and train more high quality teachers, reduce class size, build and renovate classrooms, and invest in technology.

We must improve the education our children receive. A good way to do this is to show a strong federal commitment to education by fully funding IDEA and passing H.R. 4055, the IDEA Full Funding Act.

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

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the bill, H.R. 4055.

The question was taken.

Mr. GOODLING. 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. GOODLING. 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. 4055.

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

There was no objection.

□

PAMELA B. GWIN HALL

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 1729) to designate the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the ''Pamela B. Gwin Hall.''

The Clerk read as follows:

H.R. 1729

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

SECTION 1. DESIGNATION OF PAMELA B. GWIN HALL.

The Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, shall be known and designated as the ''Pamela B. Gwin Hall''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Pamela B. Gwin Hall''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Ohio (Mr. TRAFICANT) 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. 1729 designates the Federal facility in Charlottesville, Virginia, as the Federal Executive Institute's campus as the ''Pamela B. Gwin Hall.''

Dr. Gwin received her Ph.D. from Duke University. She was a member of the American Political Science Association, the Organization of American Historians, the Southern Historical Association, the American Society for Public Administration, and was especially active in the American Society for Training and Development and the Center for the Study of the Presidency.

Pamela Gwin began her career at the Federal Executive Institute in 1983 as a faculty member teaching public policy.

In 1987, she became Assistant Director of Academic Programs and instituted the design and implementation of the Leadership for a Democratic Society program.

Pam gave tirelessly to her students and everyone at the Federal Executive Institute. She survived and still continued working for 2 years after receiving a heart transplant in 1996 and, sadly, passed away in 1998.

Mr. Speaker, I strongly support this bill, and I urge my colleagues to join in doing the same.

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

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

Mr. Speaker, I want to associate myself with the remarks of my good friend the gentleman from Ohio (Mr. LATOURETTE).

This is very fitting that the Virginia Delegation has taken such an effort to honor Dr. Gwin. She played a significant role, as well, in developing the Institute's curriculum, especially emphasizing the Constitution as a central focus of the Institute's core of studies.

But very to the point, Dr. Gwin is an icon, a beloved teacher, mentor, and friend. She inspired and captivated her students with her love of politics and the presidency.

It is absolutely fitting that a facility at the Federal Executive Institute be named in her honor.

Mr. LATOURETTE. Mr. Speaker, we are now honored to have one of the two independents in the House of Representatives on the floor with us. This independent holds a special place in the heart of the Republican conference, because he has chosen to conference with us.

Mr. Speaker, I yield whatever time he may consume to our good friend, the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, I want to say thanks to all on the subcommittee and the committee who worked on reporting the bill, naming the annex at the Federal Executive Institute in Charlottesville on behalf of Pamela B. Gwin. Pamela B. Gwin was not a high profile military person. She is not a movie personality. She is not a famous legislator, but she was a hard-working, dedicated and loyal employee at the Federal Executive Institute for almost two decades.

She was known by every student and graduate at the Federal Executive Institute as Pam. She loved politics and our Federal Government. She served as assistant director from 1983 until she passed away at a young age on December 31, 1998.

Mr. Speaker, I am indeed happy, privileged and honored to say these remarks on behalf of Pamela B. Gwin and to express appreciation to the committees again and to all in the House for naming the facility at the Federal Executive Institute in Charlottesville in her honor.

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

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. 1729.

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

A motion to reconsider was laid on the table.

□

DONALD J. PEASE FEDERAL BUILDING

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1405) to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building.''

The Clerk read as follows:

H.R. 1405

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 located at 143 West Liberty Street, Medina, Ohio, shall be known and designated as the ''Donald J. Pease Federal Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Donald J. Pease Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Ohio (Mr. TRAFICANT) 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. 1405 designates the Federal building in Medina, Ohio, as the ''Donald J. Pease Federal Building.''

Congressman Pease was born in Toledo, Ohio, where he attended public schools. He earned his undergraduate and masters degrees from Ohio University before becoming a Fulbright scholar at Kings College University of Durham, England.

Congressman Pease served in the Oberlin City Council, the Ohio State House of Representatives, and in the Ohio State Senate before being elected to the United States House of Representatives in 1976. He served in the House from 1977 until his retirement in 1993.

Congressman Pease began his congressional career on the Committee on International Relations. He later secured a spot on the Committee on Ways and Means and by the time of the 102nd Congress earned one of the three seats on the Committee on the Budget that is reserved for members of the Committee on Ways and Means.

□ 1430

This bill is a fitting tribute and this naming a fitting tribute for this fine former Member. I urge passage of the bill.

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

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

Mr. Speaker, I rise with great pride in this bill being brought to the floor. Congressman Don Pease worked tirelessly for the citizens of Northern Ohio as a Member of the Committee on Ways and Means. He tackled the tough tax reform and tax policy issues with zeal. He always looked for consensus. He was able to work on both sides of the aisle. He kept a rather low profile, but he was a very effective Member and one of the few who was able to influence former chairman Dan Rostenkowski. I might add, anybody who could do that was certainly an influential Member.

As I said, he was an activist who fought for welfare reform. Don Pease supported sunshine rules for open government, and he was always available to look for common ground on bills that emanated from either side of the

aisle. He was a staunch, hard worker for tax fairness and tax policy fairness, and I think that people of Northern Ohio really do owe him a debt of gratitude.

Mr. Speaker, I am proud to associate myself with the designation of the naming of the Federal build in Medina in honor of our fine former Congressman, Don Pease.

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

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend, the gentleman from Lake County, Ohio (Mr. LATOURETTE) and my friend, the gentleman from Mahoning County, Ohio (Mr. TRAFICANT).

Mr. Speaker, I rise in support of the legislation about former Congressman Don Pease. Don Pease began his long and distinguished congressional career in 1976, a time when Gerald Ford was President of the United States and Ohio's 13th Congressional District was characterized by growing industrialization and rural communities.

Upon his retirement in 1992, Don Pease could look back and see a fundamentally changed landscape that he held shaped both on a local and national level.

A native of Toledo, Ohio, Pease is a graduate of Ohio University and served in the Oberlin City Council, the Ohio House and Senate and as editor of the Oberlin News-Tribune. In 1976, he won election to this House of Representatives.

Pease spearheaded the fight for human rights protections with his standing on the International Relations Committee. In 1981, he secured his seat on the Committee on Ways and Means and further dedicated himself to tax policy. His numerous legislative victories were marked by an ability to reach consensus. His efforts to work with both sides of the aisle included service on the conference committee for the hotly debated tax reform bill of 1986, and mediation between congressional leaders and the Bush administration on tax policy. Also, as Congress prepares to consider China's trade status at the end of this month, I think it is especially important to note Pease is largely responsible for introducing labor rights into trade legislation.

Since leaving Congress, Don has returned to Ohio. He has served on the Amtrak board and currently serves as Visiting Distinguished Professor in Oberlin College's Department of Politics.

Don Pease was, and still is, committed to Ohio's working families. His efforts to improve education, expand access to health care, and support workers have made a difference in our lives. By renaming the Medina Federal Building on West Liberty Street in Medina, Ohio, as the Donald J. Pease Federal Building, this bill, Mr. Speaker, honors his hard work in the district that he loves so much.

Don Pease was held in high regard as both an ethical and able legislator. He devoted 16 years of service to the 13th district in Ohio, and he served the Nation and the State well. I am pleased to join my colleagues in both parties in recognizing Don's dedication to improving people's lives.

Mr. Speaker, I appreciate the support for this legislation.

Mr. SAWYER. Mr. Speaker, I am pleased to support the designation of the Donald J. Pease Federal Building in Medina, Ohio.

I had the great pleasure of working with Congressman Pease for many years in this House. Throughout his years here, he approached every problem with an open mind, a sense of fairness, and a gentle good humor. In addition, Congressman Pease had a remarkable facility for grasping and getting to the essence of any issue he confronted.

The legacy of Don Pease continues today in the heightened attention given to the conditions under which workers around the world toil.

Finally, there have been times when this Congress could still benefit from Don Pease's ability to appeal to reason and common sense on both sides of the aisle. Rather than stirring baser instincts, or joining in a chorus of noisemakers, Don Pease embodied the all too rare ability to focus on policy as it affects real people in the real world.

Throughout his career at all levels of public service—city, state, and federal—Don Pease followed the guiding principle that there is no limit to what one person can accomplish if he doesn't care who gets the credit.

Now, Don Pease is in retirement from public life. But he remains active. He recently completed serving on the board of Amtrak, a product of his abiding affection for railroads. And he has been able to travel around the country and around the world with his wife, Jeanne—a delightful and special person in her own right.

But Don Pease's service is not finished, and neither is Don. He is sharing his wisdom and experience, educating and guiding the next generation of leaders at Oberlin College in his Ohio hometown.

Mr. Speaker, it is a fitting tribute to Congressman Don J. Pease that we name a public building for him. It is a tangible symbol of the esteem in which he is held by those privileged to know him, to work with him, and to learn from him.

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

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

The SPEAKER pro tempore (Mr. OSE). 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. 1405.

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

A motion to reconsider was laid on the table.

□

KIKA DE LA GARZA UNITED STATES BORDER STATION

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1901) to designate the United States border station located in Pharr, Texas, as the ''Kika de la Garza United States Border Station.''

The Clerk read as follows:

H.R. 1901

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

SECTION 1. DESIGNATION.

The United States border station located in Pharr, Texas, shall be known and designated as the ''Kika de la Garza United States Border Station''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the border station referred to in section 1 shall be deemed to be a reference to the ''Kika de la Garza United States Border Station''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Ohio (Mr. TRAFICANT) 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. 1901 designates the United States border station in Pharr, Texas, as the Kika de la Garza United States Border Station. Congressman de la Garza was born in Mercedes, Texas, in 1927. He attended St. Mary's University in San Antonio, Texas, earning his law degree in 1952.

Prior to that, he served in the United States Navy from 1945 until 1946 and in the United States Army from 1950 until 1952. After serving in the Texas State House of Representatives for 11 years, he was elected to the United States House of Representatives in 1964. He was reelected to serve for 16 consecutive terms.

Congressman de la Garza began serving on the Committee on Agriculture in 1965. He served as chairman of the committee from 1981 until 1994. As chairman, he compiled an impressive record of achievement and dedication to America's farming community.

During his tenure as chairman, the United States Department of Agriculture underwent major restructuring. This bill and this naming is, at this time, fitting tribute to an esteemed former colleague. I support passage of the bill and urge my colleagues to do the same.

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

Mr. TRAFICANT. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HINOJOSA), my good friend.

Mr. HINOJOSA. Mr. Speaker, I rise today in strong support of H.R. 1901, a measure designating the U.S. border station at Pharr, Texas, as the Kika de la Garza Border Station. I am proud to stand here today with my colleagues to honor Congressman de la Garza, my predecessor.

Many of my colleagues here in this Chamber had the pleasure and privilege of working with him during his long tenure and especially as chairman of the Committee on Agriculture.

Naming the Pharr, Texas, border station after the Honorable Mr. de la Garza is important to our district because it honors his role in service as international ambassador for American agriculture, an industry which thrived during Kika's tenure in the House.

Agriculture is a strong element of our economy, and it only seems fitting to honor the man who did so much in this area. H.R. 1901 is indeed a tribute to a man who dedicated his life to public service and is known throughout all of Texas and the Nation simply as ''Kika.''

Kika made a dignified institution all the more distinguished with his vision, his keen insight, and his devotion to his constituents and to his country. No one deserves this honor more. I urge my fellow Members to join me in passing this measure to say, Thank you, Kika; we are indebted to you for your decades of outstanding work on behalf of the residents of the 15th congressional district of Texas and to the Nation.

Mr. TRAFICANT. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from Ohio (Mr. TRAFICANT) for yielding this time.

Mr. Speaker, I rise in strong support of H.R. 1901, to designate the United States border station located in Pharr, Texas, as the Kika de la Garza United States Border Station. I want to join with my colleague, the gentleman from Texas (Mr. HINOJOSA) from Mercedes, in his comments.

Kika de la Garza was clearly an institution in this body. He served the State of Texas in this body for 32 years from the 15th congressional district in the Rio Grand Valley; prior to that, having served in the State legislature.

As my colleague, the gentleman from Texas (Mr. HINOJOSA), stated, Mr. de la Garza was known perhaps more than anything else for his work as chairman of the Committee on Agriculture and the ranking member of the Committee on Agriculture and the work that he did on drafting and writing successive omnibus farm bills as both the chairman and the ranking member. But I think it is also important to note that Congressman de la Garza fought for much legislation that would help the constituents of what is also one of the poorest congressional districts in the United States.

He fought for legislation to provide affordable housing programs for rural home buyers. He pushed for hunger relief measures to feed hungry children, and he helped launch a full scale Federal offensive against the spate of devastating birth defects in the Rio Grand Valley in Texas.

It is a special honor for me because not only was Mr. de la Garza a close family friend of my grandfather Lloyd Bentsen, Sr., who was a rancher and farmer in south Texas for many years until his death in 1989, but Kika held the seat that my Uncle Lloyd Bentsen, Jr., the past Secretary of the Treasury and Senator from Texas held.

So our families have had a very longstanding relationship, and I was really pleased and proud to have the opportunity to serve with Kika during my first term in Congress. I spent a great deal of time with him not just on the House Floor but also sitting next to him on the flight from Houston to Washington, as he would catch it from McAllen and he would tell me stories going back to his early days in the House of Representatives when things certainly were not as they are today.

I also want to commend not just Kika but his wife of many years, Lucille, who has clearly been his partner in his days in Congress. She was always very kind to all of the spouses, I believe, up here in telling them how things are done and, in particular, whereas she was close to many of my relatives in south Texas also became close not only to my wife but to my daughters as well having gotten the opportunity to spend time flying back and forth to Texas with them.

□ 1445

So I think, Mr. Speaker, this is a tremendous honor for one who has been a tremendous public servant for the people of Texas, not just the Rio Grande Valley, and I strongly endorse it and urge my colleagues to adopt it.

Mr. Speaker, I rise in support of H.R. 1901 to designate the United States border station located in Pharr, TX, as the ''Kika de la Garza United States Border Station.''

I believe this is an appropriate way to honor Congressman de la Garza's many years of service to the United States and the state of Texas, during which he provided tremendous leadership in support of agriculture, improved relations with Mexico, a better quality of life for residents along the border, among many other issues.

I am honored to have had the opportunity to serve in Congress with Kika de la Garza, even if for only 2 of his amazing 32 years in this body. He is an example to all of us of a true gentleman and public servant who brought honor to this House through the civility, respect, and commitment to doing what is right that he brought to conducting the people's business. He is also a true Texan who worked with his colleagues from both sides of the aisle to further the best interests of our state.

Throughout his tenure in Congress, Congressman de la Garza never forgot the people he represented, who live in a district considered to be the poorest in the state, and which is now ably represented by my esteemed colleague RUBEN HINOJOSA. Congressman de la Garza fought for legislation to provide affordable housing programs for rural homebuyers. He pushed for hunger relief measures to feed hungry children. And he helped launch a full-scale federal offensive against the spate of devastating birth defects in the Rio Grande Valley.

When he was named the Texas Legislative Conference's Texan of the Year in 1991, Congressman de la Garza said:

I bring with me centuries of people who at times were not recognized properly. From the conquistador on the trek north to the most humble of migrant workers, they stand with me here.

Naming a border station after Congressman de la Garza is a fitting tribute to an individual who is a true son of the Lower Rio Grande Valley of south Texas.

Congressman de la Garza is perhaps best remembered for his leadership on behalf of American agriculture. He served as chairman of the Agriculture Committee for a longer uninterrupted period than anyone else in history and presided over the drafting and successful enactment of three major omnibus farm bills (1981, 1985, and 1990) that have reformed our nation's agricultural policies. He also guided efforts to reduce the cost of agricultural programs through several deficit reduction bills that have been approved by Congress. His other legislative accomplishments include legislation to streamline the agricultural lending system, strengthen federal pesticide laws, and various other measures to assist American agriculture, encourage rural development, and improve human nutrition.

Congressman de la Garza was also one of Congress' leading experts on United States-Mexico relations and a proponent of greater trade with Mexico. In 1966, he became the first member of Congress from the Texas-Mexico border area to serve on the Mexico-United States Interparliamentary Group, which promotes dialog between legislators from the two countries. He was an early congressional supporter of opening negotiations with Mexico to develop a free-trade agreement and helped rally congressional support that led to approval of the North American Free Trade Agreement (NAFTA).

Throughout his career, Kika de la Garza also fought for government policies that fostered better living and economic conditions for all Americans. He obtained federal funds to provide much-needed water and sewer services to Texas' impoverished colonias. He was a strong supporter of civil rights for all Americans, better educational opportunities, and improved access to health care for the elderly, veterans, and low-income individuals. He also supported policies to improve the nation's infrastructure and maintain a strong, cost-effective national defense.

Our entire nation benefited from Kika de la Garza's service in Congress, and his legacy includes an agricultural system that continues to lead and feed the world, better relations and expanded trade with Mexico and other nations, and a better quality of life for many Texans and Americans. I am pleased to join my colleagues in honoring Kika de la Garza and in urging approval of this legislation to designate the Kika de la Garza United States Border Station.

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

Mr. Speaker, as the sponsor of the bill, I want to associate my remarks with those of the gentleman from Texas (Mr. HINOJOSA), who succeeds Kika, our good friend, and has done an outstanding job for the 15th Congressional District. I salute the gentleman for his words and for his efforts. The gentleman seems to be cut out of the same mold and has some big shoes to fill.

I also want to associate myself with the comments of the gentleman from Texas (Mr. BENTSEN) on the historical ramifications of his family and the association with Kika. I think it really lends a lot to the discussion here today.

As the sponsor of this legislation, I just simply loved Kika. He was the first Hispanic American to serve as the chairman of a major committee, the Committee on Agriculture. I think that was a significant achievement for a man of such humble roots who developed into such a powerhouse here in the Congress.

I can remember one time, Mr. Speaker, standing down there at the voting booth on a key vote years ago, and I saw the leaders come up to Kika and say, ''Kika, we really need your vote. You didn't vote with us on this particular bill.'' I will never forget as long as I live, Kika looked at them, and he was very loyal, and he said, ''I wish I could, but I am going to give my vote to my people. My people are not for this. I don't think it is good for my people.''

Mr. Speaker, I would say to the gentleman from Ohio (Mr. LATOURETTE), that was Political Science 101 that I will never forget. I admired Kika for that.

I also want to say and place upon the record that he was one of the most ardent and outspoken advocates for United States agriculture and for programs to protect and improve the farm and rural economy. He had much more to do with the economics of farming than many people gave him credit for.

Chairman de la Garza led the effort to enact landmark legislation, such as the Federal crop insurance reform and the Department of Agriculture Reorganization Act of 1994, which established a federally funded catastrophic risk coverage policy for crop losses that touches every farmer in America today. Kika has touched every farmer and has helped anyone who produces a food product in our country. In 1990, Kika helped pass the Food, Agriculture, Conservation and Trade Act of 1990, which reformed export assistance programs and established new initiatives to strengthen environmental protection of our agricultural lands.

Mr. Speaker, one of the few surpluses we have had in trade has been our agriculture base, and Kika de la Garza deserves much of the credit for those tremendous improvements to our agriculture community.

So I think it is just really overdue. We have passed this a couple times in the House. I would make this pledge to my good friend the gentleman from Ohio (Mr. LATOURETTE): If the other body does not act on it this year, I am personally paying a visit over there.

This is overdue, the distinguished career of Congressman de la Garza must now be commemorated by designating the border station in Pharr, Texas, as the Kika de la Garza Border Station.

Before I yield back my time, I want to thank the committee staff. It does a great job for this committee, Mr. Barnett, Ms. Brita, and I want to thank the gentleman from Ohio (Mr. LATOURETTE) for working with us as he has.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. OSE). 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. 1901.

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, rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□

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 material on H.R. 1725, H.R. 1405, and H.R. 1901, the measures just considered.

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

There was no objection.

□

LAKE PONTCHARTRAIN BASIN RESTORATION ACT OF 2000

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 484 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 484

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2957) to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature a substitute. 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 with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, H. Res. 484 would grant H.R. 2957, the Lake Pontchartrain Basin Restoration Act, an open rule waiving clause 4(a) of rule XIII that requires a 3-day layover of the committee report against consideration of the bill.

The rule provides one hour of general debate to be equally divided between the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule makes in order the Committee on Transportation and Infrastructure amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment, which shall be open for amendment at any time.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. In addition, the rule allows the chairman of the Committee of the Whole to postpone votes during the consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15 minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, the purpose of H.R. 2957 is to coordinate and provide financial

and technical assistance for water quality restoration activities in the Lake Pontchartrain Basin. The Lake Pontchartrain watershed covers a 5,000 square mile area, including all or part of 16 Louisiana parishes and four counties in Mississippi.

Since the 1940s, increasing population, urbanization and land use changes have adversely affected the basin, resulting in a number of serious environmental problems and declining health of the watershed. To address this problem, H.R. 2957 would establish within the EPA the Lake Pontchartrain Basin Program in order to restore the ecological health of the basin by developing and funding restoration projects and related scientific and public education projects.

The Congressional Budget Office estimates that implementing H.R. 2957 would cost $108 million over the 2001 to 2005 period, assuming appropriation of those authorized amounts. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. Furthermore, the bill contains no intergovernmental or private sector mandates and would impose no costs on state, local, or tribal governments.

Accordingly, Mr. Speaker, I urge my colleagues to support both the open rule reported by the Committee on Rules and the underlying bill, H.R. 2957.

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

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

Mr. Speaker, House Resolution 484 is an open rule providing for 1 hour of general debate on H.R. 2957, the Lake Pontchartrain Basin Restoration Act. The rule does provide one waiver, however. Since the bill was not filed until yesterday, the rule waives the 3-day layover requirement of clause 4(a) of rule XIII.

This legislation establishes Lake Pontchartrain as an estuary of national significance under the National Estuary Program and requires EPA to establish a Lake Pontchartrain Basin Restoration Program to coordinate efforts to reduce pollution and restore the health of the basin watershed. These are important steps to improve the health of this important body of water. The bill also authorizes $100 million for a project to reduce the amount of sewage that enters the lake from New Orleans and neighboring parishes.

Mr. Speaker, I know of no controversy surrounding this bill. Therefore, I support this open rule, which will allow any Member to offer germane amendments to this proposal.

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

Mr. HASTINGS of Washington. Mr. Speaker, I know that it is not in order at all for me to say this, but it is my mother's 86th birthday today, and I am not going to mention that in a formal sense.

With that, Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 484 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2957.

□ 1458

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2957) to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, and for other purposes, with Mr. OSE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Pennsylvania (Mr. BORSKI) each will control 30 minutes.

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

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Lake Pontchartrain Basin is the largest estuary in the Gulf Coast region and one of the largest estuaries in the United States. However, due to urbanization, increased population growth, and intensive land uses, many water bodies in this watershed do not meet their designated uses. The sources of pollution in the Basin include inadequate sewage systems or septic tanks systems, combined sanitary and storm water sewer overflows, as well as urban and agricultural runoff.

State and local agencies are working cooperatively with private organizations on restoration efforts. However, they cannot do it alone. H.R. 2957, introduced by our committee colleague, the gentleman from Louisiana (Mr. VITTER), and the gentleman from Louisiana (Mr. JEFFERSON), supports these State and local efforts.

First, the bill identifies the Lake Pontchartrain Basin as an estuary of national significance and adds this estuary to the list of estuaries in section 320 of the Clean Water Act that are to be given priority consideration for the National Estuaries Program.

□ 1500

Under the National Estuaries Program, EPA will convene a management conference for the Lake Ponchartrain Basin with representation by appropriate local and State organizations.

The purpose of the management conference is to help these local and State organizations come up with a plan for basin restoration that recommends activities and projects. In addition, H.R. 2957 creates a Lake Ponchartrain basin restoration program within EPA modeled after the Long Island Sound program. This program will help coordinate ongoing voluntary efforts to reduce pollution and restore the ecological health of the basin, and will provide financial assistance to help fund the activities and projects recommended by the management conference.

Finally, H.R. 2957 authorizes $100 million to provide continued Federal assistance to the project to prevent inflow and infiltration in New Orleans and Jefferson Parish. Completing this project, which is an integral part of basin restoration efforts, will require a total investment of over $300 million, most of which will be provided from State and local sources of funding.

Mr. Chairman, I commend the gentlemen from Louisiana (Mr. VITTER) and (Mr. JEFFERSON) for their efforts on this legislation. I would also like to thank the gentleman from Pennsylvania (Mr. BORSKI), the ranking member of the subcommittee, my colleague and friend, and also the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full committee, and of course the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the full committee, for their leadership and cooperation in bringing this bill to the floor. I would urge all of my colleagues to support H.R. 2957.

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

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

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

Mr. BORSKI. Mr. Chairman, I rise in support of H.R. 2957, the Lake Ponchartrain Basin Restoration Act. This legislation, as amended by the Committee on Transportation and Infrastructure, would create a priority for the inclusion of the Lake Ponchartrain Basin into the EPA's National Estuary Program. By including the basin into the NEP, the administrator would be authorized to begin development of a comprehensive conservation management plan for the basin in order to promote its long-term ecological protection. In addition, this legislation would establish a new program office within EPA aimed at restoring the ecological health of the basin and coordinating the development of its CCMP.

This new program office would provide administrative and technical assistance to a management conference convened for the protection of the basin. This office would also be responsible for coordinating any grant, research and planning programs authorized under this act, including grants for public education projects consistent with any management plan.

Because the drainage basin for the Lake Ponchartrain watershed extends across much of southern Louisiana and Mississippi, it is the intent of the Committee on Transportation and Infrastructure that any management conference appointed to develop a CCMP for the basin include appropriate representatives from the States of Louisiana and Mississippi.

In addition, in order to ensure that the surrounding communities are fully informed, the bill requires the newly-established program office to collect and make available to the public information on the environmental health of the basin.

Mr. Chairman, H.R. 2957 authorizes the basin restoration program at $5 million per year for 5 years. In addition, the bill authorizes $100 million for inflow and infiltration projects that are currently under construction in New Orleans, Louisiana, a project which is viewed as integral to the long-term protection of water quality in the basin.

Mr. Chairman, I also want to commend the gentlemen from Louisiana (Mr. VITTER) and (Mr. JEFFERSON) for their hard work in support of this bill, and I also want to thank my distinguished subcommittee chairman, the gentleman from New York (Mr. BOEHLERT) for working with us in a bipartisan manner, which is the way this committee always operates. It is greatly appreciated.

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

Mr. BOEHLERT. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. VITTER), the primary author of this legislation. But before I do so, let me acknowledge that oftentimes Members come here and it takes quite a while before they make an impact on this institution. The gentleman from Louisiana (Mr. VITTER) is an exception to the rule.

Mr. VITTER. Mr. Chairman, I thank the gentleman for those kind words.

Today, of course, I rise in strong support of this Lake Pontchartrain Basin Restoration Act, H.R. 2957, because it truly will revitalize a national treasure for the American people.

The Lake Pontchartrain Basin is about 5,000 square miles. It encompasses 16 parishes in Southeast Louisiana, as well as four Mississippi counties. It is one of the largest estuaries in the United States, and at the center of this basin is 630 square miles of water, Lake Pontchartrain, that is surrounded by almost 1.5 million residents, making it the most populated area in the State of Louisiana.

The problem with this area is that over the past 60 years wetlands loss, human activities, natural forces have had a lot of adverse impacts on the Pontchartrain Basin. Wetlands around the basin have been drained, dredged, filled and channeled for oil and gas development. Storm water discharges, inadequate waste water treatment, agricultural activities, they have all significantly degraded water quality. Loss of wetlands due to subsistence, salt water intrusion, and hurricanes also have harmed basin wildlife populations and placed 13 species, 13, on the U.S. Fish and Wildlife Service Threatened or Endangered Species List. Today, swimming is still not allowed on the south shore of the lake due to the high levels of pollution.

Because of all of this, last September I introduced one of my first pieces of legislation in the Congress, the Lake Pontchartrain Basin Restoration Act. This is designed to facilitate and accelerate the restoration, maintenance, and cleanup of truly one of America's most significant bodies of water.

This act will create a coordinated technically-sound program for the restoration and sustainable health of the ecosystem. It will amend the clean water act to establish a program for water quality restoration activities in the basin. Most importantly, it will focus on voluntary, positive, proactive restoration projects, not an increase in government regulation, not bureaucratic finger-pointing. There will also be extensive input by all of the local stakeholders in Southeast Louisiana and the four Mississippi counties affected, including all government entities in the basin and universities and restoration groups. So it is a great productive, proactive model to use.

Since introducing this act, I have held town hall meetings on the bill in Louisiana. I have met with hundreds of citizens and local elected officials to solicit their input. Their response has been overwhelming and enthusiastic and positive. These meetings were important because they affirmed the right model we are using for this legislation.

Mr. Chairman, I do want to say, though, this legislation builds on a lot of local support and activity that has been going on for some years. There has been progress in cleaning up the lake and the basin, and I want to, in particular, highlight and salute the Lake Pontchartrain Basin Foundation for its superb work in turning the corner and cleaning up the lake and bringing all parts of the community and all interested citizens and elected officials together. Their past efforts and outreach programs have informed many citizens in Southeast Louisiana about the steps we can all take to reduce pollution. Tremendous success has been achieved already.

For instance, last summer I saw porpoises and manatees in Lake Pontchartrain, and that was something just a few years ago no one would have ever guessed and soon, many of the no swimming signs on the south shore will be taken up. Those signs first began to appear in Lake Pontchartrain in 1962 when I was one year old.

Unfortunately, not all of the news is good news. On the north shore of the lake where there is tremendous development, some of those ''no swimming'' signs are soon to be erected, so there is still a long road ahead before we regain a sustainable, fully functioning ecosystem.

For as long as I have lived, I have never known the lake as a place to swim, as I mentioned. Hopefully, my three daughters, Sophie, Lise, and Airey will not have to say that, will not have that same perception and memory when they are my age.

Mr. Chairman, this legislation was reported unanimously from both the subcommittee and the committee with unanimous bipartisan support. I urge all of my House colleagues to vote in favor of it.

I want to thank again the full committee chairman, the gentleman from Pennsylvania (Mr. SHUSTER), the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), our subcommittee chairman, the gentleman from New York (Mr. BOEHLERT), and the subcommittee ranking member, the gentleman from Pennsylvania (Mr. BORSKI), and all of the staff who have assisted on the bill, particularly Ben Brumbles and Susan Bodine of the Subcommittee on Water Resources.

Mr. BORSKI. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I thank my distinguished friend from Philadelphia, my neighboring State of Pennsylvania. I have an amendment that I am waiting for that is coming from my office, Mr. Chairman. But I support this bill, and I want to commend the leadership of the gentleman from New York (Mr. BOEHLERT), and I want to thank him for helping me secure the class A franchise in the New York Penn League baseball, now known as the Mahoney Valley Scrappers. He does a tremendous job on our committee and I appreciated your help on bringing the president of the league up, that was a big help. I want to thank the gentleman from Pennsylvania (Mr. BORSKI) for all the work that he has done. If one wants to pass water, one wants to talk with him. He is the guy that does it around here.

I just want to make a couple of comments. I support this, and support almost every public works project in America, and I want the top gun to hear this. We have spent $12.6 billion to build a tunnel in Bosnia. It is now $1.2 billion over cost. But I am sure it is going to have merit.

Mr. Chairman, I have been advancing the prospect of completing the internavigable water system in the United States by connecting the Beaver River north of Pittsburgh, 110 miles away from Lake Erie, to revitalize every piece of industrial wasteland between Chicago and New York; Mr. Chairman, 60 percent of factories, 60 percent of the population within the region. They said it is too expensive. The Army Corps of Engineers said, Mr. TRAFICANT, we would love to build this; but we are afraid of its cost, so we are not going to support it. We have the greatest builders in the world, the Army

Corps of Engineers, putting their fingers in the holes of the dike, not really maximizing the infrastructure of our internavigable water system. I say to my colleagues, it is time that we do that and put America to work.

Let me say one last thing. How can there be an affected total comprehensive multi-modality transportation network without a full, comprehensive navigable water system connecting the Great Lakes to the Ohio River? Think about it. I don't know how much time it is going to take for my amendment to be here, and now I would like to speak to the effect of my amendment.

I understand this is an amendment to the Clean Water Act, the bill itself, and I commend my colleagues' constructive ingenuity to affect this common and well-thought-out goal. However, that Buy American, that Clean Water Act amendment already is covered by the Buy American Act. But the Buy American Act does not provide for a notice. The Traficant amendment says, yes, you must abide by the Buy American Act that is in the bill, and Congress recommends this, because we cannot mandate that they buy America, but encourages the support of buy American-made products or spending that on goods and services made in America. But more importantly, it gives notice from the Congress of the United States saying look, you are getting money, try and expend that money wherever possible on American-made goods.

The top gun is protected, and all of us work hard on the bill. So I hope that my staff will have heeded this clarion call and have my amendment here forthwith.

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume to say that this is the birthday of the gentleman from Louisiana (Mr. VITTER), the primary author of the bill, and Congress is not just presenting him with a $125 million birthday present, Congress is advancing on a bipartisan basis responsible legislation that represents good public policy.

With respect to the comments of my good friend from Ohio, let me point out that this committee has the habit of working constructively in a positive manner with him to fashion his language in a way that we can all embrace, and we eagerly anticipate the arrival of that language so that it can be given the careful scrutiny to which this committee has become accustomed.

□ 1515

Mr. Chairman, at this juncture, I have no further requests for time; and I reserve the balance of my time.

Mr. BORSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. JEFFERSON), the cosponsor of this bill.

Mr. JEFFERSON. Mr. Chairman, I appreciate the allocation of time by the gentleman from Pennsylvania (Mr. BORSKI).

Mr. Chairman, I rise this afternoon to join the gentleman from Louisiana (Mr. VITTER) in a bipartisan effort to request this House vote to pass this important environmental restoration and protection legislation.

This is the gentleman's birthday, I understand; and it is a wonderful birthday present for him to have this bill passed. But more than that, a wonderful gift to the people of our State that he is providing under his leadership, and I thank him for his efforts.

H.R. 2957 amends the Federal Water Pollution Control Act to authorize Federal support and coordination of water quality restoration projects for the Lake Pontchartrain Basin in Louisiana. By passing this legislation today, Congress will join with the State of Louisiana, local governments of the Metropolitan New Orleans area, local universities, the Lake Pontchartrain Basin Foundation, and private citizens who have already recognized that the lake is important and it is important to restore the water quality in the Lake Pontchartrain Basin.

Mr. Chairman, Lake Pontchartrain is one of the largest estuaries in the continental United States, and it is important that the Federal Government join in the effort to restore water quality there. The lake has a diverse ecology that is essential to the habitat that supports numerous species of fish, birds, mammals, and plants there.

Lake Pontchartrain also handles the major storm water runoff for the 16 parishes in Louisiana that surround it. As a direct result of sewage and septic tank discharges, animal waste from nearby farms that contain herbicides, pesticides, fertilizers, runoff from construction sediments, and other sources of pollution, the lake's water quality has been compromised to the point that fishing and swimming has been prohibited for decades.

Already, our local initiatives have started to address the issue of water quality, and some predict that one day in the near future swimming may be permitted again and fishing may be restored fully.

Restoration of the basin continues to be a major task for the State and local governments, and greater coordination is needed for restoration efforts.

Mr. Speaker, there is another reason for Federal involvement. Lake Pontchartrain also serves as a relief valve for Mississippi River spring floods which bring waters from regions exceeding way north of our State when high water at New Orleans requires opening of the Bonnet Carre Spillway.

Every time that the spillway has been opened, eight times since 1932, the last 1997, the deluge of Mississippi River flood waters that are diverted through Lake Pontchartrain have wreaked havoc on the delicate ecological balance in the basin. The waters of Lake Pontchartrain are brackish, not fresh water, not salt water; and the titanic influx of fresh water from the floods act as a toxic shock to the lake's environment that can take years to overcome.

Mr. Chairman, the Federal challenge here today is to help us to balance the management of the river and the need for flood control for New Orleans, for the Nation, while at the same time balancing the management of the ecological and economically important resources for the lake.

Mr. Chairman, we have been working on the problem of restoring the lake basin locally. It is time that the Federal Government adds its weight and ability to coordinate these efforts, and its resources, to help with this important initiative.

Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. BORSKI) for yielding me this time, and I thank my colleague for his work on this measure. It is a pleasure to join him, and I urge my colleagues to join us in passing this bill today.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2957

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 ''Lake Pontchartrain Basin Restoration Act of 2000''.

SEC. 2. NATIONAL ESTUARY PROGRAM.

(a) FINDING.—Congress finds that the Lake Ponchartrain Basin is an estuary of national significance.

(b) ADDITION TO NATIONAL ESTUARY PROGRAM.—Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by inserting ''Lake Ponchartrain Basin, Louisiana and Mississippi;'' before ''and Peconic Bay, New York.''.

SEC. 3. LAKE PONTCHARTRAIN BASIN.

(a) IN GENERAL.—Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 121. LAKE PONTCHARTRAIN BASIN.

''(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish within the Environmental Protection Agency the Lake Pontchartrain Basin Restoration Program.

''(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

''(c) DUTIES.—In carrying out the program, the Administrator shall—

''(1) provide administrative and technical assistance to a management conference convened for the Basin under section 320;

''(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

''(3) support environmental monitoring of the Basin and research to provide necessary technical and scientific information;

''(4) develop a comprehensive research plan to address the technical needs of the program;

''(5) coordinate the grant, research, and planning programs authorized under this section; and

''(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Basin.

''(d) GRANTS.—The Administrator may make grants—

''(1) for restoration projects and studies recommended by a management conference convened for the Basin under section 320;

''(2) for public education projects recommended by the management conference; and

''(3) for the inflow and infiltration project sponsored by the New Orleans Sewerage and Water Board and Jefferson Parish, Louisiana.

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) BASIN.—The term 'Basin' means the Lake Pontchartrain Basin, a 5,000 square mile watershed encompassing 16 parishes in the State of Louisiana and 4 counties in the State of Mississippi.

''(2) PROGRAM.—The term 'program' means the Lake Pontchartrain Basin Restoration Program established under subsection (a).

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated—

''(A) $100,000,000 for the inflow and infiltration project sponsored by the New Orleans Sewerage and Water Board and Jefferson Parish, Louisiana; and

''(B) $5,000,000 for each of fiscal years 2001 through 2005 to carry out this section.

Such sums shall remain available until expended.

''(2) PUBLIC EDUCATION PROJECTS.—Not more that 15 percent of the amount appropriated pursuant to paragraph (1)(B) in a fiscal year may be expended on grants for public education projects under subsection (d)(2).''.

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

All recipients of grants pursuant to this act shall abide by the Buy American Act and the Administrator of the Environmental Protection Agency shall give notice of the Buy American Act requirements to grant applicants.

Mr. TRAFICANT. Mr. Chairman, it is a very forthright little handwritten amendment. The gentleman from New York (Chairman BOEHLERT), who has reserved the right to object, should make note of the fact that it is like a reinforcement that there is a Buy American Act that everybody seems to overlook and buy goods made from China and all over the place, with a trade deficit that is now approaching $300 billion with China, surpassing Japan's $60 billion. China will amass a $70-plus billion trade surplus.

They are buying nuclear attack submarines and intercontinental ballistic missiles with our money. I have got to say ''beam me up.''

So the Traficant amendment says, look, the Clean Water Act has a Buy American statute in it, but it is so weak I do not think it could knock out Palooka. All we say, and all I say in this amendment, is abide by the Buy American Act, but give a notice of what that Buy American Act stands for so that the people who are getting these grants will at least have embedded in their psyche that the Congress of the United States would like to encourage them in expending American taxpayer dollars wherever possible, to expand it on American-made goods and services.

Now, having explained it, and wanting to have my standard language in, I believe that this language is significant enough and will require some task, but a task that is worthy of any administrator to effect a Buy American posture by our procurement policies.

I would hope that the gentleman's reservation in this matter can be abated.

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

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

Mr. BOEHLERT. Mr. Chairman, let me ask my distinguished colleague, well, first of all let me give a preamble. I think the objective of the gentleman's amendment is sound. I think the concept is noble. I am wondering if the gentleman might ask that his amendment might be amended to have a preamble: ''It is the sense of Congress that,'' and continue on. That would make it consistent with previous endeavors advanced by the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, that would be fine except to say that it is the sense of Congress, and the administrator says it is a sense of Congress and he does not give a notice. If we want the administrator to say that it is the sense of Congress to abide by the Buy American Act, I do not know why we should pass the Buy American Act. What is the use of a law if we make it a sense of Congress and they do not have to abide by it?

Mr. BOEHLERT. Mr. Chairman, would the gentleman continue to yield?

Mr. TRAFICANT. Mr. Chairman, I am not so sure that I will yield after that argument. I will yield.

Mr. BOEHLERT. Mr. Chairman, I am trying to assist my noble colleague in making the language——

Mr. TRAFICANT. Mr. Chairman, I would be glad to make it a sense of the Congress, but the notice shall not be a sense of the Congress. The historical debate on this would be that, yes, it is a sense of the Congress amendment, but there shall be a notice given that it is a sense of the Congress that they do abide by the Buy American Act. In other words, a notice will be given, Mr. Chairman.

Mr. BOEHLERT. Mr. Chairman, if my distinguished colleague would again yield.

Mr. TRAFICANT. Glad to yield to the gentleman.

Mr. BOEHLERT. Mr. Chairman, that is perfectly acceptable.

MODIFICATION TO AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that the words spoken by the gentleman from New York (Mr. BOEHLERT) which state that it is the sense of the Congress that, bang, before the Traficant amendment be that which is incorporated into the amendment.

The CHAIRMAN. The Clerk will report the modification to the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The Clerk read as follows:

At the beginning of the text proposed to be inserted, add the following: It is the sense of the Congress that All recipients of grants pursuant to this act shall abide by the Buy American Act. The Administrator of the Environmental Protection Agency shall give notice of the Buy American Act requirements to grant applicants.

The CHAIRMAN. Is there objection to the modification to the amendment offered by the gentleman from Ohio (Mr. TRAFICANT)?

Mr. TRAFICANT. Clarification, Mr. Chairman. Clarification. And the remainder of it shall be after the Buy American Act, period: The Administrator of the Environmental Protection Agency shall give notice. That language shall remain.

The CHAIRMAN. The Clerk will again report the modification.

Mr. TRAFICANT. In further clarification——

The CHAIRMAN. The gentleman will suspend. The Clerk will report the modification.

The Clerk read as follows:

The amendment as modified is as follows: At the end of the bill, add the following new section: It is the sense of Congress that all recipients of grants pursuant to this act shall abide by the Buy American Act. The Administrator of the Environmental Protection Agency shall give notice of the Buy American Act Requirements to the grant applicants.

Mr. TRAFICANT. That is in essence a complete——

The CHAIRMAN. Is there objection to the modification?

There was no objection.

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

Mr. Chairman, I do so to enter into a colloquy with the gentleman from Louisiana (Mr. VITTER), my good friend.

The report accompanying this bill defines certain members of the management conference. Could the gentleman

please share with me his intentions in regards to the makeup of this management conference.

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

Mr. TAUZIN. I yield to the gentleman from Louisiana.

Mr. VITTER. Mr. Chairman, it is certainly my intention to clarify that representation from each of the 16 parishes in Louisiana in the Lake Ponchartrain Basin estuary will be included in the management conference.

Mr. TAUZIN. Mr. Chairman, reclaiming my time, the report filed with the bill also clarifies that this legislation does not create new regulatory authority over the basin; however, it sets broad goals for the estuary. Could the gentleman share his intentions on the goals of this legislation and for the estuary.

Mr. VITTER. Mr. Chairman, if the gentleman would continue to yield, certainly, it is the intention of this legislation to address inflow and infiltration problems of the municipal sewer systems in the estuary that are adversely affecting the ecosystem of the basin and to provide the assistance necessary to focus on voluntary restoration projects that will benefit the health and productivity of the Lake Ponchartrain Basin. It does not provide any new regulatory authority in the basin.

I intend to more clearly define the goals of the legislation and management conference in the conference report of this bill.

Mr. TAUZIN. Mr. Chairman, I want to thank the gentleman for the clarification, and I would like to congratulate the gentleman from Louisiana for his fine work on behalf of the citizens of south Louisiana in this important basin. I look forward to continuing to work with him on this bill throughout the legislative process and encourage its passage by this House.

The CHAIRMAN. The question is on the amendment, as modified offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment, as modified, was agreed to.

Mr. BOEHLERT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BOEHLERT. Mr. Chairman, does that mean that the Traficant-Boehlert amendment has just passed?

The CHAIRMAN. Yes, the gentleman is correct.

□ 1530

The CHAIRMAN. Are there other amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOEHNER) having assumed the chair, Mr. OSE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2957) to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, and for other purposes, pursuant to House Resolution 484, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8(c) of rule XX, this 15-minute vote will be followed by a series of 5-minute votes on motions to suspend the rules postponed from earlier today.

The vote was taken by electronic device, and there were—yeas 418, nays 6, not voting 11, as follows:

[Roll No. 138]

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
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
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)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
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
Klink
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)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
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
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
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)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant

Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn

NAYS—6

Chenoweth-Hage
Hostettler
Paul
Royce
Sanford
Schaffer

NOT VOTING—11

Coburn
Cook
Frost
Gutierrez
Lucas (OK)
Myrick
Velazquez
Wicker
Wise
Young (AK)
Young (FL)

□ 1552

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□

GENERAL LEAVE

Mr. BOEHLERT. Mr. 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. 2957, the bill just passed.

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

There was no objection.

□

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

S. 2323, by the yeas and nays;

H.R. 4055, by the yeas and nays; and

H.R. 1901, by the yeas and nays.

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

□

WORKER ECONOMIC OPPORTUNITY ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 2323.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the Senate bill, S. 2323, 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 421, nays 0, not voting 13, as follows:

[Roll No. 139]

YEAS—421

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
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
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)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
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
Klink
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)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
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)
Quinn
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
Salmon
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
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn

NOT VOTING—13

Coburn
Cook
Cooksey
Frost
Gutierrez
Lucas (OK)
Myrick
Radanovich
Tauzin
Velazquez
Wise
Young (AK)
Young (FL)

□ 1603

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□

IDEA FULL FUNDING ACT OF 2000

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4055.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the bill, H.R. 4055, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 3, not voting 10, as follows:

[Roll No. 140]

YEAS—421

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
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
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
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)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
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
Klink
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)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
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
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
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
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
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)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn

NAYS—3

Paul
Sanford
Sensenbrenner

NOT VOTING—10

Bateman
Coburn
Cook
Gutierrez
Lucas (OK)
Myrick
Velazquez
Wise
Young (AK)
Young (FL)

□ 1611

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.

□

KIKA DE LA GARZA UNITED STATES BORDER STATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1901.

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. 1901, 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 417, nays 1, not voting 16, as follows:

[Roll No. 141]

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
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
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
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
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
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Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
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)
Quinn
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
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows

Shuster	Tancredo	Visclosky
Simpson	Tanner	Vitter
Sisisky	Tauscher	Walden
Skeen	Tauzin	Wamp
Skelton	Taylor (MS)	Waters
Slaughter	Taylor (NC)	Watkins
Smith (MI)	Terry	Watt (NC)
Smith (NJ)	Thomas	Watts (OK)
Smith (TX)	Thompson (CA)	Waxman
Smith (WA)	Thompson (MS)	Weiner
Snyder	Thornberry	Weldon (FL)
Spence	Thune	Weldon (PA)
Spratt	Thurman	Weller
Stabenow	Tiahrt	Wexler
Stark	Tierney	Weygand
Stearns	Toomey	Whitfield
Stenholm	Towns	Wicker
Strickland	Traficant	Wilson
Stump	Turner	Wolf
Stupak	Udall (CO)	Woolsey
Sununu	Udall (NM)	Wu
Sweeney	Upton	Wynn
Talent	Vento	

NAYS—1

Sanford

NOT VOTING—16

	Fletcher	Velazquez
Bateman	Gutierrez	Walsh
Coburn	Kelly	Wise
Cook	Lucas (OK)	Young (AK)
Cox	Myrick	Young (FL)
Doyle	Souder	

□ 1621

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 is laid on the table.

Stated for:

Mr. FLETCHER. Mr. Speaker, on rollcall No. 141 I was inadvertently detained. Had I been present, I would have voted "yea."

□

AUTHORIZING THE USE OF THE CAPITOL GROUNDS BY THE EARTH FORCE YOUTH BIKE SUMMIT

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the concurrent resolution (H. Con. Res. 314), authorizing the use of the Capitol Grounds for a bike rodeo to be conducted by the Earth Force Youth Bike Summit, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Ohio?

Mr. BLUMENAUER. Mr. Speaker, reserving the right to object, I yield to the gentleman from Ohio (Mr. LATOURETTE) to explain his request.

Mr. LATOURETTE. Mr. Speaker, I thank the gentleman for yielding to me for an explanation.

Mr. Speaker, H. Con. Res. 314 authorizes the use of the Capitol Grounds for Get Outspoken, Youth Bicycle Summit to be held on May 10, 2000, or on such date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

The resolution also authorizes the architect of the Capitol, the Capitol Police Board and the sponsor of the event to negotiate the necessary arrangements for carrying out of the events in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The event is open to the public and free of charge.

Mr. Speaker, I want to thank my friend for yielding. I also want to thank him for his leadership and sponsorship of this measure.

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

Mr. BLUMENAUER. Mr. Speaker, my goal in Congress has been to promote more livable communities. Livable communities are those that are safe, healthy and economically secure.

There are many things that we in Congress can do to enhance livability. Whether it is requiring the Post office to play by the same rules as the rest of America by following local land use and zoning laws or by having more rational water policies to help protect and renew our waterways.

It is important that Congress lead by example and support policies and programs that contribute to the health, safety and economic security of our communities. One simple step we can take today is to support this resolution and the event that it will enable.

On May 10th, Earth Force will hold their annual Bike Rodeo on the Capitol Grounds.

This event is the culmination of a nation wide cycling education project. Children from all of our districts were asked to devise safe bicycling routes through their communities and share their proposals with their peers.

To commemorate their efforts Earth Force holds the bike rodeo to promote youth civic involvement and teach children about safe biking techniques.

This is a fun event with an important message. In 1998, 350,000 children 14 and under were treated in hospital emergency rooms for bicycle-related injuries. Collisions with motor vehicles account for 90 percent of all bicycle related deaths and 10 percent of all non-fatal injuries.

Bike safety education will go a long way to preventing these unnecessary fatalities and significantly enhance the livability of our communities.

This event is the perfect way to celebrate May as National Bike Safety Month.

I welcome the support of my colleagues on this resolution and encourage you to join Earth Force on May 10th to celebrate the leadership demonstrated by the youths they are honoring.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 314

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

SECTION 1. AUTHORIZATION OF BIKE RODEO ON CAPITOL GROUNDS.

The Earth Force Youth Bike Summit (in this resolution referred to as the "sponsor") shall be permitted to sponsor a bike rodeo (in this resolution referred to as the "event") on the Capitol Grounds on May 10, 2000, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized by section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the sponsor may erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event authorized by section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be required to carry out the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event authorized by section 1.

SEC. 5. LIMITATIONS ON REPRESENTATIONS.

(a) IN GENERAL.—No person may represent, either directly or indirectly, that this resolution or any activity carried out under this resolution in any way constitutes approval or endorsement by the Federal Government of any person or any product or service.

(b) ENFORCEMENT.—The Architect of the Capitol and the Capitol Police Board shall enter into an agreement with the sponsor, and such other persons participating in the event authorized by section 1 as the Architect of the Capitol and the Capitol Police Board considers appropriate, under which such persons shall agree to comply with the requirements of subsection (a). The agreement shall specifically prohibit the use of any photograph taken at the event for a commercial purpose and shall provide for the imposition of financial penalties if any violations of the agreement occur.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□

APPOINTMENT OF CONFEREES ON H.R. 434, AFRICAN GROWTH AND OPPORTUNITY ACT

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 434) to authorize a new trade and investment policy for sub-Sahara Africa, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none and, without objection, appoints the following conferees: From the Committee on International Relations for consideration of the House

bill and the Senate amendment and modifications committed to conference, Messrs. GILMAN, ROYCE, and GEJDENSON; from the Committee on Ways and Means for consideration of the House bill and the Senate amendment, and modifications committed to conference, Messrs. ARCHER, CRANE, and RANGEL; as additional conferees, for consideration of the House bill and the Senate amendment, and modifications committed to conference, Mr. HOUGHTON and Mr. HOEFFEL.

There was no objection.

□

CONFEREES TO MEET ON H.R. 434, AFRICAN GROWTH AND OPPORTUNITY ACT

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

Mr. GILMAN. Mr. Speaker, I would like to announce that the conferees on H.R. 434 will meet in Room 1100 of the Longworth Building immediately.

□

ANNOUNCEMENT OF AMENDMENT PROCESS FOR H.R. 701, CONSERVATION AND REINVESTMENT ACT

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

Mr. HASTINGS of Washington. Mr. Speaker, today a Dear Colleague letter will be sent to all Members informing them that the Rules Committee is planning to meet the week of May 8 to grant a rule which may limit the amendment process on H.R. 701, the Conservation and Reinvestment Act, also known as CARA.

Any Member who wishes to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment by 5:00 p.m. on Monday, May 8, to the Committee on Rules in Room H–312 of the Capitol.

Amendments should be drafted to the text of an amendment in the nature of a substitute which is available at the Committee on Resources and will be posted on their Web site by 12 noon tomorrow.

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

□

EAST TIMOR REPATRIATION AND SECURITY ACT

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and revise and extend his remarks and include therein extraneous material.)

Mr. MCGOVERN. Mr. Speaker, today I am proud to join with my colleague, the gentleman from New Jersey (Mr. SMITH), to introduce H.R. 4357, the East Timor Repatriation Security Act.

The crisis in East Timor continues, and the Congress needs to respond. Some 100,000 refugees remained trapped in squalid and threatening conditions inside West Timor. The overwhelming majority of these refugees want to return to their home in East Timor, but they cannot because the camps are under the control of the militias.

The militias and elements of the Indonesian Army continue cross-border attacks into East Timor.

Reconstruction continues to be a slow and laborious task.

Our bill maintains Congressional restrictions and the President's suspension on military cooperation with the Indonesian Armed Forces until the refugees are safely repatriated and military attacks against East Timor are ended.

It calls upon the President to help the safe repatriation of the refugees and to help rebuild East Timor, and it salutes the members of the United States Armed Forces who have participated in the peacekeeping operation in East Timor.

Mr. Speaker, I urge my colleagues to cosponsor the McGovern-Smith bill on East Timor.

Mr. Speaker, I include the following for the RECORD:

[From Human Rights Watch]

EAST TIMORESE REFUGEES FACE NEW THREAT

(NEW YORK, Mar. 30, 2000).—Human Rights Watch today called on Indonesian authorities to lift a March 31 deadline on humanitarian aid to East Timorese refugees living in West Timor. The Indonesian government has given the refugees, some 100,000 people, until the end of the month to choose whether to go back to East Timor or remain in Indonesia. Indonesia says it will end all delivery of food and other assistance as of March 31.

''Everyone wants a quick resolution of the refugee crisis, but this ultimatum is counterproductive,'' said Joe Saunders, deputy Asia direct at Human Rights Watch. ''The threatened deadline alone has created panic. If it is implemented, the cutoff will directly endanger the lives of tens of thousands of refugees without solving the underlying problems.''

Conditions for many of the refugees are already dire. There have been food shortages, along with health and nutrition problems in many of the camps. Some reports estimate that as many as 500 refugees have died from stomach and respiratory ailments. Refugees also continue to face significant obstacles in deciding whether to return. In some areas, refugees continue to be subjected to intimidation by armed militias and disinformation campaigns. Refugees are told that conditions in East Timor are worse than in the camps, and the United Nations is acting as a new colonial occupying force. Other refugees opposed independence for East Timor, or come from militia or army families, and fear vigilante justice should they return to East Timor.

Indonesian officials claim, however, that they can no longer afford to feed the refugees, that food aid acts as a magnet and prevents refugees in West Timor from returning home permanently, claiming that after March 31, the refugees should be the sole responsibility of the international community.

''Given Indonesia's economic woes, the call for international financial support in feeding and caring for the refugees is understandable. We call on donors to make urgently needed assistance available. But an artificial deadline helps no one,'' said Saunders. ''Thousands of refugees are not now in a position to make a free and informed choice about whether to return. A large part of the problem has been Indonesia's failure to create conditions in which refugees can make a genuine choice.''

According to aid agencies, the total number of refugees currently in West Timor is just under 100,000. Precise figures are not available because access to the camps and settlements has been limited by harassment and intimidation of humanitarian aid workers by pro-Indonesian militias still dominant in a number of the camps. Many refugees have also been subjected to months of disinformation and, often, intimidation by members of the pro-Indonesian militias. Indonesia has recently made some progress in combating the intimidation in the camps, but lack of security and reliable information continue to be important obstacles to return. Aid workers in West Timor estimate that one-half to two-thirds of the refugees, if given a free choice, would eventually choose to return to East Timor.

''Withdrawal of food aid and other humanitarian assistance should never be used as a means to pressure refugees into returning home prematurely'' said Saunders. ''Return should be voluntary and based on the free and informed choice of the refugees themselves.''

Following the announcements by the United Nations on September 4, 1999 that nearly eighty percent of East Timorese voters had rejected continued rule by Indonesia, East Timor was the site of orchestrated mayhem. In the days and weeks following the announcement, an estimated seventy percent of homes and buildings across East Timor were destroyed, more than two-thirds of the population was displaced, and an estimated 250,000 East Timorese fled or were forcibly taken, often at gunpoint, across the border into Indonesian West Timor. To date, roughly 150,000 refugees have returned to East Timor.

[From the New York Times, Apr. 29, 2000]

STUMBLING EFFORTS IN EAST TIMOR

In East Timor, where pro-Indonesian militias went on a rampage last summer, the United Nations has taken on an ambitious reconstruction mission with inadequate means. Not surprisingly, the results to date have been disappointing. Unless faster progress can be achieved in creating jobs, resettling refugees and establishing the rule of law, there is a serious risk of new violence.

International peacekeepers belatedly put a stop to the violence, which came after the East Timorese voted for independence. But by the time U.N. administrators moved in six months ago, conditions were desperate. Pro-Jakarta militias had burned much of the territory's housing and destroyed its agricultural economy. The abrupt withdrawal of Indonesian civil servants left East Timor without police, teachers and other essential services.

Since then the U.N. has made only modest progress. Some schools have been reopened, although they still lack trained teachers. Emergency medical and dental clinics have been established, many of them staffed by private relief agencies. But a staggering 80 percent of East Timor's 800,000 people still have no work, and nearly 100,000 remain in refugee camps across the Indonesian frontier. There is no functioning police force or courts, no reliable water, power or transportation systems.

The chief U.N. administrator, Sergio Vieira de Mello, has been hampered by an inadequate budget, unrealistic staff ceilings and the slowness of donor nations in providing the funds and volunteers they have

promised for Timor's reconstruction. Of more than $500 million pledged late last year, only $40 million has been delivered. Washington has so far sent about $8 million of the $13 million it promised for U.N. and World Bank reconstruction efforts. Donor nations have been slow in providing the local governance experts the U.N. needs.

These problems have been magnified by the workings of the notoriously slow U.N. bureaucracy and the U.N. mission's reluctance to give more responsibility to local residents. If the rebuilding effort continues to lag in the months ahead, Jakarta could be tempted to exploit the continuing poverty and chaos, launching new military forays from Indonesian-controlled West Timor.

Last summer's violence in East Timor galvanized international attention and action. That commitment must now be sustained with adequate resources and a renewed sense of urgency.

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MILLION MOM MARCH

(Mrs. MCCARTHY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in support of the Million Mom March and the tapestry of mothers across the Nation.

These dedicated mothers will be arriving in Washington, D.C. and over 60 cities to participate in the Million Mom March on Mother's Day, May 14.

The mothers here on the mall and around the Nation will be demonstrating their grassroots support for common sense gun safety legislation. Fathers, sons, daughters, their friends, and their relatives will be joining their moms. The cause of gun safety has united these marchers.

I commend the March's Founder, Donna Dees-Thomases, for organizing this massive event. To learn more about the March, my colleagues may access the Web site at www.millionmom.com. This Web site contains ''Woven Words'' stories. These are stories from the moms themselves on why they got involved in the March.

Mr. Speaker, I will introduce these stories in the CONGRESSIONAL RECORD.

Gun safety is not a partisan issue. I will look forward to joining Donna and thousands of other mothers who will be participating in the Million Mom March across the country.

I urge all members to join the Million Mom March and to heed its message of adopting common sense gun safety legislation.

Mr. Speaker, the ''Woven Words'' stories that I referred to are as follows:

ADD YOUR VOICE TO OUR TAPESTRY—WOVEN WORDS

''MMM I support you in this effort. It is time we come together to make changes to the gun laws. It is time to make some common sense gun policies so no more children, Black or White, Baptist or Jewish has to die accidentally or because another child felt powerful enough to take another child's life. We must hold our lawmakers accountable to changing the waive of gun violence in our society. It is our right to call on lawmakers to help us save our children. Johnetta, another one in a million''—Johnetta, Washington, DC, AL

''This is long overdue . . . I have a 10 yr old daughter who I want to protect. I support this cause wholeheartedly. Way to go moms. . . .''—Lori C. Jefferson, Hayward, CA

''I am blessed to have 3 wonderful boys, all 5 and under. I am scared to death to send them out into this world . . . why must the youth of our nation be subjected to the violence that has become so ''normal''? I WILL NOT sit by and allow this to happen to our most precious resources . . . it is up to US!!!!''—Tiffany, AZ

''We needed better gun control laws in this country. Twice I've had a gun pointed at me. Once a boyfriend used my father's gun to threaten me. He actually fired it. The second time was during an armed robbery. Funny how the person who was supposed to care about me fired the gun, but the robber who I meant nothing to only waved it around. Regardless I never want my daughter to have to deal with any situation involving guns!''—Tracy, Palmdale, CA

''Thank-you to the organizers of the march and the movement. Every time I read something sponsored by the march I get goosebumps. This is my first Mother's Day, and I am so proud that someday my 10 month old will look back and know that I took a stand for something as important as sensible gun control. My husband is a cop, and is ready to quit because of the heartbreaking cruelty in our society. Simply, like the man said, you've got to stand for something or you'll fall for anything. Bless us all.''—Colleen, Karnes City, TX

''Remind your gun-supporting family, friends and lawmakers: When the Constitution was written, citizens of our new country were in danger from the threat of armed British soldiers at many a turn. No wonder the framers gave our citizens the right to bear arms! The NRA and like-minded individuals and groups have somehow (?) failed to take into account that there are no longer armed soldiers, subjects of a foreign power in pursuit of political and economic control, threatening our citizenry. Nor are we blazing a new, untamed frontier. Times have changed. With the exception of those in service to our country, the people now ''bearing arms'' ARE the threat. What is their point? They're ''defending'' themselves? Against whom? The reality is that those who irresponsibly own and/or use hand guns and assault rifles (weapons of war—Why are they available to citizens?! $$$. This is nuts!!) are now the aggressors and one thing these aggressors control, shamefully, is the lives of our defenseless citizens—particularly our children. THEY DO NOT HAVE THAT RIGHT and I am steadfastly behind paring their power play. Background checks, ''cooling off'' periods, licenses for ALL guns, safety locks . . . Why are these measures anathema? They make SENSE! It's at least 100 years past time to CHANGE THE LAW! I applaud all the organizers and intend to lend my support by swelling your numbers by one. See you in Washington!''—LC Kelly, Durham, NC

''The state of America saddens me on a regular basis. Whether I am watching TV, reading the paper, or surfing the net, I am inevitably going to run into a story of some child who was shot dead . . . today. I am 24 years old, I do not have any children, and I have no immediate plans of having any. Yet, every day, I hurt for these dead children and their families. I hurt for a bond that I have yet to understand. And then there are these people who have children, and have the nerve to tell me that my beliefs defy our Constitution. A Constitution which was written over 200 years ago by men who could not even fathom the notion of an AK47 or a sawed-off shot-gun. This is the reason why our Constitution is made up of Amendments, not Commandments. And to those who have children and who have the nerve to tell me that my belief system is wrong, let's look at the big picture. It's not right that I care about the well-being of your child more than you do.''—Allison Kaplan, West Linn, OR

''Unfortunately, I will be unable to attend the march, but I would like to share the story of what happened to my 19-year-old daughter who was threatened by a 45-year-old man with a semi-automatic handgun 2 weeks ago. He pulled his car in front of hers, blocking her escape and got out of the vehicle, reached in the car for his gun (we later learned it was loaded) and threatened her. After our first court appearance, I realized that this guy will probably walk away. We not only need serious legislation, but we need to enforce the laws! While we are thankful our daughter is alive, she has certainly been traumatized by this incident. My heart goes out to all who have lost loved ones to gun violence.''—Madlon Glenn and Katie Glenn—madlon glenn, Winston-Salem, NC

''Heartbreaking stories, heartbreaking words. Is anyone listening? Are we preaching to the choir? Please, God, don't make us share more heartbreak, year after bloody, tragic year.''—Jeanne Genova-Goldstein, Spring Lake, NJ

''Guns are bad. They hurt people. A gun killed our favorite singer 'Selena'. We don't go in houses that have guns. Guns are stupid.'' ''(Mom Astrea Fall gives permission to print how her two children feel about guns).''—Chris 6 and Elizabeth Fall 5, Cherry Hill, New Jersey, NJ

''It is past time that our voices were heard . . . past time that the NRA and other lobbyists are stopped . . . past time that someone stand up for the safety of our children . . . past time that we show the politicians that WE are their constituents and we have a voice, loud enough to be heard across the land and into Congress . . . it is OUR time and the time is NOW. My sister and I will be at the march, with our seven-year-old daughters, marching to keep them safe.''—Christine Bintz, Reston, VA

''When will enough be enough? I was outraged to learn that my 13-year-old God Daughter was afraid to go to school because she heard other 13-year olds talking about how they were going to ''Shoot the place up''. The child was in hysterical sobs and has had to endure counseling to help with her fear of GUNS. When will the powers that be realize that besides the senseless and AVOIDABLE loss of precious life of our loved ones, that we are also taking away the freedom that our constitution promises us when a child is afraid to go to school because of guns?!? I applaud the efforts of all the coordinators, sponsors and participants of the Million Mom March and pray with you all that Congress enacts laws that will help protect us, and our precious children.''—Elaine Thompson, Columbia, MD

''Children are the world's most valuable asset and the only hope for our future. The most important thing a parent can do is to protect our children from harm or death. If we don't protect them, who will? They count on us for that! Let's do it!!!!''—Pat Barton, Aurora, CO

''I feel that it is time that the Government listen to the people. I have a 6-month son whom I can still protect from the violence that seems to be taking over our nations children. My biggest fear is what will happen when the day comes for me to release my child into society. I can educate my own child that guns are not toys—but what about other peoples children, especially those whose parents aren't educated about guns. I

AM AFRAID!''—Jill Hamann, Whitmore Lake, MI

''My child isn't even born yet, and I have to worry about him or her getting hurt by a gun! I live in the country, and I don't oppose hunting. But I can't understand people who think trigger locks, background checks, and waiting periods are unreasonable. The NRA says that law abiding citizens will be hurt by these laws. I say, law abiding citizens have children; law abiding citizens can have accidents! More children are killed by gun accidents than by criminals. There will be no guns in my house, but that's not good enough. I want sensible gun laws now!''—Andrea S. Colton, OR

''I will be present in Denver on May 14, along with many women from our Presbyterian church. The Presbyterian Church (USA) has declared July 2000–July 2001 as the year of the Child. What better organization to stand up for children than our churches/synagogues/places of worship, who offer ''sanctuary'' to our children and youth!! I encourage Presbyterians, Methodists, Catholics, Hindu, Pagan . . . all spiritual faiths, to put feet on your beliefs and join the Million Mom March!''—Holly Inglis, Arvada, CO

''What words can we use, to say how we feel? It is time, actually pass time to do something about the killings in our streets, schools, churches, etc. I am a city resident, and proud of it! I have raised my son and have been blessed that he is alive, in college and breathing each day!! It is a sin and a shame, that in this ''land of opportunity'' that so many individuals are fighting so hard to get into, that our children are dying violently every day. It is heartwrenching to have children base their dreams on statistics—my son informed me at the age of 13, that he was making no plans regarding, college or his future because the statistics show that he is unlikely to reach his 18th birthday. Once he celebrated his 17th, he decided to apply to colleges, just in case he lives that long—the tears flowed from my eyes uncontrollably!! Our children should not have to live like this! When will our representatives wake up! With all issues, most people don't care until it hits in their own backyards—haven't enough backyards been riddled with gunfire!! Haven't enough of our children sacrificed their lives for the ''right to bear arms''?

Will 7 children need to be injured or killed in the zoo everyday for the message to become clear that change is needed? Different gun laws are needed today, not tomorrow, not sometime in the future, today!! And even though the guns can not be fired without someones finger on the trigger, new laws are a start. While we are working to change those laws, we need to look within ourselves to see what ''housecleaning'' we need to do regarding, bigotry, hatred, oppression and make sure that we are not feeding the fires that instill beliefs/values in our young so that they assume violence is the answer! Amani & Baraka (peace & blessings)-Kipenzi-Baltimore Maryland''—Kipenzi, Baltimore, MD

''Accidental. Deliberate. Hunting. Protection. Legal and licensed. Illegal and hidden. Safety. Crime. It is all the same. The purpose of a gun is to stop a life from continuing. Whether or not this happens in a premeditated, controlled fashion or in a spontaneous manner with reckless abandon, the consequence is the same. A beating heart stops. A brain stops functioning. A soul is released from its body. Guns have a power that is to be respected and REGULATED. Mothers also have a power that must be acknowledged, exercised and focused on the safety of our fellow beating hearts and thinking brains. Thank you for giving us a place and a situation in which we can make our voices heard. I am a mom who has had enough of watching other mothers lose their children. I have lost friends and family members because of guns. I pray that we will have our eyes and hearts opened by this Million Mom March.''—Jo-Jo T. Murphy, Westmont, IL

''It is long overdue but an incredible and worthwhile effort! Please join my family and millions of others this mother's day to take a stand on these issues: improper gun access, mandatory safety locks, background checks and other common sense laws. Guns are deadly. We have restrictions on viewing movies, making safe toys and baby gear, child seats and seat belts . . . why not for guns. The ''right to bear arms'' does not mean the right to murder or the right to children accessing guns. Lets correct the misperceptions through educations and common sense gun laws and stop ignoring this epidemic!''—M. Rait, Portland, OR

''One week ago, my children were home for spring break. A neighbor had ordered a rifle and UPS tried to deliver it to their home. My neighbors were not there so the UPS driver brought the rifle to my home and my 13 year old signed for the gun. It took several phone calls and going to the local media to get a response from UPS. I never ordered this gun and did not expect it to be in my home. What if my child opened the package? I was told by the gun company that this was not the first time UPS delivered a gun to a minor. What can we do?''—Fran Wilson, Memphis, TN

''Power to the Mothers! We are the majority, and we know what we want—sensible gun control laws. Now, many children's deaths are caused by gun available in the home. Well, there's nothing politicians can do about that. So, before you leave for the March, as I will, make sure you scour YOUR OWN HOME for weapons of any kind. Confront your husband if you have to, and make very clear that you will not tolerate weapons in your home, and that's not negotiable. Before we scream for others to do their part, we have to do ours. Also, guns are only one of the instruments of violence. We also have to address the motivations that lead to these crimes: bigotry, desperate poverty, peer pressure at school. These are the issues, and they are completely out of hand, and demand our attention and action. Let's empower ourselves, and make our voices heard both in the home and out. See you at the March!''—L. M., Pittsburgh, PA

''Please, please, please do not make this a Dems vs GOP issue. There are MANY of us in the GOP who feel as strongly if not more strongly about this issue. (Jim Brady worked for Reagan) If you polarize this issue and make only Democrats the heros of this worthwhile effort you will dilute this vital effort. For the children's sake, do NOT make this political!''—Alan Kiefer, Wooster, OH

''In January of this year, my Aunt was shot to death she answered her door, by a 17 year old 9th grader. This shouldn't have happened. I have a 3 year old son and I want him to live in a safe environment. Life is too unstable anyway, without having to worry about guns being in the wrong hands. Let's get safer gun laws, NOW.''—Lori Martin, Lafayette, CO

''You've inspired me! This march is long overdue, and I must take part in it because I feel passionately about gun control. Let's need a strong message to Congress and defeat the NRA. Together we can do it!—Marilyn M. Wayne, PA

''There is a war going on this country and the government is ignoring it. Big money and the NRA have stolen our safety and security. It is a truly sad day when you cannot send your children to school in safety. It is a sad statement on our society that the right to own a gun outweighs the rights of our children. I think that everyone knows of someone who has been killed by a gun. If guns aren't the problem, then what is? It would be very difficult for someone to walk into a zoo and hurt several people without a gun. I will not be at the march in body, but I will be in spirit.''—Phoebe, Omaha, NE

''I am a mother of a three year old son, he and all children deserve a view of life without the violence that we now see everyday, in every walk of life. When I was seventeen, I witnessed the murder of my boyfriend/fiance', he died in my arms, I never want my child, or any other child to go through the trauma that I endured then. EVERY SINGLE CHILD not only in the USA but THE WORLD deserves a life with out fear. Do we, as parents, grandparents, aunts, uncles . . . want our children to go to school, play, church, or anywhere in fear. I trully think not. This MILLION MOM MARCH is the one step in the right direction to ensure our children (our future) a happy and safe childhood, and life.''—Christine, Baltimore, MD

''Almost every day the news media reports on another shooting of innocent people. Guns do kill. It's a fact. Let's get some tough laws enacted to stop this senseless violence.''—Sharon Ward-Fore, Oak Park, IL.

''I am not yet a mom but I do have 4 beautiful nephews who I worry about eveytime I hear about another shooting involving a child. My husband was an avid hunter growing up. His fondest memories are hunting trips he went on with his father. But he and I agree that sensible gun control is needed. We want to have children and would like to start in a few years. Everytime I turn on the news, however, and I hear about more gun violence in our schools and neighborhoods, it makes me afraid to have a family of my own. How can I possibly keep them safe? Do I need to move to another country because our supposed ''representatives'' are governed more by the NRA than by their constituents? I'm so glad that the millions of us who support sensible gun control are organizing and becoming a unified force to be reckoned with! Together, we can have greater influence than the NRA and make a change for the better! Let's make America something to be proud of again!''—Deb Duffy, Baltimore, MD

''Who would have believed that this country would come to a place in time when people would worry that the person sitting next to them, or meeting them on the street, or driving by in a car might decide to shoot them? What on earth are we thinking of? Is this ''freedom?'' I am so proud of the organizers of this march and I will do my best to be a participant. Thank you all.''—Mary Kjos, Marine on St. Croix, MN

''I will be marching in DC on March 14, in memories of my son who was killed on October 10, 1999, only 19 years old. The killer is still out there somewhere.'' —Sally McKee, Fort Washington, MD

''The Million Mom March is truly an idea whose time has come. I've wondered many times if we women could stop a nation in it's tracks with a peaceful assembly in the name of our children on a given day. We owe it ourselves, our children, and in the memory of all who have died at the hands of someone holding a gun to show our concern for any lives lost due to gun violence. If I can't make it to Washington, I will try to organize a local march in the Poconos of Pennsylvania. Just a couple of hours to show your concern for all humanity is not too much to ask when you consider the alternative of being sorry you did not take a public stand against violence and support those of us who live everyday with the empty rooms and heavy hearts from the memories of murdered children and adults.''—Maria Coqueran-Belk, Broadheadsville, PA

''My husband's name is Robert Ott. He is 30 years old. Nine years ago, he was shot at

point blank by a stranger in a bar. The stranger went to prison for 8 years—he was released last year. My husband lost his sight—for life. The bar was uninsured. My husband was awarded $10 million by a judge. He has never seen a dime''—Kimberly Ott, Seattle, WA

''I live just outside our Nation's capital and am still reeling from the shock of the recent shootings at the National Zoo. The mere fact that an 11-yr old child is fighting for his life after what should have been an innocent day at the zoo should be enough of a wake-up call for everyone. I will never understand why a 16-year old felt the need to bring a gun to the zoo, or why, based on this and other tragedies there are still those who oppose gun control.''—LeeAnn, Waldorf, MD

''Without our children there is no future. It isn't only because of my 2 children that I am coming to Washington for the Million Mom March, it is for the future of all of us. Let there be Peace on Earth, and let it begin with me.''—Debbye, Coral Springs, FL

''I will never forget the day my 16-year-old daughter learned her close friend, Hans Hummel, also 16, had been murdered by gunshot. I phoned the police in Arizona where the murder of Hans and another young man occurred, sure I would be told it was just a vicious rumor. How could that little boy wearing a soccer uniform in the photos my daughter kept displayed in her room possibly have been shot in the head? How could anyone do that to a kid? Why would anyone take a hundgun to Walmart with them? Walmart was a place for Hans to work after school to earn money, not a place for his murderer to show up. Hans' murder took more than his life. The people who knew and loved Hans will never be the same. They will never trust like they did before his murder. They will never feel as safe as they should be able to. They will never be relieved of the anguish of losing their friend and all the wondrous things that should have come from his life. Hans' friends remember him each time they see a rainbow. He will live on in their memories as the teenager he was, as each Valentine's Day, his birthday, they bake a cake and sing happy birthday to a perpetual 16-year-old who, because of someone else's selfishness will never have the privilege of growing old.''—Diane Puckett, Manassas, VA

''I think this march is a wonderful opportunity to show our Congress and our country that we are saying ''NO MORE'' to the senseless violence and loss that guns can bring. I don't wish to outlaw all guns, but to simply regulate and wisely control the industry. It is time that we make a stand to show our lawmakers how we feel. Washington, be aware—we are watching you, and our votes count!!''—Kim Smith, Carl Junction, MO

''My hope is that we, as fellow humans inhabiting this Earth, start placing a higher value on life than we do on money or power, so that no more children will needlessly die.''—Kelly Stanford, Hulmeville, PA

''I moved from my home state of California, which I thought I would never do, because of the violence was coming to close. Being in the mist of the roits, I thought what can do to stop the violence? Well, we moved across the country to a small southern town, where a week ago my son's friend's Mother found 9mm Gun in his room. Which was stolen and only cost him 2 weeks allowance. There is no Price large enough to put on a child's, or for that fact anyone's life. When I got the call (early) to pick my son up I knew something was wrong in his voice. He told me what happened and I cried. ''I move across the country to get away from this, and here it is in my face''. Thank God my son turned and ran. The first thing that came out of his mouth was ''Columbine and Hitler's birthday, what was he thinking?'' He is now torn between helping a friend see the right way and someone being killed, even himself. I can no longer keep asking myself what can I do. I am so glad that we as Mothers can finally make a stand and be heard. I realize that I am one of the lucky Mothers that still have a living child. My heart goes out to all those others that have lost. These guns need to be taken off the streets, and out of the hands of children and if the government won't take them off the street then they need to be in a controlled environment. One lucky Mom, Portia McRill, Alpharetta GA.''

''As I sat and read through all the postings on the tapestry, my first thoughts were of my 8-month-old son. As a new mother, how could I NOT do something to help protect him and his generation, in addition to the future generations in the years to come?? My following thoughts were memories of how guns played a role in my life . . . when my grandmother passed away when I was 10 years old, there was a young man whose family was having his funeral in the same place as my grandma. He was 20 years old. He had shot himself in the head playing Russian Roulette. Or, when I was in Junior High and a young man, upset about his girlfriend breaking up with him, shot himself in the head. Outside the high school. Just a bus loads of other children were pulling up. It is a memory I will never forget. Or, in high school when my cousin's best friend committed suicide with a handgun (after numerous other attempts had failed). Flash ahead to Columbine, and the rest of the school/company/random shootings that have begun to happen on a fairly regular basis. No, I have never been DIRECTLY affected by guns . . . so far. And, that's what terrifies me and spurs myself and my husband into action. As many people have said, ''it will never happen to me. . .'' Well, it might. And, I want to do everything I can to prevent it from occurring. I march in memory of the boy who played Russian Roulette, the boy in front of the high school, and my cousin's friend. And we march in honor of all of the children and others who should NEVER have died in such a senseless way. Lastly, for my son and the children of his and future generations. We will not be in Washington, but will be supporting the rally in Chicago. God Bless us, Everyone, in our fight to keep guns under control. And let this not be the only step . . . let us continue to march for those who can't.''—Jamie Littlefield, Bensenville, IL

''On Easter Monday, April 24, at the National Zoo in DC seven children were shot by a 16-year old boy. He used a 9mm gun. We all know he couldn't buy the gun, so how did he get it. Something has to be done when children can't go to an Easter egg hunt at the zoo and feel safe.''—Patricia, Temple Hills, MD

''AT LAST!!! A LARGE GROUP OF PEOPLE WHO AGREE THAT EASY ACCESS TO GUNS IS INSANE!! Why does this country recall toys that have hurt a few children, but we haven't been able (YET!) to have sensible control and licensing of guns which kill 12 CHILDREN per day?!?!? MY SPIRIT AND THE SPIRITS OF MY BEAUTIFUL 7 YEAR-OLD SON, MY MOTHER, SISTER, AND AUNTS ARE WITH YOU!!! YOU GO WOMEN!!!''—Lynne Harkness, Edwardsville, IL

''I have a 6 year old daughter & We are so excited to be participating in ''The Million Mom March'', it's about time our voices are being heard & that we will not tolerate the violence any longer! As mothers, We are tired of our beautiful children being slaughtered like worthless animals!! God has given us the gift of being Mothers, and did NOT intend on them to be ripped from our arms in this way!! No matter how young or how old!! They are still our Babies!! So precious and pure! Come and join us Mother's Day 2000, and help us in this fight against the Violence being plagued upon our Children!! Let these foolish people know we will not sit and wait for our children to die painful and senseless deaths in our schools and in everyday life. I look forward to walking down the streets of DC in support of this worthy cause. Remember, our children are our only hope for a better future!! Love them and teach them that violence is wrong!! Love them enough to save them!!!!! Eileen, Waldorf, MD''—Eileen E., Waldorf, MD

''It is very inspiring to see and read about so many people who care about this issue. I am the mother of a Columbine student who survived the shooting last year; however, my daughter attended 3 funerals for victims. April 20, 1999 was the worst day of my life. It was a nightmare for many of us parents—even if we didn't lose a child. I have written to my state legislators to ask them to support reasonable gun controls proposed by our governor, but they did not feel it was important enough to support these proposals. I will be attending the local march in Denver along with other Mothers and people who care about this issue. We must do more than just attend the March, however; remember how your legislators voted and unless they support our desire for reasonable gun control—don't vote for them again. Support those legislators who agree with many of us that reasonable gun control measures will make a difference!''—Tina Campbell, Littleton, CO

''LET'S MAKE OUR CITIES, STATES & COUNTRY A SAFER PLACE FOR OUR CHILDREN! WE DEMAND GUN CONTROL!!!'' MARLA BENTON, CHAPEL HILL, NC

''As an EMT and employee at Children's Hospital, there are too many children transported to our hospital due to gun shot wounds. I am a mother of three children and would feel a lot more comfortable with the fact that we are moving closer in the fight for gun control and easy gun accessibility. Guns are meant for one thing and one thing only, to kill!! When a 6-year-old can obtain a gun, the time is overdue for the strictest gun control measures.''—Tracy Staton, Bowie, MD

''In 1994, the 12-year-old son of a friend accidently shot himself with a 22-caliber handgun and died. Why do we hide our car keys so our five-year-olds can't drive the family car, and yet allow something as deadly as a gun to lay around within reach? How many dead children will we need before we take parental responsibility? Normally I am a proponent of minimal government intervention, but if we're not willing to take responsibility for the safety of our families, then let the laws fall where they may.''—Susan Richmond, Gig Harbor, WA

''About 8 years ago my father was the victim of a car jacking, he was shot twice. He survived, although it was very touch and go for a while, but he will never physically be the same again. I thought at that time this was the worst thing that could happen to my family . . . But I couldn't have been further from the truth. On Thursday, December 17, 1998, my life changed forever. I came home from work with my 4-year-old daughter by my side and tried to enter my home. I was unsuccessful in doing so and I started knocking on the door. No one answered, I knew someone was home. I went around to the back of the house and saw that the balcony door was ajar. I thought maybe one of my two older boys might have forgotten to close the balcony door and maybe fell asleep or something. I then put my 4-year-old daughter over the balcony so she could go inside and let me in. When she opened the door I

noticed my eldest son, who was 17-years-old, was lying on the floor. At that moment I still didn't realize the extent of what was wrong. I leaned over my sons body and that's when I saw that he had been shot in the head. That image of my son lying on the floor is as vivid and painful today as it was then. It was as if someone ripped my heart out. My immediate reaction was who, what, why, how, and also why I wasn't there to protect my son. After all it was my job as a mother to protect him from all harm. I couldn't save my baby. Your not even safe in your own home. Maybe by getting these laws passed we will be able to spare another mother, father, sister or brother the pain of losing a loved one to gun violence. My son was a very fun person, very artistic, and he loved basketball. He was looking forward to getting his first real paycheck from his new job. I miss him so much. I miss his face, his laughter. Just hearing him call my name. The young man that killed by son was 19 years old. I still have not really dealt with his death. The trial will begin soon. I often ask my self: How in the world did this happen?''—Faye Hicks, E. Elmhurst, NY

''We women need to remember that we are the swing voting bloc this year. We have the power to overcome the NRA and their pro-gun cohorts. We must stand resolute in our belief that sensible gun control reforms are necessary not only for the safety of our children, but for the safety of all children. We must write our Representatives, our Congresspersons, our Senators and Governors and urge them to pass common-sense gun control legislation. Most politicians have an email address . . . sending an email only takes five minutes! This is our responsibility. We must speak and vote for our children. They are worth the effort.''—Wendy, Lima, OH

''As a society, we need to get a grip on what is really important. We need to remember that children are children, not small adults, and they need protection. We are a country that educates parents to keep medicine and cleaning products out of reach or locked up, yet there is free and easy access to weapons. How are we to keep our children safe? We must speak out and demand meaningful gun controls.''—Joanne P., Farmingdale, NY

''I hope that someone plans to distribute this tapestry to all of our Representatives and Senators—along with the message that we are paying attention to how THEY vote—and that we will cast OUR votes accordingly. By the way, my daughter and I plan to attend the march, instead of our usual Mother's Day movie and dinner.''—Elaine, Pasadena, MD

''Growing up as part of a family of avid hunters in rural Wisconsin, guns were an everyday part of my life. My father took great care to educate us on the uses as well as the dangers of firearms. I feel blessed to have been raised in an environment where a healthy respect for weapons of any sort was imparted. Unfortunately, not everyone has that opportunity. Today, as a mother of 3 year old twins, I am still pro-hunting; however, a time has come for change. I feel handguns and assault weapons serve no purpose but to kill people and therefore should be outlawed. Rifles and shotguns used for the purpose of legal hunting should be allowed but only after extensive hunter education course completion and installation of safety equipment. Severe penalties for illegal possession and sale of firearms should be implemented. Minimum jail time requirements, in federal penitentiaries, with no chance of parole is a good start, but still not enough. Waiting times, background checks and possession limits need to be put in place immediately. I have cried my last tear over a child killed through irresponsible and reckless firearm use. I am now angry and choose to use that anger to make a change in my child's world. Nothing else in the world is so powerful as an idea whose time has come. Now is our time. Good luck and God Bless. KSK''—Kristin K, Burlington, NJ

''I am the mother of three and like most moms out there I am afraid every time they leave my house. What will happen when they go to school? What will happen when they are walking down the street? Etc. I know all mothers worry naturally, but in today's world it's not just worry, it's panic. I've never been a victim of gun violence nor have I known anyone personally. But just watching it on the news and reading it in magazines and newspapers is enough to make me sick. Some people in my family don't agree with the way I feel about guns. I do not allow any type of gun in my house, I don't care if it is ''just'' a water gun. There have been family members who have bought my children toy guns and said, ''It's just a toy, it won't hurt anyone.'' I don't believe that to be true. Maybe like my family says I am overreacting, but I feel a child should in no way know how to hold, handle, or fire a gun, Toy or Real. I don't have the means to get to the march this Mother's Day, but I will be there in spirit. Someone has to put a stop to all of this violence and it seems like Mothers are the obvious choice. After all who else cares as much as Mothers do?''—Sue, Philadelphia, PA

''If there is any group that can change the course of history and its events it's ''Mothers''. How appropriate that this march is scheduled for Mothers Day. As women we have changed the course of history and battled for our rights in every court in this nation. We will succeed and for all the right reasons ''safety for our children, grandchildren and every child that follows. We will make this a safer world for them.''—Paul L. Hayes, Stroudsburg, PA

''In October 1994, just two months after my first son had been born, I got a call from the hospital that my older brother had shot himself. He had been diagnosed for years with paranoid schizophrenia and I could not believe how he was able to get a hold of a gun. Although he survived a gunshot to the head, it tore our family apart. We had always been taught to stay away from guns. We grew up in one of the most violent neighborhoods in San Diego. I saw the violence of guns time and time again throughout my childhood. I had a dear friend who was shot and killed when he was only 17 years old. I vowed to never allow a gun, real or fake, into my home. And now, almost six years later, another gun-related tragedy has torn my life apart. My 19 year old nephew was shot and killed at a party on April 1, 2000 in Arizona. The 21 year old host of the party was toting around a gun. He had a history of violence and had used the gun several times before to threaten other young men in the community. He claims it was ''accidental.'' What is so ''accidental'' about a man that carries around a lethal weapon, cocked and ready to fire, while at a party with ''friends'' and then uses it to kill and shoot another? Why are these weapons so readily available? What is their use if only to kill? My nephew was a loving, sweet young man who could unarm you with his smile. We only have the memory of that wonderful smile left with us. I cannot begin to feel the pain my sister-in-law feels to have lost such a wonderful son. My husband is devastated. My son is now five years old and we have another one on the way. I want to fight so their lives will not end or be affected by the tragedies gun cause. We must fight together and let our voices be heard loud and clear. My husband and I will participate in the Million Mom March in San Diego. Thank you for taking a stand and organizing us moms. I hope this can begin to heal our wounds.''—Layla Smith, San Diego, CA.

''Thank you to the Million Moms that will march nationwide on May 14th. Let us be strong and determined that we will not stop pushing this issue until there are sensible gun laws on the books. I will proudly be marching in D.C. on Mother's Day with my one year old daughter, my mother and my eighty year old grandmother. Four generations of women that are committed to make a difference!''—Lisa Hyle Marts, Baltimore, MD

''With all the violence involving young people, my mother always comments that she would never want to have kids now and have to raise them in this society. That is a very sad comment. I have two small children (ages 18 months and 7 weeks) and I am also worried about what will happen in society while I am raising them. I am glad that there are groups that are trying to better things for our kids and their future. Good luck with the march. Since I live on the other side of the country, I cannot be there in person. I will be there in spirit!''—Traci, Phoenix, AZ

''When I was 11 years old, my 21-year-old sister committed suicide in the kitchen while the rest of the family was getting ready for night on the second floor. She used my father's revolver to shoot herself in the heart. I will never forget the ''Ouch, Ouch'' and then the thud of her body falling on the floor. It was 39 years ago; it still as vivid as if it happened yesterday. If she had not had easy access to my father's gun that night, she probably would be alive today. When I was 15, I went through deep depression, and I, too, attempted suicide. I didn't have access to a gun. I took pills. I was found in time, and my life was saved. After therapy and confronting the demons of my past, one of which was my sister's suicide, I became a well-adjusted, functioning adult. My point is that guns do make a difference. Not having them save lives.''—Carole, AZ

''As a prospective Harvard Postgrad student, I can only say that I will feel a lot safer heading off to the US for that postgrad degree when gun control is introduced.''—Student, London, MA

''On February 4, 1999 my life changed forever when two detectives came to my home and told me that my son, Larry was shot and killed tonight. Those words ring in my ears daily. I cried, ''How could this be? I saw him 4 hours earlier''. He was just going over his girlfriend's house. A trip he made numerous times for over a year. At 6:30 in the evening as he walked from the bus towards his girlfriend's house he was shot multiple times and was pronounced dead at the scene. Larry was twenty-one and had just accepted a job as a bank teller. I remember how happy he was when he came home and told me he passed the test and that he was waiting for the company to find a bank near our home. His years of confusion, not knowing what to do with his life was finally headed toward a goal. The person(s) who killed my child took away someone I loved (still love) and someone I miss daily. I miss what we shared. I miss what we were suppose to share. I miss all the simple things I took for granted that was to come. I will never know the joy seeing him get married, the joy of holding my grandchildren. This was all taken from me that night. I cry when I hear of someone's child being killed. I live their pain, through my own. I cry for how that mother must now feel now and the difficult days to come without her child. I want the senseless pain to end. I can't bring back my child, but if my participating in the march can help save the lives of other children, then I am very

thankful to be part of this march.''—Katherine Lewis, Columbia, MD.

''Selecting Mother's Day for this March is both appropriate and quite in keeping with its original intent. Julia Ward Howe urged the creation of Mother's Day as a day for women to speak out for peace. Although it has changed over the years to become a day to honor mothers, Howe's Mother's Day Proclamation supports the goal of this year's march. She wanted all people to be safe from the horrors of war. I hope you will honor her and the history of Mother's Day by making her words an official part of your day. Mothers have, for a long time, spoken out against the madnesses that hurt our children. We should all keep our foremothers in mind as we continue the struggle,''—Cynthia Lehman-Budd, Cleveland, OH.

''The first thing we need to do is PRAY. These folks in charge of changing the laws are procrastanating until one of their kin is killed or hurt. If the presidents family were shot, I'm sure the law would be passed. Don't give special treatment to the higher ups. And leave us little people to be hurt. Do something now. Exactly how many children will have to die in vain because of ignorance of the gun use. This is supposed to be the best city to live in but it seems to be on the list to stay away from. Please do something with the gun laws.''—Margaret Shields, Clinton, MD.

''I like so many other moms out there wish that that sensible gun control laws had been in effect a long time ago. About 5 years ago, my 14 year old cousin put a gun to his head because he couldn't take being dumped by his girlfriend. Well he live but not the way that he would like to, in a wheelchair, parallized on his right side and not being able to speak. Then 2 years ago, my Uncle, depressed for so many years and not have a way out put a gun to his and died, alone. Everytime I see Charlton Heston speak I get a huge knot in my stomach, because it seems like everytime he does speak another breaking story comes on the tv talking about another school shooting. Mr Heston needs to ''think'' before he ''speaks''.''—Tammy Towk, Lemoore, CA.

''as i read these tapestries i cry for all these lost children. i can't imagine the feeling of losing a child, my three sons are my world and the glue that holds me together. i will be at the march no matter what. and like someone else said earlier i will walk for every child lost to senseless acts of violence involving guns. we need tougher gun laws and we need to enforce the laws that we have now also. may GOD bless all of you,''—s schwartz, ashley, IN.

''I almost lost my father to gun violence when he was shot in the arm and side by a drug-addicted criminal while acting in the line of duty (he's a retired police officer). At 18, I got that long-feared knock on the door and was told that he had been shot and was in critical condition in the hospital. He died, was revived, and survived. But, his life (and mine) was never quite the same. Reading the stories in this Tapestry makes it all too clear why we need stricter gun control legislation (while also working together on resolving the underlying social/economic issues which give rise to violence—accidental and intended). I am confused, disgusted and angry when certain pro-gun advocates seem to believe the issue of ''the right to bear arms'' is an all or nothing issue. The aims of the majority of people (as the words in this Tapestry make clear) is not to make guns illegal, but to regulate and control them in a sensible manner, much as we do many other activities and products. While it's true that ''guns don't kill people, people kill people,'' there's no reason we should make this any easier. With rights come responsibilities. It's time we make our voices heard. In this election year, let's make our votes really count for something. See you at the MMM.''—Nike Carstarphen, Takoma Park, MD.

''I pushed the gun away from my brothers feet, afraid to touch it, but wanting to get it away. It was too late, it had already done what it was intended for. I found him lying on the floor and if Tom Delay and Charlton Heston could see and feel what many of us have to live with they would agree, wouldn't they? Let us try . . . No, let us do it! My brothers name was Joe DiPaul and he had a wife and two children, and he would still be here if not for an easily accessible GUN!!''—Theresa Cass, King of Prussia, PA.

''Yesterday 6 kids were shot near the national zoo—apparently by another child. Yet our representatives waste their time and our money to investigate the ''violence'' of armed law enforcement personnel rescuing a child to be returned to his parent. Just who is supposed to be carrying guns in this society and what is ''violence?'' How many children have to be shot before these self-righteous legislators realize that a heavily armed society requires even more heavily armed law enforcement personnel, and that the excess supply of guns will end up in the hands of children. These are the same legislators that think we need to have a great excess of nuclear arms as a deterrent for war.''—Sue Hauser, Beltsville, MD.

''My daughter and I will proudly march in the Million Mom March. Our participation is not only an effort to demand sensible gun laws but to remember those moms and children that have been indelibly scarred by the use of guns in the wrong hands. I am a Registered Nurse. I have worked closely with children that have been traumatized by life's painful events. Many of these are the result of the ruthless use of handguns. I ask that we Million Moms remember these innocent children in our purpose and in our prayer. For the frail 9 y.o. whose leg and mind were scarred when he was used as a human shield in crossfire when his dad's drug deal went bad. For the beautiful 12 y.o. whose guilt and shame overtook her; never knowing if she killed the young target in the driveby shooting, a rite of gang induction. For the despondent 16 y.o. who witnessed his mothers being shot in the street. His pain has tempted him to find a handgun to take his own life. For the 15 y.o. who returned home to find his mother's bullet ridden body on the floor of his room. He is tormented by the flashbacks. We ask that these children be kept in mind as well as the staggering statistics. There were 32,436 people killed by guns in the US in 1997. Hopefully, this strong message will be heard by Congress and action will be taken to pass sensible gun laws.''—M.J. Ferrone, Hillsdale, NJ.

''I am the mother of two very young boys (17 months and 7 months). I believe that the only purpose for hand guns is to kill. I have been writing to my Congressmen asking them to pass stricter legislation for gun laws. Recently I actually received a response back, it was from Spencer Abraham from Michigan who expressed his concern re: stricter legislation fearing that that would punish law biding citizens. I feel that law biding citizens would and should support smart guns and mandatory safety locks. I am hoping that the million mom march will show Congress that us moms mean business. Thank you for organizing this.''—Patricia, Harrison TWP, MI

''I was 17 when I got the phone call that my 15 yr. old brother was shot and killed playing with a ''unloaded gun''. It was the worst night of my life. Now I am a mom of two children and my husband and myself have made the choice not to have a gun in our home. If it isn't there then nobody can be hurt or killed. All we are asking for are minor things, gun control. Locks on guns, time between the sales of guns to one person, if only one person has had to die because we didn't do any of these things then it is one too many. I would bet if any of the members of the ''NRA'' have every lost a child or family member that they would be with us and not against what we are doing. They say it is their right. But what about our rights as parents to keep our kids safe from gun violence. We have to worry when we send them to school, or let them play outside. It isn't right and it isn't fair to us or them. We are not saying that they can not have their guns, but please think if you don't keep them locked up what can happen when they are at hand's reach of a child. Children only do what they learn and are allowed to do. So it is up to us to make a change. Hundreds of years ago guns were meant for hunting, but now some of these guns are meant for one thing and that is to kill another human being.''—Tonia day, Hampstead, MD

''I need some clarification—many of our congressmen have begun yelling and screaming because there was a loaded gun near a small child. They are all over the TV calling for hearings. ''The boy could have hurt and at the very least he was traumatized! This shouldn't happen.'' Odd, gentlemen, we've been saying that for ages and you've turned your back. Either back up those words or you show yourselves for what you are.''—JR. KY

On June 5th, 1988 my 15 year old son was shot and killed by a 44 magnum. The only good thing is he died instantly and did not suffer, but for the past 17 yrs I and my family suffer everyday. He was the baby of the family and the only boy. I only hope that this will help change the laws on guns, so nobody will ever go through what my family has. The loss of a child is the greatest tragedy every known''—Rita McKinney, Ridgecrest, CA

''What a beautiful tapestry of words, woven with love and hope and true energy, about such an urgent issue. I and my children will be at the march—I want our legislators to know that they must speak for us. to do that, they must hear our voice. Stop the gun violence!—Cathleen Barnes, Silver Spring, MD

It's a fact of life that family members are forever lost to us due to illnesses that cannot be cured. I remember, as a little girl, overhearing my grandmother tell someone that the greatest tragedy in life was to bury a child. It simply was not what God intended. Many years later I stood with my grandmother at a memorial service for my mother who had died of cancer. The anguish she felt was clear. Now that I have a 7½ yo daughter, all I want is for her to be safe. As I accompany her to/from school I am reminded daily that there are people out there that may look sane but do not always act accordingly. In a city where mentally ill individuals push total strangers in front of subways cars, I am always aware, and every vigilant, of the people around us as we travel. Unfortunately I cannot tell if the person next to us has a gun. The laws must change! Both my daughter and I will attend the March in Washington because we are part of a community that needs to be heard, that will change gun control laws, and must demand that safety be restored to our lives. The safety of our families must be an inalienable right!''—Lorraine Ashman, New York, NY

''The young's gun violence is so serious—some news I've read in newspaper is so shocked. But many statemen don't do any action. Tonight I heard about a great action of moms. What an amazing courage! Yes,

Moms are powerful. I'm sure Moms can protect our children and make a safe country. Cheer up! Now I live in Pusan, Korea. I heard about your march from my principal in the institute of opportunity: leadership developing center for volunteer.''—hee kim, pusan, AL ''October 11, 1998, Hans Hummel was shot and killed in Arizona. He was 17, a senior in high school with a bright future. He was working at Walmart, and he and a security guard were pursuing a man that had tried to steal a television. The man shot both of them, both were killed. Hans was a very good friend of mine for years, but we had recently lost contact. Everyday I am haunted knowing that I am denied the opportunity to let him know how much I cared. Guns are unnecessary and intolerable. Why should we let them destroy us? Where can the beauty be found in a gun that can be found in a life? Can we look Hans' mother in the face and tell her that man deserved to carry a gun with him? That it was his legal right? Didn't Hans have a legal right to live? To succeed? I am marching, along with my mother and best friend for Hans' sake, that others may be saved as a result of the pain that has been suffered. tkokayde@yahoo.com''—Kayde Puckett, Manassas, VA

''Yesterday, 6 children were shot at the National Zoo in Washington. The fight between teens could have ended in cuts and bruises, instead children were shot and a young boy is brain dead. Although stricter gun laws will not put an end to violence in our country, it will go far in saving precious lives. Every day more children are shot and killed. Most cases don't even make national news. I have lived in Washington, DC for eight months. During this time, local news has highlighted the violent deaths of several children. Senseless deaths . . . Voters make your voices heard across this country . . . Sensible Gun Laws?''—Kimberly, Ketchum, ID

''We all need to be involved with gun education and control. Mothers shouldn't have to be the only ones concerned—everyone needs to care about our children and the future of guns in this country as well as all over the world. I have not personally been affected by the tragedies, but I have cried for those who have and I want to keep my children safe. March on?''—Shelli Seaton, Marble Falls, TX

''As an American expatriate now living in gun-free Singapore, and one who is soon returning to live in gun-happy Texas, I cannot express the great sense of safety parents feel here knowing their children will not be gunned down in school, at the zoo, and traveling about town in the evenings. Singapore has tough laws, but there is a great sense of freedom in safety that makes small sacrifices well worthwhile? Nearly every parent returning to the US expresses fears about their children's security there due to gun violence. Without strict Federal gun control laws American children will never feel the wonderful freedom and security that the children of Singapore and other gun-free societies enjoy and take for granted.''—Barbara Johnston, Corpus Christi, TX

''On January 29, 2000 my 12 Year old son was sitting on the sofa and was shot in the back of the neck with a nine mil. bullet and one grazed his shoulder. Thank god he is alive and ok. This was senseless and made me realize how much I hate guns. I wish there were no such thing as guns, especially for those who have lost loved ones this way.''—Tammy Baughman, Detroit, MI

''Once I rote a letter to my local Congressman asking him to support sensible gun control and he sent me back a 3 page letter upholding the 2nd amendment as if it were the Bible. But this had no effect on me, as in my life I have lost my father, an uncle and a nephew by marriage to guns. One was murdered, one a suicide and one was accidently. Had guns not been around and easy to get, none of these untimely and sad deaths would have occurred.''—Gael Ralph, Alpine, CA

''Together we can change our laws to provide sensible gun legislation which will protect our families from senseless violence. The MMM is about benevolent change for those we love and cherish.''—Rebecca Angel, Albany, CA

''I support much greater control over the access to guns. There should be true background checks on all firearm purchasers at all gun shows, banning of the import of large ammunition clips, keeping handguns and assault weapons out of the hands of anyone under age 21 (unless appropriately supervised) and ensuring that all guns are equipped with safety devices such as trigger locks.''—Carla Seyler, New Orleans, LA

''I think its about time for something like this to happen! I plan to participate on behalf of my own children, grandchildren, and all the other precious children that belong to US! they most certainly are OUR future!''—Elizabeth C., Yellow Springs, OH

''Tonight (4/24) on the NBC Nightly News, in response to the Elian raid, George W. Bush declared this to be a ''nation of laws, not guns''. I am sure you can imagine my disbelief. Mr. Bush, I am going to hold you to that statement. Not only is this a nation of laws, it is a nation of children and parents and sons and daughters and brothers and sisters. All of whom deserve never to be witnesses to violence. I am marching so that I can say that I live in a nation of laws, not guns.''—Melissa Foutz, Washington, DC

''My 19 year old son, Ryan was sold a gun illegally by K-Mart & committed suicide on May 23, 1996. He couldn't buy cigerettes in the store that sold him a gun! Ryan was schizophrenic but had a heart of gold! I have a lot of respect for Rosie for dropping representation of K-Mart! Ryans is not an isolated case! This is happening time & time again! I hope to make a difference in my lifetime in helping keep guns out of the hands of people that should not have them. No Mother should have to live with the constant pain of losing a child because of irresponsible Gun Control! I will be particating in the MMM with a broken ankle in Jacksonville, Florida on Mothers Day! Sandra Eslinger (pslinger@earthlink.net)''—Sandra Eslinger, Park City, UT

''I have always been appalled at the control that the NRA maintains on our lawmakers. Thank you for making the voice of the many concerned parents of this country heard. The life of one more child is too high a price to pay for the failure to pass this common sense legislation.''—Becky Adams, Marietta, GA

''I am the mother of two boys, ages 3 and 6. For years, I have been very upset about the gun violence in America. Our country appears to be a war zone with over 10,000 people dying every year from guns—many of these innocent children. If you look at any other country in the world, you wouldn't find anything near that number. IT MUST STOP NOW! The Million Mom March is an excellent way to get everyone involved in order to stop gun violence. Thank you to the organizers of this wonderful organization. Thank you for saving our children.''—Andrea Price, Auburn, NY

''I'm a dad, a husband, and Director of an Emergency Medical Services (EMS) department. I've seen far too much violence and trauma that came out of the barrel of a gun. I support this March (and all of the regional gatherings) with my heart & soul. Be well. Practice big medicine. Hal Newman, Montreal, Qc.''—Hal Newman, Montreal, Quebec, AL

''YES!!!! It's about time we mothers weighed into this issue. We nurture the life that guns make so easy to destroy. But don't stop with marching; write your senators and congress people, write letters to the editor of your local newspaper, ask you women's groups to take a public position on the issue, support and express your appreciation to those who champion gun control, and vote! Together, we are stronger than the Tom DeLays of the world.''—Pamela Behan, Jonesboro, AR

''June 29, 1993, I lost my oldest son to gun violence. It was just two weeks after his high school graduation. Everyday since that night, I re-live the whole thing over and over in my head. I hope the Million Mom March can do something for about the gun laws, I have three more young children and I don't every want to go through the same situation again, nor do I wish anyone else to. I will be marching in Chicago with my family. Thank you,''—Olmedo, Chicago, IL

''I am the mother of a perfect, beautiful 9 year old girl. I am saddened by the seemingly endless stories of innocent children being killed by handguns, ether by accidents in the home, or by the hands of intentional users. I live in constant fear that someday this tragedy may become my own. I am outraged by the lawmakers that continue to defend the so called right of ''law abiding'' citizens to bear arms in the form of semi-automatics and handguns. I applaud and support the efforts of the MMM. I pray that this will be a wake up call to legislators who continue to have the NRA in their back pockets. I am tired of those who say gun control efforts are in vain. I view gun violence as any other disease which threatens our children and our society, and step by step . . . effort by effort . . . God listens to a mother's prayers.''—Julie Townsend, Davenport, IA

''I think it is wonderful that we moms are speaking up for our children and am glad to see dad's doing it too. How many more children need to die before we see a need for licensing, safety locks and background checks? When the Constitution was written, the guns they were referring to were too heavy to be held by a child, and could not be concealed in a over coat. We need a reality check here. We have the right to bear arms according to the Constitution in order to protect ourselves and loved ones. It does not say we have the right to bear arms and take away someone else's life who is defenseless. I guess it would be mothers that would have the love for their children to stand up to the politicians and the NRA and all it's money and say, ''we are not going to allow this senseless killing anymore!''—Anie Lyne-Both, Wailuku, HI

''I am not a Mother, but I am a Father and Grandfather. I am also a longtime long gun and Handgun owner. But I totally agree with everything your group is striving for in the area of Gun Control. This Gun Madness must end! No one is asking me to give up my Guns! I believe in Handgun registration and licensing of Handgun owners. I also believe in the ''Cooling off period'' for purchasing long guns. I also believe in responsible gun ownership. Good luck and keep up the good work.''—David G. Warner, Utica, NY

''I wish I could say that I do not personally know anyone that has been adversely affected by a gun. I just heard about the Million Mom March this morning, Easter, while checking my email. I will be in the local Tampa march. I can't think of a better way to celebrate Mother's Day, for both myself and my daughter, Jasmine. I cannot imagine what it is like to have to lose a child to such an act of cowardly violence. We do not and will never allow guns, either fake or real, in our home. Children are hurt and abused every day, and we cannot stop most of this.

This is an opportunity to the Mothers of the United States to take a stand and shout ''Enough!'' and remove one huge way of abusing our children, who are, after all, are our future.''—Deb Carter, St. Petersburg, FL

''This should be the first step in promoting gun control. The next step is that each mother at the rally contact five others who, in turn, contact five others to vote for legislation that ensures the safety of our children and ourselves. We have the power to make a difference if we focus our demands at the voting booth.''—Sandra Pressman Weissfisch, Ridgewood, NY

''Look into the eyes of a child, yours or any other child. See their smiles. Touch their tiny fingers and kiss that tiny little nose. Imagine their future, a blank canvas that society gets to paint, a blank sheet of music that we get to write. What colors will we use? What notes will we choose? Now look into those eyes again . . . how will YOU make a difference? How will YOU ensure those eyes still shine bright tomorrow and the next day? Or does it even matter to you? My children matter to me. Your children matter to me. I will do whatever I can so that our children can grow together, I hope you will too.''—Sheri Seehorn, Milpitas, CA

''In January of last year a mentally ill person purchased a handgun. She then walked into the Triad Center in downtown SLC, took the elevator to the office of AT&T where she shot Anne Sleater. Anne died a few days later. She was a beautiful mother of a 6-month-old daughter and had only that month returned from maternity leave. Anne and her husband Chris were school mates of my son all though elementary, junior and senior high school. We must not let tragedies like this happen in this country again. We must have background checks for purchasing guns to protect all Americans.''—Kay Jones, Murray, UT

''My youngest son Kevin was shot and killed instantly on January 1, 1990, he was 20 years young. I can't express strongly enough how this insanity has got to STOP. The children of this world are being taken from us. I have 22 grandchildren and 11 great children, I pray for their safety every night, and worry constantly about who will be next? Not only for my own family, but for all innocents. My two daughters wrote in the Tapestry and one of my Granddaughters, It breaks my heart to know the sadness that is still with them and will never go away. God bless all you mothers, Grandmothers, and caring people that will march on Mother's Day. We must win this one, good luck.''—Gloria Coohill, Moscow, PA

''On May 16, 1994, my husband Edward was shot and killed in front of our three daughters. It was over a dumb baseball game. It has been a nightmare since. God willing, myself and the girls will attend the March. God Bless.''—Iris, Staten Island, NY

''Yesterday I was reading an ''Arthur'' book with my daughter, Julia and in the book Arthur has to write an essay on what would help make America great. I asked my daughter what she thought would help make America great and she replied ''to have programs to help families and to stop guns.'' I was shocked to hear such a well-thought-out response from my 6 year old. When I asked about this she said she remembered Columbine and didn't want any more kids to die. As a nurse for the last 13 years, I know that all too many do die—every day. I would say to the NRA: you say you want to promote ''family togetherness''. Well the real way to promote family togetherness is to STOP KILLING OUR KIDS. Way to go moms, see you on May 14 in D.C.''—Rebecca Stern, Havertown, PA

''Even back in the days of the ''wild wild west'', strangers were required to check their guns when entering a town. We've gotten so far from the basic civility of gun control that now, instead of gangsters and robbers getting killed, it's our children—the most fundamental building blocks of our society. What's even scarier is the number of children who have access to guns, before they've even had the chance to learn what a wonderful gift life is. Thank you to the organizers of this long-overdue stand for gun control. Count me and my family in. See you May 14.''—Cathie Batavia, McLean, VA

''Reading this tapestry has made me so emotional. As a social worker, I know how just one person can make a difference. I'm also a mother of a two-year-old. I don't want to worry about my daughter's safety when she becomes school age. In our society, we feel that the social problems that exist don't exist in our backyard, but they do. I feel very compelled also to make legislators hear ''our voices''. It's time we end this nightmare.''—Kelly D'Onofrio, New Haven, CT

''I am thrilled that the women especially the Moms of this country are standing up and saying, ''That's it. Enough.'' and being pro-active about this critical issue of guns in this country. I send blessings to each and every one of you and know that we will be successful.''—Susan McGuire, Studio City, CA

''I only heard about the Million Mom March today: the anniversary of the Littleton, Colorado shooting. I am appalled that nothing has changed in the last year. I am even more incensed that I have stood by and done nothing, assuming that someone else would make America safer for our children—for my child. That isn't going to happen. I must get involved for Ellie's sake. She deserves a life with less gun violence.''—Kathryn Kerr, Chandler, AZ

''Thirty years ago I lost a wonderful friend to the handgun he had purchased for his own protection. Raising my children near an urban area, having police officers in our family, I know many sides of the gun issue. All I know for certain is that guns are killers, and that sensible laws cannot and should not be opposed by sensible people. I have raised my kids to act on their convictions, and my daughter and I will be there on Mothers Day.''—Peg Williams, Ambler, PA

''I will be marching in DC with my mother in memory of my brother. Trevor was shot and killed April 8, 1993. No one knows the who or whys. Seven years later my heart is still broken and will never heal from losing him. To most people it was just another ''random shooting'' on the city streets of Buffalo, NY, but now my and my families lives will be forever ruined. Thanks to everyone who is taking their time to express their concern about gun violence.''—Rich, Dillon, CO

''When I was 14, my 11-year-old sister was shot by a school buddy. Yes, it was an accident, however, if she had died, would that have mattered? As a Canadian, I am also an avid supporter of this cause and want to commend your organization for bringing such an important issue to the eyes and ears of the world. Recently, Charlton Heston was in British Columbia denouncing Canada's gun laws and trying to raise supporters for the NRA in our country. This frightens me greatly. I would like to show MY SUPPORT to the Million Mom March in some way on May 14, not only for the citizens of the United States but all citizens against gun violence. Do you know of any marches or demonstrations being held in Canada? Thank you, Leisa Nason, Winnipeg, Manitoba (lnason@home. com)''—Leisa Nason, Winnipeg, CN

''Heartfelt gratitude I feel for all who take part in this March. My emotions have never been the same since I lost my 20-year-old brother to a single gun shot on New Year's eve 1989/1990. I weep with so many others . . . I have a son who is 11 years old. I am trying my best to raise a sensitive and caring man. I worry about the future for our children. This march is a wonderful thing to do. Thanks again. Peace to all . . . Mo Giandinoto''—Maurine Giandinoto, Mtn. View, Ca.

''Several months ago after another senseless gun death, I said to my husband, 'This will only stop when women take to the streets to put an end to it to protect their children.' Little did I know it was already underway. I can't be in Washington, but I can and will be in Chicago. Let's not forget another important thing—that is to show up at the ballot box. If you are not registered to vote—do it today. Here we come, ready or not!''—Julie Ilacqua, Clarendon Hills, IL.

''Question for the NRA—What part of ''Well regulated'' do you not understand?''—JR, KY.

''I am an intern with Texans Against Gun Violence, a Social Worker, an aunt and a mother to be. I will be at the march in DC with my husband to demand that Congress clean up this mess. I will be marching in memory of all those who have died senselessly and specifically for my high school friend David Beatrous, who, at 18, shot himself in the head at our school. He had a promising future as a scholar and actor, but his depression made him desperate to end his pain. He used his father's unsecured gun to do so. David's death was a wake up call to me to get my own life together and to someday work with suffering teens to heal their lives. A gun in the home makes it 5x more likely that someone in the home will use it to commit suicide (and 3x more likely to commit a homicide). I am committed to doing my part for this cause. But our elected leaders better do theirs.''—Jessica Hartog Smith, Houston, TX.

''I lost a brother and a nephew to gang violence in Chicago. Both were under 17 years old. I fled with my only son to Silver Spring to keep him alive. He is now 28 . . . I had to leave friends and family because of the gun violence in Chicago . . . I will march on Mother's Day in hopes that someone else does not have to leave everything to give her child a chance at living! Rest in Peace Thomas Anthony (1973) and Dujan Miller (1982)!''—Katie Johnson, Silver Spring, MD.

''While I was reading the tapesty I came across my mother's letter about her 20 year old brother (my uncle) that was killed by a single bullet 10 years ago. As I read that I began to cry . . . even though it has been years since his tragic death I cry often when I think of what he could have been and how sad that my son Jacob will never meet the uncle I loved so much. I will not be walking in the March in Washington, DC but I will join the forces of many mom's in Seattle, Washington. I walk for Kevin, my 4 year old son Jacob, and my beautiful nephews. Yet every step I take during that walk will be for every tear that my mother and grandmother have let fall from there saddened eyes. We as mothers need to make a difference in our chldren's future. They need our strength and support to guide them through life and I believe this march is the beginning of our strengths shinning through. I thank you as a mother for caring for my son's future, and his precious life. I can never repay all of you for taking a stand for my son. You are right it is not called the Jacob march but in my eyes it is because it is his future and other children's that we are fighting for. Thank you Tara D Rios''—Tara Rios, Bremerton, WA.

''There is no place for guns in a civilized society, and no civilized society would allow its children—our future—to be silenced,

whether by design or accident, by the bullet. The time has come to bring the senseless massacre of reason and humanity to an end. Just how many more must perish by that bullet before we, as those whom we elect to represent us, say, ''No more?'' ''—Seth D. Bykofsky, West Hempstead, Long Island, NY.

''I plan to march locally in LA on Mother's Day in support of stricter gun laws. As I watch the news coverage of the tragic events happening all over the country my heart breaks over families torn apart by gun violence. I feel almost ashamed to be an American and sometimes wonder how I can justify raising my son in such a violent society. I am angry that while more children are killed by guns our lawmakers sit on their hands and bow down to Charlton Heston and the NRA. When I heard of the march my heart lept because that's exactly what's needed—the Mom's of America need to unite and speak out (loudly) to our Government—STRICTER GUN CONTROL NOW! You Go Mom's!''—Pam Edwards, Los Angeles, CA.

''I believe in this march because if we don't make a move to stop the senseless killings we will continue to watch the news everyday and see another senseless shooting or worse suffer a loss within our own families. We cannot continue to allow the proliferation of guns in our homes and streets just because there are those in our society who wish to gain a profit for the sale of guns.''—Wanda Reid Wilson, Southfield, MI.

''I WITNESSED the senseless SHOOTING DEATH of my 13yr old nephew 6/8/98. He was KILLED while PLAYING basket ball IN HIS OWN YARD, by a 12yr old PLAYING SNIPER. No, I'm not a mom, but I couldn't have loved him more or hurt any less than my sister. WE CAN ALL SAVE THE CHILDREN IF WE WORK TOGETHER AND TAKE RESPONSIBILITY.''—Claudette, Richmond, CA.

''My youngest brother Kevin was hot and killed on New Years Day 1990 in New York City. The memory of that phone call and the violent way he died will never leave my heart. I thank you for this march and I am going to get things together so I can be there. Kevin was 20 years old''—Kathie Riera, Hawley, PA.

''It seems so natural to try to end all of this senseless gun violence on Mother's Day. There is no stronger bond of love than a mother and her child. I have three sons; Tony (20), Mitchell (18), and Jared (9) who deserve a world of peace and I am going to do anything and everything I can to make sure that happens! My heart and prayers go to all of the moms out there who lost their children to this evil. And because those in Washington don't pay that much attention to the ''common man'', it is up to us to make those in Washington sit back, take a hard look at what THEY have and have not done! God's grace be with us all!''—Patti Moy, Indianapolis, IN

''I am a mother and a grandmother. I had the good fortune to be blessed with two beautiful, wonderful sons, Mead and Brad. Brad wil be 30 on May 7th. Mead would have been 33 on June 11th. Mead Jeffrey passed away on December 28, 1999. No, he didn't die of a gunshot wound. He died of leukemia. However, I know the unbearable pain and anguish of loosing a child. It is the worst possible tragedy that could befall a mother. The pain of mothers who have lost children to senseless violence is also my pain. No mother should have to bury her own child—it's just not right or natural. We pray for long lives for our children, and when these lives are needlessly and senselessly cut short, we wonder what kind of a world we live in where children are allowed to die—whether it be through illness or violence—it is WRONG! My heart goes out to all the families who have lost loved ones because the power of the NRA has become so great that it seems to have overtaken and paralized our government. It's time for someone to take a stand, and who would be better at doing so than the mothers of our country! I cannot attend the march in Washington, but hope to do something on a local level to show my support for the MMM. My mourning is still so intense. I will never be the same. I, too, cry every time another child becomes the victim of a senseless shooting. The shooting of the 6 year old by a seven year old was such a shock! How did our great nation come to this??? We must end this violence NOW. I will be with you all in spirit on May 14th. I know my son Mead will be watching from wherever he is. He has two beautiful little girls, age 2 and 6. I am scared for them. Can they survive their school years? Who would have ever thought it would come to this—that parents and grandparents have to worry about sending their children to school every day!?! Here's to the mothers of the world—together we can and WILL make a difference! Our voices must and WILL be heard! Beverly Himelstein, Bloomfield, CT''

''I am the proud mother of two wonderful children, ages 10 & 2½. I am so thankful for this opportunity to speak out against the gun lobby and those politicians who are so firmly wedged in its pocket. There must be some common sense used in the selling and manufacturing of guns. When the assault weapon ban was repealed a few years ago, I was sickened. I am ashamed to say that one of the representatives of my state played a major part in that repeal. He is now running for governor in our state and seems very proud of his pro-gun record. This is a very pro-gun state, but please know that not all of us are like that. Growing up, I even heard the minister of my church declare that the government would take away our guns, and thus, our freedom. Why would this be included in a church sermon? Christ taught peace and love of your fellow man. I am sorry to say that a lot of my family still feels this way. I will probably take a lot of flak for this march. Thank goodness my husband supports me 100%. I pray that we can make a difference, and that my children and their children can grow up in a society that is not so saturated with violence.''—Sandi Young, Charleston, WV

''I had a brother 3 years older than me. He was a typical big brother, often teasing me and my little sister to tears but also always ready to play with us and as we got older, there to listen and be a friend. My brother had a way of making people love him. He was charming and thoughtful and caring. Most of all he would go out of his way to help people, they couldn't stay angry with him. He would win them over with his smile and because of his determination to be friendly. He was a nonviolent man. When he was drafted for the Vietnam war, he became a conscientious objector. He didn't run away, he was determined to do his part if he had to, but he couldn't kill others and sought a nonviolent way of helping. Three years ago my brother in typical fashion stepped in to help a colleague. He was due a vacation. His children, then aged 6 and 8, had never been on a real family vacation and they planned to camp up through California and end up at my Uncle's ranch in Oregon. But Preston's colleague was sick with cancer and he asked my brother a favor—would he be part of a panel hearing a student's Master's thesis defense? My brother changed his plans, shortened his vacation and came back to hear the student's work. On August 15, 1996 that student ambushed three professors in a small room, firing over 40 rounds in less than 2 minutes, from a 9mm police type semi automatic hand gun he had concealed in the room. My brother and two colleagues died, leaving 3 young widows and 5 orphaned children. The irony is, if he had known the student and known of his fears and worries, he would have gone out of his way to help him. The student held a license for his gun and practiced regularly at a gun club. Please tell me why an ordinary citizen needs such a weapon? He had a family history of mental illness and was ex-military training, which apparently is a typical profile for 'cagers' according to recent research. If that is the case, why is it he and others like him can obtain a license? We need to protect the rights of all our citizens. I have heard much talk about our 'constitutional rights'. If you read the constitution, you will know that the right to bear arms is in an organized militia, not in a classroom. My brother's constitutional rights died with him in a hail of bullets. Please let us move into a new century with a better understanding and respect for what other rights are and should be—that is to feel safe in our work environments and to know that our children will come home from school at night.''—Mary Rose, Hebron, CT

''I am the very proud mother of an almost 2 year old boy. He is my hope, my future, and the pride and joy of his family. Our children—the nations children—are the hope of the future. Thank you for starting this march, thank you for doing what you can to keep guns out of their hands. I am HONORED to be a part of this tremendous effort! If we can help prevent one senseless death of an innocent child by this march, then it is well worth it. God Bless!''—Kris M. Koehler, Overland Park, KS

''Please keep guns away from children—they are our hope for the future, the most precious resource this country has.''—Marta Settles, Burke, VA

''My husband has been a reserve police officer for over a decade working in a northern California city with a high violent crime rate. He has been in situations where he has had to draw his weapon more times than some officers will in an entire career. He has seen so much death and sadness as the result of guns in the hands of criminals, teens, substance abusers, and emotionally desperate people. Early in his career he saw the middle-aged parents of one of his partners on the force, make the nightmare decision to disconnect their adult son (and my husband's co-worker) from life support and watch him die from devastating brain damage—the result of being shot in the line of duty by a criminal—a 19 year old who got his hands on a ''Saturday Night Special'', and used it. My husband, a witness to the events leading up to the shooting, testified at the trial of this young man, who had been raised in a violent family where guns were as everyday as a loaf of bread, and saw the jury lock him up for life. Two young lives destroyed, albeit in different ways, because guns were available. I watch parents in toy stores buying their children plastic guns—pistols, machine guns, ''Star War'' space guns, and see the parents laugh as their kids aim at each other and shoot. If they could see and understand what my husband sees and experiences they might come to believe that guns are not playtoys, that guns in the wrong hands kill and maim. My daughter knows that my husband uses a gun in his police work. She has been taught to respect his weapon, and to understand the awesome and powerful aspects of guns. His service weapon is kept in a locked gunbox and never removed until he leaves the house for a shift. I support the Million Mom March with all my heart. It is time that this country and our elected officials respond to the needs of our citizens for sensible gun-control laws and law enforcement, and not cater to the lobbying of special interest groups and

firearms manufacturers.''—Terry Clark, Los Gatos, CA

''As the mother of a police officer killed in the line of duty, I have long been aware of the need for some kind of gun control. I am so glad to see SOMEONE finally take a stand. I no longer feel alone in my views on this important issue.''—Billie Hurst, Roseland, VA

''Although the state of Georgia is very pro gun, I want all to realize we're not all that way. Stop this insanity of guns, guns available to children. Stop children killing children,''—Sherry Roak, Nashville, GA

''My husband and I have three children. My husband is a hunter. We lock are guns up and have taught our 5 year old about gun safety. She is not allowed to touch or even shoot. I just talked to her about what do do if someone points a gun at her. My daughter cried right alone with me that little 6 year old girl died. I can't understand the madness. I will be there mother's day. God bless everyone who has lost someone they loved to guns.''—Sheila, Angola, NY.

''When we lose our children due to illness or natural disaster, it's a tragedy. When we lose our children due to gun violence, it's a reflection of our own stupidity, laxity, and arrogance. It's time to hold onto and protect our children, our most precious resources, by standing up to be counted. Each one of us has a voice that matters, and it's time to use that voice and our brains to protect those we love and value so much. A choir of thousands of women chanting their demands for tight gun control is better than a choir of a thousand moms singing songs of lamentation at church funerals. Believe, think, act!—Kathey Kelly, Ann Arbor, MI

''My son Nick was 16yrs old when he was shot, by another 17 yrs old in May 1977. He was not killed Thank God, but he is maimed for life. He was shot in the spine and the bullet still remains there. The Doctors can't do anything for him, because his nerves has been severed from his spine, he is in contant pain everyday and has to live on pain meds. I feel for the children and families that have been killed by guns, but what about the ones that have been maimed, what is the stats on them? I'm in support of the Mom's in the Million Moms March, and planning on being there and hoping to take my Son with me.''—Susan Woytasik, Mesa, AZ

''When I remember the pains of giving child birth I can't help but wonder how anyone could deal with the pain of losing that priceless child in a shooting death. We are each someones child, no matter what age we are. Life is precious and we must protect it with conscious efforts like this Million Mom March.''—LeAnn Crawford, Caldwell, ID

''On April 1st, 1986 my only son, 19 yrs old, was killed by a ''friend'' who was just showing him a gun that was ''not'' loaded. Irresponsible people and irresponsible use of a gun has taken away someone so very precious to me and our family. We are loosing our children by the thousands to this. It is insane. If only they could hear us crying or feel our pain at our losses, but God forbid, they ever walk in our shoes.''—Judy B., Peoria, IL

''All gun purchases should require a complete background check, state and federal database registration, trigger locks and a personal insurance policy, (just as you must have auto insurance in case of accident/injury). Handguns should be severely controlled, as their purpose is to kill/injure humans. Congressional members, please listen to us, not the NRA.''—Sharon & Martin McGladdery, Farming ton Hills, MI

''The hand that rocks the cradle truly rules the world. We will end gun violence and soothe the anger and hatred that feed it by joining together to show our children and the rest of the country our love and our resolve to take control. Thanks to those moms who have taken the steps to make this march possible. This will truly be a Mothers Day worth celebrating!''—Allison Leopold, Falls Church, VA

''There are a lot more moms out there than members of the NRA and it's time to make our voices heard, I am making this a personal goal—that the Million Mom March is the starting point for a new grassroots movement to end gun violence. So, the next question is . . . What are we doing after the March????''—Holly Spiegel, Calabasas, CA

''Though I will be unable to join the march, my heart and thoughts will be with you all. I applaud every single mother who participates. I feel the NRA's anti-gun control arguments are totally antiquated; no one needs semi-automatic weapons to protect their rights, or to use for hunting. Even if someone wants a handgun, why is it unreasonable to require a waiting period or a trigger lock? No one, child or adult, should have to die violently from a bullet. We must convince Congress to take action once and for all.''—Susan Turgeon, Norridgewock, ME

''In November of 1999, my son walked into a sporting goods store in Atlanta and walked out with a gun. He used the gun to end his life. If he had not had such easy access to that gun, I believe he would be alive today. Our grief is indescribable, our pain hard to endure, our lives will never be the same. All who knew my son have been affected by this tragedy I am so glad that this first Mother's Day without my son, I will be able to do SOMETHING. I have always been pro-gun control but now I am passionate about it.''—Judy, Tampa, FL

''On May 11, 1999 my life changed forever with the phone call every parent dreads. My son was dead, shot with a gun belonging to this father. I will never know what happened to my precious 14 year old, but because of a gun left carelessly accessible, Kit will never have an opportunity to grow up. I will never feel ''safe'' again. My family has been torn apart, not just by violence, but by poor judgment and poor decision making. How many other lives must be ruined by this same lack of initiative? We must protect our children, and we must find a way to reach our legislators I don't want my child to be a statistic. He was more than a number to me. How do we communicate this sense of loss to Congress?''—Dru Fentem, Tifton, GA

''February 22, 1999 my son who was only 4 years old was at a close friend of ours playing with there 6 year old daughter, who got hold of a 22 rifle and accidently shot my son above the right eye. He is now blind in that eye, paralyzed in his left hand and cannot walk without a brace on his left foot. He was a perfectly healthy 4 year old before this happened. Even to this day the doctors say he is a miracle, they tell me he was not supposed to survive and even though he did, with the injuries he had he should have been brain dead. My son was a lucky child to survive this. The story is the gun was sitting beside a chair in the living room, loaded and ready to go. My son will always have to work harder than others, take criticism in a cruel world because he's different, and may always have to use a wheelchair when he's too tired to walk because of someone else's stupidity. I want my son's accident to be a lesson to all. I tell my story to people that have guns and children because what my husband and I have been through and are still going through is a parents worst nightmare. Our son with the help of millions of prayers and the grace of God made it. Even though he made it, it's still heartbreaking to see him suffer through hard times. I am a mother who is a full believer in making stronger gun laws. If anyone would like to e-mail me with their comments, please do. My e-mail address is dkstepp@altavist.com''—Kristi Stepp, Dumfries, VA

''I would just like to say that I think that the march is a wonderful idea, and its about time this sort of thing took place. I'm the co-founder and president of a club at my high school, S.A.Y.V., Students Against Youth Violence, and because we live right near the District, a big group of kids are planning on attending. It's not just adults who worry about gun legislature and things like that, but also people who are just children themselves. The response from the student body has been overwhelming. I have no doubt that a great deal of the next generation in America is planning to make the difference.''—Leigh, Springfield, VA

''Me Conmovi mucho el saber que como mujferes y madres nos podamos unir en esta gran causa, como madre me preocupa el bien de mis dos ninos son lo mas importante en mi vida y en la de mi esposo ellos son la razon por la que me levanto en las mananas y me moriria de la tristeza el saber que uno de ellos me le paso algo o que alguien me los lastime asi que por eso quiero participar en esta marcha y aunque no pueda ir a Wa. D.C. ire a la marcha de mi estado de Wa. Pienso que es bien importante porque mis ninos son el futuro de este pais. Denise Trimble.''—Denise Trimble, Gig Harbor, WA

''This madness has to stop and we need to be heard. I plan to be in Washington, D.C. on May 14, 2000 fighting for stricter gun laws to help protect our children. I have 2 boys, ages 5 and 3 and I do not want them to be exposed to guns, especially at school, which unfortunately, is where kids seem to be getting killed by them more and more. A place where they are supposed to be, and more importantly feel safe. We are their protectors and I would not be doing my job if I did not support this issue and got involved in this March. I will see all of you there on May 14, 2000. In the meantime, I will continue to say prayers that our children can stay protected. God Bless.''—Kelly Borbely, Belford, NJ.

''By our readiness to allow arms to be purchased at will and fired at whim. We have created an atmosphere in which violence and hatred have become popular pastimes.''—Martin Luther King, Jr. It's amazing with all the advancement this country has made from the time this man was alive, that this statement still rings true today. I don't want to leave this world knowing that I complained about this violence, but did nothing to curtail it. We must all be leaders from here on out, getting involved in our communities, until gun violence is a thing of the distant past. It can be done. ''Do not wait for leaders; do it alone, person to person.''—Mother Teresa. I will see you in Washington.''—Manzo Speight, DC

''I am so thankful that someone has found a way for those of us who believe in this cause to show and voice our support. The people elected to represent our interests are out of control and so obligated to special interest groups that it's unbelievable. No group is more dangerous than the NRA. We don't have the money the NRA has or an over-the-hill actor spouting propaganda but I think we can make a difference. Our elected officials need to know that there are a lot of us here and we're fed up. ''Common sense'' is an unknown term to those in the pocket of the NRA. If they won't listen, we can make a difference on election day!''—LH, Broken Arrow, OK.

''I AM A SOLE SURVIVOR OF A SHOOTING. My best friend was killed and I was shot when a 19 year old wanted to see what it was

like to kill someone. It was random and it changed my life, my family's life, my friend's life and his family's life. I will walk with the Million Mom March in hopes that when I have children, they won't ever have to know the pain I know and I won't have to know the pain my best friend's mom knows. We are all in this together. We can make a difference. I honestly believe that.''—Yvette Evans, Layton, UT.

''I am the mother of 3 and I am an Emergency Medicine doctor. I have seen the carnage of gun violence first hand for years—a high school student shot dead while mowing his lawn by a mentally ill person. A man who shot his brother to death in an argument over the TV remote. We are not safe. Our kids are not safe. I'll be at the march to add my voice to all of yours.''—Kerry Foley, Chevy Chase, MD.

''I am a new mother now of about 3 months. Unfortunately these news broadcasts are just now staring to affect me, but now I am afraid to send my new son to school. Just the thought of sending him to school in 5 years where he could be shot and killed terrifies me. I saw a Dateline episode where one of the gun companies tried to make the ''Smart Guns'' and were boycotted by the American Rifle Association. That company went out of business. Doesn't that make you think? Those guns can only be used by their owners, and they were boycotted. Now, a person buys a gun and gets the license so that THEY can use it, not so that everyone else can use it, so why does it matter if they are ''Smart Guns'' or not? Does the American Rifle Association want our kids to die?''—Heather R. Spann, Wabash, IN.

''Three years ago this May, my 13-year-old nephew Jim used a loaded, unsecured handgun to end his life. Because he had this weapon readily accessible to him while home alone, a bad day at school turned into the last day of his life. I am certain that without easy access to loaded gun, Jim could have survived his academic crisis. Now he is lost forever to those who love him; he will never grow up, never go to college, never fall in love, never raise a family of his own. I wish and hope that we can help prevent this horrible experience from happening to others.''—Katherine Toyer, Earlysville, VA.

''Years ago at my cousin's ranch the kids were PLAYING around, showing off, swinging around a rifle and BANG! Dead cousin. The boy who held the gun was a nice kid. Living on a ranch he was familiar with firearms. He knew not to PLAY with guns, not to point them at people, to check if they are loaded. But he was an IMPULSIVE teenager who acted, as do most kids, without thinking through the possible consequences. It is our responsibility as adults to protect our children from their own naturally impulsive, thoughtless behavior. Safety locks, registration, purchase time-limits, these do not restrict our second amendment. I'll be at the Seattle Center in Seattle Washington on March 13th to rally for gun control. Hope we can get the government's attention.''—Jan H. Renton, WA.

''I have 12 children the oldest one is 34 years old the youngest one is 9 years old and not one of them have ever had a need for a gun, if our country was at war than ok we may need a gun in the home but I haven't seen a redcoat or a Indian trieng to brake down my door latley? We have given so much to our kids over the years in this country maybe it's time we took something away from them and give the parents back the right to see there babys grow up and become parents to a parent should never have to be afraid to sent there babys to school or to sunday school and we should give them the freedom to live a long and happy life and not be afraid of other children in there schools? There is a song that says I believe I can flie, and we need to give our kids the chance to do that. Thank you. Theresa J. McNurlin''—Theresa J. McNurlin, Filer, ID.

At the age of thirteen I walked into my mom and dad's bedroom to find my fifteen year old brother with his brains across the room due to a freak accident with a shotgun. . . That image is in my mind today as strong as it was that day! I now have to live with the fear in the back of my mind that one day my daughter will be in school . . . looking down the barrel of a shotgun. . . . Years ago with my brother gun safety was not as widely talked about and spread out to people. . . Today it is there and they don't seem to listen and they just don't seem to care. They act as though adding safety for our children will infringe on their right to go hunting, or to offer up defense, etc. So they fight against any form of gun control. And as long as the killing doesn't infiltrate their life they think that they are right to fight this. Yet the day is does they will be out raged that it happened and nothing was done sooner! It took my brothers death to awaken my family on these issues. . . I don't want it to take my children's to awaken the world!!!! There's been to much senseless dying due to lack of support on simple gun laws. I think it is time that our Government and ALL gunmakers to stand up and help save our youth!!!! I for one thank Smith and Wesson for putting locks on all guns they make from now on. My only wish is that it had been done sooner..''—Brenda Kliebenstein, Jacksonville, FL.

''I have no problem with those who own appropriate weapons for hunting and keep them locked appropriately when not hunting. However, those of you that own guns for self-protection and have concealed weapons permits, please tell us the circumstances that will provoke you to shoot another human being. I've tried to think of incidents on my own but cannot come up with any that would be appropriate. Please don't say ''another human may threaten me with a gun, therefore, I must be ready to shoot him/her first.'' Shouldn't the goal be the reduction, not the proliferation, of guns on the streets in the hands of non-law enforcement people.''—Marilyn, Fairfax, VA

''My nineteen-year-old son, Jonathan, was shot with an unlicensed handgun on Friday, October 13, 1995. He was attending a party for a friend that was entering the Navy when a guy who had been drinking came with a gun. Supposedly, the killer had forgotten that he had loaded the gun and put it to my sweet boy's left temple and pulled the trigger. My boy hadn't been gone from our house 30 minutes when we received a call that he had been shot. We rushed to the hospital but he was non-responsive. Jonathan Stephen McGowan was declared brain-dead at 2:30 the next day. We were able to donate his organs, which would have made him glad. This senseless act with a gun, killed one of the sweetest boys any mother could want. Nine months later, my husband died very suddenly from a brain aneurysm at the age of 48. I have no doubt that my husband's death is directly related to the emotional stress suffered as a result of the loss of this boy he loved more than life. In essence, that gun killed my two favorite men and left my daughter and me with the knowledge that the remainder of our lives would always be tinged with varying degrees of sadness. I've written a great deal since my boys died. One short piece follows: WHEN The months and years drift by. The heartache lingers. Many say ''Time will heal''. I question ''When''? The longer they're gone, The deeper I miss them. The cycle remains unbroken. . . . Unlike my heart. Since my sweet Jon died, Mother's Day has been difficult for me. Hopefully, this march will assist in soothing a wound that will never heal and at the same time enlighten those who haven't experienced first-hand the horror that guns perpetuate.''—Chris McGowan, Philadelphia, AL

''On October 29, 1999, one of my daughters 14 year old friends was killed by a 9mm hand gun. He was killed by another friend who was playing around with the gun and supposedly (accidentally) shot him in the back with the gun while playing around with it. The boy who shot him has been charged with reckless homicide. He doesn't go to trial until August of this year. My daughter's friend died needlessly. His name was Jeffery Alan Cole, who had his whole life in front of him. He was an excellent student and excelled in sports. Jeff is Loved and missed by all. There is not a day that goes by that we don't think of him and how he should have not died that October night. We still don't know who the gun belonged to or how the other boy got it. The other boy was 19 at the time of the shooting. Don't you have to be 21 to have a hand gun? He was not even charged with illegal possession of a hand gun. We live in a county that is known for the police not doing their job or a very good job. So now we all wonder what will really happen at the trial. The boy should not have even had the hand gun, but did. And as a result, another life was taken. My daughter was there when the shooting happened and has to live with that night for the rest of her life. She is very much against hand guns just as I am. You have mine and my daughters support!''—Caryn B. Harpring, Hymera, IN

''I found out about the Million Mom March watching Rosie O'Donnell. Then there was an article in our local newspaper. The article ended with Margaret from MI saying she didn't have a story and wanted to keep it that way. Those are my feelings exactly. I'm horrified and saddened by the loss of innocence every time I hear that a child's life is lost or destroyed by a gun. I have been lucky so far but will my luck continue? That's the question I ask every time I hear another story. The saddest to me is that we hear these heart wrenching stories and then we continue on with our lives as usual but that MOM has to continue to live with it every day. I don't want to be one of those MOMs!''—Donna Robb, Memphis, TN

''Ten years ago my beautiful son, Andrew, killed himself with a bullet to his brain. He was mentally ill and never should have been able to buy a gun. I have been reading the tapestry today, in tears over the stories by so many grieving mothers who have also lost children or other loved ones. I will be at the March with one of my daughters (also a mother), because something has to bring Congress to its senses. I have three beautiful granddaughters (3, 3 & 1½) and I cannot bear the thought of them being exposed to a society filled with guns—and the needless destruction they cause.''—Glennys Christie, El Cerrito, CA

''On March 22, 2000, my son, Mark Allan Tilley, age 31, was murdered in his apartment by an intruder that caught him coming out of the shower. My son had just been released from the hospital for an operation that he had on March 21st. I believe that we must stop illegal gun sales. We must give mandatory minimums to individuals that sell guns without the transfer being known to local police—if that weapon is later used in a crime. Buying guns for others should be outlawed and that person should pay the price if the weapon is used in a crime. My son was scheduled to marry his wife in a traditional ceremony in her native country, Kenya in September. And, his 11 year old son, Aaron, no longer has his father. This ordeal has devastated my family and I do not

want these incidents to happen to any other family. ''Spread Love, no guns!'''—Emily Tilley, Orlando, FL

''I'm lucky enough to never have lost someone to gun violence. I'd like to keep it that way. It's time we stood up to the gun lobby and to those cowards in Congress—the people who are SUPPOSED to represent us but don't have the backbone it takes to turn down the NRA's money and do what they know is right. Get rid of the guns once and for all! We can make a difference—together we can stop this horror.''—Karen, Washington, DC

''As an employee at the Texas School for the Blind, I am horrified at the alarming number of students we serve that are blind and have suffered traumatic brain injury as a result of gun shot wounds. The majority are either gang-related or accidential. I strongly support common sense gun legislation and I am thrilled for the opportunity to be heard at the march in Washington.''—Danna Wisnia, Austin, TX

''I would ask those people in the Gun Lobby who are opposed to any reasonable gun legislation to watch the tapes of the children of Columbine the day of their tragedy. Watch the tapes of those small children being led out of the day care center. Now as you watch, put your childrens' faces in those videos. I cry to think of those beautiful angels having to lose their innocence and their childhood. I cry for all of us, because some of us are so busy protecting their right to have guns they have forgotten about our childrens' rights to be children. I will march for my children, my nieces and nephews and their children to come.''—Diane Scheidt, Dumont, NJ

''In March of 1978 my brother Dan Sweeney was shot to death while on a business trip in Costa Massa CA. Dan and I were raised in a small, safe town where gun violence was unheard of. Nothing in my background prepared me for dealing with his murder. Afterwards I helped pass a 7 day waiting period for the purpose of a handgun in RI. I can't begin to tell you how I was harassed by the NRA. These people do not care about the safety of their fellow citizens. I was at one rally where they tried to shout down Sarah Brady and Senator Claiborne Pell. For people who claim to be so concerned about the 2nd Amendment they showed little concern about the 1st. I am so glad that this march has been organized. I will be marching in memory of my big brother, Dan.''—Jane Sweeney, Warwick, RI

''Mothers are a voice to be listened to. We need to use that voice to make our country safe for our children and their children. We need to raise that voice as one on Mother's Day!''—Geneviere Lemire, Brownsville, VT

''My husband is a licensed gun owner and we are not anti-gun, but there must be gun control in America. It seems that in the legislature only money talks. I am ashamed to be from Tom DeLay's District here in Texas. He has no common sense when it comes to guns. Why are there more controls on automobiles than on guns. It's baffling.''—Katherine R. Tizravesh, Sugar Land, TX

''This is a wonderful opportunity to make a difference, the gun—control issue is one we have felt passionately about for a long time, but we haven't found a way to really voice our support and I feel this MARCH will strengthen our beliefs, and help us to unify our feelings and our country—and let our elected officials realize this is a serious issue and as parents—it is our moral obligation to protect our children—all children—We have a five year old daughter and a two-week old son and we not only march for these children but for the children of our community, our state, our country and our world.—.thank you.''—Stephen and Renee Branham, Lexington, KY

''I would have liked to have protected my mom too except she committed suicide with a gun last year. It's too late for her but not for my son. I would like to think she might have been willing to get counseling if the ''easy way out'' had not been available. I miss you, Mom, and will honor you on Mother's Day this year by trying to stop this from happening to anyone else.''—Cindy, Burke, VA

''The new poll that was just conducted is frightening . . . . 35% of Americans with children have guns in their home, 48% have them unlocked. What are we thinking! This march is a necessity and people need to stand up for tougher gun laws! I look forward to the march and look forward to doing any part in protecting our children.''—Jocelyn Witt, Bethesda, MD

''As a Mom and an ER Nurse, who works in Baltimore City, with one of the highest murder rates in the nation, I cannot sit back and wait for someone else to do something, for the sake for ALL our children, yours and mine, I challenge every Mom and every ER nurse to gather together a few Moms and/or ER nurses to March or support this effort in anyway they can, see you in D.C.! United we stand!''—Pat Sullens, Joppatowne, MD

''I am the grandmother of two. My grandchildren are very young and not aware of the violent society that awaits them as they get older. I am praying that rallies like this will bring about positive change in our society. I ask myself how we let things get so out of control. I applaud your efforts to bring about change. It is never too late. Our elected officials will hear our voices in Washington. Remind them that we voted them in, we can, and will vote them out!!''—Gina, Randall, IA

''I do not have any children, however, I feel it is EXTREMELY important to regulate guns. How many more children and adults have to die before we demand the end of the NRA's stronghold on Washington? I think all firearms should be banned, but short of a miracle, reasonable gun laws must been enacted.''—Whitney, Los Angeles, CA

''Finally—something to march about that should appeal to all thinking, feeling Americans. What makes more sense than the intelligent control of weapons in our homes, streets and nation. We can respect our Constitution and show our common sense at the same time. Let's go!''—Barbara, North Attleboro, MA

''I cannot tell you how outraged I am that access to guns is continually given precedence over savings children's (and adults'!) lives. All people of conscience must stand together to stop the NRA and those in the congress who vote with them and thereby put all of our children at risk for their lives. Enough. For the sake of my son, and other mother's sons, I will not vote for anyone unable to provide gun control leadership and I will contribute to defeat those who vote against our kids. I take comfort in the fact that I am not alone. Moms, it seems are hard to rouse, but we are many, and, once roused, are a powerful force. Time to march.—Karen Lawley, Lexington, MA.''—Karen R. Lawley, Lexington, MA

''When I was in the fifth grade, a student in my father's Sunday School class was killed by a self-inflicted gunshot during a ''game'' of russian roulette at his friends home. I want my Dad's student to know I remember him. When I was in high school, a friend was killed by another friend who was showing her his father's gun. I want Mary to know I remember her. I am now 42 and am a mother of a beautiful daughter. Many times I watch her experience joy, I remember my two friends and their families. On Mother's Day, my daughter will walk with me and we will remember my friends and their families every step of the way. After almost thirty years, I have found a way to remember and honor my friends. I also have a way to feel like I can do something so my daughter and her friends will be safe.''—annemarie, Ithaca, NY

''Dear mothers of America, my love and support are with you on Mother's Day in Washington. As Margaret Mead said, ''Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has,'' ''—Susan McLoughlin, Peachland, CN

''It only happens to other people, right? But then there was the early morning phone call telling me my younger brother, the delight of our family, had been killed, one week after he graduated from high school. He was shot with a gun which his best friend kept loaded to protect himself as he housesat. The ''killer'' was a 14-year-old girl who picked up the gun to look at it. My brother, his friend, my family, the girl and her family; the list of victims of that one gun goes on. This march matters. Now that I'm a mom myself, it matters even more. Thank you. ''—Patty, Vienna, VA

''On January 29, 1998, I lost my father to suicide. We never even had a gun in the house growing up, and I'm sure a moment of insanity put that gun into his hands. We never learned where he got the gun. I can never bring back my father, but I can help others think twice about what they do with the guns they have and who they choose to sell them to. Guns rob us of what is most near and dear to us. Enough is enough.''—Tara Hlavinka, Severn, MD

''My brother was murdered by a man who had just been released from a mental hospital with a diagnosis of paraniod schizophrenic, but was able to buy a shotgun because no background checks are necessary in our state for the purchase of a shotgun. If a background check had been done on this man, my brother, David, may still be alive today. David died at the age of 6. The man who murdered him was my father, who also killed himself. So my mother and I will be there on Mother's Day to honor my brother's memory by trying to prevent this tragedy from happening again.''—Jessica, PA

''I am a surviver. In 1975, at the age of 13, I was shot by a 14 year old neighbor from his bedroom window. In the suburbs, seemingly protected from violence, I almost died and it is by a miracle of God that I can walk as the bullet chipped my spine after going through several organs. Even at 13 years of age and even in 1975, it seemed clear to me that owning a gun in one's home was asking for trouble. This boy took his father's dismantled gun, put it together, and loaded it for his use. I happened to be the victim. Today in 2000, the violence has grown but the message is as clear as it was to me and my family back in 1975. Guns are dangerous and should, in no way, be made accessible to children.... and in most instances, adults,''—Belle, Park Ridge, NJ

''Although I have not lost a child to violence, I am tremendously affected by the loss of any child, of any race, religion, or ethnic background. As a mom myself, I support wholeheartedly this attempt to WAKE UP OUR NATION and to TAKE A FIRM STAND AGAINST VIOLENCE. We are tired of being ruled by those who tell us that we no longer have the authority to teach our children RESPECT. We have lost the ability to parent effectively—to teach our children to respect life itself—to respect US...That is why guns are sought at such early ages as the solution to problems. We want the responsibility of raising our children brought back into the home INSTEAD OF THE GOVERNMENT. We want to teach our children the sanctity of love, life, and God without being afraid of 'upsetting' them.''—Jacquelyn E. Berry, Atlanta, GA

''I march to honor my children on the day they honor me. I must add my voice with other mothers of this nation to embrace peace and end the senseless fear of a young one at the mercy of a gun as victim or perpetrator. May our voices be heard!''—Mary Harger, Cleveland, OH

''I am a retired public school teacher and a mother of 2 twenty-something young adults. There are so many children I care about. Finally, a way to express my concern about the gun violence and what it is doing to our children. ''Thou shalt not kill'' is not just some pretty phrase to be framed on the wall! Life in the US gets more dangerous daily, if we do not protect our children from those who value guns more than children we are one sick society. Count me in!''—Cyndy, Warwick, RI

''ENOUGH IS ENOUGH! How many more innocent children have to die before the politicians get the message?! We gave life to our children and now it's time to give life to change. We have the courage and we have the right!''—Giselle, Seattle, WA

''Grant those who wish to exercise it—the right to bear the arms that our forefathers intended. Single shooter, musket loaders, NOT guns which did not exist. FIRST, grant all of us the rights in the First Amendment. Those rights superseed what comes second. Our first right is the right to Life (w/o being murdered with a gun), Liberty (the right to safe passage on any street w/o being threatened w/ a gun) and the pursuit of happiness (that which a Mom can do ONLY when she knows her children are safe). Gun control NOW''—Laureen Pepersack, Santa Fe, NM

''Our neighbor's 12 year old son killed himself with a gun upstairs in his bedroom after the family finished dinner. He had just gotten in small trouble and was sent to him room. In a fit of teenage mad, which we all have experienced, he made the rash decision to kill himself. The family was and is still devastated. I believe if the current gun laws were enforced we would see less death with guns. Instead, we are forced to demand even more!—Kathy Frasier, Yelm, WA

''When the shooting occurred in Littleton, Co last year, my then-9 year old came to me and asked, Mom, what can I do if that happens in my school? What's the answer? Moms, we CAN make the difference and protect our children. Certainly Congress won't.''—Laurie Jerin, Madison, WI

''My daughter, who is 27, has just given me the best Mother's Day gift—her company at the Moms' March in Washington, D.C. My steps will be for all the children who have died or been hurt by senseless gunfire, for their parents and for the children whose lives will be safer when this country finally lays down its weapons—or at least keeps them away from children. If the gun-lovers in our midst think they know anger because they are being asked to store and handle guns safely, they should talk to a mother who has been forced to bury her innocent child.''—Betsy Shea-Taylor, Providence, RI

''There are so many interwoven issues, but one fact remains true: WE ALL LOVE AND WANT TO KEEP OUR CHILDREN ALIVE!!! Let's stop the killing of our loved ones.''—Michelle, N. Huntingdon, PA

''NRA. * * * We ARE coming and we WILL defeat you. * * * Smith and Wesson was only the first dominoe. The power belongs to the people, not the gun lobby''—Joyce Baird, Chapel Hill, NC

''When I was child, we were at our grandparents house for a family get together. My cousin, who was probably only 2 or 3 years of age, went into my grandparents room and grabbed a hand pistol from the night stand on my grandfather's side of the bed. We were fortunate * * * it was not loaded. How many close calls does it take? A good friend of mine from high school took his own life by shooting himself in the head while sitting in the kitchen of his parents house talking to his girlfriend on the phone. How many friends must die? I am now a mother of 2 boys a 2 yr old and an 8 week old. I cringe at the thought of sending them off to school, because even though they will know it is never bad enough to take a life * * * who is to know if the others will be taught the same.''—Kristin Vance, Omaha, NE

''The chain of preschool children walking across the street in Los Angeles brought tears to a room full of people. This scene did it for me. The craziness of the gun lobby has got to stop and people with good common sense need to prevail. We must have more controls on guns and their owners, NOW!''—Roxanne Hallquist, Protland, OR

''There can no better way to celebrate Mother's Day than by marching to show our love for our children. I thank God each day that I am blessed with two beautiful Boys!''—Mary Schwander, New Hope, PA

''I've just finished reading Tapestry and I am deeply saddened because I didn't think so many people felt the same pain that my family did six years ago. My 19 year old nephew was murdered, leaving behind a newborn daughter who will grow up never knowing her father. Sure she'll see pictures of him and hopefully understand what she's told about him, but it won't be the same. Helen Ready sings, ''I am woman hear me roar, in numbers too big to ignore,'' well the roar will be deafening on May 14th when a million moms come together and I intend to be one of them!''—C, Chicago, IL

''Finally, an organization which is not motivated by political pandering and that is willing to step forward and to let their voices be heard and to mobilize for sensible common sense gun laws—The Million Mom March. I live in New York City and have a teenage daughter who attended public high school in the City. Additionally, I spent 7 years working in the Dept. of Juvenile Justice setting and know only too well the horrible toll that guns are taking on our children. Now I am in law school and as a mom and a concerned citizen and a student at a law school that is profoundly motivated by the public interest, I think my duty is clear. We see you on May 14th.''—Colleen Richman—Colleen Richman, Bronx, NY

''Thank you for finally giving me a voice to ask our leaders in Congress to please enact stricter gun control laws. I ask on behalf of a 12 year old boy named bill McGuire who was accidentally shot and killed by his 16 year old brother in 1962. Bill was one of my best friends in elementary school here in Washington, D.C. I was only 12 myself and never know how his brother had gotten the gun. His brother thought he had taken all the bullets out of the gun. The two boys were playing around when his brother aimed the gun point blank at Bill and pulled the trigger. Bill was shot in the chest and died. I have mourned this friend ever since that terrible day in 1962. I have one picture of him that I keep to this day. I feel it keeps him alive somehow. I wonder how he would have turned out, who he would have become, if his life had not been taken so tragically. My message to our President and Congressional leaders is simply this: Please make it your number one priority to enact and enforce stricter gun laws. The American people don't care about campaign finance reform. We care about the violence on our streets, in our schools and in our homes. The time has come for you to take action and get the guns out of the hands of criminal repeat offenders and out of easy reach of our nation's children. There is no more urgent problem facing America today.''—Rebecca Lambert, Bowie, MD

''My cousin was killed by a self-inflicted gunshot wound to the head when he was 16 years old. His mother still defends the right to have a gun in her house although 'no one knows where they are'. This was the first thing that came to mind as I heard about the Million Mom March. My aunt and I agree to disagree but I cannot understand how anyone after having lost a child in such a tragic way would still want them in her house. There were other circumstances regarding the shooting because he was in an altered state at the time of the shooting but if the gun had not been in the house, he would most likely still be here today, possibly raising a family as I am right now.''—Heather, South Jersey, NJ

''Like Millions of other Moms. I have felt so helpless in the face or relentless news stories relating yet another . . . and another . . . senseless incident of violence involving guns. As the anniversary of Columbine approaches and we reflect on that bitter day—and on all the killings in between—let us all renew our commitment to mobilize for common sense gun laws in this beloved country of ours. And THANK YOU, Million Mom March, for giving us an avenue of hope in which to channel our energies. Another ''Mom''—Kathleen Brahney, Arlington, VA

''Despite the validity of our constitution as the backbone of our great democracy, the patriots who wrote it would burn their words if they knew that 200+ years later innocent children would be dying because of the second amendment. We must honor the spirit of the constitution which was written to protect citizens against outdated, tyrannical laws.''—Barbara Raphael, Haddonfield, NJ

''IF SOMEBODY DRIVES A CAR, EVEN PERFECTLY, BUT WITHOUT A DRIVING LICENSE WILL BE ARRESTED. IF SOMEBODY CARRY HIS GUN IN PUBLIC, EVEN WITHOUT KNOWING HOW TO USE IT, WILL BE FREE. WHAT AN ABSURD WAY OF THINKING. YOU NEED SCHOOL AND EXAMS TO DRIVE BUT YOU DON'T NEED NEITHER LICENSE NOR TESTS TO CARRY A GUN. IS A CAR MORE DANGEROUS THAN A GUN?—MILLO MAZZOLENI, NEW YORK, NY

''I feel so empowered where I once felt I had no power. We can make a difference now, before it is too late. We have to end this today, so there is no tomorrow of tears and questions of ''WHY?''. I applaud the organizers of Million Mom March and I will continue to play an active part to protect our children.''—Donna Pappe, Louisville, KY

''The Million Mom March is the first organization that I have seen to protect the children of our nation against accidental murder. I would like to see guns banned from every home that a child lives in.''—Elizabeth Battle, Missouri City, TX

''Today in our local newspaper I read these disturbing statistics: in one year firearms killed NO children in Japan, 19 in Great Britain, 57 in Germany, 109 in France, 153 in Canada and 5,285 in our UNITED STATES OF AMERICA. There is a gun store within 2 blocks of my affluent neighborhoods, and every time I pass it I become angry. It is time for the NRA to stop hiding behind the United States Constitution and realize that times have changed. We have created an atmosphere in this Country where our children have been desensitized to the horror of violence. These children have felt the reality of violence. That is why the horrified looks on their faces as we see them run from the schools, churches and other ''safe places'' disturb us so. I have banned my children who are 15 and 14 from bringing any violent video game into our home, which up to the recent shooting of a six year old first grader was allowed. I will take a stand to try to teach my children that killing is not a game, guns are

dangerous in the wrong hands, and I ask all you parents reading this to do the same. Our children are OUR responsibility, and it's time to take a stand.''—Kathy Halbeisen, Reading, PA

''I have just read all of Tapestry & will never be the same. But please, PLEASE DO NOT LET THIS ENERGY END WITH THE MARCH. VOTE!! We must get the Tom Delay's out of office. We must keep working until the House and the Senate again belong to us!! Please, when you return to your home, don't stop the fight, don't let the energy end . . .''—PJ Bowling, Las Vegas, NV

''In 1954 my father was seriously wounded on the floor of the U.S. House of Representatives by a terrorist with a hand gun. I was quite young then, but I do remember that both houses of congress voted pretty quickly to create very strong security measures to protect themselves and to ensure that that kind of incident would not happen again. Why would they not do the same for the innocent children and others? I am happy to be a part of the Million Mom March and will certainly do what I can to spread the word among my community. See you all on Mothers' Day, 2000.''—Helen Bentley, Strasburg, VA

''I am a mother of 3 boys, ages 15, 11 and 2. I cannot believe that the NRA won't budget on the simplest law of having a waiting period for registering for guns. If most of the people buying guns were getting them for legitimate reasons why would they mind having background checks or waiting periods? I fully believe in child locks also. Are the members so lazy and dumb that they cannot figure them out? There are too many children being killed by guns that have been stolen or that careless people leave around loaded. There needs to be changes in the laws. How would an NRA member feel if this happened to one of their children? I worry about my children and everyone elses everyday with this violent society. Let's all make a difference in Washington!''-Lisa, Kresgeville, PA

''I am a 42 year old mother with 2 sons ages 11 and 14. My husband is a big hunter and my boys have been involved in some sort of ''hunting activity'' from the time they were 6 or 7 years old. When our 14 year was 12 he took a ''Hunter's Education'' class where he had to pass a test before he could be issued a license to hunt. My husband said this would help him to be a safe hunter. The actual thought of him having a rifle in his possession really bothers me. My husband wants to buy our son his own rifle. I told him no way!! One day last year my 11 year old was playing in our bedroom while I was on the phone. I heard him say ''Mommy look!!'' and when I turned around he had the rifle barrel pointed straight at my face and cocked the gun to shoot. I had never been so sick and frightened in my entire life. Thank God that there was no shell in that rifle. I can not even imagine what my childs life would be like today had that rifle gone off. I have asked my husband to take all the rifles out of our home and he did for a few months and now they're right back in our bedroom. I respect the fact that my husband loves to hunt but I feel that he does not respect the boys and me for not taking the rifles and danger out of our home. I want to be a part of this March and would like different Mom's from San Antonio to get together if they would like to start a March here in S.A. It is very important to me that gun control is enforced in an extreme way!!! Isn't that the way of this Millinnium, that everything is EXTREME? Why are we not totally extreme about our children's safety? There is something seriously wrong here and we need to be heard!!!! I work in a High School and the other day a co-worker gave me this e-mail she had received from someone and I would like to share it with you, it says volumes . . . Student: Dear God, Why weren't you at Columbine the day of the shootings and stop all the terror? God: Because they won't let me in. LET'S BE HEARD!!!! Cathy Aschbacher, San Antonio, Texas''—Cathy Aschbacher, San Antonio, TX

''As a responsible gun owner, I applaud all that you stand for. I cringe when I hear any news from the extreme minds at the NRA standing in the way of any sensible legislation. I firmly believe that if someone is willing to lay down hundreds of dollars, they can also spend the $5 that a simple trigger lock costs. That $5 investment can save the lives of our kids. Trigger locks should be mandatory, and there is no logical reason not to use one.''—Mark Thoms, Hoffman Estates, IL

''I'm a lifelong outdoor enthusiast, having hunted and fished for more than 40 years. I want something done to stop this madness. Please help people understand that handguns are good for nothing but killing PEOPLE. I have two precious grandchildren. I want something better for them. I'm obviously not a mom, but my thoughts will be with you.''—Dave Gilmore, Shawnee, OK

''Five years ago, my daughter was 10 and the only witness to a shooting!!! Your simple changes in handgun control are needed NOW!!! As a Mom, a woman, a person—I am sick of all the senseless shootings!! Hoorah for the MARCH!!''—Cheryl, Omaha, NE

''I am so tired of the politicians and the excuses. Stop it now. If you want to hunt . . . ok, but an AD-47 or a handgun? These are weapons that are used for one purpose. To kill humans. As a principal of a elementary school the fight to stop the violence is very difficult. The hands of the NRA are covered in the blood of children''—Mike, Philadelphia, PA

''Bobby Kennedy's most famous phrase was ''Some people see things as they are and ask why, I dream things that never were and ask why not?'' John F. Kennedy said ''ask not what your country can do for you but what you can do for your country, let the word go forth from this time and place to friend and foe alike that the torch has been passed to a new generation of Americans born in this century proud of our heritage and unwilling to witness or permit the slow undoing of those human rights etc.'' well we as mothers are responsible for the next generation and if we don't do something now we will not have another generation. We can do it on May 14, 2000.''—Diana Barrowcliff, Claymont, DE

''I can't describe the feeling inside as I sat and nursed my son while watching the horror of Columbine on the TV. I kept saying to myself as I held my son a little tighter, ''something has got to be done . . . I've got to get involved . . .'' I read about the MMM in Parenting Magazine and decided this was something I really wanted to be a part of, for the sake of my son and the rest of my family. Without hesitation, my mother joined me as we make plans for a Mother's Day like no other . . . one we will never forget . . . one when we stand up and say we are one of a million!!''—Karie, Virginia Beach, VA

''I am a mother and middle school counselor. I live in a community where poverty and violence is all too prevelant. There are many issues to deal with in preventing the problems we are experiencing today . . . children must learn how to handle conflict peacefully; they must be taught to be tolerant and respect the differences of others; they must be flooded with opportunities to be involved in positive activities. However, to keep our children safe, until the societal issues are tackled, we MUST have comprehensive gun-control reform . . . including mandatory on-site checks and child safety locks for ALL guns!''—Karen Faircloth, Cordele, GA

''Your organization is the answer to my prayers. My husband, a Chicago police officer was shot and killed with a semi automatic equipped with a lazer site. I sure you already know that the March coincides with National Police Week in Washington. My entire family will be there to honor my husband and we want to join your March. Please let us know where and when.''—Joan Knight, Chicago, IL

''My cousin Christopher was killed by a friend while playing cops and robbers. His friend went into the house, grabbed his fathers gun, and not knowing it was loaded, shot and killed Christopher. I was young when it happened, but it has made a profound impact on my life. I am a mom now also and I fear for my son everyday he goes to school or plays at someone else's home. We need to be sensible about our guns America! Our children are the ones we are killing.''—Jennifer, Milwaukee, WI

''I have been angry long enough without doing something about it. Charlton Heston's latest ads for the NRA are the final straw. I am not only a mother, but due to become a grandmother in May. I can think of no better way to spend Mother's Day this year!''—Christine E. Gaithersburg, MD

''It makes me sick that in this country we ''love'' our guns more than we love our children!''—Peg McCabe-Ashlevitz, Walled Lake, MI

''I am so thrilled that this is happening and that so many people with common sense will be coming together to collectively tell Congress ''We have had it—our children deserve more from us''. Thank you to the folks that have worked to make this event possible. I am going to make sure all my neighbors and friends know—I found out through a friend—you cant beat word of mouth. Lets all tell the NRA what we really think of them and their antiquated notions that put our children in danger every single day. Enough is Enough!''—G. Perez, Annandale, VA

''It is so long over due that we, as Moms fight back against the likes of the NRA. They have been the bullies on the block for far too long. We need to show our children how to stand-up and make a difference.''—Elaine Covert, Toledo, OH

''I got angry when I heard that triggers can be made to work with only the owners fingerprint! The gun manufacturers have the technology to make smarter guns and they will not make safer, SMARTER guns until we force them to through legislation. As an RN, I feel gun violence is a national health care crisis. SEE YOU IN D.C.''—sue ann sullivan, nashua, NH

''As a native Coloradan, an Air Force Family Child Care provider, and most importantly a mother, I feel a tremendous responsibility to participate in the Million Mom March. With every mass shooting that occurs in this country—a fire burns within me and now I have the opportunity to make a difference with an incredible group of woman. I can no longer sit and wait for the ''pro-gun'' population to come to their senses—I will make the march with my fellow mothers and we will be heard from every pawn shop to Capitol Hill.''—Tillie Sanchez Elvrum, Cheyenne, WY

''It is difficult-to-impossible to reason with NRA supporters, or to out-spend the NRA lobbyists. BUT THERE IS STRENGTH, and HOPE, in NUMBERS. YOU GO!!!!''—William K., Edina, MN

''What does it say about our country when we have to hold a march to save our children? To some it says we are a country of non-caring people. On the contrary, we must

care deeply. To say that our children are not worth the effort is a slap in the face to every one of them. They are our future, our whole reason for being. If we do not care for them, who will care for us?''—Gwen Neiderheiser, Tampa, FL

''I am saddened by the political rhetoric of our current election candidates . . . men running scared from the NRA. I am tremendously thankful that in the last sentence of an NPR (National Public Radio) broadcast on gun control this past week, I heard of the Million Mom March . . . count me in! Let's make a difference ladies, our lives and our children's futures depend on getting our society under control. No where in the world are there greater freedoms than here in the US. Unfortunately they are abused and misused by the political machine of our times. Common sense and passion for life and safety should be our watchwords. Let's all work together to make the difference we so desire!''—Sue Hill, Issaquah, WA

''I thought with the coming election if I just voted on the right candidate new gun laws would come into effect. I now realize that getting votes is more important to them then a child's life. It's our turn to stand up to Congress and tell them to protect the future of America!!''—Amanda, Portland, OR

''CONGRESS . . . SHAME ON YOU!!! Do what you were put in office to do or you will be voted out! We are WATCHING you and know how you vote . . . AND this one issue (for the first time in my life) will be the deciding factor on how I vote in EVERY ELECTION FROM THIS POINT ON. Have the GUTS to take a stand AGAINST the NRA and anyone else because this is the BEST thing to do for the future of American children. Where is your personal ''line in the sand''??? I hold each and every one of you RESPONSIBLE for every child that is killed. If you cannot do your job . . . then LEAVE. I am ashamed of you all!!!!''—Karen Gordon, Livonia, MI

''If only for the politics and the fear of losing a job over doing what is right could be overcome, I continue to pray for this. Too bad the fathers of our nation can't get as passionate about this issue. I offer my prayers for every single mother who has lost a loved one to this kind of violence, regardless of age. I also dedicate time to pray for the safe trip, and return, to their families during your speaking out. Since this is for mothers, I still want to show my support.''—Greg, Redford, MI

''Mothers need to stand up to the greedy legislators beholden to the NRA. It's time to say ''No More'' to the senseless slaughter of our children and our nation. We are far from powerless. They don't get elected without the woman's vote. We are the nurturers that give life, not take it away. Whether a mother is a Christian Conservative Republican or a Liberal Democrat, she cannot be worthy of that most revered title unless her first priority is to protect America's children.''—Patti DiTuri, Marietta, GA

''I do not understand why legislators, who have their own children and grandchildren, are reluctant to require safety locks on guns! Think how many lives that would save when unwitting children find guns in the house! I will carefully scrutinize all candidates in this election year 2000 to determine their stand on safety and guns. I urge everyone who reads this site to do so too! If we can save just one child from being killed by another child, we will have accomplished much!''—Ina Burwasser, Elkins Park, PA

''My husband is a gun owner and a member of the NRA, but even he agrees that there is nothing unreasonable about trigger locks and background checks. My daughter is 2 years old and i fear for the day that I have to send her off to school. I'm sick and tired of being afraid. Even though I won't be at the March in DC, I will be contributing generously to the cause. It is a darn good one.''—Dawn N., Lake Villa, IL

''With the Presidential election coming soon, please choose very carefully which candidate you select. The position that each candidate takes on the issue of gun control will affect us and our children for the next years. My child is the most important thing in my life and I want her to have a happy worry-free childhood. Guns and violence are taking away any innocence left in our children. Please stand up for the children. Please protect the most precious things in our lives.''—Jennifer, Apex, NC

''Our legislators ''care'' enough about children to make vaccinations for chicken pox mandatory for entry to daycares or public schools. Yet they don't care enough about our children or our families to spend the same amount of energy to address gun violence which kills far more people. Astounding isn't it?''—Jeanne, Mansfield, MA

''I was 10 years old when I watched my 12 year old brother inspect my dad's LOCKED UP gun. Three days later, I watched my brother's funeral. We MUST do something to stop this. I now have a son who is 11. I am very scared for him to even go to school. I know first hand that it CAN happen to you. In Memory of my brother and best Friend, Tim Polhamus.''—Kathy Polhamus Wolak, Troy, MI

''The argument that we have a ''right'' to bear arms seems to be that we need these guns to ''protect'' ourselves, yet, the vast majority of law abiding citizens are not protected by this ''right''. They are, quite simply, endangered by it. The silent majority in this country needs to get loud on this one! Protect our 6 year olds! Protect all our children! We need gun control NOW.''—Geneva Bosak, Charlotte, NC

''Our elected officials will listen to only one thing—votes. Women have to vote for the candidates (at the state and national level) that commit to support legislation that meets our goals. For me this is an issue for which I'm willing to become a single-issue voter!''—Jennifer, Bethesda, MD

''Today the news of a young child killing another arrived at the same time as an appeal for money from the NRA! I can't say which made me sicker. I will go to Denver and march there for safe, sane gun control! COMBINED our voices will mean something!''—Vanessa Woodford, Dillon, CO

''How many children must die before this country decides to take action?? I think it is in the hands of mothers to take up this cause and protect our children. Look at the changes that MADD was able to bring about! Let's do the same with gun control!''—Karen, Simsbury, CT

''I thought for a long time about all the reasons that I'm involved in the MMM. But the one that resinates the loudest is GRATITUDE. My son and daughter both graduated from High School in 95'. And although I in no way believe that they are free from the dangers of gun violence, I am profoundly grateful that they survived that stage of their lives. I recently read a quote by Anne Morrow Lindbergh that says, ''One can never pay in gratitude; one can only pay in kind somewhere else in life.'' I moved to Littleton almost two years ago and this is my ''somewhere else in life''.—Carmelita Garcia-Konrad, Littleton, CO

''Our children look to their parents for protection. What are we suppose to tell them when we can't? Who are we suppose to go to for help? It is the job of EVERY citizen in this country and EVERY government official to make sure our children are safe. Stricter gun laws are only meant to do ONE thing....PROTECT OUR CHILDREN! I am asking the government to please step up to the plate and protect them...after all aren't some of you parents too?''—Cindy Leberman, Bridgewater, NJ

''The message to congress is this—we want tight gun control, NOW, or you will be voted out of office. Vote with your bodies on Mothers' Day, and inundate congress with letters, e-mails, and phone calls today. Tell them—change the laws or we'll change the lawmakers.''—Kate Beysselance, Arlington, VA

''We must make common sense gun policy a populist mandate. The cynical federal and state legislators would rather reach into the deep pockets than protect our children. We can make enough of a commotion that they cannot continue to flaunt our will. See you at the Million Mom March!''—Catherine J. Moynihan, McLean, VA

''It is 4 a.m. and my daughter had that terrifying dream again...the one about the man with the gun..''he'd already shot you and Dad, Mom..and now he's coming for me''. Was my daughter affected by Columbine? I was! Sydney and I will be there in DC to march on Mother's Day. DAD too! PEACE.''—Victoria Dym, Pittsburgh, PA

''My daughter survived Columbine, but looking into the faces of the parents that night who had not found their children was the hardest thing I've ever done. Although guns were not the only equation, how can we not do what we can to prevent this from happening again? How can gun commerce be more important than the lives and safety of our children? How can we face them and not say that we have done all we can to protect them?''—B. Adams, Littleton, CO

''I have been a midwife for 25 years and have been privileged to be at the births of over one thousand babies. I am outraged that these precious children can be shot in the streets of our country while members of Congress turn their backs on families, extend their hands to the gun lobby for money and espouse ''family values.'' Together we will finally end this violence.''—Marion McCartney, Washington, DC

''I think that this is really great! I am in full support of this. My nephew was killed by gun violence two years ago leaving behind a little brother and now its time for me to stand up and protect him and keep him safe. Not just him but all the children of the world! A change has to be made right NOW!''—Lisa Southern, Temple Hills, MD

''Come on ladies, put your money where your mouth is, and support this cause. Every Body counts in DC. Make the decision to get to there, no matter what it takes, instead of thinking about it.''—My kid's Mom, Montclair, NJ

''My father was murdered outside his place of business last January. Everyday I look at my two-year-old son and wonder how someday I will try to explain to him the horror that stole away my innocence about gun violence forever. It's time to raise our voices against this insanity. . . . NOW!''—Rabbi Joel Mosbacher, Atlanta, GA

''How many children have to die in this country before congress takes action? I sincerely believe that if the majority of this body of elected representatives were women that this problem would have been addressed long, long ago.''—Melanie Fernandez, Dunedin, FL

''On November 30th, 1999 the husband of my cousin Barbara shot and killed her and their 13-year-old daughter in cold blood, with a legally owned handgun. Enough is enough. No more deaths. Take the toys away from the boys.''—Nicole Whitman, Queens, NYC, NY

''A persons right to own a gun does not supercede a childs right to live.''—Gloria Michalski, Hammond, IN

''My 8 month old son has become my life's inspiration. When he was born, my mother

said to me ''Los quieren tantos que ni quieres que el viento les pegue.'' *Translation: You love them so much that you don't even want the wind to hit them.*'' She was right. On Mother's Day 2000 I will march with my mother and my three sisters, along with our husbands and children to say to Congress ''Ya Basta! Enough is enough!'' There is no love like that of a mother, and our passion will be our ''weapon'' against intransigent purveyors of violence and destruction.''—Victoria R. Ballesteros, Los Angeles, CA

''This fight has been going on silently for far too long. The focus has gone away from childrens safety to politics. I am honored to be a part of the million mom march and do so because, as the mother of four children (ages 15 to 1) it is my responsibility to do everything within my power to ensure a safe future for them and their families. Millions of us will be unstoppable.''—Jacquie Cofer, Jupiter, FL

''I am petrified every day that my children leave our home to go to school because in Louisiana EVERYONE (but us, it seems) has guns and hunts. My older son tells me that all of the kids in his 6th grade class hunt with guns. I am not ok with that as a mom or as an American.

Responsible gun laws means waiting periods, limits on sale AND limits on the ages of those using them. NO CHILD SHOULD USE A GUN. Any parent who says they want to teach correct use of guns to a child is asking for trouble and putting my child at risk. I am with MMM 100% as a woman, mom, social worker, and human being!''—Barbara Pierce, Natchitoches, LA

''A close friend of mine once found a little boy that had been accidentally shot in the head by a friends' dads' gun. To this day she will never in a million years forget what it felt like to have that little boy tug and pull at her shirt during his last few moments alive. Had there been a trigger-lock on that firearm his life could've been saved. . . . As well as so many others . . .''—Angelique, Imperial Beach, CA

''As a physician assistant, I have had ample opportunity to see just what a bullet, fired by a gun, does to human flesh. Believe me, it is thoroughly disgusting, wholly obscene, sinful. Now, relate that description to the body of a child. Lastly, think of your own child . . .

Do you still want to do nothing?''—Patricia Hoppen, Saugerties, NY

''At 16 years old I was shot while babysitting and suffered permanent damage to my wrist. Now that I have a one month old son I want to insure that he, or any other child, doesn't suffer as I did.''—Carol, Alpharetta, GA

''We have been quiet for too long. I'm tired of watching the NRA dictate arms control. I think there are more of us than them, and we need to get more vocal about it.''—Stephanie, NY

''As a former ER nurse, never once did I see a robber shot by a home owner! All of the shootings were by people who knew each other.''—Ivy, PA

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SPECIAL ORDERS

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

□

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks)

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

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

□

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

(Ms. STABENOW 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.)

□

INTRODUCTION OF THE U.S. CAPITOL FIRE PROTECTION ACT OF 2000

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

Mr. HOYER. Mr. Speaker, as the Twenty-first century dawns, fire remains a serious threat to life and property, especially for the U.S. Capitol, House and Senate office buildings, the Library of Congress, and their occupants and visitors. Today, with the gentleman from Pennsylvania (Mr. WELDON), co-chair of the Congressional Fire Caucus, and the gentleman from New Jersey (Mr. ANDREWS), I am introducing a bill intended to enhance fire protection of the United States Capitol complex and the safety of the thousands who work in or visit the complex every day.

No one can deny that the Architect of the Capitol, the official responsible for operation and maintenance of the complex, has taken steps to improve fire safety on Capitol Hill. However, recent reports warn that much work remains in order to make these buildings safe. A December 1998 report by the House Inspector General found the condition of House's fire-protection systems, such as alarms and sprinklers, to be ''deficient.'' A follow-up report just issued by the Inspector General warns that the AOC continues to take a ''haphazard approach'' to fire protection throughout the House complex.

A January 2000 complex-wide inspection by the Office of Compliance identified numerous violations of occupational safety and health standards made applicable to the Congress by the 1995 Congressional Accountability Act. The Compliance Office subsequently issued eight citations requiring corrective actions, including two requiring prompt implementation of a program of inspection, testing and maintenance for key fire-protection systems and equipment.

This Congress must take every reasonable step to make fire protection of the Capitol complex and its occupants a top priority. To assist the Architect in fulfilling his responsibilities in this area, and to enhance the status of fire-safety and protection efforts, out bill will create within the Architect's office the position of Director of fire Safety and Protection. Reporting directly to the Architect, The Director will coordinate and take charge of fire-protection activities and work to bring the Capitol complex into compliance with the applicable codes and standards established by the prestigious National Fire Protection Association. The work of the NFPA acknowledges the difficulties associated with protecting historic buildings like the Capitol from fire, and our bill provides the Architect the flexibility he needs to preserve the Capitol's historic character. The measure requires the Architect to report regularly to key House and Senate committees on his fire-safety and protection efforts.

Mr. Speaker, there are doubtless several reasons progress on fire protection of the Capitol complex has not been more rapid, but the simple reason is that the subject has not received sufficient attention. By creating a high-level official within the Architect's office to carry out all fire-safety duties, this bill will correct that problem, expedite progress, and make clear that Congress is serious about protecting the complex and its occupants from fire. I urge my colleagues to support this important measure.

□

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

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LACK OF PRESCRIPTION DRUG INSURANCE COVERAGE IN MEDICARE, AN INTOLERABLE SITUATION IN AMERICA TODAY

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

Mr. FILNER. Mr. Speaker, I rise today to discuss an intolerable situation in America today, the lack of prescription drug insurance coverage in our Medicare program. Seniors are simply not receiving the prescription drug coverage that they so desperately need. Prescription drugs did not play a significant role in health care when Medicare was created back in 1965, but today the advances in pharmaceuticals have made prescription drugs a fundamental part of the typical senior's health care.

While seniors represent only 12 percent of the population, they account for more than one-third, more than one-third, Mr. Speaker, of the prescription drugs used in our country each year.

□ 1630

The typical American who is 65 or older uses 18 prescription drugs a year, and 85 percent of the beneficiaries of

Medicare fill at least one prescription per year for such conditions as osteoporosis, hypertension, heart attacks, diabetes, or depression. It is obvious, Mr. Speaker, that the need is there for prescription drug coverage.

We must defend the seniors of America from the rising costs of medicine, which monthly worsens the situation for those without prescription drug coverage. The price for the 50 drugs most commonly used by seniors increased at nearly twice the rate of inflation last year. The prices for prescription drugs rose faster than any other category of health care, increasing by more than 15 percent, while total health care costs rose by less than 6 percent.

In my San Diego Congressional District on the United States-Mexico border, thousands of our citizens are forced to cross the international border to find the drugs they need at a much lower cost. Why is such a trip necessary for American citizens? How can seniors find the money that they need to purchase these vital drugs? Many are on fixed incomes. Many do not have the choice of a high paying job with good private medical plans.

Think about your parents; think about your grandparents. We are forcing them to choose between food on the one hand and essential prescription drugs that protect their quality of life on the other. Mr. Speaker, this is a choice that no American should have to make.

The President has proposed a plan that would extend prescription drug coverage to all seniors, provide lower premiums for Medicare beneficiaries and contain the rising costs of pharmaceuticals. Let us work together to make life-saving prescription drugs available to all of America's seniors.

□

The SPEAKER pro tempore (Mr. MILLER of Florida). Under a previous order of the House, the gentleman from New York (Mr. NADLER) is recognized for 5 minutes.

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

□

ENSURING THAT CHILDREN RECEIVE NEEDED IMMUNIZATIONS

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, most Americans are surprised to learn that in some States one in four children are not receiving the immunizations they need to prevent disease and death. Yet despite gains in recent years, we are still not doing enough to make sure that children get the right immunizations when they need them.

As this chart shows, in some States, like my home State of Texas, Michigan, and Nevada one in four children are not receiving one or more of the immunizations they need by the time they are 2 years old. In Houston, we share seven Members of Congress in Houston, and that is my district, over 44 percent of our children do not receive one or more of the immunizations. Over 44 percent of the children receive less than one or more of their immunizations.

I am introducing two bills that will help correct this situation. The first is the sense of Congress that calls for increase in funding to crucial State immunization infrastructure programs. The second bill, the Comprehensive Insurance Coverage of Childhood Immunization Act, will require health plans to begin providing immunizations to children as a covered benefit.

America's children need our help. In recent months, some have questioned why vaccines are needed at all. Some have linked them to adverse effects, such as autism. While there is no scientific link between immunizations and autism, and I will repeat, no scientific link between immunization and autism, I support efforts to completely and thoroughly research this issue to put the minds of parents at rest.

We should not lose our focus, however, on the huge health gains that have resulted from immunizations. The Centers for Disease Control list vaccinations for children as the number one public health achievement of the last century. Before we had the smallpox vaccine, 48,000 Americans per year had this disease; 1,528 died. Before we had a measles vaccine, close to one-half million children a year got this disease, and over 400 died. Before we had the mumps vaccine, close to 150,000 died each year of this disease. Before we had diphtheria vaccination, over 175,000 children got sick each year.

None of these diseases have been eliminated. Only smallpox has been eradicated. An epidemic of unvaccinated children is entirely possible, as we saw with measles in 1989.

Children still die of the measles, mumps, rubella, and whooping cough. These are dangerous and harmful, painful and sometimes fatal diseases. Measles can lead to seizures and death. Mumps can lead to deafness. Polio causes paralysis that can lead to permanent disability and death. Diphtheria can result in coma and death. Whooping cough can result in death for infants.

Providing access to lifesaving vaccines should be one of our Nation's top priorities. Tracking children who have not been vaccinated, in order to prevent future outbreaks, should be another priority.

To meet these goals, the sense of Congress resolution I have introduced with my friend and colleague, the gentleman from Pennsylvania (Mr. GREENWOOD), calls for an increase in Federal funds to the Public Health Service's Section 317 infrastructure program. A similar resolution was approved by the Senate Budget Committee in March. These funds are used by States and cities to support a complex array of programs and activities, including implementation of registries, community outreach, management of vaccines, quality assurance services, and surveillance and outbreak control.

As this chart of funds illustrates, infrastructure funds have reduced rather dramatically in the last 5 years, from $271 million in 1995, to $139 million today. That is a 40 percent decrease in funds for infrastructure immunization. Yet the need for outreach and registry and infrastructure development is greater today than it was in 1995.

If you have not heard from your State health director on this issue, you will. Cuts in infrastructure funding have meant different things in different States. In Florida, for example, the State reports that it has reduced surveys on pockets of need and has reduced monitoring due to lack of adequate staffing. The State has reduced community outreach staffs and reduced the number of reminder cards it sends. Florida has also reduced its school-based immunization clinics and has had to cut back on efforts at day care centers.

In California, where infrastructure funds have been reduced from $27 million in 1997 to $14.9 million in 1999, only 35 percent of children have been vaccinated against chicken pox, and the State has no system to monitor chicken pox cases.

In California, a targeted immunization information campaign aimed at Latino, African and American Southeast Asian families has been eliminated.

The need for increased infrastructure funding is particularly important in light of a recent journal of the American Medical Association showing that 50 percent of America's children are either over- or under-vaccinated.

Mr. Speaker, the JAMA study shows that 21% of toddlers received at least one extra immunization while 31% missed at least one. In other words, over 50% of American children are receiving too few or too many vaccinations. We should do a better job of tracking these children.

A Section 317 funding increase is supported by: the American Academy of Family Physicians, the American Academy of Pediatrics, and the American Public Health Association.

The increase is also supported by the Association of Maternal and Child Health Programs, Every Child by Two, the Association of State and Territorial Health Officials and the Association of County and City Health Officials.

My second legislative initiative, the Comprehensive Insurance Coverage of Childhood Immunization Act of 2000, requires all health plans governed by the Employee Retirement Income Security Act (ERISA) to provide coverage of immunizations for children 18 years old and younger.

The vaccines required to be covered are those recommended by CDC's Recommended Childhood Immunization Schedule, issued periodically by the CDC's Advisory Committee on Immunization Practices.

This schedule is approved by the American Academy of Pediatrics and others and serves

as the standard for immunization in the United States. Plans may not charge any payment for the immunizations or vaccines. And vaccines must be made available to children as soon as they are approved by the Advisory Committee.

Beginning for plan years in 2001, ERISA governed health plans must provide the benefit.

For plans that are negotiated as part of a collective bargaining agreement, the effective date is delayed until plan years following the termination date of the current underlying collective bargaining agreement.

The adoption of collectively bargained plan amendments made solely in order to comply with the new requirements will not affect the timing of the effective date under this special rule.

Why is federal legislation needed? The federal government gives this benefit to its own workers: it requires plans that contract with the Office of Personnel Management to provide immunizations for children as a covered benefit.

Many states have recognized the importance of covering vaccines. Twenty-four states, including Texas, have enacted laws to require state-regulated plans to provide vaccines.

How big is the problem? A March, 2000 William M. Mercer survey done for the non-profit Partnership for Prevention showed that nearly one in five employer-sponsored plans do not cover immunizations for infants and children.

Nearly one in four children in Preferred Provider Organizations (PPO) and Indemnity plans do not have coverage for immunizations.

The Comprehensive Insurance Coverage of Childhood Immunization Act of 2000 is endorsed by the American Medical Association, the American Academy of Pediatrics and others.

It, and our Sense of the Congress resolution, will improve the health of millions of American children is a cost-effective manner.

For each dollar we spend on vaccines we save twenty-four dollars in future health costs. That's a good investment.

I urge my colleagues to support these two bills and I yield back the balance of my time.

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DENY PERMANENT MOST FAVORED NATION STATUS FOR CHINA

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

Mr. BROWN of Ohio. Mr. Speaker, in 3 weeks the Republican leadership will ask this body to vote for permanent most favored nation status trading privileges for the People's Republic of China. They tell us engagement with China, that more trade with China, that giving trade advantages to China, will make everything better. It all started back about a dozen years ago with Ronald Reagan, then President George Bush and President Bill Clinton, telling us that things would get better with China.

Eleven years ago the United States had a $100 million trade deficit, with an ''M,'' with Communist China, the People's Republic of China. Today that trade deficit has grown to $70 billion, that is billion with a ''B,'' from $100 million in 11 years to $70 billion trade deficit with China.

We sell only $15 billion worth of goods to China every year. We buy $85 billion worth of goods from China. We sell more to Singapore, we sell more to Taiwan, we sell more to Belgium, than we do to China, because China's markets are closed to American products by and large. In fact, those products we sell to those countries, Belgium, Taiwan, Singapore, those are countries with about 1/50 the population of the People's Republic of China.

This process of engagement and giving them most favored nation status and giving China trade privileges simply has not worked. Other conditions have worsened. The trade deficit, as I said, went from $100 million to $70 billion in 11 years.

Other conditions, child labor has worsened, slave labor conditions in China have worsened. We continue to give them trade advantages. They answer by continuing their thumb in the eye of the values that we hold dear.

The Chinese communist party persecutes Christians and Buddhists and Muslims, not to mention their indigenous religious organizations such as the Falun Gong. The Chinese government winks at, sometimes even encourages, forced abortions, something that almost every country in the world, probably every country in the world, finds absolutely abhorrent.

Today, China continues its assault on Taiwan. A few years ago, I believe 3 years ago when Taiwan held the first free elections in Chinese history, the People's Republic of China sent missiles into the Straits of Taiwan to warn them against democracy. Today, as Taiwan begins a new era where their first native Taiwanese will be inaugurated president later this month, the Chinese again are threatening military maneuvers on the east coast of China.

If we let China in the World Trade Organization with full trading privileges, as the Republican leadership and the President here wants to do, what is to stop China from doing even more to Taiwan? They will not have any check on their behavior.

Perhaps the most insidious part of this whole debate is how American corporations have lined up on behalf of the Communist party dictatorship. The CEOs of the largest businesses in America, the most prominent corporations in America, are walking the halls of Congress today and all the House and Senate office buildings imploring Members of Congress to vote to support the People's Republic of China, to support most favored nation status trading privileges for China.

Wei Jing Sheng, a Chinese dissident, said the vanguard of the Chinese Communist Party revolution in the United States is America's most prominent and prestigious CEOs.

There are more corporate jets at National Airport today, leading up to the MFN vote, the most favored nation status, trading privileges for China vote, than at any time during the year. Corporations understand. They tell us that China has 1.2 billion potential consumers, that America needs to sell to them. What they really mean to say is China has 1.2 billion workers, investments made from American companies, in China, people making 13 cents and 15 cents and 20 cents an hour, working 60 and 70 and 75 hours a week, selling products back to the United States, exploiting Chinese workers and costing American jobs.

Most favored nation status privilege is permanent. MTR for China is a bad idea. I ask this Congress to defeat it.

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COMMUNICATION FROM DISTRICT DIRECTOR OF HON. ROGER F. WICKER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Harold Lollar, Jr., District Director of the Honorable ROGER F. WICKER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 27, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil trial subpoena for testimony issued by the U.S. District Court for the Northern District of Mississippi.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

HAROLD LOLLAR, Jr.,
District Director.

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COMMUNICATION FROM HON. SAM FARR, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable SAM FARR, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 1, 2000.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that the Custodian of Records in my office, the Office of Representative Sam Farr, has been served with a subpoena for production of documents issued by the United States District Court for the Northern District of California.

After consultation with the Office of General Counsel, we will make the determinations required by Rule VIII.

Sincerely,

SAM FARR,
Member of Congress.

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PATIENTS' BILL OF RIGHTS: IS IT NECESSARY LEGISLATION?

The SPEAKER pro tempore (Mr. MILLER of Florida). Under a previous order

of the House, the gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

Mr. STEARNS. Mr. Speaker, I am here this afternoon to talk about the Patients' Bill of Rights. Is this legislation necessary? The issue of whether or not Americans enrolled in HMOs, health maintenance organizations, need passage of the patient protection in order to sue their plans is currently in conference here in Congress.

Today, I would like to call my colleagues' attention to a study by John S. Hoff. Mr. Hoff wrote this study for the Heritage Foundation, and he outlined some very compelling arguments about why passage of this legislation would result in more government control of our health care system.

It is interesting that we are having this debate, because, Mr. Speaker, I think the majority of Americans already made clear their views on more regulation for health care when the Clinton health care bill was overwhelmingly rejected.

The Heritage Foundation Backgrounder N1350 concludes that increased regulation, plus increased litigation will equal rising costs in health care and, ultimately, more uninsured Americans. The gentleman from Iowa (Mr. GANSKE), my good friend and colleague, has been very critical of this study and did a Special Order to refute the analysis of this health bill. I am not here to comment on his presentation; but my purpose is, more importantly, to talk about Mr. Hoff's analysis and why Mr. Hoff's analysis, I think, has credible evidence. So I am here to merely present the other side of the argument that opposes imposing further Federal Government regulations on health care plans and delivery of health care.

So according to Mr. Hoff, let us take each of the major items. He believes the Patients' Bill of Rights, in conference as we speak, increases regulation. If passed, it would impose detailed regulations by the Federal Government on health care plans and the delivery of health care. The question is, does anyone in this House think passing more government legislation will decrease the Government's involvement? In fact, I think most of us, every time we pass legislation that is going to increase government involvement, there is going to be more regulation. I think the regulation, as Mr. Hoff pointed out, is pervasive in this bill.

For example, private health plans normally evaluate medical services, treatments and procedures. Under the Patients' Bill of Rights, however, managed care plans and fee-for-service plans are allowed to conduct such utilization reviews only, only as specified by the Federal Government. The time allotted for a decision and the status of those making a decision are two examples of such specifications. Further regulation involves an appeals process for denial of coverage. The proposed legislation requires an internal appeals process that follows precise, regulatory details on each and every procedure.

It further requires a provision of external appeals of decisions made in the internal appeals process. The external appeal requires that the plan contract with an entity that is directly or indirectly certified by the Department of Health and Human Services, or the Department of Labor. So there we have it. We have both of these large agencies involved in conducting the reviews. I think this arrangement can lead to a situation in which the final determination of what is covered by a plan is made by an entity certified, regulated, and answerable only to the United States Government.

Mr. Speaker, the proposed legislation also leads to Federal intrusion into the physician-plan relationship. Under the Patients' Bill of Rights, provisions of contracts between plans and health care providers are void if they restrict or have the effect of restricting the provider's ability to advise a patient about their health status or medical treatment. The legislation further intrudes by precluding a plan from discriminating with respect to participation by providers or in payment to them on the basis of license or certification under State law.

Let us take another item. I mentioned earlier increased litigation. In addition to the increased burdens of regulation, this Patients' Bill of Rights in conference is talking about increased litigation. Each of the many regulations contemplated by the legislation will create legal rights that could be causes of action.

In addition to an increasing number of actions that plans may be liable, the legislation opens up employers themselves to the possibility of being sued for damages resulting from denial of coverage. While the bill purports to protect employers if they refrain from the exercise of discretionary authority to make a decision on a claim for benefits, courts have been willing and creative in finding ways around similar provisions.

Defenders of the legislation point to provisions which limit litigation. These provisions, however, apply to actions brought under ERISA claims only; they do not apply to state tort actions. Tort claims under state law may result in "malpractice-type" lawsuits with large jury awards awarded to sympathetic victims of faceless insurance companies.

Effect of increased regulation and litigation: According to the CBO, the House bill would increase health insurance premiums by 4.1 percent. This increase may lead to more than 1.2 million Americans losing employer-based health coverage. In addition to rising costs, the threat of malpractice suits and the exposure of employers to liability could lead to millions more Americans joining the ranks of the uninsured.

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ENACTING PRESCRIPTION DRUG BENEFITS FOR MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. GREENWOOD) is recognized for 60 minutes as the designee of the majority leader.

Mr. GREENWOOD. Mr. Speaker, this evening some of my colleagues from the Committee on Commerce, as well as from the Committee on Ways and Means, are going to spend the next hour talking about a subject that is the subject of a lot of talk lately, and that is usually a good sign, because right before the Congress gets around to legislating, the level of rhetoric picks up and the amount of speeches on the floor increases. So I think we are getting actually very close to the point where we will, in fact, enact a prescription drug benefit for Medicare.

In 1965, when Medicare was created, it was a big step in the American health care history. Prior to that time, if one is a retiree, if one was elderly or if one was disabled and one could not afford their own health care, they did not have any. So in 1965, the Congress of the United States, in a historic moment, decided to provide Medicare coverage for the elderly and ultimately for the disabled, and then what it covered was that which is most obvious, hospitalization and visits to physicians. No one really gave serious consideration in 1965 to extending that Medicare benefit to prescription drugs, for a couple of reasons.

Number one, it was a huge step to do what the Congress did in 1965 in providing coverage for hospitalization and physicians; and, secondly, Americans were not relying upon prescription drugs anything like they are today. Today, we are blessed as a Nation, and indeed as a world by an industry that has created miracle drug after miracle drug; wonderful, brilliant scientists in laboratories who have cracked the mysteries of the human genome, who have cracked the mysteries of the human body physiology to the point where we can prescribe and create drugs for a variety of illnesses that used to not only cause great pain and suffering, but premature death. Today, if one does not have access in the year 2000, if one does not have access to a good prescription drug benefit plan, one simply does not have good access to good health care. So the Congress of the United States, although it has been talking for years about the need to provide this coverage, has heretofore, so far, not accomplished that.

Why can we do it today and why are we talking seriously about it today? We are talking about it today because the Congress, in fact, since the Republicans have taken over the majority of the Congress, have taken the necessary fiscal steps to end the endless deficit spending that our Nation was experiencing for so many years. We have balanced the budget. We have reformed Medicare itself to bring the costs into a reasonable level. We have reformed welfare, and we are going to save something on the order of $55 billion, or probably $200 billion over the next 5 years in welfare costs alone. We have

taken just this year, just in the last several months, we have taken Social Security finally off budget. We have said that no longer will we spend the Social Security surplus on a host of other causes, but, in fact, we will use Social Security payments only for Social Security and the rest of the surplus will be used to pay down debt; and we are now paying down the Nation's debt.

So finally, now that the budget is balanced, now that we are paying down debt, now that we have a surplus, we are in a position to responsibly, to responsibly provide a prescription drug benefit for Medicare for the Nation's elderly and for the disabled. About two-thirds of the Medicare population already has access to some kind of prescription drug benefit, but a fully one-third does not, and those are disproportionately low-income individuals.

What are our goals in doing this? Number one, we do want to provide affordable coverage to every American who is a Medicare beneficiary by virtue of their age or their disability. Secondly, we want to do that in a way that does not break the bank all over again. We do not want to create a runaway spending program that is unregulated and causes the Federal Government to go back into the bad old days of deficit spending and budgets in the red.

Thirdly, we want to reduce the cost of prescription drugs for everyone who is now paying the highest price. And today, if one does not have a prescription drug plan and a doctor provides a prescription, one walks into a pharmacy and they pay the highest price that anybody pays in the world, you may if you are all alone in the marketplace and do not have anyone to bargain for you.

Finally, we do want to make sure that when we have accomplished this, that the industries, the pharmaceutical companies and their brilliant scientists, the biological industry that is doing so much to create new miracle cures will be vital enough to continue to provide those products for us into the next generation, the drugs that will eventually cure cancer, that will cure AIDS and so many other ailments.

Mr. Speaker, I am joined this evening first off by a colleague from the Committee on Ways and Means who is working on a joint task force that the Speaker has put together, drawing on members of the Committee on Commerce on which I serve and the Committee on Ways and Means, the distinguished gentlewoman from Connecticut (Mrs. JOHNSON), who is an expert on health care, and I yield the floor to her.

Mrs. JOHNSON of Connecticut. Mr. Speaker, it is a pleasure to be with my colleague tonight to discuss the issue of Medicare covering prescription drugs. It is extremely important that we change the law so that Medicare will cover prescription drugs, because modern medicine, modern medical care, without medicines, is an oxymoron. We cannot have good medical care if we cannot buy prescription drugs that both cure illness now and manage long-term, chronic illnesses; really, as Americans, live longer. This issue of managing chronic illness is going to become a bigger and bigger issue and a more important one in our lives, and management of chronic illness is primarily a medication-based science.

We do have another chart here on the floor that I think is helpful in helping us discuss the problem of prescription drugs, because there is one very significant difference between the President's proposal in this area and the Republicans' proposal, the House Republicans' proposal. That is, if one looks there at the far end where the line goes way up, then one will see that for a small number of seniors, about 15 percent of seniors, 20 percent, the drug costs are extremely high, $6,000; $8,000; $10,000; $11,000 a year. People on fixed incomes, I mean the great majority, 85, 95, 99 percent of people on fixed incomes cannot handle $12,000; $11,000 in prescription drug costs a year.

So we need to look at two things. First of all, we do need to look at protecting all seniors from catastrophic costs, from those very high drug costs often that follow remarkable life-saving, life-preserving, quality-of-life-restoring cardiac surgery, cardiac surgical procedures that we are now capable of. So those very high-end drug costs, we need to protect our seniors against them. We also need to help those seniors that have the lowest incomes, to have a prescription drug benefit without facing the choice of food on the table, of decent shelter, and drugs; and one can see on this chart that the poorer beneficiaries who are under the current system are very much less likely to have drug coverage than, of course, our more affluent seniors. It is sort of a no-brainer, but the chart does show it.

So it is very important that that 37 percent that are living on less than $10,000 a year have not only the program available, but the premium coverage, the premium subsidies that they would need to have the drug coverage that is so critical, not only to their recovery from illness, but to their quality of life in living with chronic disease.

So our goal is both to provide prescription drug and total coverage, 100 percent coverage for low-income seniors, but also to protect 100 percent of all seniors from catastrophic drug costs. And then to create, for those seniors in between, affordable, insured drug policies that will guarantee that they will be able to have the drugs that are so critical to the quality of their lives.

Just to go back to the preceding chart for a minute, we can see from that that the great majority of seniors do not spend more than $2,000 on drugs; and 80 percent, if we follow that line out, if my colleague will follow that $2,000 line out, then it is clear that 80 percent of seniors do not have more than $2,000 in drug costs.

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And the great majority have a lot less than that, and about 90 percent do not have more than $4,000 in drug costs.

So we need to help that group, but we need to really also think about the number that have very high drug costs. Because, frankly, my fear is that that number is going to grow as we develop the kind of sophisticated drugs we need to cure cancer, to cure some of the difficult diseases that haunt our elder years, prevent Alzheimer's, those kinds of solutions. And it is very possible that at least for a year or two at a time, many seniors are going to be faced with $10,000, $12,000, $14,000 drug costs. So catastrophic coverage is absolutely an essential part of a prescription drug program.

Some people say to me, Why can we not have the government pay all of our drug costs, just like they pay all but 20 percent of office visits, all but the first day of hospital coverage? The answer to that, basically, is sadly very simple. It would bankrupt the Medicare program. And if we added all that spending on top of the current program, the younger generation would be spending more than half of their tax dollars on people over 65. It is simply sad but true.

Sometimes my colleagues do not like me to say that, but right now, 35 percent of all Federal spending goes to people over 65. So that means that our child, if we are a grandparent, our child in the tax force, all of their tax money going to Washington, one-third is going to subsidize the lifestyle of people over 65. If we do nothing, do not add prescription drugs, that will be up to 45 percent in 10 years. And very soon thereafter, if we add prescription drugs in with no participation from seniors, then over 50 percent of all of our tax dollars will be allocated to people over 65.

Frankly, we will not be able to provide the public education our children need. We will not be able to provide the seaports, the air traffic control system, the highways that our economy depends on.

So most seniors I know would not want that to happen. And, furthermore, many seniors I know have better drug benefit programs than Medicare could ever provide.

Mr. GREENWOOD. Mr. Speaker, if the gentlewoman would yield briefly on that point, the question is why should the Congress not just say to every retiree, everyone on Medicare, every beneficiary: we will pay 100 percent of all of your prescription drugs benefits. The answer is, in part as you said, the younger generation asked to pay that bill would be wiped out.

But, secondly, two out of three seniors today already have a prescription drug benefit, many of them provided by their former employer. As I travel to

the senior centers around my district I say, How many of you already have some kind of a prescription drug benefit? And there is a show of hands. How many of you receive them from your former employer? And a goodly number of hands go up. Usually, it is either the big Fortune 500 companies that were able to provide these generous benefits, or they worked for a governmental entity, a school district or a State or the Federal Government.

If we moved in and started to pay all the prescription drugs, employers would drop that coverage like a rock and all of a sudden the two-thirds of the seniors who already have a benefit, albeit maybe not the perfect one and we might be able to supplement their benefits, but those would all of the sudden be shifted from the private sector to the public sector and be enormously expensive.

Mrs. JOHNSON of Connecticut. That is a very, very important point. We do not want to shift costs from the private sector to the public sector, and we do not want to do it for another important reason. Many of the people who have coverage through former employers have very, very good coverage, and they have total choice of prescription or generic or whatever is best for them personally.

If we look at Medicaid, if we look at the big managed care plans, we tend to have the choice of those drugs offered in a formulary. Maybe that formulary, in other words the choices of drugs, will be good. Maybe it will not. In the Patients' Bill of Rights we are going to give certain rights to go outside the formulary, but they will have to be documented by health need. And sometimes we would just rather have the one that we believe is going to be the best for us.

That kind of total choice is not common in the plans that are out there now. And in order to provide a range of plans, in order to allow people who have that total choice through their employer to keep it, we need to provide many solutions so seniors have their choice of the kind of drug plan that will best suit them. We need to protect them from catastrophic costs. We need to guarantee that if there are a seniors out there with a $4,000, $6,000 annual income, they will have prescription drug coverage.

But we also need to provide the opportunity for all of our seniors who currently get coverage to keep that coverage, if they choose it; to join another plan, if they choose it. And we want to be sure, this is very important to me, we want to be sure that the prescription drug programs can be integrated into the managed care programs, because many managed care programs now are developing ways to manage chronic disease, and they are doing it much better than we were ever able to do it under fee-for-service.

Mr. Speaker, they are saying to people who are coming out of heart surgery: Listen, we will pay for your drugs, but you have to be part of this management protocol. Through that protocol, they cannot just follow the doctor's orders to take the medicine. They have to follow the doctor's orders to exercise. They to follow the doctor's orders to lose weight. But they are going to have help. They are going to have allies, and these programs that are providing allies to people are seeing people stopping smoking, not just for a month, not just for 2 months, but permanently. Changing their lifestyle.

So then, of course, the medicine does much better. The person does much better. So if we do everything our doctor says, we lose weight, exercise, and take the medicine, and we have allies to help us do that, then we are going to do better.

More and more plans are saying they will give their insured customers a better deal on drug coverage if they will take their responsibility to take a holistic approach to their health and take responsibility for their health.

So we want plans to have the opportunity to incentivize people and reward people for improving their own personal health, not just taking medicine, as important as that is.

Mr. GREENWOOD. Mr. Speaker, if the gentlewoman will yield, what is interesting, of course, is that no matter who we speak to in this town, talk to Republican Members of the House or Democratic Members of the House, Republican and Democratic Members of the Senate, the President, et cetera, we all agree on one thing: let us provide a prescription drug benefit to Medicare beneficiaries, and let us do it this year.

So there is wide agreement, which is historic. It has not really happened before. Now what happens? We have different opinions. The President has a plan. There are numerous plans in the House. Republicans in the House, like the gentlewoman from Connecticut and I, have a plan that we have proposed. And now we get into the business of deciding how to work these different ideas and merge them into one.

What I find so frustrating is that it is an election year. It is not only an election year for the entire House and a third of the Senate, but for the presidency of the United States. And this issue is so easy to demagogue. If we listen to C–SPAN regularly and listen to the rhetoric on the floor, it is easy to accuse the other party of not really caring about seniors, and of course that is nonsense. We would not be here doing this job if we were not interested in the welfare of our constituents, particularly the elderly and those disabled who do not have a prescription drug benefit.

So we are going to have a good discussion about methodology. How do we do this?

What we do, what the Republican House plan does is say let us use the insurance model, since we know that pouring money and paying everything ourselves will not work for the reasons we have discussed. Let us create an insurance model.

How do we do this? First off we want to make sure that that insurance premium is affordable for middle-class Americans. And as we look at this chart, again, insurance companies have been reluctant to provide affordable drug-only plans because of this end over here, because of that high end of the chart. Because they can sell a prescription plan tomorrow and the next day a brand-new drug comes out that costs a $1,000 or $2,000 or $3,000 a month; and it comes onto the market, and now the insurance company is losing money hand over fist.

What we have said in our plan is we will stop the loss at somewhere in this range, somewhere between $6,000 and $8,000 is about where we will cut off the insurance company's exposure to risk, and the Federal Government, through Medicare, will pay for all of that.

Now, we have a plan that only has to cover the first several thousand dollars of exposure, which most Americans will fall under that, and it becomes affordable.

Now, how does it become affordable to the lowest end of the socioeconomic ladder? What we would do is we would pay 100 percent of the premium for everyone below 150 percent of poverty. So the poor elderly and the poor disabled would get free insurance. Talk about giving everything for free, they would get the whole plan free at no cost. For those middle-class-and-above Americans, they would have a small, relatively affordable monthly premium that they could pay and could choose between plans out there in the market to buy the plan that is best for them.

An elderly person with very little in the way of prescription drugs might want a plan that has a low premium and a high deductible. If someone has a lot of expenditures, they might want a different plan. We enhance choice with our approach.

Mr. Speaker, that is our idea in a nutshell, and we can go on later about some of the details. The President has a plan, as I say. But for goodness sake, what must happen this year is that Republicans and Democrats, the Congress and the President have to get together and say: let us roll up our sleeves, let us get the best of your ideas, the best of our ideas, merge them into a bill, get it signed into law. Because at the end of this year, either we will have done that and done a tremendous service to the people of this country, President Clinton will have some legacy, something that Presidents want to have before they leave office, and the system will have worked.

On the other hand, if all we do is point our fingers at one another and try to take political advantage of the issue, shame on all of us. And what I recommend to the voters at the next election is vote us all out of office if we do not figure out how to work together collaboratively.

Mrs. JOHNSON of Connecticut. One of the reasons we are doing this Special

Order is to point out how terribly important it is that we address this problem for seniors and also to point out how much agreement there is. The President's proposal is really a proposal to cover 50 percent of the costs of the drug. There is no proposal out there, because it is so expensive, that recommends covering 100 percent of the costs of the drug.

I think people, sometimes when they hear us talk about covering prescription drugs under Medicare, they think we are talking about covering all of the costs. They think the President is talking about that.

The President's proposal is really very simple. He is talking about covering 50 percent of the cost up to about $2,500. In other words, the insured would cover $1,250 and the Government would cover $1,250. And they would not cover the first $1,250; they would cover 50 percent of each premium up to that. And I am not sure whether the limit in the President's program is $2,000 or $2,500.

But we can see from the chart that by having no coverage at all thereafter, that 20 percent of seniors that have the highest drug costs get very little help from the President's plan. But the House plan is, too, and I have not read another plan that is not a cost-sharing plan, usually 50–50.

I think what is slowing down the production of the final bill a little bit is the complexity of the stop-loss provision, of helping everybody to be protected from catastrophic loss. It is a matter of peace of mind. It is a matter of confidence and ease and security in our elder years to have stop-loss insurance and know that prescription drugs will never bankrupt us, just like long-term care insurance gives a peace of mind.

That is why we are working so hard this year to make long-term care premium costs deductible on income tax. We could do that. Then for a rather modest investment in a long-term care premium, we have the peace of mind of knowing that we will never have to spend down to poverty to pay for long-term care costs. And under prescription drugs, with a stop-loss provision, we will have the peace of mind of knowing that we will never be bankrupt by the costs of prescription drugs.

□ 1715

So this is not a concept that the President opposes at all. We are all talking within provisions that we all know would be helpful to our seniors. We simply have to work out, not only their costs, but how they fit in with the real world, how we can protect seniors who already have good drug coverage and do not want it disturbed, how we do not want to encourage their employers to drop good coverage.

So we want to make sure that we do not compromise opportunities that seniors currently have but that we create new opportunities for seniors who either have no drug coverage or inadequate drug coverage.

It is really important for everyone listening to remember that, under both the Republican and the Democrat and the President's plan, because those are the two on the table now, that all seniors would be helped.

They would both be optional plans. They are voluntary. They are not mandatory. Seniors can elect them. That is why seniors who have other plans that they prefer can continue to benefit from those plans.

Mr. GREENWOOD. Mr. Speaker, reclaiming my time, as we have discussed a little bit, there have been criticisms of the plans. And one of those criticisms has been, what part of the debate has been, what are we really going to do to lower the cost of prescription drugs?

A lot of the debate and rhetoric that we have heard about this issue has been focused on strictly the cost of prescription drugs, how do we bring down the cost of prescription drugs.

There are those who think that the answer to that question is to have some sort of governmental price controls on prescription drugs. That is a pretty scary proposition, because once we start down the road of price controls in a free enterprise market like the American system, we run the risk of killing the very industries that are providing these miracle drugs.

So how do you do it? Well, the answer is that, for that one-third of the Medicare beneficiaries, the elderly and the disabled who do not have this coverage today, that one-third walks into a drug store with the prescription, they have an illness, they have an ailment, they are suffering from something, they go to their doctor, their doctor writes a prescription for them, they take that prescription, they go into the drug store, and they have to pay full retail price out of their pocket with nobody's helping them at all.

Of course that is the most expensive way one can buy a prescription drug. Some seniors order the drug. The pharmacists fills the prescription, hands them the bottle, and the price tag. When they see the price tag, which is often, it is not anything for one prescription to cost $100 or $200, they are embarrassed and have to walk away from the drug store and say I do not have that kind of money.

Others may be able to scrape together the money to pay for the drug. But then they take it home, and the label says take four times a day or six times a day, and maybe it is a prescription that they are going to need for the rest of their lives every month, week after week, for the rest of their lives, they know that they cannot afford to go back and fill that prescription over and over again.

So, instead of taking the pill four times a day, they will take it two times a day. That does not do them any good because the prescription is not providing the kind of physiological response that it was sustained to provide. So that senior is really held hostage, and those are the seniors we are trying to help.

So how do we help them and bring down the prescription drug costs at the same time, by allowing these elderly to join in a group health care plan. That is what we are doing, we are providing a group prescription drug plan for them that would cover large groups of Americans at a very affordable cost. Again, if one is low income at zero cost, if one is middle income and above at a very affordable monthly cost. Those individuals gain from the fact that they are now part of a big group.

The spokespersons for that group, the leaders of the insurance companies, the managers of the insurance companies will then negotiate with every pharmaceutical company as to what price they are willing to pay. That is how we bring down the cost of prescription drugs because we are now having the big insurance plans that are buying drugs for our seniors and for our disabled, negotiating tough prices with the pharmaceutical companies so that we get and they get affordable prices.

I have been joined now by the gentleman from Louisiana who is on the Committee on Ways and Means and on the Speaker's Task Force and has been the leader in drafting this prescription drug program.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. MCCRERY).

Mr. McCRERY. Mr. Speaker, unfortunately, I have been in another meeting on another health care subject and not been able to hear the discussion so I do not know what has been said so far.

But I do want to compliment the President on coming forward with a plan. I do not want anything that I say here to say that I am not appreciative of the President getting in the mix and trying to put forward a prescription drug plan, because I think it is important that he be part of the process.

All of us, the President, the gentleman from Pennsylvania (Mr. GREENWOOD), I, Republicans, Democrats, I think, agree that, in order to have a modern Medicare program, we have got to have a prescription drug benefit. Thirty-five years ago when Medicare was created, prescription drugs were a very small part of the health care regimen of a senior citizen. So we took care of their hospital needs and their doctor needs, Part A and Part B, and that was fine for most seniors.

Today that has changed. Now if one takes care of the hospital bill and the doctor bill, in many cases, there is a third item, prescription drugs that constitutes a very large portion of that senior's health care needs, the health care regimen of that senior.

So we all agree, and I think it is appropriate for all of us to be discussing how we best do this, including the President, Republicans, and Democrats. So I appreciate the President putting out a plan.

I think the President's plan is insufficient. In his defense, he was trying to craft a plan that would meet certain

budgetary guidelines. His plan spends about $34.5 billion over 5 years. He decided to put the bulk of that money into a benefit for low-income seniors and giving every senior a very minimal benefit. Let me tell my colleagues what I mean when I say ''minimal.''

Based on the figures provided by the White House for the premiums that a senior will have to pay, the level of the benefit, which is $2,000, once one reaches $2,000 of expenditures for prescription drugs, one's benefit is over under the President's plan.

So when one adds up the premium that a senior has to pay for the plan and the co-insurance requirement, which is 50 percent, basically a senior will pay $1,750 for $2,000 worth of drugs. Not a great deal.

But, again, in the President's defense, if one only has a limited amount of money to spend, in his case $34.5 billion over 5 years, and one provides 100 percent of the benefit to low-income seniors, there is not a lot left to give the average senior a benefit.

So I think the President's plan, while it is a good start, is insufficient. The glaring insufficiency in the President's plan is that he does not give any protection to extraordinarily high costs that seniors may have. So that if one has got a senior citizen who has done everything right his whole life, he worked hard, he paid his taxes, he saved for retirement, and then after he is 65 years old, he contracts some chronic disease that requires a very high level of drug maintenance, he bleeds those savings. Those savings are just gone.

That is not right. We ought to give seniors some protection against just financial ruin because of bad luck in health care and having very high prescription drug costs. Our Republican plan does that. That is why I think that we need to work with the White House, the White House needs to work with us.

We need to get a plan in law that gives seniors, not only low-income seniors, that basic benefit that both our plan and the President's plan does, but also some protection against those very high drug costs that are killing some of our seniors, not killing, they are staying alive because of those drugs, but it is bleeding their savings; and that is not right.

Mr. GREENWOOD. Mr. Speaker, reclaiming my time, just if I can comment on the gentleman's point for a moment. It has been my experience that, the older I get, the more cautious I become. As we go through life, we bump up against enough things that, by the time one reaches the age of 65 years of age and one is ready to retire one is not looking for any more risk. One wants to pretty much know what one's life is going to be like for one's golden years.

The problem that, the criticism that we do have with the President's plan is, as one said, one is sitting there with this big risk over one's head; and that is, maybe when one is 65 and when one is 66 and when one is 67, one will be able to have low drug costs that are under the $2,000 threshold, or I think the President's threshold increases over time. But still there is always a cap on it.

Now one day, one can come down with some terrible disease, and go to the doctor, and the doctor says, Guess what, the good news is there is a drug that will solve your problem and keep you alive for another, you know, another 5 or 10 years. But the bad news is it costs $10,000 or $20,000. Well, that senior suddenly has exposure to a risk that there was no way that he or she could have planned for.

So what we provide with our plan is the peace of mind, the peace of mind of knowing, no matter how expensive your prescription is, no matter whether you are on one drug or 10 or 15, you will be covered. The sky is the limit on one's coverage because that is where our plan comes in for everyone. Every American pays all of their costs above that ceiling.

Mr. MCCRERY. That is right, Mr. Speaker. I want to be honest here. We have come up with a conceptional plan that does the things that the gentleman from Pennsylvania and I have talked about.

We have not had the numbers crunched by the Congressional Budget Office. That is in the process of being done. We have worked with some actuaries who think we can do what we have described within the budgetary confines that we are working in, which is $40 billion over 5 years. But we do not know yet to what extent we can protect those seniors from those high costs. We have to wait until we get those numbers from the CBO.

But I believe that any plan that we include in Medicare ought to provide not only a basic benefit for low-income seniors and other seniors but also must include a stop-loss provision which protects that senior citizen from skyrocketing out-of-pocket costs that could bleed his lifetime savings. So we have got to wait and see what the numbers show.

But I think, from a conceptional standpoint, we ought to agree that we are going to provide a basic benefit which both our plan and the President's plan does, and that is protection against those very, very high drug costs. If it ends up costing more, then we have got to figure out a way to finance that.

But from a conceptional standpoint, I think any drug benefit that we include must have those two elements, a basic benefit for everybody, including low-income seniors and protection against those extraordinarily high drug costs that some seniors, a few seniors run into.

Mr. GREENWOOD. Mr. Speaker, as the gentleman from Louisiana talked about, the fundamental goal is to provide coverage for everyone. What has been discouraging and frustrating to me is that we have crafted this plan so that it benefits everyone regardless of income. If one is at the lowest end of the scale, we cover 100 percent of one's premiums. We think we can go up to 150 percent of poverty and cover that. The President's rhetoric and language has suggested that that is all we do, that we are only providing a benefit for the really poor; and it is really not the case.

Mr. MCCRERY. That is not the case, Mr. Speaker.

Mr. GREENWOOD. Mr. Speaker, the mechanism that we use by stopping the loss for everyone is what makes the premium affordable. Maybe the gentleman from Louisiana could share his thoughts on that as well, because that is so important to get straight with the American people.

Mr. MCCRERY. Mr. Speaker, it is fairly easy to explain, but not easily understood. Let me take a shot at it. It is really different from a stop-loss provision that I have talked about for an individual senior. That is a stop the loss out of his pocket.

What the gentleman from Pennsylvania is talking about is the Federal Government telling the insurance industry we will stop your losses for any seniors in, say, the top 2½ percent of expenditures for drugs. We know that that top 2½ percent of seniors in terms of their drug cost constitutes about 25 percent of the total drug expenditures for the senior population.

So if we give the insurance industry some reinsurance protection, so to speak, against those extraordinarily high-cost seniors, then they will be able to write a product, produce a product in the marketplace at a premium that will be substantially lower, perhaps as much as 25 percent lower than they could if we gave them no protection in a reinsurance way against those extraordinarily high-cost seniors.

□ 1730

So the gentleman is exactly right. By basically buying down the tail of those high cost seniors for the insurance industry, we allow them to write a product that is fairly predictable in terms of their cost, and we allow them to write those products at a premium that would be substantially lower than they could if we gave them no such stop-loss protection for the insurance industry.

Mr. GREENWOOD. And since Americans are not used to buying drug-benefit insurance, this is a little alien to them. But if we think about buying automobile insurance, if we went to buy automobile insurance that would provide liability coverage for $10 million, that would be expensive. The premium that we would pay on a monthly basis or annual basis would be quite expensive to get that coverage. And if it were unlimited, if we had unlimited liability protection, of course it would be unaffordable and the insurance industry would have a hard time putting a price on that.

That is almost the way it is with prescription drugs now, because we cannot

predict the exposure with these new modern expensive drugs. So what we are saying here is, if it was automobile insurance and the Federal Government said we will cover everything over, let us say $50,000 of liability, then we know that the premium is going to go way down and we would have the coverage covered by the Federal Government. It is the same thing here. By the Federal Government, by our House Republican plan proposing to pay for that top, from the cap to the sky being the limit, suddenly now we have an affordable product that every American can afford to purchase.

Mr. MCCRERY. That cap that the gentleman is talking about, though, is an after-the-fact determination according to the actual costs in the industry. So at the end of a year, what we do is we go back and look at the cost for drugs for all seniors, and then we determine above what level constitutes the top 2.5 percent of expenditures. It might be $10,000; it might be $12,000; it might be $15,000; it might be $7,000. Somewhere, though, we will reach a point where all expenditures above that by all seniors constitutes the top 2.5 percent of expenditures.

So a plan knows very quickly how many seniors it has with expenditures over that $10,000 level or $12,000 level. They report that to the Federal Government. The Federal Government ships them a check basically for those seniors and the costs for those seniors above that level. It is doable. It is kind of an after-the-fact risk adjustment that we can do, and we are hopeful that the insurance industry will be comfortable with that kind of risk adjustment mechanism and will write products in the marketplace that will give seniors a choice of products and give the basic benefits that we have talked about.

Mr. GREENWOOD. And when this plan is enacted into law, as we hope that it will be this year, the average middle-class American who does not have a prescription plan now, who has one next year because of this program, will wonder, okay, so what was in this for me? What did I get out of this? They will know what they got out of this when they go to write their check for their insurance to cover their prescription plan. That check will be a heck of a lot smaller. The amount they have to write that check for will be very small compared to what it would be if we had not decided to cover this top end of the exposure.

Mr. MCCRERY. I agree. And I thank the gentleman for allowing me to participate in the discussion on the prescription drug plan for seniors.

Our good friend and colleague, the gentleman from California (Mr. THOMAS), the chairman of the Subcommittee on Health of the Committee on Ways and Means, has joined us. So with the gentleman's permission, I am going to go back to my other health care meeting and turn it over to the gentleman from California.

Mr. GREENWOOD. By all means. I thank the gentleman for his participation and would now yield to the gentleman from California, who is, in my mind, the leader on this issue in the House of Representatives, and has been leading us for a number of years now.

Mr. THOMAS. I thank the gentleman very much, one, for taking the time and, two, for beginning to get into the details.

This does become somewhat complex for most people, but the key point that we need to have everyone understand is that if we were discussing, as the gentleman indicated, automobile insurance or homeowner insurance, and we peeled back what most people know about the insurance business, it is pooled risk. And it would get into exactly the same kind of discussion that we are getting into here.

One of the reasons that we are doing it is to create a comfort level, I believe, notwithstanding all the details, that what we are trying to do is to create a product that takes care of the real concerns of seniors. It is not the first dollar that we spend on prescription drugs; it is that last dollar. And we do not know when it is and we do not know how much it is going to be. That is what insurance is all about: pooling the risk in a way that everyone can afford to protect themselves against that last dollar, no matter how much it is going to be. And that is what we are trying to create.

There are others, for example the President, who said let us just set up a prepayment plan. Everyone will know how much they are going to get. And he has a plan that eventually gets to like $5,000; but it is $2,000, and that is all anyone is going to get no matter what their costs are. That is better than what we have today. There is no question it is better than what we have today. But if we are going to put a plan in place, I think the gentleman and myself and others who have been working on this agree, including Democrats who have been working with us, is let us try to do this the best we can.

The way we really need to deal with prescription drug cost is to take care of the low income and create a risk structure that allows the private sector to write the product. Now, why in the world are we always saying let us get the private sector into this process? It is very simple. If we take a look at prescription drug insurance today, there is value brought by those people who are managing the prescription drug programs. It is so specialized that even people who offer ordinary health care, and if they include prescription drugs, will hire these people to run their prescription drug portion.

One, taking drugs, especially taking more than one drug, becomes risky business if there are not knowledgeable pharmacists and others to help in the management of taking those drugs. Sometimes drugs that would be lifesaving are not worth very much if we only participate in a portion of the regimen; if we leave pills in the bottles; if we do not follow the directions; if we do not take them in a timely fashion. Seniors are one of the groups that have the least support of any group in assisting in taking drugs. This is one of the real value-added features brought by one of these programs.

We keep talking dollars and cents. Dollars and cents is important, but availability, deliverability and proper usability of drugs is very, very critical. That just comes as a kind of a free aspect of putting this kind of a plan in place.

The other thing that we have to remember is that seniors have been very knowledgeable in this whole process. I have become quite enamored with their ability to realize that when someone promises something for nothing, they know they cannot get something for nothing. And what we are trying to do is put a plan in place that will assist those who, through no fault of their own, do not have the wherewithal to pay for it; and those seniors who, through no fault of their own, cannot afford the enormously high cost of the drugs that happen to meet their particular health needs. And for those who would like to have the protection, whether or not they fall into one of those other groups, to be able to participate in a minimally reasonable fashion, I think, is a proposition that most seniors would be interested in.

I know that the idea is enormously popular to promise people that they will not be involved financially and they will not be involved administratively or behaviorally. But, frankly, I think the seniors have been appreciative of our open approach, which says all parts of the society are at fault and all parts of the society are the solution. The pharmaceutical industry is part of the problem, and they are also part of the solution. The insurance industry, the same. Members of Congress, the same. The children of our seniors, the same. And, of course, the seniors themselves.

It has to be a positive, cooperative effort that builds a plan that not only works today but, more importantly, 5 and 10 years from now when those biotech drugs come on the line that are more expensive and, through no fault of our own, the cost is something we could not handle. There must be an insurance product available for seniors. More importantly, not that it is just available, but that we have created a system that allowed us to get into it at a time when the costs were reasonable, where now that they are not reasonable that we are covered. It is simply something that needs to be done.

I appreciate the gentleman taking the time not just to talk about prescription drugs, because we are focusing on that as a new addition to Medicare, paid for, by the way, and I do not think we say this often enough because people do not realize it, the $40 billion that the Republican leadership has laid on the table to cover the prescription

drug and the modernization cost for the next 5 years is money that we have saved from the Medicare program. We are not taking it from taxpayers. We are not robbing current programs that need money to pay for this. And we are not simply saying that it is a revenue-neutral game and that if we pay money for drugs it is coming out of hospitals or doctors or some other health care costs.

It is money that was saved because of the changes in the program that we have put in place that we are reinvesting. The leadership has said let us put this money back into Medicare that we saved from Medicare, but let us put it back in in a new way in which we get an even better benefit out of the dollars that we have spent. And to that end, part of the other program that we are advocating is that as we add prescription drugs, we do not just tack it on to a system that now says we get drugs and we get health care.

Because the way medicine is delivered today, as the gentleman well knows, and those of us who have looked at it for some time, and especially those seniors who have participated in the health system, drugs and old-fashioned, as we say, health care have merged. We cannot deliver health care today without, as I say, an integrated approach with prescription drugs.

So as importantly, in my opinion, as adding prescription drugs to Medicare is the extra care and attention we are trying to provide to creating a system that integrates this new benefit in with the other benefits that are defined and guaranteed in the Medicare program in such a way that seniors are now going to receive health care just the way the rest of the society receives health care. Frankly, they are a decade or more behind because we do not have this integrated prescription drug aspect to seniors' Medicare health care. It is overdue. It needs to be put into effect, and it needs to be integrated. And that is what we are trying to do.

Mr. GREENWOOD. I think what is important, as we compare the President's plan to the House Republican plan to other plans that may be in the Senate and elsewhere, what is important to understand is that there are some similarities. The low-income folks in both plans would have no cost and would have access, for the first time many of them, to a prescription drug plan.

Mr. THOMAS. If the gentleman will yield, not only are they similar but they are identical. No one should say that the President's plan or our plan treats low income differently, because we treat them exactly the same. They get complete coverage.

Mr. GREENWOOD. That is a very good point. And then for every one of the elderly and the disabled above that 150 percent of poverty, under both plans there will be out-of-pocket expenses. Under both plans, whether paying for a premium in our case, or whether paying 50 percent of the cost of every drug, there is cost out of pocket. So the middle class and above will have to pay something for their prescription plan.

We have two systems by which we try to figure out how to make that most manageable, most affordable, most flexible, and to provide the most security at the end of the day from catastrophic, potentially ruinous costs, where someone would have to choose between literally selling their home to buy the medicine they need or doing without and having their life foreshortened as a result.

In the course of this debate, in fact in the course of this last almost hour here, I think my colleagues and I have been very careful. Not once have we questioned the motives of the President or the motives of the other party. We have started with the assumption that every Member of Congress in the House and the Senate, that the President and the Congress have the same goal, to provide affordable health care. What I think the public needs to watch for and be most critical of is not the fact that we have differences of opinion and not be judgmental about a Member who takes this tack or that tack, but rather be judgmental about Members of Congress or other politicians or the President, to the extent that he does it, when they begin to question the motives of the other party. Because if we avoid that, we will get this job done.

Certainly the President has some ideas that are worthy of our consideration and we have some worthy of his. And certainly if we are going to get this done, at some point in the process there is going to be an amalgamation of the President's best ideas and our best ideas, and we ought to be able to learn from each other.

□ 1745

Mr. THOMAS. Mr. Speaker, the gentleman makes an excellent point. Because, as everyone knows, we can take a fixed amount of money and spend it a number of different ways. And, in essence, that is what we do. The amount that we lay out for prescription drugs is about the same amount roughly as the President. But their goal was to achieve a slightly different payment balance.

We place the emphasis on low income as the President does, but we talk about making sure that those out-of-pocket payments that are unexpected and too high to pay for fall under an insurance umbrella on shared risk.

The President has chosen to take a bit more of that subsidy and some of the earlier basic costs to create, which I think, in fairness, we could say one size fits some because those who have the very high cost would not be served by that system, but that there is a consequence in the way we write the program. And it is entirely possible that, for the middle-income person who is not low income and who does not have the extra high drug costs at that moment in time they occupy that position, they may in fact be paying more than they would under the President's plan for roughly the same support.

But most of us know and the seniors certainly do, at some time or other over the course of the rest of their lives they are going to fall into the category where they are going to get expenses for drugs, hopefully on a temporary basis, that they cannot afford to pay. That is what we are trying to protect against.

We believe it can be done today. Not 5 years from now, not 7 years from now, not 8 years from now, but today.

So our discussion, as my colleague points out, will quite rightly be how do we best construct a program to meet the most important and dangerous concerns that seniors face; and that will be, hopefully, the policy discussion that we are engaged in.

My colleague is quite rightly proud of the product that we are moving forward. My goal, frankly, in the next several days is to be able to stop using the phrase ''the Republican plan.''

I have engaged in a number of discussions with Democrats both here in the House and in the Senate. Some of them I think could be described honestly as excited about the idea once they understand the policy direction that we are trying to go, not only excited but supportive about it and will be able to talk about the bipartisan plan that the Congress is moving forward as a legitimate contender, one we believe most appropriate to meet seniors' needs and that we will be dealing with this on a policy level and not a political level.

I thank the gentleman from Pennsylvania (Mr. GREENWOOD) for taking the time and for allowing me to participate.

Mr. GREENWOOD. Mr. Speaker, reclaiming my time, I thank the gentleman from California (Mr. THOMAS) for his participation and his leadership, as usual.

The experience that I had not too long ago was I visited a senior center and asked a group of my elderly constituents whether they had or had not coverage and what their experiences were.

I met a woman who told me that she was taking 18 different prescription drugs and that she was working three jobs in order to pay for those drugs because she had no coverage. And at the end of the day the question for those Americans is not is this a Republican plan, is this a Democratic plan, is this the President's plan, is this the Congress's plan, but the question at the end of the day is can the Republicans and the Democrats in the House and the Senate and the Congress and the President figure out how to solve this problem so we do not have a single elderly person in America, not a single disabled person in America having to make that awful choice between their health and their finances so that they do not get to the point where they have to say to a doctor, do not bother writing that prescription for me because I

cannot afford to pay it, or taking a prescription home and not being able to take all of the pills that they need to take in a given day and not being able to renew that prescription because of their inability to afford it.

I am convinced that, at the end of the day, Republicans and Democrats will join together on this, we will negotiate a bill with the President and it will mark the point in our history, the history of Medicare, of which we all can be proud.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. FLETCHER). I am glad to have him here to join. He has been a real leader in this issue, as well, and I am glad to have his participation.

Mr. FLETCHER. Mr. Speaker, we just came from a meeting, but I did want to get in at the few minutes left and certainly participate. We have got 1 minute remaining it looks like.

First of all, I think it is very important and I am very encouraged by this plan. I think it is essential. Health care without prescription drugs in this modern age is really not health care.

I give my colleagues an illustration. In assisted living, I was visiting with some seniors who talked about a gentleman living there. For the first half of the month, he was a perfect gentleman. The last half of the month, he was a tyrant in the place. The problem was he could only afford the first half of the month's prescription drugs.

We see a number of seniors like this. So I think it is very important we put $40 million aside versus the President's $28 billion over the 5 years. His does not start for 3 years. We are toward the target at making sure it is affordable, available, and optional. So I think it is an outstanding plan that targets those that really need it and it is essential.

Again, health care without prescription drugs is really not health care in this day and age with the way prevention and chronic disease management has become the major portion of health care versus acute care, which we had back when Medicare was first developed.

So I wanted to come and just certainly say I think, hopefully, we can get good bipartisan support. We did in a bill that I filed back last year, we got bipartisan support, which is very similar in concept. So I am very encouraged by this and look forward to us being able to get something done. There are a number of seniors out there that need this and it is going to be very important for their health and future.

Mr. GREENWOOD. Mr. Speaker, the gentleman from Kentucky (Mr. FLETCHER) is one of the few physicians in America who has chosen to leave his practice behind temporarily and come to serve in Congress. His leadership is greatly appreciated.

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PRESCRIPTION DRUG BENEFIT

The SPEAKER pro tempore (Mr. THUNE). Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I intend tonight with some of my Democratic colleagues to also take up the issue of prescription drug benefit under Medicare.

I must say that I was pleased to hear that my Republican colleagues on the other side of the aisle were concerned about the issue. I certainly do not doubt their sincerity in raising the issue, but I am very concerned about the proposal that the Republican leadership has put forward and I express that concern because I do not believe that it will actually do anything to provide a prescription drug benefit to most American seniors.

I say that with heavy heart because I really believe that this is one of the most important issues that we need to address in this Congress, and I believe that we will not get a prescription drug benefit unless we get it on a bipartisan basis. And so, we do need to have Republicans and Democrats work together.

But it is also important to point out distinctions and to make it clear that the Republican leadership proposal that has been set forth really does not do anything to help most senior citizens and in fact is just, in my opinion, a way to show concern in an election year to give the impression that somehow this issue is going to be addressed in an effective way when it will not if the Republican plan were to be adopted.

Let me just summarize, if I could before I yield to my colleague, some of the problems with the Republican plan.

First of all, it will leave millions of seniors uncovered. Their proposal would do nothing to assist more than half of all Medicare beneficiaries who currently lack prescription drug coverage because it provides assistance only to beneficiaries with annual incomes of under $12,600. Seniors with modest incomes above $12,600 would receive absolutely nothing under the Republican plan.

The benefit will fail to be an affordable option even if it is available. And if enacted, the Republican proposal would mark the first time in the program's history that Medicare would not provide coverage for all American seniors.

Now, I say that because, basically, what they are proposing is a private insurance plan, not a Medicare benefit. Every time that we have expanded Medicare to provide more coverage, it has been a benefit that has been available to everyone under Medicare either as a guarantee or as a voluntary benefit that they can opt into by paying a premium, as they do right now under part B for their doctor's care, for example.

Well, all of a sudden we have a proposal which really is not Medicare at all but is, basically, saying that the Federal Government will subsidize for low-income people a private drug insurance plan. We do not believe that those plans will ever be available.

So one of my chief criticisms is that this is not really a Medicare benefit at all, this is not really Medicare at all, this is simply a private insurance plan which even most of the insurance companies say will simply not be available for most seniors.

Also, even for those seniors who would be perhaps able to take advantage of what the Republicans are proposing, it does not even guarantee, if you will, the coverage for many of those who have an absolute need. The Republican plan relies on these private insurers to voluntarily offer a drug only benefit.

In testimony before the Congress, even the insurance industry itself had expressed skepticism about the effectiveness of this approach.

The other thing is, one of the key issues that has come up in the context of the prescription drug issue and that the Democrats, particularly my colleague the gentleman from Maine (Mr. ALLEN) has pointed out, is the need for access to lower prices.

Price discrimination is a major issue here. What happens is that the seniors that are in an HMO or have access to some larger plan maybe through the Government, like the veterans' plan or whatever, they are getting lower prices. The senior who goes out and tries to buy the prescription drug on their own, they are charged a lot more.

Well, there is nothing in the Republican proposal that would provide access for the average senior citizen to discounts on prescription drugs that these larger plans, the people in the HMOs and the people in the veterans' plan, obtain.

I mean, one of the advantages that we have with our Democratic plan is that we try to address that issue of price discrimination and make it so that everyone who is in the Medicare program would have the benefit of those same types of discounts.

Also, and this is the last thing I want to say on the issue of why this Republican plan really is nothing that is going to help the average senior, it is not really funded.

Earlier this year the Republicans promised that they would commit $40 billion for a prescription drug benefit. Their own budget resolution dedicated as little as $20 billion to pay for this weak and limited plan that would leave so many seniors without coverage.

Moreover, the lack of their willingness to release 10-year numbers on their prescription drug proposal raises serious concerns that their tax policy consumes virtually all revenue necessary to adequately fund a drug benefit in the future.

My point is the Republicans continue to advocate a huge tax cut that primarily benefits corporations and wealthy individuals. They do not leave any money left for this type of Medicare prescription drug plan that would

actually help most Americans. They do not have the money to accomplish that because of the tax cuts that they have proposed.

Well, I do not want to just keep harping on what they are doing. I would like to talk a little bit about what the Democrats have in mind.

But before I do that, I would like to yield to the gentlewoman from Michigan (Ms. STABENOW) who has been such a leader on this issue.

Ms. STABENOW. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) very much for all of his efforts. He is tireless in his efforts coming to the floor of the House not only on the important issue of prescription drug coverage and lowering the cost for seniors but the Patients' Bill of Rights and some other important issues for health care. So I appreciate his leadership on all of these important health care issues.

As my colleagues know, I have been involved in the great State of Michigan in an effort that I have called the prescription drug failure fairness campaign, where we have put together a hotline for people to call and share their stories.

I have encouraged people to send me copies of their high prescription drug bills so I can bring them to the floor. And I am continually coming down and sharing stories. I started on April 12 of this year bringing letters down to the floor. I am down again. And I am going to continue to share stories of people in Michigan until we can get this right and until we can pass a plan that really does the job.

As my colleague indicates, the plan, unfortunately, that is being proposed on the other side of the aisle I believe takes us back to where we were before Medicare. Before Medicare, half the seniors in the country could not find health care insurance or could not afford it. So to say that we are going to rely on that same kind of system for prescription drugs just does not make any sense.

Medicare needs to be modernized. It is simple. Everybody understands it. It covers the way health care was provided back in 1965 when it was set up in the hospital, operations, prescriptions in the hospital.

As we know, most care is provided now on an outpatient basis in the home and with prescription drugs. And so, it is critical. I believe it is the number one quality-of-life issue for older Americans today is to address the issue of the high prescription drug costs and to modernize Medicare.

I want to first commend Newsweek this week, who has a feature story called ''The Real Drug War.'' They talk about this problem and what is happening. I urge my colleagues to have a chance to take a look at this article. They do mention what a number of us are doing, the fact that I did take a bus trip to Canada with a number of the seniors that are from Michigan. We lowered the costs by 53 percent just crossing a bridge. Just crossing a bridge from Detroit to Windsor, we lowered the cost 53 percent.

I also want to commend Newsweek, who is doing live talk. They are the hosting a live talk on the Internet tomorrow at noon. So for anyone listening who would like to participate and share their story at noon tomorrow, Eastern Daylight Time, they can log on to Newsweek.com.

□ 1800

I am anxious to see what people are sharing through that mechanism.

I think it is important to recognize that in the last 20 years we have seen a huge increase in the cost of prescription drugs. The price increases from 1981 to 1999 have gone up 306 percent, while at the same time the Consumer Price Index has gone up by about 96 percent. So, in other words, the costs of medications have tripled, have gone up 3 times as much as the cost of living for everything else, which is a critical issue.

As the gentleman mentioned also, the second piece is price discrimination. If one has insurance, if they are in an HMO, then they have somebody fighting for them to go out and negotiate a group discount. If they are a senior or if they are a woman who has breast cancer, and we have done a study in my district on women with breast cancer and the kinds of drugs they need to use and the costs, or if one is a child, any family member who walks into the drugstore without insurance, they are out of luck. They pay whatever the market will bear; and unfortunately, the market today for the uninsured is at least twice, if not three or four times, higher than someone with insurance.

We can start with Medicare. Medicare can fight for the seniors of this country if Medicare coverage is put into place so they can negotiate a group discount, just like every other insurance carrier.

I would like this evening to share a letter from Mrs. Johnnie Arnold from Decatur, Michigan. I am so grateful for Mrs. Arnold's letter, and I wanted to share it. It is like so many letters that we have all received. She says, ''Dear Congresswoman STABENOW, I am writing about my prescription drugs. I am 76 years old and get $280 a month drawing from my husband's Social Security. He is a notch baby,'' which is another problem, ''and only gets $661 a month.''

So that is $941 a month that they receive.

''Our supplemental insurance costs us $281.34 a month. We are having a struggle for my drugs I need. I have had open heart surgery and complete thyroid removal for a cancer. I have high blood pressure and I have had aorta aneurysm surgery. I am in a wheelchair part-time and have been turned down three times for SSI now. My Vasolin high blood pressure medication is $65 for a month's supply. My Claritin is $80 for a month's supply. My other medications are an additional $85.26, and I have additional medications, not counting the Claritin, that come to $150.26. I do not buy the Claritin every month because when you add up all of my drugs after my supplemental insurance payment, I cannot afford them.

''Lasix used to be $6.27. Now it is $18.25. It takes all my husband's Social Security to pay utilities, insurance and his supplemental insurance.''

So it takes all of his Social Security to pay utilities, insurance and his supplemental insurance. That is two-thirds of their income.

''Help us, if you can. Mrs. Johnnie Arnold.''

We need to pay attention to this. We need to have a sense of urgency. Mr. and Mrs. Arnold are every month literally trying to decide do we buy our food now, do we afford this medication, that medication, do we pay the electric bill, how do we survive and remain at home and keep our health and benefit from the medications that are currently available today?

I think Newsweek is right. That is the real drug war. This is the drug war we are fighting right now, the drug war to lower the prices of prescription drugs for everyone; and for seniors who use the majority of medications this is life or death for too many people, and it is a situation that we can correct. Instead of putting up those kinds of programs that just sound good on the surface but do not do anything, to do what I know the gentleman from New Jersey (Mr. PALLONE) is going to talk about tonight, what he is going to talk about in terms of the plan that we are supporting that really does something, now is the time to do it. We have economic good times. If we do not do it now, when do we do it? If we do not get it right now, we never will.

Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) very much for allowing me to participate in this important discussion.

Mr. PALLONE. Mr. Speaker, I want to thank the gentlewoman from Michigan (Ms. STABENOW) for her remarks. I appreciate the comments she made, first of all, to give us an actual example of the constituents that write to us and the problems that they face because this is a real story. This is not abstract. This is a reality that people face every day in our district.

Ms. STABENOW. Right.

Mr. PALLONE. Also because I know the gentlewoman has always been a leader on addressing and having people contact us through the Internet. She really, more than anybody else, brought to my attention the value of reaching out through that vehicle, and I think it is so important. So I thank her again.

Mr. Speaker, I wanted to follow up on what the gentlewoman from Michigan (Ms. STABENOW) said, though, also in terms of a report that recently came out. The Democrats, of course, for some time and the President ever since

his State of the Union address this year, and even before that, has kept watch and constantly talked about how we have to address this problem because of the costs to seniors, and a new report recently came out by Families USA. Families USA has been highlighting the problem of price discrimination for some time, but this report just came out within the last week or so from Families USA. It is entitled, ''Still Rising: Drug Price Increases for Seniors 1999 to 2000.'' So they are just talking about the last year or so.

Once again, this report demonstrates that failure to provide a voluntary, affordable and accessible Medicare prescription drug benefit, which is what the Democrats would like to see, that this imposes, this failure imposes a continuing and growing burden on middle-class, older Americans and people with disabilities. The President released this report just a few days ago, and I just wanted to present, if I could, Mr. Speaker, some of the key findings of this Families USA report.

First, it showed that on average the price for the 50 drugs most commonly used by seniors increased at nearly twice the rate of inflation during 1999, last year. On average, the prices of these drugs reportedly increased by 3.9 percent from January 1999 to January 2000 versus 2.2 percent for general inflation.

Second item or second major point in this Families USA report is that over the past 6 years the prices of the prescription drugs most commonly used by seniors also increased by twice the rate of inflation. The report finds that the price of the 50 prescription drugs most commonly used by older Americans increased by 30.5 percent since 1994, again twice the rate of inflation.

Another point in the report is that more than half of the most commonly used drugs that were on the market for the entire 6-year period had price increases that were double the rate of inflation.

In addition, the Families USA report concludes that more than 20 percent of these prescription drugs increased in price by 3 times the rate of inflation over that same time period.

Fourthly, the report shows that seniors with common chronic illnesses are often forced to spend well over 10 percent of their income on prescription drugs.

Lastly, in terms of the key findings of this report, it shows that the findings are consistent with the conclusions of studies conducted by the Department of Health and Human Services showing that the price differential for older and disabled Americans with and without coverage has nearly doubled.

So, again, I am giving the statistics; and the gentlewoman from Michigan (Ms. STABENOW) gave us an example with her letter of a family of seniors that face the rising cost problem and what it means for them. What it means essentially is that they go without certain drugs, that doctors prescribe certain prescription drugs that they cannot take advantage of and they simply go without or in other cases they may simply buy the prescription drugs and go without food or have other basic necessities that they cut back on. It should not be that way.

The promise of the Medicare program when it was set forth was that seniors at least, as a group of Americans, would not have to worry about coverage for health care and that they would be provided with coverage.

Of course, when Medicare was founded back in the 1960s, prescription drug needs were not as significant as they are today. They have grown significantly in those 30 or 35 years or so that they are now a crucial factor in terms of preventive care. Without the preventive care that comes from prescription drugs, we have seniors getting sick, having to be hospitalized, having to go into a nursing home or ultimately leading shorter lives. It is just not right. That is not what we are supposed to be about as Americans.

Because my colleagues on the Republican side did precede us and essentially tried to tout what they are doing with regard to prescription drugs, I need to, I feel, focus again on the limitations of the Republican leadership proposal. Again, I am not saying that all Republicans are bad or that they are not well intentioned, but the problem is that the leadership proposal really does not help most Medicare beneficiaries.

This leadership proposal, in my opinion, was developed more for those who sell drugs than those who need them. The Republican leadership essentially provided no details of the premium for the policy, what the basic benefit would cover or how much it would cost the Medicare program. That is probably because it really is not part of the Medicare program, effectively.

The details that are in the Republican leadership's outline, which is consistent with proposals supported by the pharmaceutical industry, raise a lot of serious concerns, and I just wanted to mention three.

First, covering prescription drugs through drug-only private insurance plans rather than Medicare, even though insurers have raised doubts about their willingness to offer such policies, the Republican leadership assumes that these drug-only insurance policies are going to be available, and the insurance companies are telling us that they are not going to be available.

Second, limiting premium assistance for basic benefits to beneficiaries with income up to 150 percent of poverty, again I mentioned before $12,600 for a single individual, $17,000 for a couple. Well, this leaves out millions of uninsured and underinsured seniors. Medicare was promised on the idea that it would be available to everyone. Why are we now talking about a prescription drug plan that is only going to cover certain individuals? This should be universal. It should be a basic benefit under Medicare that one can voluntarily opt into if one wants to.

Thirdly, again, a major shortcoming of the Republican leadership proposal is encouraging private plans to participate by having the Government bear most of the risk of covering sick beneficiaries. What is really being done is giving the insurance companies a lot of money without guaranteeing them that they are actually going to come up with coverage.

There are so many reasons why this essentially reneges on any kind of commitment for a meaningful prescription drug benefit. Again, just to talk about the funding, before I introduce another one of my colleagues, the Republican budget chairmen have acknowledged that their budget resolution uses only half, $20 billion, of its Medicare reserve for prescription drugs. This is insufficient to finance a meaningful, affordable, accessible drug benefit for all beneficiaries.

Again, they have not explained how they are going to spell out their 10-year funding commitment for prescription drugs. Again, I think that is because essentially most of the money that they are setting aside in the budget is for tax cuts, primarily for wealthy individuals. There will not be enough money left over for a prescription drug benefit program.

The main thing that I keep stressing, and I will continue to stress, is that what the Republican leadership has come up with is not really a Medicare benefit. It is simply a way of suggesting that somehow someone is going to be able to go out and buy some kind of private insurance that will cover prescription drugs, and there is absolutely no reason to believe that that is going to work. It really has nothing to do with the traditional Medicare program that most seniors are used to seeing and used to having as a guaranteed benefit.

Let me, if I can, now begin by talking about the Democrats and what the Democratic proposal is that we have set forth as a party here in the House. I would just briefly mention the principles that the Democrats have put forward as part of their Medicare prescription drug proposal; and then I will yield to my colleague, the gentleman from Texas (Mr. GREEN), who I see is here.

□ 1815

We have said, first of all, that any Medicare drug benefit has to be voluntary. In other words, beneficiaries can elect prescription drug coverage under a new Medicare program. However you describe it, it would be part of Medicare. You can voluntarily opt into it, for example like you do now with Part B for your doctor's care.

There would be universal coverage accessible to all. It has to be for all individuals, all seniors, not just for low-income seniors. The benefits should be designed to give all beneficiaries meaningful defined coverage. That means

that you know beginning at a certain date that you are going to have a certain coverage up to a certain dollar amount. What percentage you are going to have, what percentage your copay is, all this is defined.

Next, you have to have catastrophic protection. At some point there has to be a guarantee that above a certain dollar amount or a certain level of out-of-pocket expenditures, that there would be some catastrophic protection, and that coverage would be complete, that you would not have to pay out any more money above a certain amount.

Also as a principle, access to medically necessary drugs, it would guarantee access to all medically necessary drugs, and the benefit will be affordable to all beneficiaries, the taxpayers, with extra help for low-income beneficiaries. Obviously, if we are going to provide a Medicare prescription drug benefit, it has to be a premium that you opt into that is affordable. For those who cannot afford to pay that premium, that that premium is provided and paid for by the government, very similar to what we have now with Part B coverage.

Lastly, to address the issue of price discrimination, we have as one of our Democratic principles that the program has to be administered through purchasing mechanisms that maximize Medicare beneficiaries' market power.

Again, I will go back to what my colleague from Michigan said before, and that is that the Medicare beneficiary should be able to access the discounts that are now available for the large purchasers, such as the HMOs, or some other government plans like the veterans' plan.

With that, I now yield to my colleague from Texas (Mr. GREEN), who has again been one of the people who has contributed the most to this debate and to putting together these principles that we as Democrats believe have to be basic to any Medicare prescription drug program.

Mr. GREEN of Texas. Mr. Speaker, I thank my colleague from New Jersey for, one, requesting this special order. It seems like we have been doing this for a good while on the prescription medication problems seniors have, but not only seniors, but everyone in our country, but particularly seniors, because of the limited income.

I know dozens of Democratic Members participated last week on April 26th all around the country, I forget if it was 60 Members talked to seniors, had different events in their district on the problems with prescription drugs, and we did one in Houston that we found, in fact this was our third time to do a study of prescription drugs in Houston, this time compared to what the same prescriptions for their pets would be.

Our three other studies showed that seniors pay almost double, in some cases in fact more than double, than what the most preferred purchasers of medications would be, like VA or the local HMOs or something like that. We found that for seniors walking into their local drugstore, whether it is a chain or an individual.

The next study we did in our district, and I think the numbers around the country may vary, but typically you can say seniors pay double the cost.

We are 6½ hours drive from Mexico, and in Houston people can save almost half their prescription costs by going to Mexico. The same thing on the Canadian border. In fact, I know there is a candidate running for the Senate that has bus loads of seniors he takes to Canada from somewhere up in the northern United States. I had a constituent that suggested I do that. I said it is a much longer bus ride to Mexico than it is to Canada.

But the one we released last week showed that some of the same prescriptions that you and I and seniors may take are also prescribed for pets. Again, oftentimes seniors, humans, pay double what the same prescription is for the pet for the same disease.

We met at the Magnolia Multipurpose Center, we have a great senior citizen community there, actually it is a multipurpose center paid by community block grant money years ago, and we found that seniors might want to start taking out prescriptions in their pet's names instead of their own. It would save them hundreds, maybe even thousands of dollars a year.

I want to thank the Committee on Government Reform Democratic staff who conducted this study, not only in my district, but all over the country, and all three of the studies, and particularly this last one, the price differences between humans and animals. That third study the committee conducted on prescription drugs, it found that pharmaceutical companies were taking advantage of older Americans through price discrimination.

What we found out was that the third study showed if you are furry and have four paws, you get a better deal. If you are a grandpa or grandma, you have to pay top dollar for these same drugs. The committee staff found, and again these were five pharmacies in our district that they checked the costs with, that in some cases the average cost was 106 to 151 percent higher than what humans pay. It shows that our Nation's seniors are paying not only more than the preferred providers, that we do, and I see our colleague here from Maine, we are cosponsors of his bill that would allow for seniors to take advantage of that group purchasing like anyone else, that is free enterprise. We get millions of seniors together and we can get better deals for them on the most commonly used drugs.

We found that not only that, but you can go to Mexico or Canada and get cheaper drugs. In fact, you can almost go anywhere in the world and get cheaper pharmaceuticals than in the United States. Now we found that even in the United States, our pets for the same prescriptions, can get it cheaper.

Let me pick out two particular drugs. If you need Lodine, it is a popular arthritis drug, it will cost you $38 if you are a pet for a month's supply, but if you are a human it costs you $109 in Houston, the average price in our pharmacies.

If you need Vasotec, the 14th most prescribed human drug in 1998, you can get a 1 month's supply for $78, but your pet can receive it for $52.

What we had, and we had really a fine looking animal at our prescription drug event, he was a dog that the owner got out of the pound, but he looked like he was part German shepherd and was very good. Lucky was the dog's name. Lucky had asthma, and, as we stand here on the floor tonight, it is tragic that Lucky, even though Lucky is a fine animal and a great pet and was very docile during our press conference, that Lucky gets asthma medicine cheaper than my seniors who were there watching. It is a tragedy. It should not happen in these United States.

That is what is so frustrating. I know that is what is frustrating about what we have been trying to do. We have been talking about this for 2 years now. What we need is some broad coverage. Whether it is a supplement to Medicare, we need current coverage.

But we have made the case that in 1965 and 1966 and 1967 there are certain illnesses today that you can have prescriptions for that back then required to you go to your doctor, and Medicare would have paid that doctor, and will still pay that doctor. But now you can keep from going to that doctor by taking that pill, whether it is blood pressure pill, whether it is heart medication, whether it is cholesterol control, whether it is depression medication, and we have checked all these prescriptions in our district, whether it be going to Mexico, whether it be going to preferred provider, and our seniors pay so much more than any of those cases.

In Houston, when the Houston Chronicle covered it and talked about it, in fact the gentleman from Texas (Mr. BENTSEN) did an event that afternoon in his district, the response to that by the pharmaceutical companies was, well, those drugs are first developed for humans, and that is why they were developed, and then it is maybe a different company we license to sell to pets.

That does not make sense. You are making humans pay for the research cost, and I understand these drugs are not developed for free, they are developed with NIH funding, and hopefully we will continue the increase as we have done for the last few years, but they are developed with private sector dollars. But why should pets not have to pay the same, if they are being benefited, why should not the rest of the people in the world, if these pharmaceuticals are developed with tax dollars from our country, along with private sector dollars, why should the rest of the world not have to pay some of

the costs for the development, particularly our neighbors in Canada and Mexico.

I have to admit, I have bought prescriptions in Latin America. I used this at our press conference, I have allergies. I have had allergies for 25 years, and whether I am in Houston or Austin, Texas, where I served in the legislature, or Washington, I have allergies. I know what will solve my problem. If it is a small infection, I can take amoxicillin. Amoxicillin, by the way, was one of the few drugs we found that the cost for the pet and the human were close. But if I really have a bad allergy infection, I have to take Augmentin, which is a better antibiotic, much more broad coverage, and with Augmentin, the price discrimination was the same.

I have to admit, I have bought Augmentin and amoxicillin in Mexico, Costa Rica and a number of Latin America countries, where you do not have to have a prescription. My daughter, who is in medical school, tells me I should not self-diagnose, but I say no, I have been diagnosed that way for 25 years by doctors, so I know what will cure it. I realize how cheaper the pharmaceuticals are in other countries than in our own country.

Again, that is a tragedy, because as we stand here tonight we know we have seniors who say I cannot take that blood pressure medication as the doctor prescribed because I cannot afford it, so I am only going to take half the prescription now. Or they go in, and I heard it earlier, someone will go in and say, a senior will go in and get the bill for the pharmaceutical and say I cannot afford it, and they will walk out of that drugstore without getting that pharmaceutical filled. That happens to people in our own districts that are not seniors, but it is tragic that it happens to seniors who have paid their dues, who have built this country, who are the greatest generation, as we know, and yet they do not have the access to some of the greatest generation's accomplishments in the last 30 years in pharmaceuticals.

I want to thank the gentleman as the Chair of our Democratic Health Care Task Force and the effort he is doing. I enjoy serving on the task force, but also our Subcommittee on Health and the Committee on Commerce. I would like to have some hearings in our Committee on Commerce on this. That is what we are here for. We can have hearings on prescription drug benefits.

Now I know my Republican colleagues have a plan, and my concern about that plan is that they want us to provide where we could go down and buy health care coverage only for prescriptions. Well, it is kind of like what I heard the example was, it is kind of like health care for seniors, that is why we had to have Medicare. Every senior is going to have to have prescriptions. If you have insurance it works where you spread the risk. But if you do not have people to spread it to with seniors, the pharmaceutical costs, the insurance costs will be so high nobody can afford it.

So that solution is not a solution. It may get them through November, they hope, but it is not a solution. We need to address this issue this year. We need to provide pharmaceuticals at a reasonable cost for seniors. We can use the Tom Allen bill that the gentleman from Maine (Mr. ALLEN) has worked on, and a bill from the gentleman from Texas (Mr. TURNER). I think it was one of the first ones we cosponsored.

We have a plan that the gentleman and I are cosponsoring that is a Medicare addition that would be allowed. I have some questions about how that will be done still, and the broad coverage for it, but we need to address it and we need to address it by having hearings in the Committee on Commerce, having hearings in the Committee on Ways and Means, and saying okay, what can we do to solve this problem, instead of continuing to bury our head in the sand and hopefully the November elections will get here and get past.

I do not think the American people are going to allow that. I hope the seniors will not allow us to do that. We need to address it now and we need to have a bill here on the floor within the next 30 days. We have been signing a discharge petition, and we are still working on getting our magic number of 218. So I do not know how many are on there that are our Republican colleagues, but I can tell you it is probably 10 to 1, maybe 20 to 1, Democratic signatures. We need to have that bill on the floor.

I would like it to go through the process. We have a legislative hearing process. Let us have the hearings and put all the bills there and have testimony on them, and let us have the give and take, so that we have at the end of the day, at the end of this Congressional session, we need to have a prescription drug benefit for senior citizens that is fair, that is cost effective, and it will keep them from having to make those tough decisions on whether they are going to have heating in the winter or air conditioning in the summer in Houston, or whether they are going to take their prescription medication. That is wrong, and we need to address it.

Again, I thank the gentleman for his leadership on this.

Mr. PALLONE. Mr. Speaker, I thank the gentleman. I appreciate the fact that the gentleman and, of course, our other colleague, the gentleman from Maine (Mr. ALLEN), who I will yield to next, because you are from States that border in your case on Mexico and his case on Canada, that you have tonight made your constituents and really the Nation aware of this price discrimination that exists, in this case across the border, and, of course, the gentleman from Maine has been talking about it here in terms of most seniors not having access to these discounts that the larger groups provide.

□ 1830

But I think in particular, if I could say to my colleague from Texas, this contrast between price, between animals, dogs and cats versus people, is really dramatic. It really brings home, I think, what this is all about and how we have seniors suffering when, at the same time, we have to try to buy the drug for one's pet, the cost is less. I have a cat and she is older and I have had to go to the drugstore and buy a prescription for her, and I have to say, I have never really looked to see what the differential was for the same kind of drug. I am going to make it my business to check on it the next time. I am sure I am going to find the same thing would be the case.

So I thank the gentleman again.

Let me yield to the gentleman from Maine, but before doing so, I just have to say that he has really brought the whole issue of price discrimination to our attention. One of the things that I said earlier which I think is so crucial is that we do not see any evidence that the Republican leadership bill will address this issue of price discrimination, and it has to be a part of what we do in the House, and obviously it is part of the democratic principles that we put together as a party on the Democratic side. So I yield to the gentleman.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding. I appreciate the gentleman's leadership in pursuing this issue as long and as hard as he has. One of the things I am reflecting on today is I can no longer count the number of times that the gentleman from Texas, the gentlewoman from Michigan, the gentleman from New Jersey and I, and others on the Democratic side, have been down here pounding away on this issue trying to build enough support around the country and in this House to get some action.

I think back to the first study that was done in my district in Maine in July of 1998, which showed that seniors, on average, pay twice as much for their medication as the drug companies' best customers, the big hospitals, the HMOs and the Federal Government itself, through Medicaid or through the VA. We have been back over and over again. Most recently, on April 26, a number of us did another study, held events around the country, because we know that the only way we can break through the clutter of all the other news and all of the things that Americans have going on in their lives to get this message home is to do coordinated events and try to get the message home.

What I did in Maine was take another look at this problem of price discrimination. What I did was to do a breast cancer study, to look at the 5 drugs that are most commonly prescribed in Maine to deal with women, to help women who have breast cancer. We have done the

study that shows seniors pay twice as much as the drug companies' best customers; we have done the study that shows that Mainers pay 72 percent more than Canadians and 102 percent more than Mexicans for the same drug in the same quantity from the same manufacturer, and we did the animal study that the gentleman from Texas (Mr. GREEN) was referring to which shows that when drugs are sold to pharmacies for human use, the charge is 151 percent more than when the same drug is sold to veterinarians for animal use.

Why is this? Well, basically, it is simple. The pharmaceutical industry charges what the market will bear. They squeeze as much as they can out of the people that they are selling prescription drugs to, and the people in the largest health care plan in the country, which is called Medicare, those people, 37 percent of whom have no coverage for their prescription drugs, they pay the highest prices in the world.

So in short, basically, it is very simple: the most profitable industry in the country charges the highest prices in the world to Americans who can least afford to pay those prices, including many of our seniors; also, as the breast cancer study showed, including women who have breast cancer. What we found is that those women who do not have health insurance for their medication pay 102 percent to 106 percent more than the drug companies' best customers for those breast cancer medications.

For example, Tamoxifen, the most frequently prescribed breast cancer medication, costs uninsured Maine women 53 to 72 percent more than the drug companies' best customers. That comes to between $1,800 and $2,500 more each year. Bristol-Myers Squibb charges its favored customers $39.60 for a 1-month supply of its hormone therapy medication, Megase. The same 1-month supply costs an uninsured Maine woman $174.28. That is a 340 percent markup. It is also an additional $1,600 each year that she will have to pay out of her own pocket.

In 1960, 1 in 14 American women were at risk of developing breast cancer. Today, that same number is 1 in 8 American women. Breast cancer is the most common form of cancer for American women. In 1997, the National Breast Cancer Coalition estimated that 2.6 million American women were living with breast cancer: 1.6 million who had been diagnosed and 1 million who did not know they have the disease.

Now, what we found is that uninsured Maine women who do not have coverage for their breast cancer medication are basically facing a pharmaceutical industry which has enormous, enormous power. Our friend and colleague, the gentleman from Vermont (Mr. SANDERS) has found that a month's supply of Tamoxifen that costs an uninsured Maine woman between $88.50 a month and $99.50 a month can be purchased in Canada for $12.80. This is a national scandal, and it needs to end.

Now, we are going to enter into a period here where we have a debate over competing health care plans. But basically, there is a fundamental difference between what we Democrats are proposing and what the Republicans are proposing.

What we are saying is simple. We have to drive down the cost of prescription drugs for seniors who simply cannot afford to pay for their medication. There is no reason why Medicare should not do what United and Aetna and Cigna and the Blue Cross plans do. They negotiate, they negotiate lower prescription drug prices for their beneficiaries. Why should Medicare not do the same? That is basically what my legislation does, the Prescription Drug Fairness for Seniors Act. But a discount is not enough. We also need a benefit. A benefit under Medicare that will help people pay for their prescription drugs, because this will not help people who still cannot afford the high cost of their medication. So we need both approaches.

What we have seen from the Republican side is basically this: proposals that first protect the profits of the industry, and only second, try to help America's seniors. Why do I say that? The Republican plans emerging from the other body and, also here, basically involve a subsidy to seniors to buy private health insurance for prescription drugs.

Well, there are two problems with that. There is no way to hold down costs if we are going to rely on private prescription drug insurance. They are not able to do it internationally, and they are not going to be able to do it here.

But there is a second more fundamental problem. The Health Insurance Association of America has made it very clear that the industry will not provide stand-alone prescription drug insurance for seniors. Why? Because in the words of the executive director, it is like providing insurance for haircuts. Everybody is a claimant.

We have to have some pressure on price. Someone has to sit across the table from the pharmaceutical industry and negotiate lower prices. A plan that does not do that is a plan that is not going to make drugs affordable both for seniors and for the taxpayer. I mean, let us face it. If we are going to spend money, Federal money for a benefit, we want to make sure we are getting a good deal for the taxpayer. That is what Democrats are standing for, and that is not what would happen under the Republican proposals.

Let us step back and look at this other problem. If the private health insurance industry is not going to provide stand-alone prescription drug coverage, what are we talking about? What we are talking about is an illusion, cover, a program that is never going to take effect in the real world. That is not what seniors need. Seniors need help; they need it now.

Mr. Speaker, spending on prescription drugs goes up 15 to 18 percent every year. If you think this problem is bad today, it is going to be much worse in just one year. And so we need to enact legislation this year that provides a discount, that provides a benefit, that allows the Federal Government to negotiate lower prices, to make sure we have some control over some pressure on price of the pharmaceutical industry.

If we do not do that, basically we will have one of those proposals that in the real world will not work, that is designed to help the pharmaceutical industry before it really helps seniors. And I think it is the wrong way to go.

Clearly, the Democrats, the folks on this side of the aisle, believe that as well.

Mr. Speaker, I notice our friend and colleague, the gentleman from Arkansas (Mr. BERRY), has come here; and I can say no one in this caucus has done more for the cause of reducing prescription drug prices for seniors than the gentleman from Arkansas, and I just want this chance to thank him for that.

Mr. PALLONE. Mr. Speaker, I want to thank my colleague, the gentleman from Maine (Mr. ALLEN). And one of the things that you stress, and I think it is so important, because we did have our Republican colleagues on the other side precede us this evening, and what they said sounded wonderful, and I am convinced, of course, that they are well-intentioned, but the bottom line is that the Republican leadership proposal is illusionary. It is not going to really help the average senior citizen. That kind of hoax, if you will, even if it is not intentional, I do not believe that it is, is not fair.

They are crying out for relief. They need attention. They are having problems buying prescription drugs, and they tell us about it every day. This is real. We just cannot stay here in the Congress, in the well here and say that we are going to do something when we are not, or certainly something that is not going to be meaningful for them, because this is such an important issue.

I did want to yield to my colleague, the gentleman from Arkansas (Mr. BERRY). He also is one of the cochairs of our Health Care Task Force; and we, of course, have put forth this statement of Democratic principles about what we think a prescription drug plan should consist of, and he has been tremendously helpful in putting that together as we proceed to try to get legislation passed in this Congress over the next few months while we are still here. I yield to gentleman.

Mr. BERRY. Mr. Speaker, I want to thank my distinguished colleague, the gentleman from New Jersey, (Mr. PALLONE) for his leadership in all health care matters, Patients' Bill of Rights, prescription drugs, all other health care issues that we have dealt with since I have been in the United States Congress. He has done a great job and I appreciate him; and I also say that to my colleagues,

the gentleman from Maine (Mr. ALLEN), who has also provided great leadership on this prescription drug issue, along with the gentleman from Texas (Mr. TURNER).

Mr. Speaker, I am on the floor this evening, because, quite simply, the prescription drug manufacturers in this country are ripping off the American people, and even worse, they are ripping off the senior citizens of this country. It is absolutely unbelievable that, as a Congress, we allow this to go on day after day after day.

In the district that I am fortunate enough to represent, I never stop and visit anyone that this issue does not come up, that we do not have to talk about the fact that we have senior citizens that have to make a decision on a daily basis whether or not to buy something to eat or to buy their medicine. This is a situation that we cannot allow to go on.

Mr. Speaker, I come from a small town. If we had someone in that small town going door to door, stealing from senior citizens, taking the money out of their pocket, throwing them into such economic circumstances that they were not able to buy food or stay alive because they did not have the money to buy their medicine, we would go find that person, and we would lock them up, I hope; but at the very least we would stop it from happening.

Yet we are allowing the prescription drug manufacturers in this country to continue to go into our citizens' homes on a daily basis and create this situation, and they are doing it legally.

Americans are just simply overcharged for these products, and it is not right. The taxpayers of this country pay for the research and development, most of it that takes place through grants, through tax credits, through various other mechanisms that we make possible. These same companies have the lowest taxes on their profits of any companies in the country.

Americans pay for this research that the whole world benefits from; and yet we are charged two to three times as much for these products as any other nation in the world. It is just simply not fair, and it is time the Congress does something about it.

When you have something that is this unfair, it is the job of the United States Congress to step in and do something about it.

Mr. Speaker, I beg my colleagues this evening to recognize this problem and do the right thing. We have just seen in the last few months a great uproar in this country over whether or not a young man from Cuba would be sent back to be with his father, whether he would stay Here.

□ 1845

We are all concerned about that situation. That situation pales in comparison to the hardship that our senior citizens are put in every day because of prescription drug companies in this country are charging them far more than they charge anyone else in the world, and they just simply cannot afford it. And we, as a Nation, cannot afford it anymore. Mr. Speaker, I beg my colleagues to take this opportunity to do something about it.

Mr. PALLONE. Mr. Speaker, I thank the gentleman, and I think that he really brings home this whole issue of price discrimination and that is really what goes on and the heart of what our constituents' concerns are. They say it to us every day.

We had 2 weeks back in the district the last 2 weeks, and I just heard it so many times over and over again. And I do not think it matters where we are, Arkansas, New Jersey. Wherever we are, we just hear so many seniors that tell us that the costs are just too exorbitant, that they cannot pay them.

Mr. Speaker, I thank the gentleman for all his help in helping us put together the Democratic principles in the plan that we have been developing.

Mr. Speaker, I know that I do not have a lot of time left; but I wanted to, if I could in the time that I do have, to basically outline what the Democratic position is.

Democrats believe that in order to develop a meaningful Medicare prescription drug benefit, two crucial characteristics of the prescription drug marketplace for seniors have to be recognized.

The first is that the high cost of prescription drugs is not a problem exclusive to low-income seniors. Millions of middle-class seniors are feeling the effects of excessive prescription drug costs as well.

And the second is the price discrimination that seniors without health insurance are subject to when purchasing pharmaceuticals. I think tonight my colleagues outlined the problems with the costs and the problems that so many seniors are having now in terms of their ability, or their inability, to purchase medicine or prescription drugs.

But the bottom line is that a Medicare drug benefit should be offered to every Medicare beneficiary, and it should be voluntary and affordable. Seniors who have coverage they like should be able to keep that coverage. Seniors who have no coverage at all, or inadequate coverage, should be able to get the coverage they need. Low-income seniors should receive subsidies for the cost of benefits, including complete subsidies for those with the least ability to pay.

In addition, Democrats say that the coverage should consist of a meaningful, defined benefits package, including guaranteed access to medically necessary drugs. It must provide so-called catastrophic coverage for seniors with excessive drug costs, and it must be administered through a purchasing mechanism that maximizes the purchasing power of Medicare beneficiaries. By doing so, the program can reduce the costs of drugs to seniors and make the benefit affordable to the taxpayers.

Finally, Mr. Speaker, I will say there is broad support for what I have outlined and what my colleagues have outlined tonight amongst Democrats in the House of Representatives and in the Senate. All of these criteria about what this prescription drug benefit should include have been incorporated into the Medicare drug benefit plan that President Clinton has proposed.

But Democrats are not in the majority in either House of the Congress. We need the support of Republicans on a bipartisan basis if we are to succeed. I heard my colleagues on the other side of the aisle say that they want to provide a meaningful benefit. And my goal really, and the goal of us collectively, is to convince the Republican leadership to buy into these same principles that the Democrats have put forward so that we can provide seniors with the care they need to live out their golden years with the dignity that they deserve. I do not want any more of my constituents coming up to me at any point and saying that they have to make a choice between drugs and food or drugs and other necessary services.

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CONGRESS MUST CAREFULLY WEIGH TAX CUT PROPOSALS

The SPEAKER pro tempore (Mr. REYNOLDS). 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, times could hardly be better. We are in the longest business expansion in our Nation's history. The economy is booming. Companies are reporting solid profits. Orders for durable goods were up 2.6 percent in March, and the Commerce Department has reported first quarter GDP grew by 5.9 percent. Mr. Speaker, that is after growth in GDP at 7 percent the previous quarter.

Unemployment is at record lows. Welfare rolls are down 50 percent or more around the country, thanks to work requirements and job training and the welfare reform bill that Congress passed a few years ago, and, yes, also thanks to a very strong economy.

Last year, Congress paid down more than $130 billion in national privately held debt. And we did not use the Social Security Trust Fund to fund our appropriations.

Part of the economic boom is due to the consumer perception that Congress, despite all our battles with the President, has kept spending down. At the same time, the increased government revenues have allowed for significant increases in funding for education, health care research, and law enforcement. And despite a rash of rampage shootings at workplaces and schools, about which I will talk more in a little bit, better law enforcement has led to lower crime, including violent crimes like armed burglary.

But the good economy helps keep crime down too, if only because having

a job helps reduce domestic tension. Indeed, we have almost an economic miracle going on. The wealth of the 50 percent or more of Americans who invest in the market has grown considerably. In testimony before my committee, Alan Greenspan, Chairman of the Fed, attributes this remarkable economic story to the fruits of increased efficiencies due to computer technology investment and also to Federal budgetary restraint.

It is true that the gap between the average wage earner and his boss has increased dramatically, primarily because of new wealth creation at the top. Bill Gates is just the prime example.

But new data also shows increases in average wages starting to rise. However, the average level of savings for wage earners in this country is very low. We need to do more to help all Americans become wealthier. It would be enlightened public policy, especially with baby boomer retirement starting in 2011, at which time a baby boomer will retire every 8 seconds, if the Government would facilitate personal investment accounts. But I digress.

The economy is great, and we can all be very thankful. The strength of the economy is going to determine how much Congress will be able to do in many areas, including a potential prescription drug benefit. I would argue not just for senior citizens, but something we ought to consider for all Americans.

However, Mr. Speaker, it is imperative that Congress not muck up this great economy. The Dow was down 250 points today. The Dow is off 1,500 points from its high this year. That is almost 13 percent, amid rumors that Mr. Greenspan is going to larger interest rate increases.

Mr. Speaker, since we just paid our income taxes, I want to talk for a minute about tax cuts. Last year, I was one of only four Republicans who voted against the congressional leadership's $785 billion tax cut. That was a very tough vote for me, because I fundamentally consider taxes to be my constituents' money and not Washington's money.

It was no secret the Chairman of the Committee on Ways and Means, the gentleman from Texas (Mr. ARCHER), who I respect very much, originally wanted to introduce a much smaller and more focused tax cut. But, Mr. Speaker, the Senate got involved. Well, I will have more to say about that body a little later in this speech.

Now, on that vote I could have taken the easy way out, and I could have voted for a tax cut, knowing that President Clinton would veto it. But I will tell my colleagues something, the day I start voting on this floor politically rather than on the merits is the day I had better stay home.

I did not vote on President Clinton's impeachment because of partisan politics, and I will not vote on important economic matters that make a lot of difference to my constituents because of party positioning either.

So why did I vote for the $250 billion tax cut instead of the larger tax cut? By the way, Mr. Speaker, the tax cut I voted for made permanent the Research and Development Tax Credit which the larger tax cut neglected. So why did I make that vote?

Exactly, Mr. Speaker, because the economy is so superheated right now. Throwing a $785 billion tax cut, a tax cut of that size, on this economy would be like tossing gasoline on a bonfire. Chairman of the Fed, Alan Greenspan, in testimony before my committee made it clear that in the interest of sustained economic growth, he is going to raise interest rates. Can my colleagues imagine what the interest rates would be today had that larger tax cut become law last year? I think we would have seen interest rate increases twice as large.

Mr. Speaker, I do not need to tell my colleagues, I do not need to tell the people back in Iowa what a prime rate 1½ points or 2 points higher than it already is after Mr. Greenspan's quarter point increases, what that would be doing to the economy.

We are already starting to see the effect of those smaller interest rate hikes. Look at the volatility of the markets. Just the other day I asked a businessman in Des Moines, How are things going, Jim? Great, he replied, but the increased interest rates and reduced consumer confidence in the market are really starting to affect our home sales.

Mr. Speaker, I think we need to be very careful with congressional action that can affect the economy. We should be very careful not to rock this boat too much.

Yes, we can safely do a modest tax cut, as long as we keep some control of spending. And when we factor in cost of living increases and average emergency funding for things like droughts and hurricanes, that $2 trillion surplus that everyone talks about shrinks to about $600 billion over 10 years, and that is over if the economy continues to do well.

I believe the time for a really big tax cut is when the economy needs a stimulus, not when it may actually need a little Ritalin.

What should we do yet this year? Well, Congress passed and the President signed a $250 billion tax cut in 1997. I hope that by the end of this year, we could actually get signed into law about $250 billion in tax cuts that would increase health insurance deductibility and address the marriage tax penalty. Beyond that, Mr. Speaker, I think we should wait and see how the economy does in 2001.

There is nothing wrong with doing a responsible tax cut every few years. But we must be prudent and careful, and we should keep our fingers crossed that Congress and other fiscal policymakers can bring this big roaring jumbo jet of an economy to a safe and sustained landing.

Mr. Speaker, I also want to talk briefly about three health matters: violence in schools, children smoking tobacco, and HMO reform. Let us talk first about school violence.

SCHOOL VIOLENCE

Mr. Speaker, we are just past the 1-year anniversary of the Columbine High School shooting in which two high school students killed 12 fellow students, a teacher and themselves. Columbine, unfortunately, is not an anomaly. There have been school shootings in Moses Lake, Washington; Springfield, Oregon; Olivehurst, California; Bethel and Jonesboro, Arkansas; Edinboro, Pennsylvania; Grayson and West Paducah, Kentucky; Fayetteville, Tennessee; Conyers, Georgia; Pearl, Mississippi.

□ 1900

Well, Mr. Speaker, public action can make a difference. Increased cops on the beat, keeping guns out of the hands of felons, and longer jail terms for violent criminals have helped lower crime. Yet even though some types of criminal behavior such as burglary have decreased, the Littleton massacre was one of only 13 rampage attacks last year; and we have already seen several this year.

It is a sad fact that multiple murders at work and at school are becoming commonplace news stories that barely shock us. What can we do to prevent these rampage killings? Well, there is a tangle of cultural, psychological, and medical factors that I think leads to these events: higher divorce rates, parental abuse in some cases, poor impulse control stemming from violence on TV and the movies, lack of access to mental health services, and a general sense of isolation and alienation from other people.

The decline of the traditional family may be the most important factor. However, there is a common thread to the children and adults who commit multiple murders. They are almost invariably mentally ill. They may be schizophrenic, maybe they are just sociopathic; but they almost always are depressed and suicidal.

The two Columbine students carefully planned their own deaths for nearly a year. John Stone, the Jefferson County Colorado sheriff had it right. He said, ''They wanted to do as much damage as they possibly could and then go out in flames.''

Case studies of rampage killers have shown that they typically leave warnings of suicide and violence long before they shoot to kill. But they do not get the help they need. If we are going to address the growing incidents of rampage shootings, we must devote time and resources, both public and private, including personnel, including taking some responsibility ourselves back in our communities with individuals to identify and treat the mental health conditions that lead to that destructive murderous behavior.

It is also true that these isolated despondent people have more lethal

means at their finger tips than ever before. In the largest survey on gun storage ever taken, the American Journal of Public Health recently reported that more than 22 million children in the United States live in homes with firearms. In 43 percent of those homes, the guns are not locked up with trigger locks. And this statistic is mind boggling because some 1.7 million children live in homes today where guns are kept unlocked and loaded.

In 1997, 4,207 children and teenagers were killed by guns. Guns are the medicine of choice for suicidal use. More than two-thirds of boys and more than one-half, more than 50 percent of girls who kill themselves use a gun. The rate of suicide deaths from guns for those 14 and under in the United States is nearly 11 times that of the next largest 25 industrialized countries combined.

Many, including Members of Congress, are trying to find solutions to this problem. Just this past month, I and 357 other Members of this House voted to spend $100 million in block grants to States that choose mandatory jail sentences for gun crimes.

Mr. Speaker, I expect Congress to increase appropriations to the Federal agencies that prosecute felons who buy guns. But this is what I really hope for: I hope that we increase funding to treat the mentally ill.

Mr. Speaker, it is noteworthy that the woman who helped the Columbine high school shooters obtain some of their guns had said it was too easy. She has urged closure of the loophole that allowed her to buy the guns at a gun show without a background check.

Congress should listen to the public this year. A recent poll shows that 88 percent of the public supports a change in the law to require a person attempting to purchase a handgun at a gun show to wait 3 business days. And this is the important proviso: if the instant background check on that person shows an arrest record. Let me repeat that. If an instant background check on a person who wants to buy a handgun shows an arrest record, 88 percent of the public supports a change in the law to require that person to wait 3 business days until they are fully checked out, to make sure that one is not selling a gun to a criminal who should not get it.

Mr. Speaker, more than two-thirds of the public think that a trigger lock should be attached to all stored guns.

Tragically, we are going to see more rampage shootings unless we reach out and help those mentally disturbed youths and adults, and unless we also address the easy availability of the guns they use to kill themselves and kill others.

Mr. Speaker, let us talk for a minute about the number one public health issue facing Americans today, the use of tobacco.

Mr. Speaker, each day 3,000 kids start smoking in this country. One thousand of those kids, those under the age of 18, 1,000 of that 3,000 that started smoking today will die of a disease related to smoking tobacco. Each year in this country, over 400,000 people die of smoking-related disease.

Prior to coming to Congress as a surgeon, I took care of many of these people. I have held in my hands lungs filled with lung cancer from somebody who smoked. As a reconstructive surgeon, I have had to remove portions of people's tongue and lips and jaws and neck because they either smoked or chewed tobacco. Then I have had to try to put them back together.

Heart attacks. Smoking is the leading preventable cause of heart attacks or strokes in this country. The list goes on and on. There are like 20 different types of cancers that are caused by smoking.

Peripheral vascular disease. I am also board certified in general surgery. In my training I have taken care of many people who no longer have any circulation left in their legs because of atherosclerosis caused by smoking.

In Des Moines, we are starting to see now billboards that are like these. Here is one, the Marlboro Man. At the top, this one is on Fleur Drive on the way in from the Des Moines Airport. It says, ''Bob, I have got emphysema.''

This billboard is on I–235 coming into Des Moines from the east side. Two cowboys riding along there, and one says, ''I miss my lung, Bob.''

Here we have got the Marlboro Man, who by the way, did my colleagues know that the Marlboro Man died of lung cancer. Before he died of lung cancer, he came out and made commercials against smoking tobacco. This one says, the cowboy is talking to his horse, ''Chemotherapy scares me, Scout.''

Well, I introduced a bill about 2 weeks ago that would give the FDA authority to regulate tobacco and nicotine. The gentleman from Michigan (Mr. DINGELL) is my Democratic cosponsor on that bill. It is not a tax bill. It would not increase the price of a pack of cigarettes. It is not a liability bill. It does not deal with the right to sue. It does not have anything to do with the State settlements. It is a real simple bill.

It would give the FDA the authority to regulate nicotine, which, according to the tobacco companies' own documents, show that it is an addicting substance with nicotine being as addictive, if not more addictive, than morphine and cocaine.

I mean, why is it so hard for people, especially when they start smoking young, to quit smoking? It is because nicotine is really addicting. Just this week, I rented a movie. It is a movie with Al Pacino in it; it is called The Insider. I would highly recommend that everyone watch this movie. It is about how Jeffrey Wigand, who was the chief tobacco scientific investigator for Brown & Williamson, decided to give his story to 60 Minutes. It is a riveting story. It will tell my colleagues just how the tobacco companies play to keep. I would highly recommend it to all my colleagues.

Well, what did those internal tobacco documents show? It showed that they knew that the earlier one can get somebody hooked on tobacco, the harder it is for them to quit. That is why they targeted kids. They wanted to get those 11-, 12-, 13-, 14-years-olds hooked on tobacco, so they came up with Joe Camel. They came up with things like, remember all those inducements to products that one could get with Marlboro on it, or Joe Camel on it.

Well, here is a chart that maybe has a little different spin on the type of product that maybe a tobacco company should really be offering. It says the more one smokes, the more cool gear one will earn. Then it has an all-expense paid trip to the cancer clinic of one's choice. It has got here a deluxe carrying case, which is a coffin. I really like this one. A sport defibrillator for one's smoking. Or how about when one goes on one's hikes, with all those points from purchasing those cigarettes, one can get a portable respirator.

We need to talk about the truth. There are over 1 million high school boys who are chewing tobacco today. What did those tobacco companies do? Well, first of all, they reduce the nicotine because they do not want to make those boys sick and green from too much nicotine. So they reduce it. They flavor it in just the flavors the research that they do that makes it taste great to get those kids hooked. Once they get them hooked, they increase the nicotine to really get them hooked.

Well, here is a chart. As I said, what happens when one chews tobacco? We have not had spittoons around here for a long time. Well, one keeps that wad right there next to one's gum, and pretty soon one is going to have mucosal lesions, and those mucosal ulcers and sores turn into cancer, and then one loses one's lip and one loses one's jaw.

So this is how to ask for some chew after the doctors remove one's tongue. If one chews tobacco, one can get oral cancer, one can lose one's lip, one's tongue, one's cheek, one's throat. So for somebody who wants to keep smoking and chewing, they better learn sign language. This shows us how to ask for chewing tobacco. It says, ''chewing tobacco, please.''

□ 1915

And if that is not enough to bother my colleagues on both sides of the aisle, remember I mentioned how tobacco causes atherosclerosis? This is a photo of a billboard that is in California. Why am I not surprised it is California? It probably is especially effective in California because what it says is, and here we have a gentleman with a droopy cigarette, it says ''recent medical studies indicate cigarettes are one of the leading causes of impotence.'' I can hardly wait. Maybe the

tobacco companies are going to combine Viagra now with nicotine.

Mr. Speaker, I now have about 65 bipartisan cosponsors to the FDA Tobacco Authorities Act. I encourage all my colleagues to join on to that. This is a bill that, as I said before, is not a tax increase, it is not a litigation bill, it is a real simple bill. It would allow the Food and Drug Administration to implement those 1996 regulations which were directed specifically to preventing tobacco companies from marketing and targeting children to get them smoking. That is what it is about. Let us pass this. Let us do not get bogged down like they did a couple of years ago.

The Supreme Court just ruled 5 to 4 that Congress needs to give the FDA explicitly that authority. But if we read Sandra Day O'Connor's final paragraphs in her opinion, she practically begs Congress to give the FDA that authority. We should do that.

Mr. Speaker, I want to finally speak for just a few minutes about HMO reform. Mr. Speaker, it has been 6 months since this House passed, 275 to 151, in a bipartisan vote, a bipartisan managed care consensus, the Managed Care Reform Act, the Norwood-Dingell-Ganske bill. Six months. The Senate had already passed their bill and they have been in conference. And where are they going? Nowhere. That is why today President Clinton invited the conferees down to the White House to see if they could get something moving on this very important issue.

Why is this issue important? This issue is important because, for instance, the HMOs are able to, under Federal law, deny repair of this baby with a cleft lip and palate as medically unnecessary. More than 50 percent of the reconstructive surgeons in this country within the last 2 years have had cases like this or related to this birth defect denied by HMOs. These are real people that are affected.

We are all familiar with the young lady who about 70 miles west of here fell off a 40-foot cliff, broke her skull, broke her arm, fractured her pelvis, had to be air flighted in to the emergency room and then her company refused to pay because she had not phoned ahead for prior authorization. I mean, like she was supposed to know ahead of time she was going to fall? Or maybe when she was on a morphine drip in the ICU she was supposed to make the phone call? Come on.

At least that young lady got better. This woman did not. This woman had care inappropriately denied by her HMO and she died. Her children and her husband are now without their mother and wife. This story was profiled on the front page of Time magazine, if my colleagues want details. Talk about HMO abuse.

Now let us talk about this little boy. This little boy, 6 months old, tugging at his sister's arm, was sick one night, a temperature of about 104, 105 at about three in the morning. His mother phoned the HMO's 1–800 number saying I have to take Jimmy to the emergency room. Fine, they said, but we will only authorize one hospital, and that was 70 miles away. And little Jimmy had an arrest in the car before he got there. Somehow they managed to save his life, but they did not save all of him. And because that HMO made a medical decision, because they did not say just take him to the nearest emergency room but said they would only authorize her to go to their emergency room, which was a long, long ways away, they contributed to his cardiac arrest by that decision. That was a medical decision. And it resulted in this little boy losing both hands and both feet.

We have been working on patient protection legislation now, my colleagues, for 5 years. It is time that we come together and get something to the President's desk that he will sign. Now, in light of the fact that very little progress is being made in the conference, and I should point out that of the Republican conferees that were appointed to this conference from the House, 13 or 14, only 1 actually voted for the bill that passed the House. And the two Republican authors, the gentleman from Georgia (Mr. NORWOOD) and myself, the authors of the bill, were not even named as conferees. We are not on the conference. We wrote the bill which passed the House 275 to 151, but we were not named to the conference.

Well, I would refer my colleagues to a timely new investigative report that documents how campaign cash, particularly unlimited soft money contributions, has cemented an alliance between pro managed care interests and Senate leaders that has thwarted strong new patient rights protection that is supported by the majority of Americans. This is in a report on the Internet, so I will give the address: http://www.citizen.org/congress/reform/hmo-senate.htm.

My colleagues need to read this report. Drawing on interviews, according to this report, with key lobbyists, Capitol Hill staff and written sources, the report details the intimate working relationships between two top managed care trade associations that are major contributors to the majority party in the Senate.

We are talking about the Blue Cross/Blue Shield association and the National Federation of Independent Businesses. Now, I want to hasten to say that my voting record with the NFIB has always been good and we share many goals. But on this issue the NFIB lobbyists here in Washington are wrong and, in my opinion, are not representing the desires of their own NFIB members back home.

I have met with NFIB members back in my State, and overwhelmingly they tell me they support our patient protection legislation. And that is borne out by this: According to a Kaiser Family Foundation and Health Research and Educational Trust study done last year, there is overwhelming employer support for patient protections. We are talking about payment for emergency department visits. Eighty-five percent of small firms think that Congress ought to pass a law that does that. Large firms, 69 percent; the general public, 76 percent. So employers support that even higher than the general public.

How about on the issue of a denial of care, where an individual goes to an independent appeals process? Small firms, according to this Kaiser Family Foundation study, supported that provision for Federal law to the tune of 94 percent; large firms, 79 percent; the general public, 83 percent.

Now, on the issue of enforcement, on the right to sue, small firms, the employers who own these small firms, 61 percent support that provision. Why? Because they have got the same policy as their employees and they have seen their employees abused by HMOs and then have no recourse. They do not think that is right. That is almost two-thirds. That is almost two out of three employers of small businesses. And the general public feels even stronger about that; 70 percent on that.

That is why I think that some of the Washington lobbyists are not even representing the wishes of their own constituents back home.

This report reveals the extraordinary range of pressures that Senate leadership has deployed to keep reluctant Republican Senators in line. And based on this new analysis of political contributions that is in this report, the report lays bare the financial ties that bind the iron triangle of pro managed care contributors, their lobbyists, and Senate leadership that has worked in concert against strong patient rights legislation. Senate leadership represents the last bastion of HMO resistance to public regulation of HMOs, which most Americans blame for decreasing the quality of health care.

In 1998, Senate leadership prevented the Senate from even considering the Patient's Bill of Rights. In 1999, they steered a weak patient rights bill through the Senate by a narrow margin. Only 2 months later, the House of Representatives, as I have said, passed a strong bill. But, today, one of those Senate leaders chairs the House-Senate conference, and he often makes pessimistic statements on the outlook. He recently told Congressional Quarterly magazine, ''It's not a high probability to even have a successful conference.'' While his pro managed care allies fight to kill any legislation.

Here are some of the report's highlights. Let me repeat this again. This report is in http://www.citizen.org/congress/reform/hmo-senate.htm. Here are some of the highlights of this report:

Members of the pro managed care, this is the HMO organization, the health benefits coalition, have given more than $14 million in campaign contributions to the majority party and

its candidates since 1995. That is about 80 percent of their total, according to new data analyzed by this report. Nearly 40 percent consisted of soft money donations to the majority party. Senate leaders have established an intimate iron triangle working relationship with two leading health benefits coalition donor lobbyists, Blue Cross/Blue Shield and, as I said, NFIB.

The Blues, which comprise the Nation's largest provider of managed care services have dispatched lobbyist Brenda Becker, their national PAC coordinator and key lobbyist, to serve as one of a small number of cochairs for the majority party fund-raising. She has responsibility for soliciting millions of dollars from the health care industry and other businesses. She has cochaired the annual GOP House-Senate fund-raising dinner for the last several years. She cochaired the majority fund in 1997 and again this year. She has personally orchestrated leadership PAC fund-raisers for Senate leaders, as well as golf tourney fund-raisers, including the upcoming Senate leader sponsored event in July.

There is an appendix to this report that my colleagues can look up on the Internet that details this. NFIB, sadly, chairs the health benefits coalition. As I said, I think they have worked on a daily basis with the Senate leadership and the Senate leadership staff to develop legislative strategy to kill strong patient protections.

According to interviews with congressional staff and lobbyists, Senate leaders have employed a variety of strong pressures, including social ostracism on majority Senators to create near unanimous Republican support on the Senate for a weak patient rights bill. Those Senate leaders pressured four independent-minded Senators.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The Chair must remind all Members that under the rules and precedents of the House it is not in order to cast reflections on the Senate or its members individually or collectively.

□ 1930

Mr. GANSKE. Mr. Speaker, I appreciate the advice.

Let me talk about a parable. There is a book down in the lobby. It is called House Mouse, Senate Mouse. It is a little book that I take to grade schools, usually about third-graders, and I read this story about the House mouse and the Senate mouse in the Congress. They have, for instance, the oldest mouse in the Senate is Senator Thurmouse.

Well, let us just talk about this mouse Senate. It seems to me that this report is very similar to what may be going on in the mouse Senate, where senior mouse senators from Rhode Island who tried to work in an independent manner, bipartisan fashion, were ostracized by those other mouse majority senators.

Or how about the senior mouse senator from Arizona who tried to work with the junior mouse senator from Illinois.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The gentleman will suspend. The Chair kindly reminds the gentleman from Iowa (Mr. GANSKE) that, under the rules and the precedents of the House, it is not in order to cast reflections on the Senate or its members, even by innuendo.

Mr. GANSKE. Mr. Speaker, I would ask a question.

Do you think that when I am referring to a mouse Senate that I am actually referring to the actual Senate?

The SPEAKER pro tempore. Would the gentleman just kindly refrain from casting reflections upon the Senate or Members of the Senate individually or collectively. The gentleman may proceed in order.

Mr. GANSKE. Well, I appreciate the discretion of the Speaker.

Mr. Speaker, and even though we are talking about some diminutive legislative activities, just what I think I will do is I will simply recommend again to my colleagues that they look up this report. It details connections between lobbyists and legislation related to patient protection legislation that is going on here in Washington, and I think it does establish an unsavory connection between campaign contributions and public policy. I highly recommend it.

Let me once again point out that on the Internet this is under http://www.citizen.org/Congress/reform/HMO-Senate.htm.

That report concludes that there is a strong body of evidence linking pro-managed care industry campaign contributions with, in my opinion, what is going on in the conference.

We need to break that iron triangle. That is one of the reasons why the House passed the Shays-Meehan campaign finance bill. It needs to be dealt with, both campaign finance reform, and also getting real pro-consumer Patients' Bill of Rights in order to address the tragedies that occur due to HMOs making medical decisions that harm patients and a Federal law that prevents those HMOs from being responsible for those decisions and a lack of a Federal law that would set up a mechanism to prevent those tragedies from happening before they occur.

That is what we passed on the floor of the House, a strong bipartisan patient protection bill, the bipartisan consensus Managed Care Reform Act, the Norwood-Dingell-Ganske bill.

I would beg the conferees not to give up, to bring forward from the conference committee a real patients' protection bill so that we do not have to continue to deal with these tragedies.

Mr. Speaker, I appreciate your indulgence.

FEDERAL RAILROAD ADMINISTRATION PROPOSED RULE ON USE OF LOCOMOTIVE HORNS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 60 minutes.

Mr. LIPINSKI. Mr. Speaker, first of all, I want to congratulate the previous speaker in his special order. I thought he did a magnificent job in numerous areas. I am proud to have had the opportunity of sitting here and listening to him, and I certainly plan on supporting many of the pieces of legislation that he spoke about.

Now, Mr. Speaker, I rise tonight to highlight a serious problem that all of America will soon experience. As early as next January, thousands of cities, towns, villages and hamlets will be deafened by the wail of a train whistle.

That is right. If the Federal Railroad Administration's proposed rule on the sounding of locomotive horns at every highway rail crossing goes into effect, the ear-splitting sounds of train whistles will wake people at night and generally disrupt people's lives.

Unfortunately, few Members of Congress know about the problem that confronts us. As mandated by the Swift Rail Act of 1994, the FRA came up with rules on train horns; and in January, the FRA came out with their proposed rule.

While I understand that the rule is intended to save people's lives, the way in which the rule was written will severely impact millions of people in a very negative way.

At this point, I would like to suspend my remarks and yield to one of my colleagues, the gentlewoman from Illinois (Ms. SCHAKOWSKY), and then I will resume my comments in regards to this matter.

Ms. SCHAKOWSKY. Mr. Speaker, I want to thank the gentleman from Illinois (Mr. LIPINSKI) for the opportunity today to speak on this very important subject and raise my concerns about the Federal Railroad Administration's proposed rule on the use of locomotive horns.

All of us, the Federal Railroad Administration and the gentleman from Illinois (Mr. LIPINSKI) and I, are very concerned about safety at railroad crossings. No one wants to see any more accidents involving trains and school buses full of children. However, the rule as written will cause undue harm in Northeastern Illinois and may even undermine safety.

I had the opportunity to raise these concerns when the Federal Railroad Administration came to the Chicago land area to conduct four hearings, and I would like to reiterate some of the concerns that I raised and to point out that I think that there are other far less disruptive means to improve safety here.

We have a long history of dealing with rail crossing safety issues. Over the past 12 years, injuries and fatalities

in Northeast Illinois have declined by over 60 percent. At the same time, the train traffic has increased by nearly 50 percent.

As a result of cooperation between advocates and transportation officials, safety at rail crossings has dramatically increased. While more must be done, we are clearly headed in the right direction.

The FRA's proposed rule would require mandatory whistleblowing at all grade-crossings unless significant upgrades are made. I believe there are several reasons why the FRA's proposed rule is not the appropriate approach for Northeast Illinois.

First, there is the question of safety. Because of technological and cost impediments to the specific upgrades, the FRA's proposed rule would require mandatory whistleblowing in many areas.

While it is clear that this would have a profound negative impact on quality of life in our area, there also remains serious questions as to whether whistleblowing actually reduces collisions.

Many experts have pointed to what is called the ''Chicago anomaly'' where the data shows that there are actually fewer collisions at gated crossings where whistles are banned than where whistles are blown.

The Chicago anomaly strongly suggests that at least there are alternatives that can better increase safety. Mandatory whistleblowing may actually undermine our efforts.

Illinois is focusing its efforts and resources on addressing the most dangerous rail crossings based on safety records. The FRA approach would require expensive and time-consuming technological enhancement at all at-grade rail crossings even if safety records demonstrate no problems at those crossings. This would divert resources from making safety improvements at extremely dangerous crossings.

I think we ought to take a very hard look at such a dramatic switch in strategies, particularly since the rules for upgrades may be unaffordable and unworkable.

While all are committed to rail safety, there are wide discrepancies in the cost estimates of complying with the proposed rule. These concerns are legitimate.

The FRA estimates that the cost of implementing this program nationwide would be $116 million. But the Chicago Area Transportation Study estimates that the true cost will be more than that in Illinois alone, a total in our State of $170 million to $234 million.

We need to increase spending on rail safety. I want to commend my colleague the gentleman from Illinois (Mr. LIPINSKI) for his leadership on rail safety and his commitment to finding additional Federal resources to achieve that goal.

I am proud to be a cosponsor of his legislation, H.R. 2060, the Railway Safety and Funding Equity Act of 1999, which would double Federal spending for State grade crossing programs. We will work hard to get the necessary funding, but we need to make sure that the resources are there.

Even if we succeed in providing the needed resources, there are serious technological barriers to compliance with the FRA proposal. The first is time. The proposed rule gives communities now operating with whistle bans 2 to 3 years to adopt supplemental or alternative safety measures in order to avoid mandatory whistleblowing.

We have nearly 1,000 at-grade rail crossings in Illinois that have whistle bans and would have to be physically ungraded within that very short time period in order to avoid lifting the bans. The Chicago Area Transportation Study, again, estimates that it would actually take about 10 years to accomplish this massive job.

Unfortunately, the proposed rule does not provide adequate time to begin with, let alone allow flexibility for logistical delays.

There is also a real suspicion that the required upgrades required in the proposed rule are impossible. For example, barriers along the side of roads that lead up to gated rail crossings would prevent cars from driving around the gates to cross the tracks, but they would also prevent snow blowing, a significant problem in an area like Chicago.

Another example is the requirement of photo enforcement, which just happens to be illegal under Illinois State law.

Quad gating is also illegal in the State because of the concern that otherwise law-abiding motorists may get trapped on the tracks by closing gates if we close all access to and from the tracks with quad gates.

Last, but by no means least, I want to discuss what happens if we do not adopt alternatives to mandatory whistleblowing because of safety, technological, or cost issues.

As I mentioned, 2.5 million people live within one quarter mile of rail crossings in Chicago, 75,000 in my own district. Children attend school near rail crossings. They would be subjected to repeated train whistleblowing at levels between 84 and 144 decibels at all hours of the day and night. Eighty-four decibels is well above the Illinois Department of Transportation's trigger for noise abatement procedures, and 144 decibels is above the pain threshold. Their lives would literally be disrupted.

Given the ''Chicago anomaly'' and given the strong argument that Illinois can pursue alternative means to accomplish the same or even higher safety goals and given the fact that millions of people would be harmed, I believe that we have to find alternatives to the current rule as it is proposed.

I think we need to revisit the rule, think of better solutions. And my sense from the Federal Railroad Administration is that there was some willingness to consider these alternatives.

Such action, in conjunction with the passage of H.R. 2060, is what is needed to truly provide for improved safety and quality of life in my district throughout the State and throughout the Nation.

Again, I thank the gentleman from Illinois (Mr. LIPINSKI) for his help on this important initiative.

□ 1945

Mr. LIPINSKI. Mr. Speaker, I thank the gentlewoman from Illinois (Ms. SCHAKOWSKY) for her superb statement. I have been working on this issue for a long time but there are several items that she made mention of in her statement that I was not aware of in regards to the four quadrant gates in Illinois and a couple of other things she made mention of. So I appreciate her contribution very much.

GENERAL LEAVE

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this special order.

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

There was no objection.

Mr. LIPINSKI. Mr. Speaker, the gentlewoman from Illinois (Ms. SCHAKOWSKY) made mention of the hearings that took place.

Let me interrupt myself for a moment once again. I see I have been joined here by my colleague, the gentleman from Illinois (Mr. RUSH), and I would now like to yield to him.

Mr. RUSH. Mr. Speaker, I certainly want to applaud commend and thank the gentleman from Illinois (Mr. LIPINSKI) for this special order. It is a very, very important special order and it is very timely.

Mr. Speaker, requiring trains to blow horns at railroad crossings is not a bad idea, in theory. This small action may prevent accidents and it may prevent deaths at railroad crossings, but in practice the train whistle rule does not apply to my State of Illinois where railroad crossing accidents have decreased by 52 percent since 1989.

Once enacted, the Railroad Administration rule requiring trains to sound their horns at all rail crossings will greatly reduce the quality of life for Illinois residents. We in Illinois have already succeeded in drastically reducing railroad crossing fatalities. In my district alone, nearly 200,000 residents will be affected by the whistle blowing rule and more than 66,000 of those residents, my residents, will be severely impacted. Of the approximately 2,000 crossings identified by the FRA, 899 are located in Illinois, putting my home State at a severe disadvantage when FRA finally enforces the whistle rule. Installing alternative safety measures that meet FRA requirements could cost Illinois an estimated $590 million, which will require right-away acquisitions and other infrastructure improvements in order to put these, quote,

quiet zones, end quote, measures into place.

In short, Mr. Speaker, to comply with the FRA rule, which is not needed in Illinois, our constituents must pay either with the loss of peace and quiet, sleep and rest, or with the loss of their tax dollars. Certainly we in Illinois want to save lives and we have saved lives. There is no question about this, but we must address this issue regionally. Illinois should be left to handle railroad crossing safety on its own.

The numbers clearly show what we are doing is working. Why fix it? It is not broke.

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman from Illinois (Mr. RUSH) for his comments. I appreciate his contribution to our special order. He certainly was right on target. I hope that we will be joined later by a few more Members from Illinois and from other parts of the country but in light of the fact that I am the only other speaker I will start again.

As I mentioned, and the gentleman from Illinois (Mr. RUSH) mentioned and the gentlewoman from Illinois (Ms. SCHAKOWSKY), there were four hearings held in Chicago and to show how much this affects the City of Chicago and the Chicago-land area, there were 12 hearings held nationwide. Four of the 12 hearings were held within the Chicago-land area. The hearings were attended by the Federal Railroad administrator, Administrator Jolene Molitoris, and we certainly appreciate that but that once again shows how significant she thinks the Chicago-land area will be affected by this notice of proposed rulemaking.

The four hearings in Chicago were extremely well attended. Over 200 people testified in opposition to this rule as it is constituted at the present time. I do want to say that the Federal Railroad Administration, underneath the leadership of the administrator, has been very understanding, has been very cooperative, because they recognize the huge impact this rule has on the City of Chicago, the County of Cook, the surrounding counties and the State of Illinois.

I would like to mention this law, when it was passed back in 1992, it was a law that was not debated in the House. It was not passed in the House. It was not debated in the Senate. It was not passed in the Senate. It was placed in a conference report on another bill. It became known as the Swift Rail Act, but this was not a bill that went through the normal process that we have here on Capitol Hill. It was put in, as I say, in conference. It was under the jurisdiction of the Committee on Commerce at the time. Now it is under the jurisdiction of the Committee on Transportation and Infrastructure.

Now, as I say, this was passed back in 1992. In 1995, I did get an amendment put on an FRA bill that granted communities one year to implement this in the event this rule came down. Fortunately, the Federal Railroad Administration did extend that to 2 or 3 years, that would be 2 to 3 years from January of 2000 when this notice of proposed rulemaking was announced.

Now, Chicago, as I mentioned earlier, is very unique. It is unique because it is the center of the railroad industry in North America, has been probably since the time the first railroad train pulled in to Chicago. That is good and it is bad. It is very good because it creates a lot of jobs, it creates a lot of economic development in the City of Chicago. It is bad because it causes us to have an enormous number of grade crossings within the Chicago-land area.

Illinois has 899 whistle bans as allowed under the Illinois Commerce Commission, which is almost half of all the whistle bans in the United States of America. In fact, it comes down to being 46 percent of all the grade crossings in this country that will be affected by this rule are within the State of Illinois. Of those 899 grade crossings, 780 of those are located within the six counties that make up the Chicago-land area; 355 of those are within the City of Chicago itself. The new proposed rule will give these communities only, as I mentioned earlier, 2 to 3 years to come up with supplemental safety measures.

Now I believe that it is absolutely necessary that the Federal Railroad Administration grant us a minimum of 10 years to implement what they want this rule to implement. As the rule is presently constituted, we need at least 10 years to implement this rule because it is going to cost an enormous amount of money in the State of Illinois. On top of that, it is highly questionable whether or not the equipment can be manufactured quickly enough and it can be installed by railroad crews that have to install it in a 2 to 3 year period of time. All the estimates that I have received say it is going to take financially and equipment-wise and installation-wise at least 10 years to do it, underneath the present rule.

Now 64 percent of all Illinois population live within one mile of public highway crossings, 64 percent. Forty-six percent of all residents of Illinois will be severely negatively impacted by this rule. That comes directly from the Federal Railroad Administration.

Yet in Illinois, collisions at public grade crossings have declined by 52 percent since 1989. In northeastern Illinois, injuries have declined by 70 percent. In northeastern Illinois, fatalities have declined by 65 percent. So obviously Illinois is doing a great deal right when it comes to railroad safety.

The FRA states that 177,000 people in Illinois would be impacted by the rule, of which 74,000 would be severely impacted. The Chicago area transportation study estimates that 1,644,000 people in Illinois would be impacted, of which over 1 million people would be severely impacted by this rule.

The FRA estimates the cost at $116 million for whistle-ban communities, based on assumptions that every community will install the lowest cost alternatives to whistles. The Chicago area transportation study estimates the cost of a reality-based alternative to be between $440 million and $590 million for whistle-ban communities. That is an awful lot of money. Illinois will spend $95 million in the year 2000 making improvements at roughly 200 crossings. If the proposed rule goes into effect, the State of Illinois will be forced to spend money at an already safe crossing instead of at bad crossings in down-state Illinois which account for only 1.5 percent of daily traffic but 33 percent of the accidents and 40 percent of the fatalities in Illinois.

The FRA's analysis indicates that whistle-ban crossings, without gates, are the biggest danger to the public and are the primary targets for this proposed rule. Since 77 percent of the crossings in northeast Illinois have gates and all of the whistle bans in northeast Illinois have gates, why should northeastern Illinois be a target of this one-size-fits-all rule?

The FRA study admits to an anomaly in the Chicago area, as the gentlewoman from Illinois (Ms. SCHAKOWSKY) mentioned, where collisions were 16 percent less frequent. The FRA claims it was caused by an outdated inventory of crossings, but using a complete inventory of crossings and FRA methodology CAT still found, that is the Chicago area transportation study, they still found that the collisions are 4.5 percent less frequent at whistle-ban crossings.

Now we have made, I think, significant progress with the Federal Railroad Administration in modifying the rule they were originally going to propose a number of years ago. We cannot negotiate with the Federal Railroad Administration until the first part of next month because up until the close of the comment period they are prohibited by law from negotiating.

□ 2000

Administrator Molitoris, I believe, is open to further compromise. I think that this is going to be absolutely necessary, because there are a number of people here in the House who do not believe that this law is needed at all, particularly not in the State of Illinois, where the State of Illinois is doing such a significant job. If we do not get significant compromise out of the Federal Railroad Administration, I believe that there will be a move afoot to repeal this law entirely.

As I mentioned earlier, I believe it is imperative that we get at least 10 years to implement this rule, with further modifications, not where we have to put up four gates, but where two gates will definitely be acceptable to the Federal railroad administration.

Right now approximately $150 million is spent each year in this country by the Federal Government on upgrading railroad crossings. With this rule going into effect, there is going to be a much greater need for funds from the

Federal Government, as well as funds from state governments and from local municipalities.

I have a bill at the present time that I have introduced that would bring in approximately $160 million more each year to the Federal Government for upgrading grade crossings. That bill takes the 4.3 cents that railroads now pay on their diesel fuel tax that goes to deficit reduction. Based upon all of the statements that I hear out here in Washington throughout the country, we no longer have a deficit in this country, we have a significant surplus in this country, so I do not believe that we should be taking the 4.3 cents that the railroads pay for deficit reduction any longer and putting it into the general revenue of this country.

I believe that we should take that 4.3 cents and put it into a trust fund to upgrade rail crossings in this country. As I say, it would increase the total amount available to over $300 million. We would certainly have to add a portion from the state and a portion from the local municipalities, something like 75 percent from the Federal Government, 15 percent from the state, or 20 percent from the state and 5 percent from the local municipalities. This money thereby would be helping out railroads, it would be helping out citizens, it would be helping out safety in this country.

I would also like to say that this rule, I understand, originally was passed into law because the railroads were interested in reducing their liability as much as possible. I can understand that, I can appreciate that, but, because of that, I think it would be wise for the railroads to join in supporting my bill that would utilize their 4.3 cents now routed for deficit reduction, which apparently we no longer need it for, to upgrade rail crossings. I would also say part of my bill would say that when we pass the next highway transportation bill in this Congress, which will be in 3 or 4 years, that the 4.3 cents would revert back to the railroads and they would no longer have to be paying it.

Mr. Speaker, in conclusion, I want to thank all the Members that have spoken here this evening. I want to thank the individuals who have submitted statements for the record, particularly the Speaker of the House. This is an enormous problem for the country, but it is a gigantic problem for the State of Illinois, and particularly for Northeastern Illinois. The money is not available, the time is not available, the resources are not available to do what the Federal Railroad Administration wants us to do underneath the existing rule.

On top of that, Northeastern Illinois probably has done more and the State of Illinois has probably done more than any state in the union to upgrade railroad safety. We simply must have this rule amended so that many of the very worthwhile things that have been done by the State of Illinois and Northeastern Illinois will suffice as far as the Federal railroad administration is concerned to bring us up to a superb safety standard.

Certainly we do not want to see anyone lose their life at a grade crossing, but I think that we in Illinois have done an outstanding job in resolving this problem, and if we can get some further help from the Federal Government in regard to funding, I think that we will even do a better job.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Illinois (Mr. LIPINSKI) for arranging a special order today on the preservation of rail safety in the State of Illinois. I would also like to thank the gentleman for his continued work on rail safety throughout the nation, and his efforts over the last several years in making sure that any proposed rule on the use of locomotive horns does not adversely affect rail safety in Illinois.

Mr. Speaker, I rise today to speak on behalf of rail safety in the State of Illinois and the potentially adverse impacts of the recent Federal Railroad Administration's (FRA) Proposed Rulemaking on the Use of Locomotive Horns at Highway-Rail Grade Crossings.

As the Representative of the 14th District of Illinois, which covers portions of five counties and contains approximately 18% of all highway public-at-grade crossings in the state, I have intently followed this issue since I was first elected to Congress, and have witnessed firsthand Illinois' history with mandatory whistles. In fact, when the Illinois Legislature passed a mandatory whistle law in 1988, it met with such intense public backlash that it resulted in a court order to stop the whistles.

On January 12, 2000, the FRA published their Proposed Rule which will require all freight and passenger trains to sound the train's air horn when approaching and entering a public at-grade highway-rail crossing. According to the proposed rule, each train horn must be sounded with a series of two long, one short, and one long horn blasts to signify the locomotive's approach to a crossing. The timing is a combination of state laws with minimum federal requirements.

There is currently no federal law requiring horn sounding, however many states, including Illinois, currently require trains to sound their horns at all public at-grade crossings unless specifically exempted by the Illinois Commerce Commission (ICC). The grade crossings in Northeast Illinois that currently do not have air horns routinely sounded may have them sounded every time a train approaches a grade crossing if the new regulations are put into place. This occurs up to 140 times a day at the region's busiest grade crossings, and, at 66 of the crossings in Northeast Illinois, 101 or more trains per day pass through. Within my district, Auroa (50, Elgin (25) and West Chicago (22) rank #2, #11, and #14 respectively in the number of grade crossings per city in the state. In fact, should this rule go into effect as drafted, 80 of 148 crossings in DuPage County alone would have to change operating practices. Thus, the direct impact on Illinois, and the unique nature of the state with respect to this issue is clear.

In Illinois, rail safety is the responsibility of the ICC, which may exempt crossings from routine horn sounding if they have automatic flashing lights, bells and gates and have experienced less than three accidents in the past five years. The state of Illinois currently has 899 whistle ban rail crossings.

Mr. Speaker, the history of increased rail safety in Illinois is a proud one. Illinois has a proven program of substantially improving rail crossing safety at an annual average cost of approximately $40 million. In 1998 alone, the state of Illinois spent over $60 million on grade crossing improvements. In fact, between the ICC and Illinois Department of Transportation (IDOT), Illinois has invested hundreds of millions of dollars over the years to install modern safety devices at grade crossings throughout the state. Illinois is also well along in a program to install innovative remote monitoring devices at every active grade crossing (Illinois is the only state where this is happening).

I am pleased to report that these investments in safety have paid off. In Illinois, collisions at public grade crossings have declined by 52% since 1989. In Northeast Illinois, injuries have declined by 77% and fatalities have declined from 26 in 1988 to 9 in 1997, a 65% decrease. The large rate of decline is more impressive when you consider that between 1980 and 1999, train traffic and average vehicle miles traveled by motor vehicles, have both increased by approximately 45%. My primary concern with the FRA's proposed rule is that it would preempt the responsibility of the ICC, which has a demonstrated history of improving grade crossing safety. In fact, I am concerned that the proposed rule could have the unintended consequence of decreasing rail safety in the State of Illinois.

As you are well aware, Mr. Speaker, the State of Illinois is the hub of rail activity in North America. Nowhere is the issue of rail safety more important. Citizens of Illinois appreciate the need for, and support efforts to, increase rail safety. The question addressed by this proposed rule, therefore, is not whether we should try to decrease the number of rail collisions, we can all agree on that, but how this can be best accomplished.

People in Northeast Illinois are constantly reminded of the need for rail safety. In the last several years, Illinois has suffered several high profile accidents, most notably in Bradley-Bourbannais and Fox River Grove. Both of these tragic accidents resulted in significant loss of life, and the people of Illinois are committed to making these tragedies a thing of the past. It should be noted for the record, however, that none of these accidents can be attributed to the lack of a horn being sounded.

As I stated earlier, we can all agree that increasing rail safety is a laudable goal and that even one death on the nation's rail system is one death too many. Let me assure you that the ICC, IDOT and the people of Illinois work towards this goal every single day. I believe the data show that their efforts have paid off—rail crossings in Illinois are safer today than they were yesterday and will be safer tomorrow than they are today.

Unfortunately, the proposed rule offered by the FRA threatens the progress we have already made in Illinois. While offering little, if any, benefit in safety, this rule becomes an extraordinary unfunded mandate on local communities and the State, who will have to divert a large portion of their resources to upgrade already safe crossings in order to maintain their quiet zones; otherwise they will face the specter of incessant horn blasts at all hours of the day and night.

Thus, I believe this rule is fatally flawed in that it preempts already proven and effective State control. It is a ''one size fits all solution'' that does not fit Illinois. I believe that, at a minimum, this rule should not be finalized without recognizing Illinois is unique with respect to its rail crossing environment and that a more-tailored approach, which does not undermine state control, is developed.

In summary, I believe that after hearing all of the evidence delivered to the FRA at the public hearings held in the Chicagoland Area last week, they are essentially left with only two reasonable options: (1) The FRA can conclude that their study, upon which the proposed rule relies, is fatally flawed and, given the extraordinary costs and quality of life issues at stake, determine that additional studies need to be undertaken before publication of the final rule; or (2) The FRA can recognize that Illinois is unique with respect to its rail crossing environment and safety record, and alter the final rule in such a way as to preserve Illinois' authority over rail crossing safety.

Again, I thank the gentleman for the opportunity to address this issue. And I look forward to working with the FRA in the future to bring a solution to the state of Illinois that continues the strong safety record that has been demonstrated over the last 10 years and does not devote resources away from these efforts.

Mr. PETRI. Mr. Speaker, I wish to voice my concerns, and those of my constituents, about the current situation in many of our communities—as a result of the long-pending Federal Railroad Administration requirements for improved grade-crossing safety equipment as a condition of escaping 24-hour-a-day locomotive horn noise. When the law requiring these regulations was enacted in 1994, railroad jurisdiction resided in the Commerce Committee. According to the terms of the statute, FRA was to adopt regulations making universal sounding of horns the ''default'' rule—that is, the requirement in the absence of FRA-specified equipment. FRA was to issue the regulations specifying the horn requirements and the equipment requirements in two phases—one by November 1996, and the other by November 1998. In fact, FRA did not even propose regulations until January 2000. Meanwhile, many railroads—in an understandable attempt to minimize liability for grade-crossing accidents, have adopted policies of universal horn-blowing at grade crossings. This leaves cites and towns in a ''Catch–22'' situation'': The horns are blowing, but the FRA has given no guidance on what it takes to avoid the noise.

I submit for the RECORD at this point a newspaper editorial about what this means in practical terms to the affected communities.

[From the Oshkosh Northwestern, Thurs. Apr. 13, 2000]

EDITORIAL.—RAIL CROSSING RULES ONE MORE MANDATE

The Federal Railroad Administration is again showing how bureaucrats can twist sensible Congressional intentions into expensive new regulations that are shoved down the throats of local communities.

Oshkosh will be forced to spend $320,000 on median barriers at railroad crossings if the federal bureaucrats have their way. This is another example of federal funding that is not as freely flowing as the rules that are spawned.

If the city does not comply with the proposed rules, trains will blast their whistles almost continuously as they make their way through the city's 16 railroad crossings.

Fortunately, there still is time for the public to speak out against this mandate madness.

The Swift Rail Development Act was passed by Congress in 1994 and requires train whistles be sounded upon approaching every public grade crossing, unless there is no risk to persons, it is not practical or if safety measures have been taken to fully compensate for the absence of an audible warning.

Like many communities throughout the nation, Oshkosh has a ban on locomotives sounding their whistles within the city limits unless an emergency situation develops.

The ban recognizes that constant locomotive whistles would be a major irritation as trains rumble through 25 to 30 times a day (and night) through the city's most densely populated areas.

FRA officials drafted proposed regulations to comply with the law—regulations that still are under review and subject to a public comment period.

Our problem with the proposed regulations is they take railroad crossing safety measures to unnecessary extremes based on data that does not apply to Oshkosh.

Requiring trains to blow whistles at crossings without gates is not an unreasonable regulation. It stands to reason that the additional warning of a horn blast could help prevent accidents.

However, the FRA rules take the intention of the law to an unreasonable extreme because they say gates at crossings are not good enough to warrant honoring local whistle bans.

The rules allow the Transportation Secretary to determine what are acceptable safety measures at crossings. The secretary has determined that median barriers are essential because they prevent vehicles from getting around crossing gates lowered as trains pass through.

That's a barrier too far for two reasons.

First, the federal government wants to protect the public but has not provided any additional funding for the improvements apart from existing highway grants. Second, the FRA is relying on statistics in a misleading fashion. The agency concludes there is an average of 62 percent more collisions at gated crossings with whistle bans in place.

However convincing that figure may appear, it leaves out two important facts: of the crashes at intersections with gates in non-whistle communities, 55 percent of the collisions occurred because motorists deliberately drove around the lowered gates. Another 18 percent happened because motorists were stopped on the crossings.

So nearly three-quarters of the accidents happened because drivers chose to break the law or ignore basic safety precautions.

Concrete barriers and other extravagant measures are not going to protect people from themselves if they have a death wish.

Nor has Oshkosh seen increased carnage at its crossings. In fact, the addition of gates in 1998 has turned the city from one of the deadliest to one of the safest in the state.

Our accident totals are at zero and counting with a whistle ban in place. And Oshkosh meets all of the other criteria set by the agency to continue the whistle ban, including long-term law enforcement initiatives at crossings and targeted public education programs.

Rep. Tom Petri, R-Fond du Lac, should exercise his considerable rank on the House Transportation Committee to encourage the FRA to reconsider its barrier requirements before allowing for a quiet zone.

In addition, the public can send comments on the proposal to Docket Clerk, DOT Central Docket Management Facility, 400 Seventh Street, S.W., Plaza-401, Washington, DC 20590–0001. Comments will be accepted through May 26 and should include the reference ''Docket Number FRA–1999–6439.''

Let's hope it's not too late to get the FRA to change its mind.

Certainly, FRA's complete failure to adhere to the schedule in the statute has been a major contributing factor in this unfortunate situation. At the same time, it appears that there may be some overreaching by some railroads in adopting across-the-board horn-blowing requirements. I want to resolve this situation as rapidly as possible. To that end, I have sent to the FRA a letter requesting a formal legal opinion on the exact degree of federal preemption of state and local noise regulations, in the current situation—that is, where there are as yet no final and effective FRA regulations in place. No matter what policy decisions are to be made here, it is in the interest of all parties to know what the current legal situation really is.

At this point, I submit for the RECORD a copy of the April 28 letter sent by Mr. LIPINSKI of Illinois and myself to FRA Administrator Jolene Molitoris, requesting a formal legal opinion on the degree of legal pre-emption that obtains while the FRA rulemaking is still pending.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 2000.

Hon. JOLENE MOLITORIS,
Administrator, Federal Railroad Administration, Washington, DC.

DEAR ADMINISTRATOR MOLITORIS: We are writing to request an official legal opinion from the Federal Railroad Administration on an important issue of rail safety regulation—the pre-emptive reach of the ''whistle-ban'' provision in current rail safety law, 49 U.S.C. 20153.

As you know, this provision was enacted as part of the 1994 FRA rail safety reauthorization. Section 20153 in general requires FRA to adopt rules requiring the sounding of horns or whistles at all grade crossings, except where safety measures specified in final FRA regulations have been applied to the individual crossing in question. Although final regulations were to be issued in two phases (one by November 2, 1996, and the other by November 2, 1998), FRA has thus far only issued proposed regulations, which were not promulgated until January 13, 2000. Section 20153 further provides that final regulations, when issued, may not take effect for 1 year after issuance.

Section 20153 does not in itself appear to address explicitly the pre-emptive effect of the statute in the current situation, where final regulations have not yet been issued or taken effect. However, the language in subsection (b) strongly implies that federal preemption of existing requirements occurs only when FRA has actually issued rules requiring the sounding of horns or whistles: ''The Secretary of Transportation *shall prescribe regulations, requiring* that a locomotive horn or whistle shall be sounded while each train is approaching and entering upon each public highway-rail grade crossing'' (emphasis added). Since no such regulations have been issued, it would seem that Section 20153 alone does not yet have any current preemptive effect.

The issue is further complicated, however, by the general pre-emption provision of the FRA rail safety statutes, 49 U.S.C. 20106, which antedates the whistle-ban provision by a number of years. Section 20106 provides in pertinent part that ''[a] State may adopt or continue in force a law, regulation, or order

related to railroad safety until the Secretary of Transportation prescribes a regulation or issues an order covering the subject matter of the State requirement.'' Since this limitation on federal regulatory pre-emption is limited by its terms to ''state'' rail safety requirements, it could be argued that it implicitly precludes rail safety requirements (including whistle-ban ordinances) adopted by local governmental authorities below the state level.

We understand that some railroads have taken one or two legal positions on this subject: either (1) the very enactment of Section 20153 immediately displaced all state and local authority to adopt and enforce grade-crossing whistle bans; or (2) that Section 20106 independently precludes locally enacted whistle bans, and allows only state-promulgated requirements in this area, prior to adoption and effectiveness of final FRA regulations.

This is an issue of immediate and pressing concern to our states. As FRA acknowledged in its proposed regulations [65 Fed. Reg. 2230, 2234 (Jan. 13, 2000)], well over half of all whistle-banned grade crossing in the United States are located in Wisconsin and Illinois. It is our understanding that many, if not most, of the bans now being ignored by some railroads were promulgated by local rather than state governmental units.

We are therefore requesting the formal legal opinion of the ERA on the following questions:

(1) Does Section 20153, Title 49, United States Code, pre-empt adoption and enforcement of state-issued or locally issued whistle bans prior to promulgation and legal effectiveness of final regulations issued by FRA under that section?

(2) Does Section 20106, Title 49, United States Code, pre-empt the adoption or enforcement of whistle bans issued by local governments prior to promulgation and legal effectiveness of final regulations issued by FRA under Section 20153 of that title?

Thank you for your prompt assistance on this important matter of rail safety policy.

Sincerely,

WILLIAM O. LIPINSKI,
Ranking Member, Aviation Subcommittee.

THOMAS E. PETRI,
Chairman, Ground Transportation Subcommittee.

Second, I have also prepared legislation which would spell out the ground rules governing local, state, and federal jurisdiction in this area, while the FRA rulemaking is still pending, and no fully effective regulations are in place. As with the request for the legal opinion, this legislation may prove to be an important option in clarifying the authority of state and local governments in the field of railroad noise abatement at grade crossings.

Finally, I want to commend the gentleman from Illinois, Mr. LIPINSKI, for arranging this evening's discussion of this important transportation safety issue. I look forward to working with him as we address this problem.

Mr. PORTER. Mr. Speaker, I rise today as one of the many Members of Congress opposed to the Federal Railroad Administration's proposed rule for trains to sound their horns at public crossings. Let me first state that I do not oppose efforts by the FRA or any other part of the Department of Transportation to improve safety. Each year there are over 35,000 transportation related deaths in America. We must reduce this terrible statistic. In fact, safer travel is the basis for my opposition to this proposed regulation.

In my opinion, the approach taken by the FRA to prevent train crossing accidents is extreme. I believe that the spending mandated by this regulation would be wasteful and ultimately not improve safety. These scarce dollars and resources can be used more effectively, saving more lives, if spent in other areas. Implementing this rule would draw funds away from other important safety measures for drivers, pedestrians, and other travelers on Americas roads in Illinois and elsewhere.

The main parts of the proposed rule are now well known: trains must blow their horns at all public grade crossings unless a new level of safety measures is installed. While there is flexibility in the types of safety measures and the time in which they must be installed, this sweeping regulation is flawed for several reasons.

First, the FRA data used to conclude that blowing horns at crossings reduces accidents fails to count a significant number of crossings and fails to properly classify and incorporate the nature of the accident. In fact, data has been compiled which indicates that in certain regions of the country, my district being one of them, there is a decrease in the number of accidents in places where train horns are prohibited from sounding. Further, the data does not account for the vast differences in vehicular traffic at the rail crossings where information was gathered.

Second, the majority of the data used by the FRA to formulate this proposal came from a multiyear study of areas in Florida that had implemented and then repealed bans on train horns at crossings. In my opinion, the specific data from the Florida crossings is neither applicable nor appropriate to determine the need for horn bans in the majority of the other states. In Cook County, Illinois there are more gate crossings than in the majority of states in the country.

Third, a recent Illinois study of detailed data compiled between 1988 and 1998 highlights several important facts that should be considered by the FRA. For example, train accidents involving vehicles remains a rare occurrence resulting in less than one percent of highway fatalities. Further, the study found that of train related vehicular accidents, over forty percent occurred because the driver circumvented the existing safety measures. Of the remaining accidents, a significant percentage occurred when a vehicle impacted against the side of a train, rather than the train striking a vehicle. From these facts, we can conclude that in many cases the safety measures currently in place are adequate for those citizens who chose to use them, and expenditures to further improve these safety measures would be better spent.

Mr. Speaker, little consensus exists on whether the data and analysis used by the FRA to support their position is correct, and whether the proposed rule is good public policy from any standpoint. Before forcing states and communities to pay for massive investments in rail crossing safety measures, this issue must be resolved. I ask the Federal Railroad Administration to consider the tens of thousands of citizens in Illinois and millions across the country that would be greatly impacted both financially and physically by this onerous proposal and to change the rule. At a minimum, the individual states should have much more flexibility to decide where they need to spend funds for transportation safety.

RECESS

The SPEAKER pro tempore (Mr. HAYES). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□

□ 2253

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 10 o'clock and 53 minutes p.m.

□

REPORT ON RESOLUTION WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–605) on the resolution (H. Res. 488) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

□

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. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. NADLER, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

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

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. WHITFIELD, for 5 minutes, May 4.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BROWN of Ohio for 5 minutes today; and,

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. STEARNS for 5 minutes today.

□

SENATE CONCURRENT RESOLUTION

A concurrent resolution of the Senate of the following title was taken

from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 81. Concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire; to the Committee on International Relations.

□

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 452. An act for the relief of Belinda McGregor.

S.J. Res. 40. Joint resolution providing for the appointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 42. Joint resolution providing for the reappointment of Manuel L. Ibanez as a citizen regent of the Board of Regents of the Smithsonian Instituion.

□

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, May 4, 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:

7450. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–313, ''Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000'' received May 2, 2000, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

7451. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–315, ''Adoption and Safe Families Amendment Act of 2000'' received May 2, 2000, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

7452. A letter from the District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

7453. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Mystere-Falcon 50 Series Airplanes [Docket No. 98–NM–262–AD] (RIN: 2120–AA64) received March 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7454. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Series Airplanes [Docket No. 98–NM–354–AD; Amendment 39–11601; AD 2000–04–18] (RIN: 2120–AA64) received March 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7455. A communication from the President of the United States, transmitting His approval of the findings of the Secretary of Commerce in his report ''The Effect on the National Security Imports of Crude Oil and Refined Petroleum Products,'' pursuant to 19 U.S.C. 1862(d)(2); to the Committee on Ways and Means.

□

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1523. A bill to establish mandatory procedures to be followed by the Forest Service and the Bureau of Land Management in advance of the permanent closure of any forest road so as to ensure local public participation in the decisionmaking process; with an amendment (Rept. 106–604 Pt. 1).

Mr. REYNOLDS: Committee on Rules. House Resolution 488. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 106–605). Referred to the House Calendar.

□

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Agriculture discharged. H.R. 1523 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

□

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

H.R. 1523. Referral to the Committee on Agriculture extended for a period ending not later than May 3, 2000.

H.R. 3244. Referral to the Committee on Ways and Means extended for a period ending not later than May 8, 2000.

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PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BILIRAKIS (for himself and Mr. BROWN of Ohio):

H.R. 4365. A bill to amend the Public Health Service Act with respect to children's health; to the Committee on Commerce.

By Mr. HOYER (for himself, Mr. WELDON of Pennsylvania, and Mr. ANDREWS):

H.R. 4366. A bill to establish in the Office of the Architect of the Capitol the position of Director of Fire Safety and Protection to assume responsibility for fire safety and protection activities of the Architect of the Capitol, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 4367. A bill to amend title 10, United States Code, to enhance the ability of States and local governments to participate in projects conducted under the alternative authority of the Department of Defense to acquire and improve military housing; to the Committee on Armed Services.

By Ms. DELAURO (for herself, Mr. WELDON of Pennsylvania, Mr. ANDREWS, and Mr. BOEHLERT):

H.R. 4368. A bill to amend the Consumer Product Safety Act to provide for the flammability testing and labeling of upholstered furniture which is sold in interstate commerce; to the Committee on Commerce.

By Mr. LUCAS of Kentucky:

H.R. 4369. A bill to amend title 10, United States Code, to improve access to benefits under the TRICARE program; to extend and improve certain demonstration programs under the Defense Health Program, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Government Reform, Veterans' Affairs, Ways and Means, and Commerce, 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 Mrs. MINK of Hawaii:

H.R. 4370. A bill for the relief of the Philippine citizens collectively referred to as the ''Marcos Entourage''; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 4371. A bill to amend the Immigration and Nationality Act to extend the retroactive period of provisions providing for the crediting of service with the Armed Forces of the United States toward the period of required United States residence of a citizen parent in order for a person born outside the United States of a alien parent and a citizen parent to acquire United States citizenship at birth; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 4372. A bill to amend the Convention on Cultural Property Implementation Act to improve the procedures for restricting imports of archaeological and ethnological material; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4373. A bill to amend the Fair Credit Reporting Act to limit disclosure of consumer reports on an employee which are obtained in connection with allegations of illegal conduct; to the Committee on Banking and Financial Services.

By Mr. SMITH of Texas:

H.R. 4374. A bill to provide for the appointment of 2 additional Federal district judges for the Western District of Texas; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mr. WAXMAN, Mr. STARK, Mr. PALLONE, Mr. KLECZKA, Mrs. THURMAN, Mr. ALLEN, and Mr. MINGE):

H.R. 4375. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of self-administered drugs that, when used as a replacement for covered drugs, result in overall cost savings to the 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. GREEN of Texas (for himself and Mr. GREENWOOD):

H. Con. Res. 315. Concurrent resolution expressing the sense of the Congress with respect to increased funding for the immunizations program under the Public Health Service Act; to the Committee on Commerce.

By Mr. PAYNE (for himself and Mr. CAMPBELL):

H. Con. Res. 316. Concurrent resolution concerning efforts to avert drought and famine in Africa, particularly Ethiopia; 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: Ms. MILLENDER-MCDONALD.
H.R. 59: Mr. NORWOOD.
H.R. 207: Ms. NORTON and Mr. WOLF.
H.R. 252: Mr. GARY MILLER of California and Mr. MCKEON.
H.R. 372: Mr. GILMAN and Mr. STRICKLAND.
H.R. 488: Ms. LEE.
H.R. 632: Mr. BLUMENAUER, Mr. WYNN, Ms. ROS-LEHTINEN, and Mr. WEXLER.
H.R. 1044: Mr. WELLER, Mr. EHLERS, and Mr. BERRY.
H.R. 1053: Mr. BALDACCI.
H.R. 1070: Mr. GREEN of Wisconsin, Mr. SHIMKUS, and Mr. SMITH of Texas.
H.R. 1083: Mr. DOOLEY of California and Mr. THOMPSON of California.
H.R. 1102: Mr. HEFLEY and Mr. GIBBONS.
H.R. 1113: Mr. CONDIT and Mr. DOOLEY of California.
H.R. 1129: Mrs. LOWEY.
H.R. 1176: Mr. GILMAN.
H.R. 1196: Mrs. LOWEY and Ms. PRYCE of Ohio.
H.R. 1217: Mr. RAMSTAD, Mr. BECERRA, Mr. BACA, Mr. STUPAK, Ms. DANNER, and Mr. DOOLEY of California.
H.R. 1239: Mr. SAXTON.
H.R. 1271: Mr. LUTHER, Mr. HOEFFEL, and Mr. NEAL of Massachusetts.
H.R. 1303: Mrs. MYRICK.
H.R. 1325: Mr. HOEFFEL.
H.R. 1456: Mr. ROMERO-BARCELO, Mr. MEEHAN, Mr. MARKEY, Mr. PRICE of North Carolina, and Mr. SCOTT.
H.R. 1495: Mr. PAYNE.
H.R. 1523: Mr. HAYWORTH, Mr. CANNON, and Mr. PETERSON of Minnesota.
H.R. 1592: Mr. FRELINGHUYSEN.
H.R. 1647: Mrs. MINK of Hawaii and Mr. GILMAN.
H.R. 1686: Ms. BALDWIN and Ms. JACKSON-LEE of Texas.
H.R. 1708: Mr. COLLINS.
H.R. 1885: Mrs. THURMAN, Mr. RILEY, and Mr. MCNULTY.
H.R. 1899: Mr. EVANS and Mr. CONYERS.
H.R. 1935: Mr. OLVER.
H.R. 2002: Mr. WATT of North Carolina.
H.R. 2121: Ms. CARSON and Mr. MOORE.
H.R. 2175: Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, and Mr. ABERCROMBIE.
H.R. 2270: Mr. LEWIS of Kentucky and Mrs. JOHNSON of Connecticut.
H.R. 2288: Mr. BACA.
H.R. 2308: Mr. UDALL of Colorado, Mrs. CUBIN, Mr. MCHUGH, Mr. GREEN of Wisconsin, and Mr. TANCREDO.
H.R. 2321: Mr. KLINK, Mr. BATEMAN, and Mr. DOYLE.
H.R. 2409: Mr. CROWLEY and Mr. UDALL of Colorado.
H.R. 2451: Mr. LEWIS of Kentucky, Mr. EHRLICH, Mr. SHOWS, Mr. HAYWORTH, and Mr. EVERETT.
H.R. 2485: Mr. GARY MILLER of California.
H.R. 2498: Mr. PORTMAN, Mr. SANDERS, and Mr. HALL of Ohio.
H.R. 2505: Ms. RIVERS.
H.R. 2570: Mr. MASCARA.
H.R. 2624: Mr. DAVIS of Illinois.
H.R. 2640: Mr. SHIMKUS, Mr. GILLMOR, and Mr. HOBSON.
H.R. 2706: Mr. CROWLEY.
H.R. 2736: Mr. LEWIS of Georgia, Mr. BERMAN, Mr. RODRIGUEZ, Mr. WU, Mr. NEY, Mrs. EMERSON, Mr. HOLT, Mr. BRADY of Pennsylvania, Ms. MCKINNEY, Mr. EHRLICH, Mrs. MEEK of Florida, Mr. BLAGOJEVICH, Mrs. LOWEY, and Mr. TAYLOR of Mississippi.
H.R. 2738: Mr. WATT of North Carolina and Mr. DIXON.
H.R. 2790: Mr. OLVER, Mr. EHRLICH, and Mr. WELDON of Pennsylvania.
H.R. 2871: Mr. SANDERS.
H.R. 2880: Mr. UDALL of Colorado.
H.R. 2883: Mr. KING.
H.R. 2892: Mr. PICKERING and Mrs. BIGGERT.
H.R. 2899: Mr. MARKEY.
H.R. 2902: Mr. OBERSTAR and Mr. FALEOMAVAEGA.
H.R. 2911: Mr. BLUNT.
H.R. 2915: Mr. WEINER.
H.R. 2982: Mrs. LOWEY.
H.R. 3010: Mr. EVANS and Mr. SANDERS.
H.R. 3043: Mr. PETRI.
H.R. 3083: Mr. UNDERWOOD.
H.R. 3107: Mr. PHELPS.
H.R. 3136: Mr. BACA.
H.R. 3155: Mr. PETERSON of Pennsylvania.
H.R. 3235: Mr. CONDIT, Mr. ROGAN, and Mr. PALLONE.
H.R. 3315: Mr. HINCHEY, Mr. SANDLIN, Ms. MILLENDER-MCDONALD, and Mr. LIPINSKI.
H.R. 3433: Mrs. MORELLA, Mr. ROMERO-BARCELO, Mr. BENTSEN, Mrs. CAPPS, Mr. OWENS, Mr. LANTOS, Mr. BROWN of Ohio, Ms. KILPATRICK, Mr. BISHOP, Mrs. MALONEY of New York, Mr. BALDACCI, Mr. GILMAN, Mr. KENNEDY of Rhode Island, Mr. KLINK, Mr. WYNN, Mr. GREEN of Texas, Mr. EVANS, Mr. ANDREWS, Mr. PASTOR, and Mr. WEINER.
H.R. 3500: Mr. DAVIS of Illinois and Mr. HINOJOSA.
H.R. 3518: Mr. GREEN of Wisconsin.
H.R. 3578: Mr. HILL of Montana, Mr. OSE, Mr. HILLEARY, Mr. HERGER, Mr. BARTLETT of Maryland, Mr. TOOMEY, Mr. DOOLITTLE, and Mr. SHADEGG.
H.R. 3580: Mr. SUNUNU, Mr. GUTIERREZ, Mrs. EMERSON, Mrs. MORELLA, and Mr. BONILLA.
H.R. 3593: Mr. FOLEY, Mr. WELDON of Florida, Mr. JOHN, Ms. BROWN of Florida, Mr. GALLEGLY, and Mr. CHAMBLISS.
H.R. 3613: Mr. SABO.
H.R. 3625: Mr. STUPAK, Mr. STUMP, Mr. HAYES, Mr. JOHN, Mr. GOODE, Mrs. CLAYTON, Mrs. EMERSON, Mr. LEWIS of Kentucky, Mr. BURR of North Carolina, Mr. KNOLLENBERG, Mrs. NORTHUP, Mr. FOSSELLA, Mr. NORWOOD, Mr. SHADEGG, Mr. TAUZIN, Mr. SANDLIN, Mr. HOLDEN, Mr. MURTHA, Mr. MOLLOHAN, Mr. PICKETT, Mr. PETERSON of Minnesota, Mr. ADERHOLT, Mr. COBLE, Mr. CALLAHAN, Mr. BRADY of Texas, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. DEAL of Georgia, Mr. WATTS of Oklahoma, Mr. DEMINT, Mr. SMITH of Michigan, Mr. SCHAFFER, Mr. SAM JOHNSON of Texas, Mr. CAMP, Mr. PITTS, Mr. SUNUNU, Mr. TRAFICANT, Mr. GOODLING, Mr. BURTON of Indiana, Mr. SKEEN, Mr. REGULA, Mr. ARMEY, Mr. WATKINS, Mr. MCKEON, and Mr. SHOWS.
H.R. 3650: Mr. ENGEL, Mr. OLVER, and Mrs. TAUSCHER.
H.R. 3655: Mr. RAHALL, Mr. MEEHAN, Mr. OLVER, Mr. GONZALEZ, Mrs. MCCARTHY of New York, Ms. BERKLEY, Mr. MEEKS of New York, Mrs. THURMAN, and Mr. SNYDER.
H.R. 3663: Mr. ROMERO-BARCELO, Mr. FROST, Mr. CONYERS, and Mr. BAIRD.
H.R. 3682: Mr. DUNCAN.
H.R. 3694: Mrs. KELLY and Mr. KING.
H.R. 3698: Mr. GORDON, Ms. HOOLEY of Oregon, Mr. MURTHA, Mr. GONZALEZ, Ms. WATERS, Mr. ROGAN, Mr. BRADY of Pennsylvania, Mr. COYNE, Mr. MARTINEZ, and Mr. PETERSON of Pennsylvania.
H.R. 3732: Ms. MCKINNEY, Mr. CLEMENT, Mr. FARR of California, and Mr. ISAKSON.
H.R. 3816: Mr. BACA.
H.R. 3826: Mr. PORTER.
H.R. 3841: Mr. WOLF.
H.R. 3842: Mr. STRICKLAND, Mr. SHIMKUS, Mr. ABERCROMBIE, Mr. MOORE, Mr. COSTELLO, Mr. GILLMOR, Mr. MINGE, Mr. TIERNEY, Mr. MOLLOHAN, Mrs. EMERSON, Ms. WOOLSEY, Mr. GANSKE, Mr. BOUCHER, Ms. KAPTUR, Mr. SKEEN, and Mr. ISAKSON.
H.R. 3873: Ms. JACKSON-LEE of Texas, Mr. STUPAK, and Mr. ETHERIDGE.
H.R. 3880: Ms. SCHAKOWSKY, Mrs. LOWEY, and Ms. MCKINNEY.
H.R. 3896: Mr. EVANS.
H.R. 3900: Mr. NETHERCUTT.
H.R. 3901: Mr. SANDERS.
H.R. 3916: Mr. SMITH of New Jersey and Mr. ISAKSON.
H.R. 4013: Mr. BLUMENAUER and Mr. SABO.
H.R. 4029: Mr. WAMP.
H.R. 4033: Ms. LOFGREN, Mr. WU, and Mr. HUTCHINSON.
H.R. 4035: Mr. EVANS.
H.R. 4049: Mr. WEINER, Mr. GREEN of Wisconsin, and Mr. DOOLEY of California.
H.R. 4053: Mr. GALLEGLY and Mr. BALLENGER.
H.R. 4064: Mr. BARCIA and Mr. EVANS.
H.R. 4073: Mr. SPENCE.
H.R. 4102: Mr. PITTS.
H.R. 4106: Mr. JONES of North Carolina.
H.R. 4118: Mr. GILLMOR.
H.R. 4132: Mrs. MINK of Hawaii, Mr. THORNBERRY, Mr. BRADY of Texas, Mr. STUPAK, Mr. BAKER, Mr. EWING, Mr. PRICE of North Carolina, and Mr. DICKEY.
H.R. 4144: Mr. SHIMKUS.
H.R. 4152: Mr. HILLEARY, Mr. JEFFERSON, and Mr. DUNCAN.
H.R. 4157: Mrs. BONO, Mr. COX, Mr. RADANOVICH, Mr. THOMAS, Mr. CALVERT, Mr. CUNNINGHAM, Mr. DREIER, Mr. THOMPSON of California, Mr. HERGER, Mr. GALLEGLY, Mr. MCKEON, Mr. WAXMAN, Ms. BERKLEY, and Mrs. NAPOLITANO.
H.R. 4182: Mr. GREEN of Wisconsin.
H.R. 4210: Mr. KUYKENDALL, Mr. HORN, Mr. MCGOVERN, Mr. COX, and Mr. DELAY.
H.R. 4215: Mr. TIAHRT, Mr. HALL of Texas, Mr. MCCOLLUM, Mr. CHAMBLISS, Mr. GEKAS, and Mr. NORWOOD.
H.R. 4233: Mr. GARY MILLER of California and Mr. ROGERS.
H.R. 4239: Mr. CAPUANO and Mr. FRANK of Massachusetts.
H.R. 4246: Mr. NETHERCUTT.
H.R. 4260: Mr. BOSWELL and Mr. WELLER.
H.R. 4271: Mr. SPENCE, Mr. DAVIS of Virginia, Mr. ENGLISH, and Mr. BALLENGER.
H.R. 4272: Mr. SPENCE, Mr. DAVIS of Virginia, Mr. ENGLISH, and Mr. BALLENGER.
H.R. 4273: Mr. SPENCE, Mr. DAVIS of Virginia, Mr. ENGLISH, and Mr. BALLENGER.
H.R. 4279: Mr. CAMPBELL.
H.R. 4306: Mr. MATSUI, Mr. DAVIS of Florida, and Mr. SHERMAN.
H.R. 4315: Mr. CHABOT, Mr. PORTMAN, Mr. GILLMOR, Mr. BOEHNER, Mr. KASICH, and Ms. PRYCE of Ohio.
H.R. 4328: Mr. GUTKNECHT and Mr. SHOWS.
H.J. Res. 2: Mr. VITTER.
H.J. Res. 60: Mr. LEACH and Mr. RAHALL.
H.J. Res. 64: Mr. WELDON of Florida, Mr. METCALF, and Mr. GUTKNECHT.
H. Con. Res. 170: Mr. KINGSTON.
H. Con. Res. 251: Mr. MCDERMOTT, Mr. LUTHER, and Mr. ENGLISH.
H. Con. Res. 259: Mr. BROWN of Ohio and Mr. STARK.
H. Con. Res. 266: Mr. SOUDER, Mr. GRAHAM, Mrs. MALONEY of New York, Mr. CAPUANO, Mr. SHIMKUS, Ms. SANCHEZ, Mr. ENGLISH, and Mr. STUPAK.
H. Con. Res. 285: Mr. RILEY, Mr. DAVIS of Virginia, Mr. ROGAN, Mr. FRANKS of New Jersey, and Mr. BILBRAY.
H. Res. 147: Mr. FROST.
H. Res. 398: Mr. MOAKLEY, Mr. BERMAN, Mr. KNOLLENBERG, Mr. FARR of California, Mr. NEAL of Massachusetts, Mr. MCDERMOTT, Mr. RYAN of Wisconsin, Mr. EHRLICH, Mrs. JOHNSON of Connecticut, and Mrs. ROUKEMA.
H. Res. 420: Mr. CUNNINGHAM.
H. Res. 462: Ms. SCHAKOWSKY and Mr. STARK.
H. Res. 463: Mr. HAYWORTH, Mr. METCALF, and Mr. RAHALL.