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House of Representatives

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. COOKSEY).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 9, 2000.

I hereby appoint the Honorable JOHN COOKSEY to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 317. Concurrent resolution expressing the sense of the Congress on the death of John Cardinal O'Connor, Archbishop of New York.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. SMITH) for 5 minutes.

ON SOCIAL SECURITY

Mr. SMITH of Michigan. Mr. Speaker, I would like to make a couple of comments on Social Security.

If the American people insist that it be an issue in this presidential campaign, it will receive the kind of discussion and debate that is needed and very appropriate.

Social Security is one of our most important government programs. Spendingwise it is our largest government program. Social Security benefits takes a larger percentage of the Federal budget than the Department of Defense, more than we spend on the other 12 appropriation bills.

The interest on the total debt is about 20 percent of our total budget. Social Security payments represent approximately 22 percent of the total Federal budget.

It has been suggested by some that Social Security is not that big a problem; that if we are able to have the kind of economic growth that we have had in the past, then the economy will take care of the problems. Two facts need to be considered: One, that the official estimate of increase in GDP, (gross domestic product), is not going to be as great in the next 30 years as it has been in the last 30 years, simply because, even with the increase in productivity, we have fewer workers trying to produce the gidgets, the gadgets, the goods and services that represent the GDP. GDP ultimately represents productivity times the number of people involved in trying to utilize that productivity. So the growth in GDP is slowing down.

Secondly, because of the fact that Social Security's benefits are based on earnings, the greater the earnings, the higher the eventual benefits are going to be. So even if we were to have an exceptionally strong increase in the economy, GDP, the cost of benefits would grow proportionally.

Existing retirees have a cost of living or inflation index to adjust their benefits. Future retirees, as they retire, have their Social Security benefits increased based on wage inflation that is higher than standard inflation. So, again, as the economy expands, with lower unemployment and higher wages, so will the cost of eventual benefits.

So over the short run, we see an increase in Social Security taxes coming in that makes the situation look somewhat better than it is because, ultimately, eventually, when those workers retire, they are going to receive that much higher Social Security benefit.

Now, some have said let us do nothing. We do not want to disrupt this great program where we are guaranteed a monthly payment for the rest of our lives. The problem is that we are running out of money in the Social Security system. It is, in effect, going broke.

Some people have said, well, look, somehow government is going to keep those promises. But in that regard, let me just bring to the attention of those interested, what happened in the past when Social Security had problems. The Congress and the President in 1977, reduced benefits and increased taxes. In 1983, again short of money. What happened? Again, benefits were reduced and taxes were increased.

Seventy-five percent of Americans, Mr. Speaker, now pay more in Social Security tax than they do their income tax. It is important we face up to this problem this election; that we do not put it aside, that we do not demagogue it; that we do not start criticizing some of the solutions. Because if we start criticizing particular parts of the solutions, it will be that much tougher, when Democrats and Republicans ultimately get together, hopefully under the leadership of a President that is willing to move ahead on this issue, to save Social Security, to keep it solvent.

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MOTHER'S DAY AND GUN SAFETY RECOGNITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, one of the most cherished holidays is pending this week, when so many families will gather to honor mothers, those that live and those who have gone on. This is a special time to recognize the value of an important component of our family.

Many mothers will take this opportunity this week to show their complete horror and great concern for the number of children that we have lost to gun violence. They will take this challenge and take this cause not in a political manner but in a manner of compassion and belief. We expect millions of mothers to come to Washington, D.C. to express to the world, not only this Nation, that America is, indeed, a civilized country that values life and recognizes that it does not have to have this macho holding of guns to be able to show itself a Nation of dignity and laws and humanity.

I would hope that Americans will take a moment as they honor mothers to reflect upon the importance of this message; that Americans will also put aside politics and ask themselves the same question: Do we need to arm ourselves with the numbers of guns that we have so that the guns in America now almost outnumber the population?

Even though we would imagine and hope that our children go to schools that are safe, we pray every day that that is the case, and I applaud the Nation's school districts, urban and rural alike, in their efforts that they have made to be safe and to have our children safe, there is no refusing to acknowledge that the world knows America through the eyes of Jonesboro, and Pennsylvania and Columbine, and it knows this Nation of laws and of dignity and of respect for the Constitution as a somewhat violent Nation.

It seems appalling that we cannot listen to the majority of Americans who are willing to accept reasonable gun safety laws, such as the legislation that many of us have put forward, in particular I have put forward legislation, that asks for adults to be held responsible if guns get in the hands of children; to support trigger locks; to, in fact, provide a nationwide educational effort that reasonably stays away from politics and begins to tell children about the dangers of guns.

But lo and behold, here we go again, to take a moment when mothers are coming forward as mothers, organized by mothers and organized by respective communities, using the resources of their own, not being propelled by any emotion other than there is too much bloodshed with respect to our children, because more of our children die from homicide and die from guns than any other civilized nation or any other nation, yet the National Rifle Association takes this week, I guess this is their counterproposal, to promote advertisement to suggest that they are prepared to give $1 million to provide for gun safety in America's schools or to deal with America's children.

Really, what I say to the National Rifle Association and Charlton Heston, and all of those who would propose that they are sincere, is to join the mothers in their march; stand up and actually be seen not as antagonists but a sincere person who believes in gun safety, not the hypocrisy and the outrage of putting on advertisements and to suggest that they have one iota of the slightest concern about passing real gun safety legislation.

For if they did, then they would see the ridiculousness of the gun show loopholes; that anyone, no matter what their background, can walk into the thousands of gun shows unrestricted across America and buy guns. They would understand that that does not violate the second amendment if we simply ask that there be regulations and restrictions on those purchases. It does not interfere with law-abiding citizens who buy guns, it does not interfere with sports enthusiasts, gun collectors, no one who is seriously interested in abiding by the law and holding their guns safely in their homes. And, yes, it does not prohibit anyone from protecting themselves against that intruder, although the statistics show that most gun violence in homes is family to family because the guns are there.

So we are quick to be able to prosecute an 11-year-old boy that tragically shot another human being, but we do not look to the systemic problem of that little boy's condition and the exposure to guns. And we are appalled when a 6-year-old shoots a 6-year-old, but we do not address the question of the systemic problem of guns in America.

So I applaud the mothers and will be supporting them as a mother myself, and I hope that we will mourn over no more lost and dying babies and children because of guns. And to the National Rifle Association I say, take the ads off and stand up and be counted for something that is real; real gun safety, real support for the stopping of the killing of our babies.

SELF-DEFENSE AND RIGHT-TO-CARRY LAWS

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

Mr. STEARNS. Mr. Speaker, after the speech by my colleague, I think it is useful to perhaps tone down the rhetoric and bring some statistics and some information from Dr. John Lott, a distinguished scholar at the Yale University Law School, and talk about experts on crime and what they have to say.

Mr. Speaker, I have an article from the Washington Times that is dated April 26 that I will make a part of the RECORD wherein Dr. Lott highlights a number of cases in his article detailing how anti-gun advocates routinely admit facts, figures, and they change statistics to generally develop a misinterpretation of gun ownership in America.

Along with Dr. Lott, a Professor Bill Landes from the University of Chicago has done extensive research on waiting periods, sentencing laws, background checks, and other current gun control laws and they compare those with the effect on deterring so-called ''rampage killings.'' As to their conclusions, Mr. Speaker, I will quote directly from their article:

''While higher arrests and conviction rates, longer prison sentences and the death penalty reduce murders generally, neither these measures nor restrictive gun laws had a discernible impact on mass public shootings. We found only one policy that effectively reduces these attacks: The passage of right-to-carry laws.''

Both these professors confirm that law-abiding citizens, possessing a legal right to carry concealed hand guns, had a dramatic impact on multiple victim shootings.

□ 0945

Indeed, these laws, on average, decreased multiple-victim shootings by one-fifth.

Now, in my home State of Florida, they recognized this fact. In 1987, they passed a law to allow law-abiding citizens to carry a licensed, concealed weapon.

What were the results? Florida's homicide rate dropped from 37 percent above the national average to 3 percent below the national average. The decrease in violent offenses involving firearms in Florida continues to decline.

Now, according to the Florida Department of Law Enforcement Uniform Crime Report, in 1989, firearms accounted for 30 percent of all violent offenses. Last year, firearms only accounted for 20 percent of all violent offenses.

Mr. Speaker, 31 States today now have right-to-carry laws and have experienced similar results like Florida.

Dr. Lott's article further highlights the need for individual Americans to be able to defend themselves outside their home.

To address this issue, I developed and introduced legislation, H.R. 492, which is identical to my bill in the 105th Congress which was debated in the House Committee on the Judiciary. My bill establishes a national standard providing for reciprocity in regard to the manner in which nonresidents of a State may carry certain concealed firearms into the State.

Now, in order to carry a concealed firearm across State lines, a person

would have to be properly licensed for carrying a concealed weapon in his home State and would have to obey the concealed weapon laws of that State they are entering.

If the State they are entering does not have a concealed weapons law, the national standard provision in this legislation would dictate the rules in which a concealed weapon would have to be maintained. For instance, the national standard would disallow the carrying of a concealed weapon in a school, police station, or a bar serving alcoholic beverages.

My bill also exempts qualified former and current law enforcement officers from State laws prohibiting the carrying of concealed handguns. Now, this language was adopted during debate on the juvenile justice bill last year.

Mr. Speaker, right-to-carry laws are an effective deterrent to these mass killings and random murders. States which have adopted such laws, on the average, have 24 percent less violent crime, 19 percent less homicides, and 39 percent less robberies. These are precisely the type of statistics which gun control supporters refuse to acknowledge.

Yesterday, the President stated that he is ''subdued, frustrated, and very saddened'' as he reflected on the lack of pending gun control legislation in Congress.

Mr. President, we, too, are frustrated, frustrated that those who seek to curb gun violence refuse to acknowledge the one effective deterrent, the right to carry.

So, as I stated earlier, the right-to-carry defense should not be confined to State boundaries. A law-abiding citizen legally carrying a concealed firearm in his or her State should be entitled to the same protection in any State.

I urge my colleagues to support my bill.

CORPORATE INVESTMENT IN AUTHORITARIAN REGIMES

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

Mr. BROWN of Ohio. Mr. Speaker, it is an interesting time to be in our Nation's capital. There are more chief executive officers, more CEOs, of the country's largest corporations roaming the halls this week and next week than perhaps anytime in recent American political history.

The reason? The United States Congress is considering giving Permanent Most Favored Nation status trading privileges to the People's Republic of China.

When it comes to competing for U.S. trade and investment dollars, democratic countries in the developing world are losing ground to more authoritarian countries in the developing world, like China.

The CEOs that come to our offices and implore us to support permanent trade advantages for the People's Republic of China and its communist regime tell us that China is a lucrative market, with 1.2 billion potential consumers.

What they do not tell us, but what is the most important to them, is that China is a nation of 1.2 billion potential workers, workers who are paid 30 cents an hour, workers who do not talk back, workers who cannot form unions, workers who do not benefit from any worker safety legislation or environmental laws or food safety standards.

In the post-Cold War decade, the share of developing country exports to the U.S. for democratic nations fell from 53 percent to 34 percent, a decrease of 18 percentage points.

American CEOs prefer doing business in totalitarian countries like China because western investors enjoy the benefits of child labor and slave labor and 25-cent-an-hour wages.

In manufacturing goods, developing democracies' share of developing country exports fell 21 percentage points, from 56 to 35 percent. American CEOs prefer doing business in countries like China, authoritarian countries like China, where workers can never speak up, where human rights are dismissed, where worker rights are simply nonexistent.

Nations that do not support democracy have gained five percent of U.S. investment over the last 10 years. China was responsible for 95 percent of foreign investment gained for nondemocratic countries.

American CEOs prefer doing business in authoritarian nations like China with an obedient, docile workforce that has no ability to organize unions. Western corporations have shown they want to invest in countries that have below poverty wages, poor environmental standards, no opportunities for unions. They love to invest in authoritarian countries that suppress labor rights, allow slave labor, allow child labor, pay 25 cents an hour.

The United States talks a good game about democratic ideals worldwide through all of our trade programs. But, as developing nations make progress toward democracy, something we say we applaud in this institution, the American business community penalizes those countries that are becoming more democratic by pulling its trade and investment in favor of totalitarian countries like China.

CEOs tell us that engaging with China will bring more democracy to that country and more freedom and more enterprise and all of that. But who are the real decision-makers in China? Who gains from the system the way it is in China? Who is in charge in the People's Republic of China?

First, the Chinese Communist Party makes most decisions in that country; second, the People's Liberation Army, which owns many of the export businesses in China, the big manufacturing concerns; and third, the western investors are very influential that have businesses set up in China.

Which of those groups wants to see change? Which of those groups wants China to democratize? Which of those groups wants workers in that country to have more rights, to have more ability to speak up, to be able to form unions and bargain collectively and bring their wages up? The Chinese Communist Party? I do not think so. The People's Liberation Army? I do not think so. Western investors in China? I do not think so.

Those three groups, the Chinese Communist Party, the People's Liberation Army, western investors, lump them all together and they are all aiming for the same thing. They like doing business. They like the synergism that results when the three of them work together. They like the way things are in the People's Republic of China.

That is why we should vote ''no'' on Permanent Most Favored Nation status for China.

Shame on us, shame on this Congress if we give Permanent Most Favored Nation status trading privileges to the People's Republic of China, a communist government that flies in the face of all human rights, that cares nothing about its workers, that exploits child labor, slave labor, that persecutes Christians, allows and encourages forced abortion. Shame on us in this Congress if we give Permanent Most Favored Nation status to that country.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 11 a.m.

Accordingly (at 9 o'clock and 54 minutes a.m.), the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 11 a.m.

PRAYER

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

Prophets of old longed to see Your Salvation, O God. They investigated the times You revealed Yourself in history.

They searched for words to describe Your encounter. It was Your Spirit who gave meaning to suffering and brought forth rejoicing in the glories of humanity.

For decades historians have been unwinding the story of this Nation as the wisdom of its founders is taken to heart.

Immigrants and natives have toiled to fulfill its secret promise; parents still dream and plant hopes in their children.

Help us, ever-revealing God, to see with prophetic vision; to realize in our own day America's promise; and to bring to the rest of the world, respect for law, the sanctity of life, and the joy of freedom.

For You live in our midst now and forever. Amen.

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.

PLEDGE OF ALLEGIANCE

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

Mr. PASCRELL 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.

PERMANENT NORMAL TRADE RELATIONS WITH 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, the coming vote to expand our trade with China is a vote for the new economy. It is a vote that will clearly show whether the Members in this Congress are in favor of advancing America's high-tech economy or whether they want to flee from that future into the failed protectionist policies of the past.

Mr. Speaker, China is a key market for America's high-tech industry. It is now the second largest information technology market in Asia, second only to Japan.

It is an information technology market that is growing at 20 to 40 percent annually. Next year, China will be the third largest semiconductor market in the world, and by 2010 it will be the number two largest.

This is a boon for America and for the Chinese people. As information technology spreads in China, it will help the Chinese learn about their government and, more importantly, the world beyond. It will encourage democratic reform in China and help make China a more free and open society.

Mr. Speaker, our high-tech industry got everything it needed in the trade agreement with China. We must not throw that away.

Mr. Speaker, I urge my colleagues to approve PNTR. A vote for permanent normal trade relations is a vote for the new economy.

INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, I rise today in hopes that my colleagues will be moved by the stories that I tell and help bring our children home. Since February 16, I have been coming down to the floor and talking about American children who have been abducted to foreign countries, asking my colleagues, the media, and the American people to focus their attention on these kids, and the message is starting to get out.

Mr. Speaker, just this Sunday, The Washington Post ran a two-page article on Joseph Cooke and his two children, Danny and Michelle. I spoke about Joseph and his children on April 5, and this article details their tragic story of abduction to Germany.

Mr. Speaker, there are 10,000 American children out there whose stories are similar, 10,000 American children and their parents who experience the same kind of pain and devastation every day of their separation. These daily 1-minutes, events and the resolution I introduced along with the gentleman from Ohio (Mr. CHABOT) are just the tip of the iceberg. This Congress must take action to solve this problem and help reunite parents with their children.

Mr. Speaker, we must bring our children home.

AMERICA'S NATIONAL SECURITY

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

Mr. GARY MILLER of California. Mr. Speaker, I rise today because of my deep concern for America's national security. A recent Associated Press which ran on May 5 reported that the U.S. Air Force readiness to fight is now at a 15-year low, representing a 28 percent decline since the Cold War. Roughly 115 of it 329 combat units were not fully capable of performing their mission.

In the article, a senior military official blamed the budgets that did not allow enough for spare parts and did not offer service members salaries competitive in today's booming economy.

That is why I find it ironic that I also came across an article in the May issue of National Defense magazine which quoted Vice President AL GORE as saying the Pentagon's budget is currently in the ''right zone'' to meet today's national security needs.

Mr. Speaker, current White House advisers, as well as the Vice President, have publicly stated while ample financial resources to increase defense are available, they are not needed. It is this lackadaisical attitude that has contributed to the monumental problems that we now face.

As a Member of Congress, I am becoming more and more concerned about our national leaders' attitude and how they impact our ability to, as our Constitution states, ''provide for the common defense'' of this country.

This trend must be reversed. We must have strong leadership and redefine our national security policy. Resources must be provided to replace our aging ships, helicopters, tanks, artillery and other equipment.

Most importantly, we must begin to treat our servicemen and women and their families with the respect they deserve.

NATIONAL HOSPITAL WEEK

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

Mr. PASCRELL. Mr. Speaker, this is National Hospital Week, when communities all across America honor the individuals that make hospitals the foundations of our community.

This year's theme sums it up very nicely: ''Touching the Future With Care.'' It recognizes the health care workers, volunteers, and other health professionals who are there 24 hours a day, 365 days a year, curing and caring.

An example of this dedication is the Caritas Connection at St. Mary's Hospital in Passaic, New Jersey. The program won the American Hospital Association's prestigious NOVA Award, which recognizes hospitals' innovative and collaborative efforts to improve the health of their communities.

The Caritas Connection is a collaborative project created by St. Mary's Hospital and the Sisters of Charity to focus on the needs of a large urban immigrant population. The majority of the resident workers are in factories with low pay, long hours, and no benefits of job security.

It is this type of partnership that lifts us, and I felt it fitting during National Hospital Week to bring this success to the attention of my colleagues.

CONGRATULATIONS TO STUDENTS FROM HEMPFIELD HIGH SCHOOL ON PARTICIPATION IN ''WE THE PEOPLE'' COMPETITION

(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, I rise to congratulate the students of Hempfield High School, who are here in Washington again this year. They are representing Pennsylvania in the national ''We the People'' competition. Elaine Savukas' AP government class is competing with other schools showing their knowledge about the U.S. Constitution and the Bill of Rights. There are more than 1,200 students here from all over America.

The format is a simulated congressional hearing before a panel of scholars, lawyers, journalists, and government leaders. I have met with these bright young Pennsylvanians and was impressed with their knowledge and interest in our unique form of government.

These students from Hempfield High School are to be congratulated for studying so hard and taking such a serious interest in our Constitution. They are tomorrow's leaders, and I am proud to have them representing the 16th Congressional District of Pennsylvania here today.

CALLING FOR A FULL INVESTIGATION INTO THE DEATH OF CARL GHIGLIOTTI

(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, Carl Ghigliotti, the 42-year-old scientist who investigated the Waco massacre, whose body has been missing for 2 weeks, was found dead. Ghigliotti is the man who flat out said, ''The FBI is lying about Waco. The FBI did fire automatic weapons into the burning building.''

Something is wrong here, Mr. Speaker. Records now show the FBI lodged an alleged or false child abuse charge against the Davidians. The FBI denied, then admitted, using tear gas. The FBI confiscated, then supposedly lost, vital autopsy evidence that would prove what happened in Waco.

Beam me up. We have developed a stone cold police state in America, believe me, from Waco, Ruby Ridge, to Miami, Florida. Every American knows it, no one is doing anything about it. There must be a full investigation into the death of Carl Ghigliotti.

I yield back the need to pass some oversight on this Justice Department and pass my bill, H.R. 4105.

URGING SUPPORT FOR H.R. 4386, BREAST AND CERVICAL CANCER TREATMENT ACT

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

Mrs. FOWLER. Mr. Speaker, I rise today to urge my colleagues to support the Breast and Cervical Cancer Treatment Act when it comes to the floor later today. This bill will literally save the lives of thousands of women.

In 1990, Congress recognized the importance of screening for breast and cervical cancer, and authorized the CDC to provide such services to uninsured, low-income women. The program has been very successful, screening more than 1 million women. But once these women have been diagnosed, many cannot afford the necessary treatment.

It is time we allowed States to offer treatment to these women through their Medicaid programs. I do not want us to look another one of these women in the eye and say, you do have cancer, but we cannot help you.

I appreciate the commitment of the Speaker, the gentleman from Illinois (Mr. HASTERT), to bring this bill to the floor by Mothers Day, out of respect to all women who face these serious health threats. I urge my colleagues' support.

NATIONAL TEACHER DAY AND ANNUAL TEACHER APPRECIATION WEEK

(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, May 7 through the 13th is annual Teacher Appreciation Week. Today is National Teacher Day. It is a day to honor and recognize the best of our Nation's teachers.

I would like to congratulate Mr. Dennis Digenan of Elko, Nevada, who has been named Nevada's Teacher of the Year. I think it is wonderful that we take this opportunity to recognize and thank teachers like Mr. Digenan, who dedicate their lives to educating our children. Their job is very difficult, and their responsibility is great.

Teachers literally hold the future of our Nation in their hands. The education of our children, the education they receive today will lead to their success later in life. Today's teachers not only teach, they serve as mentors, role models, and confidantes for our children.

Mr. Speaker, our teachers deserve our gratitude and praise. It is my hope that we continue to support and honor our teachers, not only day but all year long.

NATIONAL TEACHER DAY

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

Mr. GUTKNECHT. Mr. Speaker, as my colleague, the gentleman from Nevada, just indicated, today is National Teacher Day. Every day of every week in the school year our children are influenced by their teachers. In my district back in Minnesota, we have a number of excellent professional teachers who every day give their all to the students that they work with.

I want to especially call attention to two teachers. I have had the opportunity to visit a number of the schools in my district. Recently I visited Missy Nelson's second grade class at Kasson-Mantorville Elementary School in Kasson, Minnesota. Teaching second grade is a challenge. She does a fabulous job of keeping those kids excited and motivated about learning.

I also want to say a special congratulations to another teacher who is sort of at the other end of her teaching career. That is Eunice Swenson, a Business Ed teacher at John Marshall High School. She is all-world when it comes to business education. She has influenced so many students over the years, including my oldest daughter.

I want to say a special thank you and congratulations to teachers like Missy Nelson and Eunice Swenson, because every day they are having a powerful influence on the students that they work with. Today is National Teacher Day, but every day is a good day to thank and congratulate the people who work with our children every day.

PROTECTING CONSUMERS' PRIVACY IN BANKING

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

Mr. INSLEE. Mr. Speaker, I rise to advise my colleagues of a disturbing blow against our efforts to protect consumers' privacy in banking. Last November, this Chamber passed and the President signed into law a bill that would allow consumers for the first time to advise their banks not to violate their privacy, to tell their banks not to give away their credit card numbers to telemarketing agencies.

In that bill, the regulations were to be adopted and they were to be enforced this November by a Federal law signed by the President, passed by this House and the other Chamber. Yet, we are now told that the regulatory officers whose constitutional duty it is to follow the law we passed are going to unilaterally delay implementation of those rules, not for a week, not for a month, not for 2 months, but for another 231 days before they are going to enforce the law of this country.

This delay is inexcusable. It is unprecedented. It defies the constitutional obligation of the executive authority. We have to move forward in privacy, and do it on a timely basis.

CONDEMNING IRAN FOR ITS TRIAL OF 13 IRANIAN JEWS

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

Mr. REYNOLDS. Mr. Speaker, a trial is underway in Iran where the judge serves as investigator, prosecutor, and judge. There is no jury. In fact, this court operates outside the control of the Iranian president. I am referring to the trial of the revolutionary courts of 13 Iranian Jews held in an Iranian prison for over a year.

These men are accused of spying for Israel and the United States. After a year, charges have yet to be filed. Both Israel and the United States deny that these men, who include a rabbi, three Hebrew teachers, and a shoe store clerk, were conducting espionage on their behalf. Yet, they are still held.

Mr. Speaker, recent election victories by reformers in Iran have shown that the country is attempting to reject the old ways of the hard-liners.

□ 1115

This trial is a step in the wrong direction. Iran's mock justice is outrageous and should not be tolerated. The world is watching.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

THE AK-CHIN WATER USE AMENDMENTS ACT OF 1999

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2647) to amend the Act entitled ''An Act relating to the water rights of the Ak-Chin Indian Community'' to clarify certain provisions concerning the leasing of such water rights, and for other purposes.

The Clerk read as follows:

H.R. 2647

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

SECTION 1. CONSTITUTIONAL AUTHORITY.

The Constitutional authority for this Act rests in article I, section 8, authorizing Congress to ''regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes''.

SEC. 2. TECHNICAL AMENDMENTS TO AK-CHIN WATER USE ACT OF 1984.

(a) SHORT TITLE.—This section may be cited as the ''Ak-Chin Water Use Amendments Act of 1999''.

(b) AUTHORIZATION OF USE OF WATER.—Section 2(j) of the Act of October 19, 1984 (Public Law 98–530; 98 Stat. 2698), as amended by section 10 of the Act of October 24, 1992 (Public Law 102–497; 106 Stat. 3258), is amended to read as follows:

''(j)(1) The Ak-Chin Indian Community (hereafter in this Act referred to as the 'Community') shall have the right to devote the permanent water supply provided for by this Act to any use, including agricultural, municipal, industrial, commercial, mining, recreational, or other beneficial use, in the areas initially designated as the Pinal, Phoenix, and Tucson Active Management Areas pursuant to the Arizona Groundwater Management Act of 1980, laws 1980, fourth special session, chapter 1. The Community is authorized to lease or enter into options to lease, to renew options to lease, to extend the initial terms of leases for the same or a lesser term as the initial term of the lease, to renew leases for the same or a lesser term as the initial term of the lease, to exchange or temporarily dispose of water to which it is entitled for the beneficial use in the areas initially designated as the Pinal, Phoenix, and Tucson Active Management Areas pursuant to the Arizona Groundwater Management Act of 1980, laws 1980, fourth special session, chapter 1.

''(2) Notwithstanding paragraph (1), the initial term of any lease entered into under this subsection shall not exceed 100 years and the Community may not permanently alienate any water right. In the event the Community leases, enters into an option to lease, renews an option to lease, extends a lease, renews a lease, or exchanges or temporarily disposes of water, such action shall only be valid pursuant to a contract that has been accepted and ratified by a resolution of the Ak-Chin Indian Community Council and approved and executed by the Secretary.''.

(c) APPROVAL OF LEASE AND AMENDMENT OF LEASE.—The option and lease agreement among the Ak-Chin Indian Community, the United States of America, and Del Webb Corporation, dated as of December 14, 1996, and the Amendment Number One thereto among the Ak-Chin Indian Community, the United States of America, and Del Webb Corporation, dated as of January 7, 1999, are hereby ratified and approved. The Secretary of the Interior is hereby authorized and directed to execute Amendment Number One, and the restated agreement as provided in Amendment Number One, not later than 60 days after the date of the enactment of this Act.

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

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

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

Mr. Speaker, Congress passed the Ak-Chin water settlement in 1978. It was amended subsequently in 1984. And then in the 1992 amendment, off-reservation leasing of the Indian community's water entitlement was allowed, but the period of the lease was limited to 100 years. The amendment in 1992 did not allow for an extension of the lease after the 100-year period had been completed.

This legislation would provide a legal avenue for the Ak-Chin tribe to extend or renew their existing lease with an Arizona development company that must obtain a State of Arizona Assured Water Supply certificate for municipal water use.

The administration, I understand, has indicated that it is still opposed to the bill. However, it is my understanding that the minority does not object to this legislation, and I would urge Members to support the legislation.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. GEORGE MILLER of California. Mr. Speaker, H.R. 2647 is an amendment to the 1984 Ak-Chin Water Use Act. The 1984 act confirms the Ak-Chin Indian Community's rights to receive water from the Central Arizona Project, but it did not include the authority for the community to lease its Central Arizona Project water for use off reservation. Congress granted leasing authority to the Ak-Chin in 1992.

The community now desires to lease these 10,000 acre-feet of water annually to the Del Webb Corporation for use in a new planned community. The Ak-Chin Community and Del Webb entered into a 100-year lease agreement in 1996. It was believed at the time this would meet the State's requirement for an ''assured water supply'' of at least 100 years. However, since several years have passed and since the lease agreement was signed, it is now apparent that the availability of an ''assured water supply'' under this lease would, in fact, be for less than 100 years.

Mr. Speaker, this legislation will extend to the Ak-Chin leasing authority for longer term, making the lease consistent with the requirements of the Arizona state law.

The administration has expressed some concerns about the legislation; however, at this time we do support it and ask that the House support moving this bill forward.

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

Mr. DOOLITTLE. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SHADEGG) for his statement on the bill.

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

Mr. SHADEGG. Mr. Speaker, I thank the gentleman from California (Mr. DOOLITTLE) for yielding me this time.

Mr. Speaker, I want to begin by commending both the gentleman from Alaska (Mr. YOUNG), chairman of the committee, and the gentleman from California (Mr. DOOLITTLE), chairman of the subcommittee, for their assistance with this legislation. I also commend the gentleman from California (Mr. GEORGE MILLER), ranking member, who has spoken on this legislation, for their assistance with H.R. 2647, the Ak-Chin Water Use Amendment Act of 1999.

As both of my colleagues have indicated, this legislation is critically important for the Ak-Chin Indian Community. The history has already been recited. The United States Congress in 1984 established the Ak-Chin Indian Community's right to 75,000 acre-feet per year of CAP water. In 1992, the tribe sought the authority to lease this water for off-reservation use. That is a critically important issue in Arizona, because there is tremendous demand for this water for off-reservation uses.

The Congress extended the tribe that authority, but it placed a 100-year maximum term on the lease, and this is where the issue comes, it failed to allow the tribe to extend into options to renew such leases or to extend such leases in any way, shape or form, setting a maximum period of 100 years.

Mr. Speaker, this legislation corrects that defect by providing that the tribe may enter into either options to renew a lease or renewals of a lease for no more than the original term. And, importantly, it provides that the tribe may not permanently alienate the water at issue. What this legislation does is that it enables the Indian tribe to get the highest value for its Indian water rights and for its CAP water. Without this legislation, the tribe is restricted to only being able to alienate the water, or lease the water, for 100

years. As the gentleman from California (Mr. GEORGE MILLER) explained, that simply does not meet the requirements of Arizona law, which requires a 100-year assured water supply.

This legislation has the support of Governor Hull of Arizona, it has the support of the Arizona Department of Water Resources, and most importantly it is sought and has the active support of the Ak-Chin Indian Community. It will enable them to lease this water, or enter into a renewal or option to extend the lease of the water, for an additional period of up to 100 years. That is critically important to making the water valuable. It is also critically important to the development of the water supply for Arizona and for the community affected by this existing lease.

Mr. Speaker, I commend my colleagues for their support of the legislation on the committee, again, and I call for its passage.

GENERAL LEAVE

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 2647.

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.

PLAQUE TO HONOR VIETNAM VETERANS WHO DIED AS A RESULT OF SERVICE IN THE VIETNAM WAR

Mr. GALLEGLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3293) to amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service, as amended.

The Clerk read as follows:

H.R. 3293

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

SECTION 1. ADDITION OF COMMEMORATIVE PLAQUE, VIETNAM VETERANS MEMORIAL.

Public Law 96–297 (94 Stat. 827; 16 U.S.C. 431 note), which authorized the Vietnam Veterans Memorial in the District of Columbia, is amended by adding at the end the following new section:

''SEC. 5. PLAQUE TO HONOR OTHER VIETNAM VETERANS WHO DIED AS A RESULT OF SERVICE IN THE VIETNAM WAR.

''(a) PLAQUE AUTHORIZED.—Notwithstanding section 3(c) of the Commemorative Works Act (40 U.S.C. 1003(c)), the American Battle Monuments Commission is authorized to place within the Vietnam Veterans Memorial a suitable plaque containing an inscription intended to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service, and whose names are not otherwise eligible for placement on the memorial wall.

''(b) SPECIFICATIONS.—The plaque shall be at least 6 square feet in size and not larger than 18 square feet in size, and of whatever shape as the American Battle Monuments Commission determines to be appropriate for the site. The plaque shall bear an inscription prepared by the American Battle Monuments Commission.

''(c) RELATION TO COMMEMORATIVE WORKS ACT.—Except as provided in subsection (a), the Commemorative Works Act (40 U.S.C. 1001 et seq.) shall apply to the design and placement of the plaque within the site of the Vietnam Veterans Memorial.

''(d) CONSULTATION.—In designing the plaque, preparing the inscription, and selecting the specific location for the plaque within the Vietnam Veterans Memorial, the American Battle Monuments Commission shall consult with the architects of the Vietnam Veterans Memorial Fund, Inc., and the Vietnam Women's Memorial, Inc.

''(e) FUNDS FOR PLAQUE.—

''(1) PROHIBITION ON USE OF FEDERAL FUNDS.—Federal funds may not be used to design, procure, or install the plaque. However, the preceding sentence does not apply to the payment of the salaries, expenses, and other benefits otherwise authorized by law for members of the American Battle Monuments Commission or other personnel (including detailees) of the American Battle Monuments Commission who carry out this section.

''(2) PRIVATE FUNDRAISING AUTHORITY.—The American Battle Monuments Commission shall solicit and accept private contributions for the design, procurement, and installation of the plaque. The American Battle Monuments Commission shall establish an account into which the contributions will be deposited and shall maintain documentation of the contributions. Contributions in excess of the amounts necessary for the design, procurement, and installation of the plaque shall be deposited in the United States Treasury.

''(f) VIETNAM VETERANS MEMORIAL DEFINED.—In this section, the term 'Vietnam Veterans Memorial' means the structures and adjacent areas extending to and bounded by the south curb of Constitution Avenue on the north, the east curb of Henry Bacon Drive on the west, the north side of the north Reflecting Pool walkway on the south and a line drawn perpendicular to Constitution Avenue 200 feet from the east tip of the memorial wall on the east (this is also a line extended from the east side of the western concrete border of the steps to the west of the center steps to the Federal Reserve Building extending to the Reflecting pool walkway). This is the same definition used by the National Park Service as of the date of the enactment of this section, as contained in section 7.96(g)(1)(x) of title 36, Code of Federal Regulations.''.

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

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

GENERAL LEAVE

Mr. GALLEGLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. GALLEGLY. Mr. Speaker, I yield myself 3 minutes and 15 seconds.

Mr. Speaker, I would like to thank the leadership for scheduling this bill between Memorial Day and the 25th anniversary of the end of the Vietnam War. This timing reminds us that there are many who fought in Vietnam and died because of their service there, but whose sacrifices have still gone unrecognized.

Mr. Speaker, H.R. 3293 will remedy this situation. It will create a plaque honoring those Vietnam veterans who died as a result of the war, but who are not eligible to have their names placed on the Vietnam Veterans Memorial Wall. The wall is opened to some veterans who died after the conflict, but the criteria for eligibility does not include all veterans whose post-war deaths were a direct result of the war, including those who died from such factors as Agent Orange and post traumatic stress syndrome.

Families of these veterans deserve a place to mourn the loss of loved ones who served honorably and who died years later as a result of that service.

Mr. Speaker, we had a hearing on this bill in the subcommittee on March 22. The often emotional testimony by Ed Croucher, the Director of Vietnam Veterans of America, Captain Mike Fluke, board member of In Memory, and Lieutenant Colonel Jim Zumwalt demonstrated the strong feelings of veterans and their families on this issue.

Among the groups who have endorsed the plaque are the Vietnam Veterans of America, Veterans of Foreign Wars, AMVETS, Vietnam Women's Memorial, Inc., Rolling Thunder, the Korean War Veterans Association, the National Congress of American Indians, the National Conference of Vietnam Veteran Ministers, In Memory Inc., the American Gold Star Mothers, the Agent Orange Widows Awareness Coalition, and the Society of 173rd Airborne Brigade. In addition, the bill has 290 bipartisan cosponsors.

H.R. 3293 is simple and straightforward, Mr. Speaker. This bill will honor the sacrifices of these veterans by creating a small plaque that will be placed in a suitable location within the 13-acre Vietnam Veterans Memorial. On the plaque will be a short, fitting inscription that honors these fallen heroes.

The plaque will not be placed on the ''Wall'' or directly in front of the ''Wall.'' This will ensure the plaque

does not impact the integrity and solemn nature of the Vietnam Memorial.

Mr. Speaker, H.R. 3293 was passed by voice vote in both the Subcommittee on National Parks and Public Lands and the full Committee on Resources. No amendments were offered by anyone who may have opposed the bill. However, in response to some concerns raised by H.R. 3293, we have modified it in two ways.

First, the bill now clarifies the mechanism in which the ABMC can receive funds. Second, the bill now adds the Vietnam Women's Memorial, Inc., as a consultant to the design and placement of the plaque.

Mr. Speaker, it is vital to us as a Nation to have hallowed ground to honor these men and women, and I would ask that the Members would support this legislation.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3293 is the most recent in a series of legislative proposals to add memorials to the National Mall. This particular measure would authorize a plaque to be placed within sight of the Vietnam Veterans Memorial intended to honor soldiers who died as a result of their service in Vietnam, but who were ineligible for inclusion in the Wall because their deaths occurred after the war ended.

While I am a cosponsor of H.R. 3293, it has been my hope all along that one particular aspect of this legislation might be improved upon. The legislation identifies a governmental agency, the American Battle Monuments Commission, as the organization which will oversee the placement of the plaque. Selection of the Battle Monuments Commission for this task is inappropriate for several important reasons.

First, this project is inconsistent with the Battle Monument Commission's mission. The Battle Monument Commission is an independent, executive branch agency which operates 24 cemeteries and 27 monuments, the vast majority of which are located on foreign soil. The ABMC has had no involvement in the creation and administration of the Vietnam Veterans Memorial, as most of its responsibilities lie overseas. The major exception of this overseas focus, responsibility for the proposed World War II Memorial, is likely to occupy most of their domestic efforts.

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What is more, the ABMC does not want the job. In testimony before the National Capitol Monument Commission, the Battle Monuments Commission stated that the responsibility for the design, procurement and installation of the plaque should rest with either the proponent or the Vietnam Veterans Memorial Fund.

In addition, the Commission has had no mechanism to pay for this proposed plaque. The legislation specifies that no Federal funds are to be used to design, procure, and install the plaque. Since the Battle Monuments Commission is a federally-funded agency, the bill had to be amended to exempt salaries, expenses and other benefits for ABMC personnel. Now the bill is being amended further to create a fund-raising program for the monument. While we realize that we are talking about a fairly small amount of money, it is troubling to think that any amount of time or attention might be diverted from the ABMC's efforts on behalf of the World War II Memorial.

All of these complications could have been avoided by replacing the Battle Monument Commission with the Vietnam Veterans Memorial Fund as the organization responsible for placing this plaque at the Vietnam Veterans Memorial. This organization conceived the idea for the Memorial, raised more than $8 million needed for its construction, conducted the design contest, oversaw the construction, organized the dedicated ceremonies and continues to raise funds for educational programs and maintenance. No memorial in Washington is more closely associated with one organization. We continue to believe that they should be involved.

As it stands, we support the intent of H.R. 3293, but continue to feel that it has an obvious flaw. Fortunately, an obvious solution exists, and we hope that working with the bill's sponsor, our colleagues in the other body, the administration, this change will be adopted.

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

Mr. GALLEGLY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I rise today in support of H.R. 3293, a bill to honor our Nation's Vietnam veterans. In my home State of Nevada, we have over 65,000 Vietnam veterans. In my district alone, there are 41,000.

These courageous men and women sacrificed their lives to defend our country during a time that their efforts were not always appreciated by their fellow countrymen. They deserved our praise and admiration then, and they deserve our praise and admiration now.

Today, the Vietnam Memorial Wall stands as a vivid reminder of those who gave their lives to fight in the Vietnam War. I recently had the opportunity to take my 14-year-old son to see the Vietnam Memorial. It was a moving experience for us both. However, there are many veterans whose lives were also cut tragically short by the war in Vietnam who are not listed on the wall.

My colleague has introduced legislation which will honor this special group of Vietnam veterans. These fallen heroes deserve recognition for their sacrifice, and I urge my colleagues to support this legislation. Join with me and my colleague who introduced it, and I thank him very much for doing so.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from San Diego, California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me the time, and the gentlemen from California (Mr. GALLEGLY) for bringing this bill to the floor.

I, too, rise in support of H.R. 3293, which creates a plaque to honor Vietnam veterans who died as a result of the Vietnam War, but who are just not eligible under the rules to have their names placed directly on the Vietnam War Memorial.

Like my own bill, H. Con. Res. 134, this will honor the many individuals who served in the armed forces in Vietnam and who later died as a result of illnesses and conditions associated with service in that war. Many Vietnam veterans, for example, have died from exposure to Agent Orange or from posttraumatic stress syndrome.

A small plaque will be placed on the 13-acre parcel that surrounds the Vietnam Veterans Memorial, but not on the Wall or in front of the Wall. In this way, the plaque will not interfere with the integrity of the Memorial, but will add a place for families to mourn and remember their loved ones who served honorably and who died years after the war because of their service.

This bill has been endorsed by many veterans groups, including but not limited to the Vietnam Veterans of America, the VFW, AMVETS, Vietnam Women's Memorial, the Korean War Veterans Association, American Gold Star Mothers, and the Agent Orange Widows Awareness Coalition.

I join the 290 cosponsors of this bill from a bipartisan call for passage of this bill, and I thank, again, the gentleman from California (Mr. GALLEGLY) for his leadership.

Mr. GALLEGLY. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. MCKEON), a member of the Committee on Veterans' Affairs.

Mr. MCKEON. Mr. Speaker, I rise today in strong support of H.R. 3293, and I want to commend the gentleman from California (Mr. GALLEGLY) for his leadership in bringing this bill to the floor. This important legislation recognizes a group of veterans that are all too often forgotten, but are nonetheless heroes. The American Vietnam veteran faced adversity that few can ever imagine in order to keep this Nation free.

Unfortunately, these veterans are the victims of a technicality that keeps them from being honored with their fallen soldiers. The Vietnam Wall, while open to some veterans who died following the war, is not open to veterans who passed away due to complications from Agent Orange or posttraumatic stress syndrome. These veterans died as a result of their service for this Nation. The least that our

Nation can do is honor them near their fellow servicemen and women.

This important legislation would allow us to do so without diminishing, in any way, the service of these men and women who died in the field of battle in Vietnam. Instead, this measure would provide a plaque for those fallen heroes to be placed in the vicinity of the current Vietnam Memorial.

So I ask my colleagues to join me and the many veteran service organizations in supporting H.R. 3293.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman from California for yielding me the time. I also want to thank the gentleman from California (Mr. GALLEGLY) for his leadership on this, the gentleman from Alaska (Chairman YOUNG), and also the gentleman from California (Mr. GEORGE MILLER), our very able ranking member.

This bill honors those who have died after their service in the Vietnam War but as a direct result of that service.

I would like to share one example of a Vietnam war veteran who many of my colleagues may have heard of and who exemplifies why we are acting today. His name is Lewis B. Puller, Jr. who took his own life as a result of posttraumatic stress disorder. Lew, as he was called, was a seriously wounded Vietnam War Veteran, Pulitzer Prize winning author of ''Fortunate Son'', and son of the most decorated U.S. Marine in history, ''Chesty'' Puller.

Although Lew's book was an inspiration to many, he ultimately took his own life because of his inability to deal with his wounds, his dependence on drugs and alcohol, and because of posttraumatic stress disorder.

While Lew Puller's case has been a higher profile than others have, there have been thousands of Vietnam War veterans who have suffered the same casualty.

This bill sends a clear message that our Nation has not, nor will it ever, forget the Vietnam veterans who have fallen as a result of these unfortunate and often invisible traumas.

I urge my colleagues to support this very worthy bill.

Mr. GALLEGLY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. QUINN), who serves on the Committee on Veterans' Affairs.

Mr. QUINN. Mr. Speaker, I thank the gentleman from California (Mr. GALLEGLY) for yielding me this time.

I also want to associate myself with the remarks of the gentleman from California (Mr. FILNER), my ranking member on our Subcommittee on Benefits of the Committee on Veterans' Affairs.

As I rise in support of H.R. 3293, as we have said, a bill that will create a place honoring those Vietnam veterans who died as a result of the war but, through some technicality, are ineligible to be placed on the Vietnam Veterans Memorial here in Washington, D.C.

Mr. Speaker, this is a very straightforward bill. In no way will it affect the current Memorial, which has become a place for Americans to solemnly remember those veterans who gave their lives in Vietnam. It requires a small plaque to be honored and placed somewhere on the 13 acres.

I want to add my support to the bill and urge all our colleagues to do the same.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, I rise in support of H.R. 3293, authorizing the placement of a plaque to memorialize those who died as a direct result from service in the Vietnam War, but who perished after war's end.

Thousands of individuals put their life on the line to protect the freedoms that we hold dear and to save a Nation desperately trying to hold on to those freedoms.

We have recognized the sacrifice of those who died on the battlefield, but we have yet to realize those who perished afterwards.

This bill would honor those who died after the war as a direct result of serving in the war by placing a small plaque somewhere near the Vietnam Memorial. The plaque, funded by private donations, would recognize the entire group of courageous individuals for their service to our country.

After 25 years since the fall of Saigon, is it not time that we finally recognize everyone who has made the ultimate sacrifice by serving our country in Southeast Asia?

Mr. GALLEGLY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. COLLINS).

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

Mr. Speaker, the casualty list states that over 58,000 Americans lost their lives in the conflict we know as the Vietnam War. The lists contain the names of another 300,000 Americans sailors, soldiers, and airmen who were wounded. Half of these wounds were very serious. Many of our soldiers recovered fully while others were permanently wounded.

But there is a third class of wounded soldiers whose wounds did not kill immediately but ultimately caused death. In some cases, posttraumatic stress syndrome or exposure to Agent Orange may have led to the death years, perhaps decades, after the wound was first suffered.

Despite the delay, the veteran's death is linked with his or her service to this Nation by participating in the Vietnam War.

H.R. 3293 seeks to honor these veterans with a plaque located within the 13 acres set aside for the Vietnam War Veterans Memorial. The plaque will be located near the Wall to preserve the memory of those veterans whose service on behalf of their fellow citizens, in the end, cost them their lives.

Mr. Speaker, I urge our colleagues to support this bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I rise today to support H.R. 3293, the establishment of a Vietnam Veterans Plaque at the Vietnam Veterans Memorial. I support this measure because we have a responsibility to honor those who made the ultimate sacrifice for their country.

We can never forget the travesties of war. We can never get our fighting forces who marched on battlefields, roamed the oceans, and flew the skies. We can never forget the family shattered by the loss of fallen children. My own family, my sister's brother-in-law, John H. Walker's name, appears on that Wall along with the names of many of my childhood friends. With the Vietnam Veterans Plaque, we will never forget the names of those who lost their lives in service of their Nation.

The effects of Vietnam live with many Americans today. We must include the heroes whose post-war deaths were a direct result of conditions such as Agent Orange. We must forever etch in the annals of time the names of those fallen heroes so that future generations may see the names and celebrate their fellow countrymen who believed in duty, honor, and service. What a small token to be established relative to the loss due to war.

Mr. Speaker, I am proud to rise and be a cosponsor of H.R. 3293 and urge the passage of the Vietnam Veterans Plaque.

Mr. GALLEGLY. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, we have been there either in person or witnessed it on television, people silently and slowly walking by the Vietnam Veterans Memorial in contemplation of the sacrifices made for this Nation, some tracing on paper names embedded in stone, some leaving flowers or little gifts at the foot of that Wall.

But there is something missing, men and women whose deaths are related to the war and caused by the war who died after that conflict and whose names are not otherwise eligible to be inscribed on the wall.

Today we fill in that which is missing. Today, by passing H.R. 3293, as to which I am a cosponsor, we authorize a plaque, demonstrating the love of this Nation for the men and women who gave the supreme sacrifice and whose names are not on the Wall.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the

gentleman from New York (Mr. CROWLEY).

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Mr. CROWLEY. Mr. Speaker, I thank the gentleman from California for yielding me this time. I rise in strong support of H.R. 3293, the Vietnam Veterans Memorial Authorization, and I congratulate the gentleman from California (Mr. GALLEGLY), the sponsor of this important legislation to commemorate those brave men and women who fought in Vietnam.

I signed onto this legislation because I believe the time has come to commemorate those brave veterans of the Vietnam War who gave up their lives for their country but have yet to receive any public tribute. But this legislation should only be a starting point here in Congress. We should all work together to advance the priorities of all of our Nation's veterans', including providing a fair distribution of health care resources to veterans regardless of where they reside in our Nation.

We should make the term ''homeless veteran'' an oxymoron. We must keep letting our Nation's veterans know that the people who fought to allow us to come to this floor every day and debate issues both large and small that we do and did value their services. Our veterans have provided so much while requesting so little.

In my opinion, this memorial should be constructed in the honor of these brave men and women, and I am pleased the House of Representatives is debating this legislation today. Again, I would like to thank my colleague, the gentleman from California (Mr. GALLEGLY), for bringing this legislation to the floor. This is a good bill. It is long overdue. I urge all of my colleagues to support this legislation today.

Mr. GALLEGLY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

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

Andy Rooney, a number of years ago, wrote a book about war, and he revealed in that book a little known phenomenon that is very rarely, if ever, discussed about war. That phenomenon is in essence this: The combat soldier in combat is dependent and dependable. He is loved and he loves others. He deals with those who are dying. He deals with those who are sick. He deals with those who are afraid. He deals with those who cannot rise up to the difficult challenge, emotional challenge, of viewing the slaughter on a daily basis.

Many of those men who were afraid, or who may not have been wounded in the body, their spirit was wounded. Their mind was wounded. Some of them picked up disease. Those young men deserve some recognition along this magnificent wall that represents that conflict so that their families may come and have some resolution.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentleman from California (Mr. GALLEGLY) for this very important legislation. This is an important gesture on the part of the United States Congress because I think it is going to go a long way towards closing one of the festering wounds from our national history.

I worked very closely with a family, the Fitzgibbon family, over a 2-year period, to deal with an inequity that had affected their family. Sergeant Richard Fitzgibbon died in Vietnam in 1956. But because the United States Government did not in fact admit that we controlled the war in Vietnam after the French pulled out earlier that year, no one who had died in Vietnam from 1956 through 1961 was eligible for inscription on the Vietnam Wall. He was the first casualty of the war in Vietnam, and yet he received no recognition and his family received no recognition.

In fact, so strongly did his family believe that he had died in the war in Vietnam that his own son went to Vietnam, and his son was killed in 1965, Richard, Junior, the only father and son in the Vietnam War. But the son was allowed to have his name inscribed on the Wall, but the father not. And it took a long battle to finally change the rules and regulations of the Defense Department 2 years ago to have the father join the son.

The son obviously believed he was on the same mission, the mission to bring freedom to the people in Vietnam, a mission that had been engaged in by the United States Government. So that inequity has been dealt with.

What the gentleman from California is doing here today is trying to deal with another inequity. It is one that will ensure that those Vietnam veterans who died after service in the Vietnam War, but as a direct result of such service, and whose names are not otherwise eligible for placement on the memorial wall, will continue the healing of their pain as well.

I think that this is a very important gesture to every single family in America who has suffered this most horrible of all fates that can befall a family, and I think that this is one of the most fitting things that we can do as a Nation in order to continue to heal the wounds of every family that made the sacrifice. I congratulate the gentleman and I hope it passes unanimously here today.

Mr. GALLEGLY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentleman from California for yielding me this time, and I too would like to join other Members who thanked him for stepping forward and bringing forth this very important resolution.

I could not help but hear the previous gentleman from Massachusetts. A couple of words he said really rang true in my mind, where he talked about these gentlemen, these men and women that went over to Vietnam because they believed they were fighting for freedom. They fought, unfortunately, under a cloud throughout most of the 1960s and the early 1970s, with people protesting on college campuses and protesting in the streets. But they really went over there and so many of them really did believe they were fighting for freedom.

Thirty years later, looking back after all the divisiveness of the Vietnam War and all the debates about whether it was a noble cause or not, all we have to do is look at the repression that people in Vietnam still live under to recognize that they were fighting a noble cause.

I think this is an absolutely fantastic thing to do for those men and women that were willing to go over there and risk their lives to fight for freedom.

One other final closing thought, though unrelated to this matter. I think we should go the next step forward this year and we should give those men and women that were willing to give their all in World War II and in the Korean War the health care that they were promised. We made them a promise and we have broken that promise. And just as the resolution of the gentleman from California helps to recognize the service of those Vietnam veterans today, we need to go another step forward. I thank the gentleman for this fantastic resolution.

Mr. GALLEGLY. Mr. Speaker, how much time remains on our side?

The SPEAKER pro tempore (Mr. LaTourette). The gentleman from California (Mr. Gallegly) has 7½ minutes remaining.

Mr. GALLEGLY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I would like to recognize the years of hard work and dedication by Vietnam veterans and their families in turning this idea of building a simple plaque to honor those who died after their service due to war-related causes into a reality.

I would like to particularly recognize and mention the efforts of Ruth Coder Fitzgerald, who began working on this memorial within weeks of the death of her brother John in 1992. John Coder died from non-Hodgkins lymphoma, a cancer linked to exposure to Agent Orange in Vietnam. It is Ms. Fitzgerald's dedication to our Vietnam veterans and their families that is the reason we are here today in the House of Representatives considering this legislation.

Mr. Speaker, a creation of this plaque will not in any way diminish the impact of the Vietnam Veterans Memorial area. On the contrary, it will fill a void by honoring those whose names were not found on the Wall. As Ed Croucher of the Vietnam Veterans of America testified before the Subcommittee on National Parks and Public Lands of the Committee on Resources: ''It meets a clear need. It is a

very significant and appropriate project. It adds to the collective history of the Vietnam War.''

Mr. Speaker, the building of this small but powerful plaque is the right thing to do to honor those who died for our country because of their service to Vietnam, and I ask for the support of the Members of the House in passing this legislation.

Mr. CROWLEY. Mr. Speaker, I strongly support H.R. 3293, the Vietnam Veterans Memorial Authorization.

I congratulate Congressman ELTON GALLEGLY, the sponsor of this important legislation to commemorate those brave men and women who fought in Vietnam.

I signed on to this legislation because I believe the time has come to commemorate those brave veterans of the Vietnam War who gave up their lives for their country but have yet to receive any public tribute.

But this legislation should only be a starting point in this Congress.

We should all work together to advance the priorities of all our nation's veterans, including providing a fair distribution of health care resources to veterans regardless of where they reside in our nation.

We should make the term ''homeless veteran'' an oxymoron.

And we must keep letting our nation's veterans know—the people who fought to allow us to come to the floor every day and debate issues both large and small—that we do value their service.

Our veterans have provided so much while requesting so little.

In my opinion, a memorial should be constructed in honor of these brave men and women.

I am pleased the House of Representatives is debating this legislation today and would again like to thank my friend and colleague Representative ELTON GALLEGLY for bringing this legislation to the floor today.

This is a good bill.

It is long overdue and I urge all of my colleagues to support this legislation today.

Mr. SHAYS. Mr. Speaker, as a cosponsor of H.R. 3293, I am in strong support of its passage today.

This legislation, introduced by Representative GALLEGLY of California, authorizes placement of a plaque near the Vietnam Veterans Memorial to honor those Vietnam veterans who died as a direct result of their service after leaving Vietnam, including those who died of post traumatic stress disorder and of the effects of Agent Orange.

The men and women who serve our country to defend freedom deserve to be treated with nothing less than the highest level of dignity and respect. All of those who died following their service in the Vietnam War—including those who died of post traumatic stress disorder and of the effects of Agent Orange—should be honored alongside those who died in combat.

In the years since Vietnam, we've learned a great deal about the lingering effects of modern combat. Unfortunately, too many of those we thought were survivors had already been afflicted with conditions or exposed to chemical agents that would tragically cut short their lives.

Passage of H.R. 3293 will go a long way toward honoring the men and women who lost their lives as a direct result of service to our great nation, and I urge my colleagues on both sides of the aisle to support this important piece of legislation.

Mr. REYES. Mr. Speaker, I am in strong support of this bill.

With over 60,000 military retirees and veterans in my district including thousands of Vietnam veterans, I am proud to be a cosponsor of this bill and support its passage today on the House floor.

The 25th anniversary of the end of the Vietnam War is a time for all Americans to reflect on the incredible sacrifices made by our men and women in preserving liberty in Southeast Asia.

All of our Vietnam veterans are heroes for their incredible courage and bravery.

They fought for freedom in a far away land, inserting themselves in the name of liberty in a conflict which had already raged for decades. They withstood the ravages of jungle warfare, and endured the onslaught of extremely deadly and indiscriminate weaponry.

Furthermore, those who returned back home faced a nation which was divided over our involvement in Vietnam, and for too many, the injuries they sustained and the sacrifices they made were taken for granted.

While we have an extremely meaningful and powerful memorial to our nation's veterans who perished in Vietnam here in Washington, D.C. with the Vietnam Wall, there has been a significant absence of a symbol of recognition of those Vietnam veterans who died after the war as a direct result of their service.

These men and women deserve to be recognized for their service, and I am proud that this bill authorizes the placement of a plaque within the site of the Vietnam Veterans Memorial wall to honor those veterans who died after their service in the Vietnam War as a direct result of that service.

These American soldiers left their families, friends, and lives to defend another people in another land and their service should never be forgotten.

As someone who serves on the House Veterans Affairs Committee, I salute all of our Vietnam Veterans and am proud to co-sponsor this legislation.

Mr. GILMAN. Mr. Speaker, I am in strong support of H.R. 3293, a bill to make an important modification to the Vietnam Veterans Memorial. I urge my colleagues to support this worthy measure.

H.R. 3293 amends the law that established the Vietnam Veterans Memorial by authorizing the placement within the grounds of the memorial of a plaque honoring those Vietnam veterans who died after the war from a direct result of injuries sustained in the conflict. These veterans were not eligible for placement on the memorial wall at the time of its construction.

This legislation directs the American Battle Monuments Commission to consult with the Veterans of the Vietnam Veterans Memorial Fund in deciding where to locate the plaque and further requires that the design, acquiring and placement of the plaque will be completed with private funds.

Mr. Speaker, H.R. 3293 makes a worthy addition to one of the most visited monuments in our Nation's Capital. It is also a fitting tribute to those veterans who served in Vietnam, but due to the timing of their deaths, were not eligible for inclusion in the original memorial.

Accordingly, I urge my colleagues to give their support to this worthwhile piece of legislation.

Mr. BILIRAKIS. Mr. Speaker, I am in strong support of H.R. 3293, which authorizes the placement within the site of the Vietnam Veterans Memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam War, but as a direct result of that service. Establishing a plaque to recognize the efforts of this group of Vietnam veterans is a fitting tribute to the men and women who have sacrificed for their country.

Each year, the Department of Defense adds some names to the Vietnam Veterans Memorial. However, the Department does not recognize many conditions as being service-related, such as Agent Orange exposure and post traumatic stress syndrome. The plaque authorized by H.R. 3293 would honor those whose deaths are not otherwise recognized by the monument.

This year marks the 25th anniversary of the end of the Vietnam War. A plaque honoring those who continued to suffer and die years after the war ended—and their families—is a proper way to mark this anniversary.

I am proud to be an original cosponsor of H.R. 3293 and I urge my colleagues to support this important legislation.

Mr. GARY MILLER of California. Mr. Speaker, I rise on behalf of the families of California's 41st district which continue to grieve over the loss of a loved one who died as a result of serving our Nation in Vietnam.

While the Vietnam Memorial is a commanding monument which demands its observers' attention in a compelling and somber way, it does not recognize the ultimate sacrifice made by many of our soldiers. Although numerous men and women returned home, for some, the battle did not end. Many lives were destroyed by cancer as a result of exposure to Agent Orange. For others, the battles raged on nightly in the form of terrible, extremely stressful dreams that were inescapable.

These service men and women should be remembered alongside their colleagues on the mall. With Memorial Day quickly approaching, I urge you to support this measure. While it is simple in nature—just a plaque—it speaks volumes about our respect for these soldiers.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GALLEGLY) that the House suspend the rules and pass the bill, H.R. 3293, as amended.

The question was taken.

Mr. GALLEGLY. 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.

LONG-TERM CARE SECURITY ACT

Mr. SCARBOROUGH. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 4040) to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4040

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 ''Long-Term Care Security Act''.

SEC. 2. LONG-TERM CARE INSURANCE.

(a) IN GENERAL.—Subpart G of part III of title 5, United States Code, is amended by adding at the end the following:

''CHAPTER 90—LONG-TERM CARE INSURANCE

''Sec.
''9001. Definitions.
''9002. Availability of insurance.
''9003. Contracting authority.
''9004. Financing.
''9005. Preemption.
''9006. Studies, reports, and audits.
''9007. Jurisdiction of courts.
''9008. Administrative functions.
''9009. Cost accounting standards.

''§ 9001. Definitions

For purposes of this chapter:

''(1) EMPLOYEE.—The term 'employee' means—

''(A) an employee as defined by section 8901(1); and

''(B) an individual described in section 2105(e);

but does not include an individual employed by the government of the District of Columbia.

''(2) ANNUITANT.—The term 'annuitant' has the meaning such term would have under paragraph (3) of section 8901 if, for purposes of such paragraph, the term 'employee' were considered to have the meaning given to it under paragraph (1) of this subsection.

''(3) MEMBER OF THE UNIFORMED SERVICES.—The term 'member of the uniformed services' means a member of the uniformed services, other than a retired member of the uniformed services, who is—

''(A) on active duty or full-time National Guard duty for a period of more than 30 days; and

''(B) a member of the Selected Reserve.

''(4) RETIRED MEMBER OF THE UNIFORMED SERVICES.—The term 'retired member of the uniformed services' means a member or former member of the uniformed services entitled to retired or retainer pay, including a member or former member retired under chapter 1223 of title 10 who has attained the age of 60 and who satisfies such eligibility requirements as the Office of Personnel Management prescribes under section 9008.

''(5) QUALIFIED RELATIVE.—The term 'qualified relative' means each of the following:

''(A) The spouse of an individual described in paragraph (1), (2), (3), or (4).

''(B) A parent, stepparent, or parent-in-law of an individual described in paragraph (1) or (3).

''(C) A child (including an adopted child, a stepchild, or, to the extent the Office of Personnel Management by regulation provides, a foster child) of an individual described in paragraph (1), (2), (3), or (4), if such child is at least 18 years of age.

''(D) An individual having such other relationship to an individual described in paragraph (1), (2), (3), or (4) as the Office may by regulation prescribe.

''(6) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' refers to an individual described in paragraph (1), (2), (3), (4), or (5).

''(7) QUALIFIED CARRIER.—The term 'qualified carrier' means an insurance company (or consortium of insurance companies) that is licensed to issue long-term care insurance in all States, taking any subsidiaries of such a company into account (and, in the case of a consortium, considering the member companies and any subsidiaries thereof, collectively).

''(8) STATE.—The term 'State' includes the District of Columbia.

''(9) QUALIFIED LONG-TERM CARE INSURANCE CONTRACT.—The term 'qualified long-term care insurance contract' has the meaning given such term by section 7702B of the Internal Revenue Code of 1986.

''(10) APPROPRIATE SECRETARY.—The term 'appropriate Secretary' means—

''(A) except as otherwise provided in this paragraph, the Secretary of Defense;

''(B) with respect to the Coast Guard when it is not operating as a service of the Navy, the Secretary of Transportation;

''(C) with respect to the commissioned corps of the National Oceanic and Atmospheric Administration, the Secretary of Commerce; and

''(D) with respect to the commissioned corps of the Public Health Service, the Secretary of Health and Human Services.

''§ 9002. Availability of insurance

''(a) IN GENERAL.—The Office of Personnel Management shall establish and, in consultation with the appropriate Secretaries, administer a program through which an individual described in paragraph (1), (2), (3), (4), or (5) of section 9001 may obtain long-term care insurance coverage under this chapter for such individual.

''(b) GENERAL REQUIREMENTS.—Long-term care insurance may not be offered under this chapter unless—

''(1) the only coverage provided is under qualified long-term care insurance contracts; and

''(2) each insurance contract under which any such coverage is provided is issued by a qualified carrier.

''(c) DOCUMENTATION REQUIREMENT.—As a condition for obtaining long-term care insurance coverage under this chapter based on one's status as a qualified relative, an applicant shall provide documentation to demonstrate the relationship, as prescribed by the Office.

''(d) UNDERWRITING STANDARDS.—

''(1) DISQUALIFYING CONDITION.—Nothing in this chapter shall be considered to require that long-term care insurance coverage be made available in the case of any individual who would be eligible for benefits immediately.

''(2) SPOUSAL PARITY.—For the purpose of underwriting standards, a spouse of an individual described in paragraph (1), (2), (3), or (4) of section 9001 shall, as nearly as practicable, be treated like that individual.

''(3) GUARANTEED ISSUE.—Nothing in this chapter shall be considered to require that long-term care insurance coverage be guaranteed to an eligible individual.

''(4) REQUIREMENT THAT CONTRACT BE FULLY INSURED.—In addition to the requirements otherwise applicable under section 9001(9), in order to be considered a qualified long-term care insurance contract for purposes of this chapter, a contract must be fully insured, whether through reinsurance with other companies or otherwise.

''(5) HIGHER STANDARDS ALLOWABLE.—Nothing in this chapter shall, in the case of an individual applying for long-term care insurance coverage under this chapter after the expiration of such individual's first opportunity to enroll, preclude the application of underwriting standards more stringent than those that would have applied if that opportunity had not yet expired.

''(e) GUARANTEED RENEWABILITY.—The benefits and coverage made available to eligible individuals under any insurance contract under this chapter shall be guaranteed renewable (as defined by section 7A(2) of the model regulations described in section 7702B(g)(2) of the Internal Revenue Code of 1986), including the right to have insurance remain in effect so long as premiums continue to be timely made. However, the authority to revise premiums under this chapter shall be available only on a class basis and only to the extent otherwise allowable under section 9003(b).

''§ 9003. Contracting authority

''(a) IN GENERAL.—The Office of Personnel Management shall, without regard to section 5 of title 41 or any other statute requiring competitive bidding, contract with 1 or more qualified carriers for a policy or policies of long-term care insurance. The Office shall ensure that each resulting contract (hereinafter in this chapter referred to as a 'master contract') is awarded on the basis of contractor qualifications, price, and reasonable competition.

''(b) TERMS AND CONDITIONS.—

''(1) IN GENERAL.—Each master contract under this chapter shall contain—

''(A) a detailed statement of the benefits offered (including any maximums, limitations, exclusions, and other definitions of benefits);

''(B) the premiums charged (including any limitations or other conditions on their subsequent adjustment);

''(C) the terms of the enrollment period; and

''(D) such other terms and conditions as may be mutually agreed to by the Office and the carrier involved, consistent with the requirements of this chapter.

''(2) PREMIUMS.—Premiums charged under each master contract entered into under this section shall reasonably and equitably reflect the cost of the benefits provided, as determined by the Office. The premiums shall not be adjusted during the term of the contract unless mutually agreed to by the Office and the carrier.

''(3) NONRENEWABILITY.—Master contracts under this chapter may not be made automatically renewable.

''(c) PAYMENT OF REQUIRED BENEFITS; DISPUTE RESOLUTION.—

''(1) IN GENERAL.—Each master contract under this chapter shall require the carrier to agree—

''(A) to provide payments or benefits to an eligible individual if such individual is entitled thereto under the terms of the contract; and

''(B) with respect to disputes regarding claims for payments or benefits under the terms of the contract—

''(i) to establish internal procedures designed to expeditiously resolve such disputes; and

''(ii) to establish, for disputes not resolved through procedures under clause (i), procedures for 1 or more alternative means of dispute resolution involving independent third-party review under appropriate circumstances by entities mutually acceptable to the Office and the carrier.

''(2) ELIGIBILITY.—A carrier's determination as to whether or not a particular individual is eligible to obtain long-term care insurance coverage under this chapter shall be subject to review only to the extent and in the manner provided in the applicable master contract.

''(3) OTHER CLAIMS.—For purposes of applying the Contract Disputes Act of 1978 to disputes arising under this chapter between a carrier and the Office—

''(A) the agency board having jurisdiction to decide an appeal relative to such a dispute shall be such board of contract appeals as the Director of the Office of Personnel Management shall specify in writing (after appropriate arrangements, as described in section 8(c) of such Act); and

''(B) the district courts of the United States shall have original jurisdiction, concurrent with the United States Court of Federal Claims, of any action described in section 10(a)(1) of such Act relative to such a dispute.

''(4) RULE OF CONSTRUCTION.—Nothing in this chapter shall be considered to grant authority for the Office or a third-party reviewer to change the terms of any contract under this chapter.

''(d) DURATION.—

''(1) IN GENERAL.—Each master contract under this chapter shall be for a term of 7 years, unless terminated earlier by the Office in accordance with the terms of such contract. However, the rights and responsibilities of the enrolled individual, the insurer, and the Office (or duly designated third-party administrator) under such contract shall continue with respect to such individual until the termination of coverage of the enrolled individual or the effective date of a successor contract thereto.

''(2) EXCEPTION.—

''(A) SHORTER DURATION.—In the case of a master contract entered into before the end of the period described in subparagraph (B), paragraph (1) shall be applied by substituting 'ending on the last day of the 7-year period described in paragraph (2)(B)' for 'of 7 years'.

''(B) DEFINITION.—The period described in this subparagraph is the 7-year period beginning on the earliest date as of which any long-term care insurance coverage under this chapter becomes effective.

''(3) CONGRESSIONAL NOTIFICATION.—No later than 180 days after receiving the second report required under section 9006(c), the President (or his designee) shall submit to the Committees on Government Reform and on Armed Services of the House of Representatives and the Committees on Governmental Affairs and on Armed Services of the Senate, a written recommendation as to whether the program under this chapter should be continued without modification, terminated, or restructured. During the 180-day period following the date on which the President (or his designee) submits the recommendation required under the preceding sentence, the Office of Personnel Management may not take any steps to rebid or otherwise contract for any coverage to be available at any time following the expiration of the 7-year period described in paragraph (2)(B).

''(4) FULL PORTABILITY.—Each master contract under this chapter shall include such provisions as may be necessary to ensure that, once an individual becomes duly enrolled, long-term care insurance coverage obtained by such individual pursuant to that enrollment shall not be terminated due to any change in status (such as separation from Government service or the uniformed services) or ceasing to meet the requirements for being considered a qualified relative (whether as a result of dissolution of marriage or otherwise).

''§ 9004. Financing

''(a) IN GENERAL.—Each eligible individual obtaining long-term care insurance coverage under this chapter shall be responsible for 100 percent of the premiums for such coverage.

''(b) WITHHOLDINGS.—

''(1) IN GENERAL.—The amount necessary to pay the premiums for enrollment may—

''(A) in the case of an employee, be withheld from the pay of such employee;

''(B) in the case of an annuitant, be withheld from the annuity of such annuitant;

''(C) in the case of a member of the uniformed services described in section 9001(3), be withheld from the pay of such member; and

''(D) in the case of a retired member of the uniformed services described in section 9001(4), be withheld from the retired pay or retainer pay payable to such member.

''(2) VOLUNTARY WITHHOLDINGS FOR QUALIFIED RELATIVES.—Withholdings to pay the premiums for enrollment of a qualified relative may, upon election of the appropriate eligible individual (described in section 9001(1)–(4)), be withheld under paragraph (1) to the same extent and in the same manner as if enrollment were for such individual.

''(c) DIRECT PAYMENTS.—All amounts withheld under this section shall be paid directly to the carrier.

''(d) OTHER FORMS OF PAYMENT.—Any enrollee who does not elect to have premiums withheld under subsection (b) or whose pay, annuity, or retired or retainer pay (as referred to in subsection (b)(1)) is insufficient to cover the withholding required for enrollment (or who is not receiving any regular amounts from the Government, as referred to in subsection (b)(1), from which any such withholdings may be made, and whose premiums are not otherwise being provided for under subsection (b)(2)) shall pay an amount equal to the full amount of those charges directly to the carrier.

''(e) SEPARATE ACCOUNTING REQUIREMENT.—Each carrier participating under this chapter shall maintain records that permit it to account for all amounts received under this chapter (including investment earnings on those amounts) separate and apart from all other funds.

''(f) REIMBURSEMENTS.—

''(1) REASONABLE INITIAL COSTS.—

''(A) IN GENERAL.—The Employees' Life Insurance Fund is available, without fiscal year limitation, for reasonable expenses incurred by the Office of Personnel Management in administering this chapter before the start of the 7-year period described in section 9003(d)(2)(B), including reasonable implementation costs.

''(B) REIMBURSEMENT REQUIREMENT.—Such Fund shall be reimbursed, before the end of the first year of that 7-year period, for all amounts obligated or expended under subparagraph (A) (including lost investment income). Such reimbursement shall be made by carriers, on a pro rata basis, in accordance with appropriate provisions which shall be included in master contracts under this chapter.

''(2) SUBSEQUENT COSTS.—

''(A) IN GENERAL.—There is hereby established in the Employees' Life Insurance Fund a Long-Term Care Administrative Account, which shall be available to the Office, without fiscal year limitation, to defray reasonable expenses incurred by the Office in administering this chapter after the start of the 7-year period described in section 9003(d)(2)(B).

''(B) REIMBURSEMENT REQUIREMENT.—Each master contract under this chapter shall include appropriate provisions under which the carrier involved shall, during each year, make such periodic contributions to the Long-Term Care Administrative Account as necessary to ensure that the reasonable anticipated expenses of the Office in administering this chapter during such year (adjusted to reconcile for any earlier overestimates or underestimates under this subparagraph) are defrayed.

''§ 9005. Preemption

''The terms of any contract under this chapter which relate to the nature, provision, or extent of coverage or benefits (including payments with respect to benefits) shall supersede and preempt any State or local law, or any regulation issued thereunder, which relates to long-term care insurance or contracts.

''§ 9006. Studies, reports, and audits

''(a) PROVISIONS RELATING TO CARRIERS.—Each master contract under this chapter shall contain provisions requiring the carrier—

''(1) to furnish such reasonable reports as the Office of Personnel Management determines to be necessary to enable it to carry out its functions under this chapter; and

''(2) to permit the Office and representatives of the General Accounting Office to examine such records of the carrier as may be necessary to carry out the purposes of this chapter.

''(b) PROVISIONS RELATING TO FEDERAL AGENCIES.—Each Federal agency shall keep such records, make such certifications, and furnish the Office, the carrier, or both, with such information and reports as the Office may require.

''(c) REPORTS BY THE GENERAL ACCOUNTING OFFICE.—The General Accounting Office shall prepare and submit to the President, the Office of Personnel Management, and each House of Congress, before the end of the third and fifth years during which the program under this chapter is in effect, a written report evaluating such program. Each such report shall include an analysis of the competitiveness of the program, as compared to both group and individual coverage generally available to individuals in the private insurance market. The Office shall cooperate with the General Accounting Office to provide periodic evaluations of the program.

''§ 9007. Jurisdiction of courts

''The district courts of the United States have original jurisdiction of a civil action or claim described in paragraph (1) or (2) of section 9003(c), after such administrative remedies as required under such paragraph (1) or (2) (as applicable) have been exhausted, but only to the extent judicial review is not precluded by any dispute resolution or other remedy under this chapter.

''§ 9008. Administrative functions

''(a) IN GENERAL.—The Office of Personnel Management shall prescribe regulations necessary to carry out this chapter.

''(b) ENROLLMENT PERIODS.—The Office shall provide for periodic coordinated enrollment, promotion, and education efforts in consultation with the carriers.

''(c) CONSULTATION.—Any regulations necessary to effect the application and operation of this chapter with respect to an eligible individual described in paragraph (3) or (4) of section 9001, or a qualified relative thereof, shall be prescribed by the Office in consultation with the appropriate Secretary.

''(d) INFORMED DECISIONMAKING.—The Office shall ensure that each eligible individual applying for long-term care insurance under this chapter is furnished the information necessary to enable that individual to evaluate the advantages and disadvantages of obtaining long-term care insurance under this chapter, including the following:

''(1) The principal long-term care benefits and coverage available under this chapter, and how those benefits and coverage compare to the range of long-term care benefits and coverage otherwise generally available.

''(2) Representative examples of the cost of long-term care, and the sufficiency of the

benefits available under this chapter relative to those costs. The information under this paragraph shall also include—

''(A) the projected effect of inflation on the value of those benefits; and

''(B) a comparison of the inflation-adjusted value of those benefits to the projected future costs of long-term care.

''(3) Any rights individuals under this chapter may have to cancel coverage, and to receive a total or partial refund of premiums. The information under this paragraph shall also include—

''(A) the projected number or percentage of individuals likely to fail to maintain their coverage (determined based on lapse rates experienced under similar group long-term care insurance programs and, when available, this chapter); and

''(B)(i) a summary description of how and when premiums for long-term care insurance under this chapter may be raised;

''(ii) the premium history during the last 10 years for each qualified carrier offering long-term care insurance under this chapter; and

''(iii) if cost increases are anticipated, the projected premiums for a typical insured individual at various ages.

''(4) The advantages and disadvantages of long-term care insurance generally, relative to other means of accumulating or otherwise acquiring the assets that may be needed to meet the costs of long-term care, such as through tax-qualified retirement programs or other investment vehicles.

''§ 9009. Cost accounting standards

''The cost accounting standards issued pursuant to section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)) shall not apply with respect to a long-term care insurance contract under this chapter.''.

(b) CONFORMING AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by adding at the end of subpart G the following:

''90. Long-Term Care Insurance ... 9001.''.

SEC. 3. EFFECTIVE DATE.

The Office of Personnel Management shall take such measures as may be necessary to ensure that long-term care insurance coverage under title 5, United States Code, as amended by this Act, may be obtained in time to take effect not later than the first day of the first applicable pay period of the first fiscal year which begins after the end of the 18-month period beginning on the date of enactment of this Act.

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

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

GENERAL LEAVE

Mr. SCARBOROUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 4040.

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

There was no objection.

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

Mr. Speaker, the Long-Term Care Security Act that we are considering today is a consensus bill. It is reflective of the hard work and dedication of Members on both sides of the aisle.

I want to begin by thanking my distinguished ranking member, the gentleman from Maryland (Mr. CUMMINGS), for his continued hard work and cooperation through this process. I also appreciate the leadership of my predecessor as chairman of this subcommittee, the gentleman from Florida (Mr. MICA). The gentleman from Florida (Mr. MICA) initiated the subcommittee's examination of long-term care, introducing the first long-term care bill during last Congress.

The gentlewoman from Maryland (Mrs. MORELLA) has also worked hard to create a long-term care insurance program for Federal employees and retirees. And I would also like to thank the chairman of the committee, the gentleman from Indiana (Mr. BURTON), and the ranking member, the gentleman from California (Mr. WAXMAN), for their support and hard work on this bill, and so many others, Mr. Speaker, including just everybody on the subcommittee, who really have done so much to make this work.

As chairman of the subcommittee, long-term care insurance has been my top priority. During this Congress the subcommittee held three hearings on long-term care which demonstrated the importance of long-term care insurance. Longer life spans are leading to a rise in the number of Americans who are likely to need some form of long-term care, which today can cost as much as $50,000 a year. By 2030, the American Council of Life Insurers estimates that a year in a nursing home will cost as much as $190,000. Mr. Speaker, few Federal employees would be able to bear these costs without liquidating everything that they have worked so long for.

Long-term care insurance will help Federal workers plan for this risk while protecting themselves and their loved ones of the indignities of the Medicaid spend-down process that so many have to go through right now. Under the Long-Term Care Security Act, Federal employees, members of the uniformed services, and both civilian and military retirees may purchase long-term care insurance sponsored by their employer.

As one of the Nation's largest employers, the success of our program will undoubtedly influence other employers across this land. Just as we are following the lead of many private employers who offer this benefit to their workforces today, I really believe that other companies are likely to follow the government's lead and offer their own employees this very important protection.

□ 1200

This legislation will allow insurance carriers and the Office of Personnel Management to design flexible benefit packages to satisfy the widely varying needs of our diverse population. Employees, members of the uniformed services, and retirees will also have the opportunity to obtain long-term care insurance for their spouses, their children, and other close relatives.

We expect competition between the carriers in the bidding process to keep premiums affordable for the entire Federal community. And that is important.

Coupled with less stringent underwriting requirements for those who enroll at their first opportunity, reasonable premiums should encourage many employees to purchase long-term care insurance.

Ultimately, the success of our collective efforts will be measured by the number of employees who buy insurance under this program. That is why this bill provides for close Congressional scrutiny as the program develops. Congress will receive periodic reports from the General Accounting Office and the Office of Personnel Management. The subcommittee will carefully monitor the implementation of this program to ensure that it offers high quality coverage at very competitive premiums.

Mr. Speaker, I encourage all Members to support this very, very important bill.

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

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

Mr. Speaker, I commend the gentleman from Florida (Chairman SCARBOROUGH) and the gentleman from California (Mr. WAXMAN), the gentleman from Maine (Mr. ALLEN), the gentleman from Florida (Mr. MICA) and the gentlewoman from Maryland (Mrs. MORELLA) for working diligently to bring this bipartisan bill to fruition.

And another one of our Members, the gentlewoman from the District of Columbia (Ms. NORTON), has worked so hard on this legislation.

Mr. Speaker, I yield 3½ minutes to the distinguished gentlewoman from Washington, D.C. (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for his kindness in yielding to me. I have an appointment off campus, and I appreciate his interrupting his opening remarks to yield to me.

Mr. Speaker, I want to thank the gentleman from Florida (Chairman SCARBOROUGH) and the gentleman from Maryland (Mr. CUMMINGS), the ranking member, because we have been working on this bill for 3 years, but this chairman and ranking member have brought this to fruition. There will be millions of Americans not only who work for the Federal workforce, but who see this leadership by example who will benefit by their leadership here.

I want to thank the gentleman from Indiana (Chairman BURTON) and the gentleman from California (Mr. WAXMAN) for coming together. This is a true bipartisan effort because the administration has been struggling for this, as well. What happened was that the three parties got together, the administration, the majority and minority, and we have an important breakthrough bill here.

Mr. Speaker, there has been lots of concern on both sides of the aisle about prescription drugs. And while there might be, long-term care is the real sleeper. It is the nuclear bomb of health care because of the baby boom generation and what they are going to bring to the health care system.

To be sure, 40 million Americans are without health care at all. And if that many do not have basic health care, imagine where the average American stands on long-term health care. People are living longer. The need for long-term health care is as plain as the nose on our faces. This bill is, therefore, major for its implications for the entire country.

In providing no Federal contribution, this bill breaks with precedent. And I do regret that, because the Federal workforce has indeed always made some contribution. But given the cost and what it would mean to get that contribution and the importance of this bill, I believe we have done the right thing in coming forward, particularly since the group coverage means that employees will get a 15- to 20-percent discount and, therefore, will be able very often to afford this health care.

Mr. Speaker, we have a huge workforce. What this bill does is to use the size of that workforce to advantage in the marketplace to bring long-term health care to the largest workforce in the United States.

The effect on the largest population in the United States, the baby boomers, is going to be especially dramatic because their health care presents the greatest challenge to us all.

What this bill does, very simply, is to prevent the spend-down of resources so that people then go on Medicaid. That is what happens now to middle-class Americans, they spend down everything they have; and then we end up picking up the cost.

That is not what the average American wants to do. Affordable access to long-term health care will keep that from happening.

Mr. Speaker, finally, I point to a series in The Washington Post this week. Every Member should read that series, because what it talks about is the depletion of the workforce with no replacements of any numbers coming in.

The glamor of the private sector today, it used to be the public sector that was glamorous, but it is the private sector now, not to mention the high-tech sector, means that they are going everywhere, but the Federal sector, this is the kind of benefit that can help us draw badly needed workers to the Federal workforce.

I am particularly grateful to the chairman and the ranking member for their work together that brought this moment to the House.

Mr. SCARBOROUGH. Mr. Speaker, I yield myself such time as I may consume to thank the gentlewoman for her kind remarks. The hard work, really, that she and her staff contributed to this process made a huge difference.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA) who, as I said previously, had a huge impact on this debate, along with the gentleman from Florida (Mr. MICA) and others that have been fighting for it for some time.

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

Mr. Speaker, I must say I am thrilled that this bill is on the floor of the House of Representatives. I think it is a very important issue. I join my colleagues in supporting this legislation to provide group long-term care insurance for Federal employees and annuitants, active and retired military personnel, and their families. That means a policy of, like, 20 million people.

It is critical that we pass this legislation. It takes an important step in helping our Nation's families cope with the enormous financial burden of long-term care. This bill, in its inception, has had long-term care because we have been working on it for some time, and it was for more than a year and a half that I led Congressional efforts to make long-term care group insurance more accessible and more affordable.

The legislation we are considering today, I am pleased to say, is really pretty much a template of the bill I introduced, H.R. 1111, the Federal Civilian and Uniformed Services Long-Term Care Insurance Act of 1999.

I do want to thank the 152 bipartisan cosponsors of that bill that was introduced on March 16, 1999, and ask that they support H.R. 4040.

I also want to extend my gratitude and thanks to the many organizations who played an essential role in devising the framework for this legislation.

First of all, Dan Adcock of the National Association of Retired Federal Employees was instrumental in guiding us every step of the way, as was Allen Lopatin, Frank Rohrbough of the Retired Officers Association, Cynthia Brock-Smith, Frank Titus, and Abby Block at the Office of Personnel Management also contributed; and the Alzheimer's Association, the Committee to Preserve Social Security and Medicare, the American Health Care Association, and the National Association of Uniformed Services. They all helped in developing this legislation before us.

Until recently, my legislation was the only bill in the House that would make long-term care insurance available at group rates to active and retired Federal and military personnel, foreign service officers and their families at no cost to the Government.

Indeed, now more than ever, Americans must take a long hard look at the way we finance the future health care needs of the Nation's seniors. The average senior turning 65 today can expect to live nearly 20 more years, maybe even more; and nearly one-fourth of them will require nursing facility care at some point.

Simply put, longer lives increase the likelihood of long-term care. This bill provides consumer protections. It also offers a series of choices. So it is good legislation.

When the need for long-term care occurs, the financial and emotional impact can be devastating. Promoting this coverage will help to ease the pressure on Federal entitlement spending while protecting the assets of our Federal families. I also see this as a national model that the private sector may tend to look at and emulate.

So I urge my colleagues to support this very important legislation.

I also want to thank the staff who have been involved in putting this legislation together.

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

Mr. Speaker, we are here today to debate consensus legislation that would provide long-term care insurance as a benefit package for Federal employees.

I do pause again to thank the gentleman from Indiana (Mr. BURTON), the chairman of our committee, and the gentleman from California (Mr. WAXMAN), our ranking member, and certainly the gentleman from Florida (Mr. SCARBOROUGH), the chairman of the subcommittee, and all the members of our committee for making this happen.

During the 105th Congress, several bills were introduced in the House and Senate that would establish a long-term care insurance benefit for Federal employees.

A little over a year ago on, January 6, 1999, I introduced H.R. 110, the Federal Employees Group Long-term Care Insurance Act of 1999. H.R. 110 is the Federal employee portion of the administration's four-pronged initiative to help families who need long-term care insurance.

It provided a framework for implementing a long-term care program. It authorized the Office of Personnel Management to purchase group insurance policies from qualified private sector contractors, thereby making long-term care insurance more available to Federal employees, Federal retirees, and family families at more affordable group rates.

The gentlewoman from Maryland (Mrs. MORELLA) introduced long-term care legislation which provided a framework similar to that proposed in H.R. 110, but extended coverage to active military personnel retirees and their families.

The gentleman from Florida (Chairman SCARBOROUGH) introduced H.R. 602, which was previously introduced by the gentleman from Florida (Mr. MICA), the former chairman in the 105th Congress.

Though H.R. 602 provided a framework which allowed numerous insurance companies to sell long-term insurance policies to Federal employees, it further extended coverage to children, including adopted children, stepchildren, and stepparents.

To his credit, the gentleman from Florida (Chairman SCARBOROUGH) introduced a true bipartisan consensus

long-term care bill that reflects the hard work of this subcommittee over the past year and a half on this issue.

Hours of research and collaboration with the administration, the insurance industry, and employee organizations have resulted in the introduction of H.R. 4040, the Long-Term Care Security Act.

H.R. 4040 includes elements of all of the previously mentioned bills and adds a provision for spousal parity negotiated by ranking minority member, the gentleman from California (Mr. WAXMAN).

I am pleased that the framework proposed in H.R. 110, allowing OPM to contract with a single carrier or consortia to provide long-term care insurance to Federal employees and permitting OPM to negotiate premiums and benefits on behalf of Federal employees, is adopted in H.R. 4040.

This employer group model will allow Federal employees to realize from 15- to 20-percent in premium savings. And I emphasize that, 15 to 20 percent.

Due to the gentlewoman from Maryland (Mrs. MORELLA), coverage has been extended to the uniformed services in the bill. Blended families can thank the gentleman from Florida (Chairman SCARBOROUGH) for having the foresight to extend coverage to adopted children, stepchildren and stepparents.

To ensure the financial solvency of the marital unit, the gentleman from California (Mr. WAXMAN), the ranking member, negotiated a provision in the act that would provide the spouses of Federal employees with the same, if not very similar, underwriting standards as at-work Federal employees.

The enhanced underwriting for spouses would protect the assets of the couple by making it easier for spouses to qualify for participation in the program.

During the Subcommittee on Civil Service markup, the gentleman from California (Mr. WAXMAN) offered an amendment that further improved the bill by including a section that provides that OPM furnish employees information on the average cost of nursing home care to the percentage of individuals who failed to maintain their coverage, the need for inflation protection and a summary of how long-term care premiums can be raised.

I was pleased to support his amendment, which was unanimously agreed to.

Private long-term care insurance provides one of the few available mechanisms for individuals to protect themselves against the catastrophic costs of long-term care. In addition, it provides alternatives to the type of care we receive when we need assistance with our personal care and other activities of daily living.

□ 1215

Whether enrollees choose the type of care that will allow them to ''age in place,'' which will allow them to stay at home with their loved ones, community-based care, or nursing home care, they will be protected when they need it the most.

I am pleased to be a part of this effort to bring long-term care insurance to Federal employees. Again I commend all the Members for their contribution to this bipartisan effort. In the end, civil servants who work diligently for the citizenry of this great country will benefit. As we take this action today, I am reminded of the discussion that took place in a hearing in Jacksonville, Florida, when we saw numerous people come forward and talk about the problems that they were experiencing not only taking care of their children but taking care of their parents. I know that their hearts must be glad today.

At the minimum, the implementation of a long-term care benefit program by the Federal Government will challenge Federal employees to think about how they are going to finance and live out their elder years, something we should all be thinking about.

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

Mr. SCARBOROUGH. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Maryland again for his hard work at our field hearings up in Baltimore, for his hard work in Jacksonville, and for the kind words that both he and the gentlewoman from the District of Columbia (Ms. NORTON) have said today. He is right, this is a consensus bill. We have brought the best of all bills together. I thank him. We could not have done it without him.

Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, as a proponent and author of legislation designed to encourage the purchase of private long-term care insurance in general, I commend the Subcommittee on Civil Service chairman, the gentleman from Florida, for his hard work on this issue and also the gentleman from Maryland, the ranking member. I would also like to recognize the third part of that triumvirate, the gentlewoman from Maryland (Mrs. MORELLA), for her longstanding commitment to providing access to private long-term care for Federal employees.

The Federal Employees Health Benefits Plan has long been held up as a model of health care delivery. It is really the best in the country. By providing all Federal employees access to private long-term care insurance, we are taking an important step toward recognizing the financial risks posed by long-term care and the need to plan for it.

The Long Term Care Security Act that we are debating today, sets an example and encourages non-governmental employers to offer similar benefit options to their employees.

Medicare does not pay for long-term care and seniors are forced, as we all know, to spend down their assets to qualify for Medicaid, which provides $33 billion in long-term care services each year for those who have few resources. This has serious financial repercussions for retirees and taxpayers who ultimately pay for long-term care assistance through public programs. As the baby boom generation retires, the purchase of private long-term care insurance is crucial to ease the financial strain on public resources.

Mr. Speaker, I strongly support the Long Term Care Security Act, and thank all of those who were involved in bringing this important legislation to the floor. I would naturally urge all my colleagues on both sides of the aisle to support it.

Again I thank the gentleman from Florida (Mr. SCARBOROUGH), the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, it is my privilege to yield 4 minutes to the gentleman from California (Mr. WAXMAN), the ranking member of the Committee on Government Reform and one who has really played a very instrumental role in bringing us to where we are today. In introducing him, I also thank him for all that he has done to put this on the front burner and to bring us to where we are today.

Mr. WAXMAN. I thank the gentleman very much for yielding time to me. I also am grateful for the kind words that he has said about me.

Mr. Speaker, I rise in support of H.R. 4040, the Long Term Care Security Act, and I want to commend the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Maryland (Mr. CUMMINGS) for their work in producing a truly bipartisan bill.

The need for long-term care affects us all. Those who need long-term care are our parents, our spouses, and inevitably ourselves. Many Americans have already dealt personally with a loved one in need of home or nursing home care. Many Americans have had the experience of trying to find services and to arrange for payment. Most people know that such care is hard to get and even harder to pay for.

I support offering long-term care insurance as a benefit option to Federal employees. However, I also know that this is a product that can be misunderstood. When the Federal Government offers this option, it has a responsibility to ensure that Federal employees have the information necessary to make an informed choice.

Mr. Speaker, I am especially pleased that a number of issues I raised were addressed in this legislation. I want to commend the gentleman from Florida for his willingness to work with us to ensure that these issues were addressed.

The first issue of concern to me was that of spousal parity. I believe that spouses should be treated like Federal employees. The purpose of long-term care insurance is to protect the assets

of the insured when they are incapacitated. If one spouse has long-term care insurance and the other does not, the couple's financial assets as a family unit are at risk. For this reason, I am pleased that this bill includes a provision on spousal parity.

Second, I believe that long-term care insurance should be available to everyone who needs it. Underwriting standards for employees and their spouses should be as minimal as possible. If we weed out through underwriting everyone who is likely to need long-term care, we will have failed to help those who most need help. For this reason, it was important to me to learn from OPM that their goal is to offer insurance on a modified guaranteed issue basis which would allow any Federal employee who is not immediately eligible for benefits to purchase long-term care insurance. Their goal is also to apply these same standards to spouses if possible.

My final concern, which was addressed in an amendment that I offered and was approved during the subcommittee markup, was to ensure that Federal employees are fully informed about the advantages and disadvantages of long-term care insurance.

Long-term care insurance is a complicated product. For some it is a good way to save for the future but for others it can have serious drawbacks. Furthermore, the benefits of policies vary considerably in terms of duration of coverage, per diem allowances and other features such as inflation protection. Without adequate inflation protection, a long-term care policyholder may find that the benefits have simply eroded.

Consumers do need to be aware of the consequences of dropping their policies. Many consumer protections are options, not part of a basic package. I am pleased this legislation requires that OPM provide employees with information on all these important aspects so they can make an informed decision.

Long-term care insurance is a relatively new product and it has a limited track record. If the Federal Government begins offering long-term care insurance, I believe it has a special responsibility to set high standards for informing consumers.

Again I want to compliment the chairman of the Subcommittee on Civil Service of the Committee on Government Reform and the subcommittee's ranking minority member, the gentleman from Maryland, for their leadership on this issue. I urge my colleagues to support the bill.

Mr. SCARBOROUGH. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I am pleased today to rise in strong support of H.R. 4040, the Long-Term Care Security Act, introduced by the gentleman from Florida (Mr. SCARBOROUGH). I would like to thank the gentleman from Florida for his attention to this important issue as well as recognizing another committee colleague the gentlewoman from Maryland (Mrs. MORELLA) for her extensive efforts in developing similar legislation on this subject and the assistance of the gentleman from Maryland (Mr. CUMMINGS) in bringing this measure to the floor at this time.

Finding quality long-term care options is fast becoming a major issue of concern for our Nation's seniors. Revolutionary advances in medicine over the past decade have helped to greatly expand our senior population as well as offering those individuals improvements in their quality of life. These trends will continue over the next 25 years as the baby boomer generation enters their retirement days and our medical community continues to develop new products to offset or eliminate problems common to our elderly population.

This legislation takes an important first step in addressing this growing challenge that faces our aging population. By giving Federal employees the opportunity to purchase a long-term care insurance policy, this bill encourages those employees to make plans for their future medical needs while they are still young and can take advantage of lower premiums. Such policies will protect employees from the catastrophically high costs associated with long-term care provision which could become necessary due to accident or illness at any time.

Accordingly, I urge our colleagues to give their full support to this worthy piece of legislation.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maine (Mr. ALLEN), who is also a member of the Subcommittee on Civil Service and one who has worked very hard on this legislation and has constantly done everything that he can to uplift the lives of our Federal employees.

Mr. ALLEN. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 4040, the Long-Term Care Security Act. The bill before us today is the product of bipartisan cooperation. I applaud the efforts of the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Maryland (Mr. CUMMINGS) in bringing it to the floor today.

As the baby boom generation ages, the need for long-term care will become acute. For example, the average cost of nursing home care is expected to double in the next 30 years. We cannot expect Medicare or Medicaid to absorb such costs and still pay reasonable benefits for acute care needs. It is therefore essential that individuals begin to plan for an almost certain increase in health care costs in their later years.

To plan for their retirement needs, younger employees need information about long-term care insurance and access to private sector insurance plans through their employers. The private sector must be involved in planning for employees' long-term care needs.

H.R. 4040 allows the Federal Government to act as a responsible employer by offering its employees the opportunity to acquire group long-term care insurance with no significant cost to the taxpayer. Under the provisions in this bill, long-term care insurance will be made available to all Federal workers, military service members and retirees at group rates. Employees will pay the full cost of the premium but have the advantage of a reduced rate. I hope that the example set by the Federal Government will encourage all employers to offer group long-term care insurance to their employees. This program has the potential to create a national model for long-term care insurance and for retirement planning.

I again want to thank the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from Maryland (Mr. CUMMINGS), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN) for all their hard work in bringing this legislation forward. H.R. 4040 is an example of the kind of work this House can do when we act in a fair and bipartisan manner. I thank them for their leadership and urge the swift passage of this bill.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER). He has certainly been a mentor to me, particularly with regard to the issues affecting Federal employees and has consistently been at the forefront of the fight to make sure that their rights and privileges are upheld and expanded.

Mr. HOYER. Mr. Speaker, I want to thank my friend the distinguished ranking member from Baltimore for his remarks. I also want to thank him for his outstanding service on this subcommittee. He brings a perspective that is critical to the subcommittee and his leadership I think will redound to the benefit of Federal employees for years to come. I thank him for all his work and leadership.

I also want to thank the gentleman from Florida. The gentleman from Florida brings, in my opinion, a new perspective to the chairmanship of this subcommittee, a perspective that is a positive one and I too think that that will also redound to the benefit of Federal employees. And so I thank him for his leadership and service on this committee.

□ 1230

Mr. Speaker, this measure before us would allow activity and retired Federal employees, military personnel and their spouses to purchase long-term care insurance as a group.

I do not see her here on the floor, but I wanted to make some comments as well about my colleague, the gentlewoman from Maryland (Mrs. MORELLA).

She has played a critical role in the formulation of this particular piece of legislation that is important to Federal employees and she has an appreciation for the long-term care costs and the challenges that families face. I want to congratulate her for her efforts.

The advantages of pooling, Mr. Speaker, incorporated in this bill for the Federal workforce is significant. The Office of Personnel Management estimates that using the leverage of a risk pool this size could drive down the costs of insurance as much as 15 percent to 20 percent. My colleagues often hear me say that it is incumbent on the Federal Government to be a model employer, whether it be in pay, benefits or diversity, I think that it is critical that the Federal Government be a standard for other employers to emulate.

Mr. Speaker, hopefully, other employers will follow our lead in this legislation and start providing this benefit because it makes such a difference and is such an important area.

In the Washington metropolitan area, Mr. Speaker, the costs of long-term care can exceed $50,000 per year, average at least $3,000 to $3,500 a year, well beyond the means of almost every family; I do not mean poor families, almost every family will find this cost too much for them.

This bill gives families some measure of security, and I urge all of my colleagues to support it.

Mr. Speaker, once again, I thank the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from Maryland (Mr. CUMMINGS), the gentlewoman from Maryland (Mrs. MORELLA), and others who have worked so hard to bring this matter to the floor.

Mr. Speaker, I thank my distinguished friend for yielding me the time.

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentleman from Maryland for his kind words and his hard work for Federal employees.

Mr. Speaker, I do not have any more speakers. I will defer to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time we have?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Maryland (Mr. CUMMINGS) has 1 minute.

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

Mr. Speaker, I just wanted to take a moment to, again, emphasize that sometimes I think we need to take a look at what we do and put it in some historical perspective, and it is no question that what we are doing here today will affect Federal employees and their families for years to come and will affect generations actually yet unborn, because it will allow those Federal employees who have parents where they are now trying to help their parents and help their children to be able to afford to help their parents and take good care of their children.

It does have some real long-term effect, but the fact is, as the gentleman from Maryland (Mr. HOYER), who said it best when he said that it is truly a bipartisan effort, all of us coming together, addressing the things that we have in common, and what we have in common is lifting our people and making their lives better.

Mr. Speaker, again, I want to thank the gentleman from Florida (Mr. SCARBOROUGH), thank all of the staff. I want to thank Ms. Tania Shand on behalf of my staff who has worked very, very hard on bringing this legislation to us today.

Mr. Speaker, with that, I urge all the Members of the House to support this legislation.

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

Mr. SCARBOROUGH. Mr. Speaker, how much time do I have?

The SPEAKER pro tempore. The gentleman from Florida has 7½ minutes remaining.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. BALDACCI), as long as he is not the only Member to come to the floor in opposition of this wonderful bill.

Mr. BALDACCI. Mr. Speaker, I thank the gentleman from Florida (Mr. SCARBOROUGH) for yielding me the 2 minutes.

Mr. Speaker, I want to compliment the gentleman for his hard work and that of the subcommittee and the ranking member, the gentleman from Maryland (Mr. CUMMINGS), because this legislation is very important to retirees, but I also think it is very important to everybody else, because the plan with this was to get this going among retirees, Federal retirees, but also to be able to demonstrate and educate and offer information to the general public at large so that we could begin to expand this program.

Mr. Speaker, we look at this as a beginning, a good beginning, and I compliment the gentleman from Florida (Mr. SCARBOROUGH) and his staff and the minority Members and the ranking member, the gentleman from Maryland (Mr. CUMMINGS) and his staff for doing a terrific job in working on this.

Mr. Speaker, I appreciate being able to work on it with the gentleman and to be able to bring this piece of legislation, which I encourage all Members to support.

I strongly support the hard work and legislative effort of the chairman of the subcommittee, the gentleman from Florida (Mr. SCARBOROUGH).

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

Mr. Speaker, I want to thank the gentleman from Maine (Mr. BALDACCI) for his kind words. And, again, I thank the gentleman from Maryland (Mr. CUMMINGS) and all of those that have worked together to make passage of this bill possible.

Mr. Speaker, under our current health care system, access to long-term care services in the home and communities is influenced not just by one's health status, but by their location, economic situation and the availability of family support.

A recent study of American Council of Life Insurers highlighted the need for private long-term care insurance. The study found that baby boomers' chances of ending their lives in a nursing home are far higher than most imagined, and the costs are projected to quadruple by the year 2030.

Mr. Speaker, for middle-income families, the likelihood of receiving government funded care at home or in an assisted living facility is likely to remain small.

Federal employees who plan ahead for their long-term care needs can potentially postpone or avoid institutionalization. If a substantial number of baby boomers purchase long-term care insurance now, consumer out-of-pocket costs for services such as home health care and adult daycare can be cut in half by 2030.

Encouraging Federal employees and others to buy private long-term care insurance is also a winner for taxpayers. Adequate insurance will allow more Americans likely to be able to live at home during their last years as most would prefer to do.

With private insurance strengthening family support systems, savings in Medicaid nursing home expenditures could reach up to 30 percent.

Since introducing my original bill, I have conducted a continuing dialogue with the minority, the industry organizations representing civilian and military retirees and military families and the administration.

I am very pleased that all of our efforts have resulted in this consensus product.

I am also pleased, Mr. Speaker, that this bill will supplement other steps this House has taken to bring peace of mind to many Americans by making their long-term care insurance more affordable.

Already this House has passed legislation to provide an above-the-line deduction for long-term care premiums and to allow employers to offer long-term care insurance through cafeteria plans. Today's bill is one more step in our overall effort to provide Americans with peace of mind about their future needs, and I urge all members to lend their support.

Mr. WELDON of Florida. Mr. Speaker, as a cosponsor of H.R. 4040, I rise in strong support of The Long-Term Care Security Act. This bill directs the Office of Personnel Management (OPM) to solicit competitive bids from private insurers to provide long-term health care plans for federal workers, including military and civilian employees and retirees. This insurance may also be extended to include eligible spouses, children, adopted children, stepchildren, and stepparents.

Employees who enroll in the group coverage must pay 100 percent of the premium and may choose to have the premium deducted from their pay, which is paid directly to

the insurance carrier. It is estimated, however, that these employees, by getting a group rate, may realize a savings of between 15 and 20 percent on insurance premiums.

It is important that we encourage Americans to prepare for their long-term health care needs. Too often Americans are unprepared for this need and the failure to have such coverage often forces families to deplete their resources. It is important that we pass this bill for the benefit of our federal employees and members of our armed services and retirees. This will help them in their efforts to provide for their families and their retirement security.

In addition to the passage of this bill, I will continue to work to ensure that the costs of long-term care insurance are deductible from taxes. I am disappointed that we have not been able to get this tax relief signed into law, and I am hopeful that we can move this forward this year. This will benefit all Americans in preparing for needs that they may have in the future.

I urge all of my colleagues to join me in passing H.R. 4040 and to commit to work to make these premiums tax deductible.

Mr. STARK. Mr. Speaker, insurance coverage for long-term care services is a gaping hole in our nation's healthcare safety net. H.R. 4040, the Long-term Care Security Act, will establish a long-term care insurance program for federal employees. It is a small step in the right direction. But, this bill is more notable for unmasking the shortcomings of private long-term care insurance than for meeting the long-term care needs of the American people.

Americans deserve long-term care insurance that satisfies three criteria: reasonable cost, broad access and high quality. The main lesson of this bill is that the only way to achieve reasonable cost is to sacrifice both access and quality. We are in the dark about the actual provisions of the long-term care insurance plan that will ultimately be offered to federal employees. But the Office of Personnel Management's primary objective is clear to negotiate a competitive price. OPM has been upfront in telling us that limitations on access and quality of these policies will be necessary to negotiate this price.

Will FEHBP's long-term care insurance program be available to all federal employees and their families? The answer is ''no''. One form of underwriting known as ''short-form'', will exclude active employees who are most likely to require long-term care services in the near future. More extensive ''long-term'' underwriting, which requires a more detailed medical history, will exclude larger numbers of retired employees and their family members.

Will FEHBP's long-term insurance program guarantee basic consumer protections such as inflation protection, and provisions that guarantee that policies are still good in the event of carrier buyout or bankruptcy? Again, the answer is ''no''. Inflation protection under H.R. 4040 will only be available as an option. Yet, without inflation protection, the average 60 year old purchaser will be shopping for long-term care services in 2020 with year 2000 dollars! In other words, by design, many of the policies will not meet purchasers' needs when they become eligible for benefits.

The bottom line is that high quality private long-term care insurance policies with universal access result in an excessively high price tag, while affordable long-term care insurance policies may be inferior in quality and not accessible to all. The real lesson of H.R. 4040 is that even the formidable purchasing power of the federal employees is not enough to turn private long-term care insurance into the answer to the long-term care problem.

I will vote for H.R. 4040 today because it does inch us forward on long-term care products. However, private long-term care insurance falls far short in delivering comprehensive and high quality long-term care services to all who need it.

The only way we will actually assure long-term care protections for people is through a national social insurance program like Medicare. That's where the debate needs to move next.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to offer my strong support for H.R. 4040, the Long-Term Care Security Act. For the first time, the federal government will make a concerted effort to provide the men and women who have dedicated their lives to the service of this country, with long-term health care.

Under this bill, the Office of Personnel Management will simply fulfill the role of a Human Resources department and solicit competitive bids from private insurers to provide the most equitable and comprehensive long-term health care to federal employees. That commitment by OPM represents the extent of the Government's active participation in this process. Once the contract is awarded and the program is established, all federal employees who chose to participate will be responsible for paying 100% of the insurance premiums.

I think it is important to note that this bill has some minor administrative costs associated with it, I believe roughly $21 million over two years, that are necessary implementation costs. After that initial two year period, the benefits of H.R. 4040, which will be available to both current Uniformed Services and civilian employees, as well as military and civilian retirees, will actually start showing a profit. That makes this bill a win-win both in terms of cost and in services provided.

I would like to commend my good friend from Florida, the Chairman of the Civil Service Subcommittee, Mr. SCARBOROUGH, for managing this bill on the floor today. I would also like to take a moment to thank the gentlelady from Maryland, Mrs. MORELLA. Her dedication to protecting and promoting issues important to federal employees is well known. Specifically, Mrs. MORELLA has long championed the cause of providing all federal employees and retirees with the most comprehensive and affordable health care available, and without her work on this issue, H.R. 4040 would not be on the Floor today.

Mr. BURTON of Indiana. Mr. Speaker, I rise in support of H.R. 4040, the ''Long Term Care Security Act.'' The Government Reform Committee, in particular the Civil Service Subcommittee chaired by Congressman JOE SCARBOROUGH worked in a bipartisan manner to bring forward this legislation. The bill will allow all federal employees, retirees, active duty and retired members of the Uniformed Services, as well as their qualified relatives to purchase long term care insurance. By offering the program through the federal government, we can provide long term care options at affordable rates.

The Civil Service Subcommittee held several hearings on long term care. We found that as Americans have begun to live much longer, the number of individuals needing long term care is on the rise. As the baby boomers are reaching retirement age, we will only see our elderly population increase. As a result, the need for long term care will continue to grow.

The cost of long term care, whether in a professional facility or at home presently exceeds $45,000 a year. What many people do not realize is that their health plans, disability insurance, or even Medicare will not cover these costs. Unfortunately, many find out that they are not covered when it is too late—when a family member suddenly needs that care. Our Committee has heard from people who have depleted their entire life savings caring for a loved one. A family's assets are sometimes just not enough. Without the proper insurance, the vast majority of families is unprepared for the burden of long term care. Through our hearings, we found that for many, the best way to maintain retirement security is to purchase long term care insurance.

I am pleased that our Committee was able to work together in a bipartisan manner to bring that security to our federal workforce and Uniformed Services. Mr. SCARBOROUGH, along with Mrs. MORELLA and Mr. CUMMINGS, worked very hard to ensure that the long term care bill took into account everyone's concerns. We wanted to ensure that there would be open competition in the contracting process in order to achieve the best rates. H.R. 4040 is a strong consensus bill which the Committee believed would provide the framework for a strong long term care plan. Under the legislation, the Office of Personnel Management would be able to negotiate with the insurers for the best plans with the most options while keeping premiums affordable for all federal employees.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SCARBOROUGH) that the House suspend the rules and pass the bill, H.R. 4040, 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.

TRAFFICKING VICTIMS PROTECTION ACT OF 2000

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking, as amended.

The Clerk read as follows:

H.R. 3244

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trafficking Victims Protection Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes and findings.
Sec. 3. Definitions.
Sec. 4. Annual Country Reports on Human Rights Practices.
Sec. 5. Interagency task force to monitor and combat trafficking.
Sec. 6. Prevention of trafficking.
Sec. 7. Protection and assistance for victims of trafficking.
Sec. 8. Minimum standards for the elimination of trafficking.
Sec. 9. Assistance to foreign countries to meet minimum standards.
Sec. 10. Actions against governments failing to meet minimum standards.
Sec. 11. Actions against significant traffickers.
Sec. 12. Strengthening protection and punishment of traffickers.
Sec. 13. Authorization of appropriations.

SEC. 2. PURPOSES AND FINDINGS.

(a) PURPOSES.—The purposes of this Act are to combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.

(b) FINDINGS.—The Congress finds that:

(1) Millions of people every year, primarily women or children, are trafficked within or across international borders. Approximately 50,000 women and children are trafficked into the United States each year.

(2) Many of these persons, of whom the overwhelming majority are women and children, are trafficked into the international sex trade, often by means of force, fraud, or coercion. The sex industry has rapidly expanded over the past several decades. It involves sexual exploitation of persons, predominantly women and girls, within activities related to prostitution, pornography, sex tourism, and other commercial sexual services. The rapid expansion of the sex industry and the low status of women in many parts of the world have contributed to a burgeoning of the trafficking industry, of which sex trafficking by force, fraud, and coercion is a major component.

(3) Trafficking in persons is not limited to sex trafficking, but often involves forced labor and other violations of internationally recognized human rights. The worldwide trafficking of persons is a growing transnational crime, migration, economics, labor, public health, and human rights problem that is significant on nearly every continent.

(4) Traffickers primarily target women and girls, who are disproportionately affected by poverty, lack of access to education, chronic unemployment, discrimination, and lack of viable economic opportunities in countries of origin. Traffickers lure women and girls into their networks through false promises of good working conditions at relatively high pay as nannies, maids, dancers, factory workers, restaurant workers, sales clerks, or models. Traffickers also buy girls from poor families and sell them into prostitution or into various types of forced or bonded labor.

(5) Traffickers often facilitate victims' movement from their home communities to unfamiliar destinations, away from family and friends, religious institutions, and other sources of protection and support, making the victims more vulnerable.

(6) Victims are often forced to engage in sex acts or to perform labor or other services through physical violence, including rape and other forms of sexual abuse, torture, starvation, and imprisonment, through threats of violence, and through other forms of psychological abuse and coercion.

(7) Trafficking is perpetrated increasingly by organized and sophisticated criminal enterprises. Trafficking in persons is the fastest growing source of profits for organized criminal enterprises worldwide. Profits from the trafficking industry contribute to the expansion of organized criminal activity in the United States and around the world. Trafficking often is aided by official corruption in countries of origin, transit, and destination, thereby threatening the rule of law.

(8) Traffickers often make representations to their victims that physical harm may occur to them or to others should the victim escape or attempt to escape. Such representations can have the same coercive effects on victims as specific threats to inflict such harm.

(9) Sex trafficking, when it involves the involuntary participation of another person in sex acts by means of fraud, force, or coercion, includes all the elements of the crime of forcible rape, which is defined by all legal systems as among the most serious of all crimes.

(10) Sex trafficking also involves frequent and serious violations of other laws, including labor and immigration codes and laws against kidnapping, slavery, false imprisonment, assault, battery, pandering, fraud, and extortion.

(11) Women and children trafficked into the sex industry are exposed to deadly diseases, including HIV and AIDS. Trafficking victims are sometimes worked or physically brutalized to death.

(12) Trafficking in persons substantially affects interstate and foreign commerce. The United States must take action to eradicate the substantial burdens on commerce that result from trafficking in persons and to prevent the channels of commerce from being used for immoral and injurious purposes.

(13) Trafficking of persons in all its forms is an evil that calls for concerted and vigorous action by countries of origin, transit countries, receiving countries, and international organizations.

(14) Existing legislation and law enforcement in the United States and in other nations around the world have proved inadequate to deter trafficking and to bring traffickers to justice, principally because such legislation and enforcement do not reflect the gravity of the offenses involved. No comprehensive law exists in the United States that penalizes the range of offenses involved in the trafficking scheme. Instead, even the most brutal instances of forcible sex trafficking are often punished under laws that also apply to far less serious offenses such as consensual sexual activity and illegal immigration, so that traffickers typically escape severe punishment.

(15) In the United States, the seriousness of the crime of trafficking in persons is not reflected in current sentencing guidelines for component crimes of the trafficking scheme, which results in weak penalties for convicted traffickers. Adequate services and facilities do not exist to meet the health care, housing, education, and legal assistance needs for the safe reintegration of domestic trafficking victims.

(16) In some countries, enforcement against traffickers is also hindered by official indifference, by corruption, and sometimes even by active official participation in trafficking.

(17) Because existing laws and law enforcement procedures often fail to make clear distinctions between victims of trafficking and persons who have knowingly and willfully violated laws, and because victims often do not have legal immigration status in the countries into which they are trafficked, the victims are often punished more harshly than the traffickers themselves.

(18) Because victims of trafficking are frequently unfamiliar with the laws, cultures, and languages of the countries into which they have been trafficked, and because they are often subjected to coercion and intimidation including physical detention, debt bondage, fear of retribution, and fear of forcible removal to countries in which they will face retribution or other hardship, these victims often find it difficult or impossible to report the crimes committed against them or to assist in the investigation and prosecution of such crimes.

(19) The United States and the international community are in agreement that trafficking in persons often involves grave violations of human rights and is a matter of pressing international concern. The Universal Declaration of Human Rights; the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and other relevant instruments condemn slavery and involuntary servitude, violence against women, and other components of the trafficking scheme.

(20) One of the founding documents of the United States, the Declaration of Independence, recognizes the inherent dignity and worth of all people. It states that all men are created equal and that they are endowed by their Creator with certain unalienable rights. The right to be free from slavery and involuntary servitude is among those unalienable rights. Acknowledging this fact, the United States outlawed slavery and involuntary servitude in 1865, recognizing them as evil institutions that must be abolished. Current practices of sexual slavery and trafficking of women and children are similarly abhorrent to the principles upon which our country was founded.

(21) The Universal Declaration of Human Rights recognizes the right to be free from slavery and involuntary servitude, arbitrary detention, degrading or inhuman treatment, and arbitrary interference with privacy or the family, as well as the right to protection by law against these abuses.

(22) The United Nations General Assembly has passed three resolutions during the last 3 years (50/167, 51/66, and 52/98) recognizing that the international traffic in women and girls, particularly for purposes of forced prostitution, is a matter of pressing international concern involving numerous violations of fundamental human rights. The resolutions call upon governments of receiving countries as well as countries of origin to strengthen their laws against such practices, to intensify their efforts to enforce such laws, and to ensure the full protection, treatment, and rehabilitation of women and children who are victims of trafficking.

(23) The Final Report of the World Congress against Sexual Exploitation of Children, held in Stockholm, Sweden, in August 1996, recognized that international sex trafficking is a principal cause of increased exploitation and degradation of children.

(24) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls who are victims of trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(25) In the 1991 Moscow Document of the Organization for Security and Co-operation in Europe, participating states, including the

United States, agreed to seek to eliminate all forms of violence against women, and all forms of traffic in women and exploitation of prostitution of women including by ensuring adequate legal prohibitions against such acts and other appropriate measures.

(26) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

(27) Trafficking in persons is a transnational crime with national implications. In order to deter international trafficking and to bring its perpetrators to justice, nations including the United States must recognize that trafficking is a serious offense and must act on this recognition by prescribing appropriate punishment, by giving the highest priority to investigation and prosecution of trafficking offenses, and by protecting rather than punishing the victims of such offenses. The United States must work bilaterally and multilaterally to abolish the trafficking industry and take steps to promote and facilitate cooperation among countries linked together by international trafficking routes. The United States must also urge the international community to take strong action in multilateral fora to engage recalcitrant countries in serious and sustained efforts to eliminate trafficking and protect trafficking victims.

SEC. 3. DEFINITIONS.

For the purposes of this Act:

(1) ''Sex trafficking'' means the purchase, sale, securing, recruitment, harboring, transportation, transfer or receipt of a person for the purpose of a commercial sex act.

(2) ''Severe forms of trafficking in persons'' means—

(A) sex trafficking in which either a commercial sex act or any act or event contributing to such act is effected or induced by force, coercion, fraud, or deception, or in which the person induced to perform such act has not attained the age of 18 years; and

(B) the purchase, sale, securing, recruitment, harboring, transportation, transfer or receipt of a person for the purpose of subjection to involuntary servitude, peonage, or slavery or slavery-like practices which is effected by force, coercion, fraud, or deception.

(3) ''Slavery-like practices'' means inducement of a person to perform labor or any other service or act by force, by coercion, or by any scheme, plan, or pattern to cause the person to believe that failure to perform the work will result in the infliction of serious harm, debt bondage in which labor or services are pledged for debt on terms calculated never to allow full payment of the debt or otherwise amounting to indentured servitude for life or for an indefinite period, or subjection of the person to conditions so harsh or degrading as to provide a clear indication that the person has been subjected to them by force, fraud, or coercion.

(4) ''Coercion'' means the use of force, violence, physical restraint, or acts or circumstances not necessarily including physical force but calculated to have the same effect, such as the credible threat of force or of the infliction of serious harm.

(5) ''Act of a severe form of trafficking in persons'' means any act at any point in the process of a severe form of trafficking in persons, including any act of recruitment, harboring, transport, transfer, purchase, sale or receipt of a victim of such trafficking, or any act of operation, management, or ownership of an enterprise in which a victim of such trafficking engages in a commercial sex act, is subjected to slavery or a slavery-like practice, or is expected or induced to engage in such acts or be subjected to such condition or practice, or sharing in the profits of the process of a severe form of trafficking in persons or any part thereof.

(6) ''Victim of sex trafficking'' and ''victim of a severe form of trafficking in persons'' mean a person subjected to an act or practice described in paragraphs (1) and (2) respectively.

(7) ''Commercial sex act'' means a sex act on account of which anything of value is given to or received by any person.

(8) ''Minimum standards for the elimination of trafficking'' means the standards set forth in section 8.

(9) ''Appropriate congressional committees'' means the Committee on Foreign Relations of the United States Senate and the Committee on International Relations of the United States House of Representatives.

(10) ''Nonhumanitarian foreign assistance'' means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) assistance under chapter 8 of part I of that Act;

(ii) any other narcotics-related assistance under part I of that Act or under chapter 4 or 5 of part II of that Act, but any such assistance provided under this clause shall be subject to the prior notification procedures applicable to reprogrammings pursuant to section 634A of that Act;

(iii) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(iv) antiterrorism assistance under chapter 8 of part II of that Act;

(v) assistance which involves the provision of food (including monetization of food) or medicine;

(vi) assistance for refugees; and

(vii) humanitarian and other development assistance in support of programs of nongovernmental organizations under chapters 1 and 10 of that Act;

(B) sales, or financing on any terms, under the Arms Export Control Act, other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961; and

(C) financing under the Export-Import Bank Act of 1945.

SEC. 4. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

The Secretary of State, with the assistance of the Assistant Secretary of Democracy, Human Rights and Labor, shall, as part of the annual Country Reports on Human Rights Practices, include information to address the status of trafficking in persons, including—

(1) a list of foreign countries that are countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking;

(2) a description of the nature and extent of severe forms of trafficking in persons in each country;

(3) an assessment of the efforts by the governments described in paragraph (1) to combat severe forms of trafficking. Such an assessment shall address—

(A) whether any governmental authorities tolerate or are involved in such trafficking;

(B) which governmental authorities are involved in activities to combat such trafficking;

(C) what steps the government has taken against its officials who participate in, facilitate, or condone such trafficking;

(D) what steps the government has taken to investigate and prosecute officials who participate in or facilitate such trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in such trafficking, including the investigation, prosecution, and conviction of individuals involved in severe forms of trafficking in persons, the criminal and civil penalties for such trafficking, and the efficacy of those penalties in eliminating or reducing such trafficking;

(F) what steps the government has taken to assist victims of such trafficking, including efforts to prevent victims from being further victimized by traffickers, government officials, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government—

(i) is cooperating with governments of other countries to extradite traffickers when requested;

(ii) is assisting in international investigations of transnational trafficking networks and in other co-operative efforts to combat trafficking;

(iii) refrains from prosecuting victims of severe forms of trafficking and from other discriminatory treatment of such victims due to such victims having been trafficked, or due to their having left or entered the country illegally; and

(iv) recognizes the rights of victims and ensures their access to justice.

(4) Information described in paragraph (2) and, where appropriate, in paragraph (3) shall be included in the annual Country Reports on Human Rights Practices on a country-by-country basis.

(5) In addition to the information described in this section, the Annual Country Reports on Human Rights Practices may contain such other information relating to trafficking in persons as the Secretary determines to be appropriate.

SEC. 5. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) ESTABLISHMENT.—The President shall establish an Interagency Task Force to Monitor and Combat Trafficking (in this section referred to as the ''Task Force'').

(b) APPOINTMENT.—The President shall appoint the members of the Task Force, which shall include the Secretary of State, the Director of the Agency for International Development, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Director of the Central Intelligence Agency, and such other officials as may be designated by the President.

(c) CHAIRMAN.—The Task Force shall be chaired by the Secretary of State.

(d) SUPPORT FOR THE TASK FORCE.—The Secretary of State is authorized to establish within the Department of State an Office to Monitor and Combat Trafficking, which shall provide assistance to the Task Force. Any such Office shall be administered by a Director. The Director shall have the primary responsibility for assisting the Secretary of State in carrying out the purposes of this Act and may have additional responsibilities as determined by the Secretary. The Director shall consult with domestic, international nongovernmental and intergovernmental organizations, and with trafficking victims or other affected persons. The Director shall have the authority to take evidence in public hearings or by other means. The Office is authorized to retain

staff members from agencies represented on the Task Force.

(e) ACTIVITIES OF THE TASK FORCE.—In consultation with nongovernmental organizations, the Task Force shall carry out the following activities:

(1) Coordinate the implementation of this Act.

(2) Measure and evaluate progress of the United States and countries around the world in the areas of trafficking prevention, protection and assistance to victims of trafficking, and prosecution and enforcement against traffickers, including the role of public corruption in facilitating trafficking.

(3) Expand interagency procedures to collect and organize data, including significant research and resource information on domestic and international trafficking. Any data collection procedures established under this subsection shall respect the confidentiality of victims of trafficking.

(4) Engage in efforts to facilitate cooperation among countries of origin, transit, and destination. Such efforts shall aim to strengthen local and regional capacities to prevent trafficking, prosecute traffickers and assist trafficking victims, and shall include initiatives to enhance cooperative efforts between destination countries and countries of origin and assist in the appropriate reintegration of stateless victims of trafficking.

(5) Examine the role of the international ''sex tourism'' industry in the trafficking of women and children and in the sexual exploitation of women and children around the world and make recommendations on appropriate measures to combat this industry.

SEC. 6. PREVENTION OF TRAFFICKING.

(a) ECONOMIC ALTERNATIVES TO PREVENT AND DETER TRAFFICKING.—The President, acting through the Administrator of the United States Agency for International Development and the heads of other appropriate agencies, shall establish and carry out initiatives to enhance economic opportunity for potential victims of trafficking as a method to deter trafficking. Such initiatives may include—

(1) microcredit lending programs, training in business development, skills training, and job counseling;

(2) programs to promote women's participation in economic decision making;

(3) programs to keep children, especially girls, in elementary and secondary schools and to educate persons who have been victims of trafficking;

(4) development of educational curricula regarding the dangers of trafficking; and

(5) grants to nongovernmental organizations to accelerate and advance the political, economic, social, and educational roles and capacities of women in their countries.

(b) PUBLIC AWARENESS AND INFORMATION.—The President, acting through the Secretary of Labor, the Secretary of Health and Human Services, the Attorney General, and the Secretary of State, shall establish and carry out programs to increase public awareness, particularly among potential victims of trafficking, of the dangers of trafficking and the protections that are available for victims of trafficking.

(c) CONSULTATION REQUIREMENT.—The President shall consult with appropriate nongovernmental organizations with respect to the establishment and conduct of initiatives described in subsection (a).

SEC. 7. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—

(1) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with appropriate nongovernmental organizations, shall establish and carry out programs and initiatives in foreign countries to assist in the safe integration, reintegration, or resettlement, as appropriate, of victims of trafficking and their children. Such programs and initiatives shall be designed to meet the mental and physical health, housing, legal, and other assistance needs of such victims and their children, as identified by the Inter-Agency Task Force to Monitor and Combat Trafficking established under section 5.

(2) ADDITIONAL REQUIREMENT.—In establishing and conducting programs and initiatives described in paragraph (1), the Secretary of State and the Administrator of the United States Agency for International Development shall take all appropriate steps to enhance cooperative efforts among foreign countries, including countries of origin of victims of trafficking, to assist in the integration, reintegration, or resettlement, as appropriate, of victims of trafficking including stateless victims.

(b) VICTIMS IN THE UNITED STATES.—

(1) ASSISTANCE.—

(A) Notwithstanding title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, an alien who is a victim of a severe form of trafficking in persons shall be eligible for benefits and services under any Federal or State program or activity funded or administered by any official or agency described in subparagraph (B) to the same extent as an alien who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act.

(B) Subject, in the case of nonentitlement programs, to the availability of appropriations, the Secretary of Health and Human Services, the Secretary of Labor, and the Board of Directors of the Legal Services Corporation shall expand benefits and services to victims of severe forms of trafficking in persons in the United States.

(C) For the purposes of this paragraph, the term ''victim of a severe form of trafficking in persons'' means only a person—

(i) who has been subjected to an act or practice described in section 3(2) as in effect on the date of the enactment of this Act; and

(ii)(I) who has not attained the age of fifteen years, or

(II) who is the subject of a certification under subparagraph (E).

(D) Not later than December 31 of each year, the Secretary of Health and Human Services, in consultation with the Secretary of Labor and the Board of Directors of the Legal Services Corporation, shall submit a report, which includes information on the number of persons who received benefits or other services under this paragraph in connection with programs or activities funded or administered by such agencies or officials during the preceding fiscal year, to the Committee on Ways and Means, the Committee on International Relations, and the Committee on the Judiciary of the House of Representatives and the Committee on Finance, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate.

(E)(i) The certification referred to in subparagraph (C) is a certification by the Secretary of Health and Human Services, after consultation with the Attorney General, that the person referred to in subparagraph (C)(ii)(II)—

(I) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons; and

(II) has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act that has not been denied or is a person whose presence in the United States the Attorney General is ensuring under subsection (c)(4).

(ii) For the purpose of a certification under this subparagraph, the term ''investigation and prosecution'' includes—

(I) identification of a person or persons who have committed severe forms of trafficking in persons;

(II) location and apprehension of such persons; and

(III) testimony at proceedings against such persons.

(F) A person, who is the subject of a certification under subparagraph (E) because the Attorney General is ensuring such person's presence under subsection (c)(4) in order to effectuate prosecution, is eligible for benefits and services under this paragraph only for so long as the Attorney General determines such person's presence is necessary to effectuate such prosecution.

(2) BENEFITS.—Subject to the availability of appropriations and notwithstanding any other provision of law, victims of severe forms of trafficking in persons in the United States shall be eligible, without regard to their immigration status, for any benefits that are otherwise available under the Crime Victims Fund, established under the Victims of Crime Act of 1984, including victims' services, compensation, and assistance.

(3) GRANTS.—

(A) Subject to the availability of appropriations, the Attorney General may make grants to States, territories, and possessions of the United States (including the Commonwealths of Puerto Rico and the Northern Mariana Islands), Indian tribes, units of local government, and nonprofit, nongovernmental victims' service organizations to develop, expand, or strengthen victim service programs for victims of trafficking.

(B) To receive a grant under this paragraph, an eligible unit of government or organization shall certify that its laws, policies, and practices, as appropriate, do not punish or deny services to victims of severe forms of trafficking in persons on account of the nature of their employment, services, or other acts performed in connection with such trafficking.

(C) Of amounts made available for grants under this paragraph, there shall be set aside 3 percent for research, evaluation and statistics; 2 percent for training and technical assistance; and 1 percent for management and administration.

(D) The Federal share of a grant made under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted.

(4) CIVIL ACTION.—An individual who is a victim of a violation of section 1589, 1590, 1591 of title 18, United States Code, regarding trafficking, may bring a civil action in United States district court. The court may award actual damages, punitive damages, reasonable attorneys' fees, and other litigation costs reasonably incurred.

(c) TRAFFICKING VICTIM REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall promulgate regulations for law enforcement personnel, immigration officials, and Department of State officials to implement the following:

(1) Victims of severe forms of trafficking, while in the custody of the Federal Government and to the extent practicable, shall be housed in appropriate shelter as quickly as possible; receive prompt medical care, food, and other assistance; and be provided protection if a victim's safety is at risk or if there is danger of additional harm by recapture of the victim by a trafficker.

(2) Victims of severe forms of trafficking shall not be jailed, fined, or otherwise penalized due to having been trafficked, but the

authority of the Attorney General under the Immigration and Nationality Act to detain aliens shall not be curtailed by any regulation promulgated to implement this paragraph.

(3) Victims of severe forms of trafficking shall have access to legal assistance, information about their rights, and translation services.

(4) Federal law enforcement officials shall act to ensure an alien's continued presence in the United States, if after an assessment, it is determined that such alien is a victim of a severe form of trafficking in persons, or a material witness to such trafficking, in order to effectuate prosecution of those responsible and to further the humanitarian interests of the United States. Such officials, in investigating and prosecuting persons engaging in such trafficking, shall take into consideration the safety and integrity of such victims, but the authority of the Attorney General under the Immigration and Nationality Act to detain aliens shall not be curtailed by any regulation promulgated to implement this paragraph.

(5) Appropriate personnel of the Department of State and the Department of Justice are trained in identifying victims of severe forms of trafficking and providing for the protection of such victims. Training under this paragraph should include methods for achieving antitrafficking objectives through the nondiscriminatory application of immigration and other related laws.

(d) CONSTRUCTION.—Nothing in subsection (c) shall be construed as creating any private cause of action against the United States or its offices or employees.

(e) FUNDING.—Funds from asset forfeiture under section 1594 of title 18, United States Code, (as added by section 12 of this Act) shall first be disbursed to satisfy any judgments awarded victims of trafficking under subsection (b)(4) or section 1593 of title 18, United States Code, (as added by section 12 of this Act). The remaining funds from such asset forfeiture are authorized to be available in equal amounts for the purposes of subsections (a) and (b) and shall remain available for obligation until expended.

(f) PROTECTION FROM REMOVAL FOR CERTAIN VICTIMS OF TRAFFICKING.—

(1) NONIMMIGRANT CLASSIFICATION FOR CERTAIN VICTIMS OF TRAFFICKING.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(A) by striking ''or'' at the end of subparagraph (R);

(B) by striking the period at the end of subparagraph (S) and inserting ''; or''; and

(C) by adding at the end the following:

''(T) subject to section 214(n), an alien, and the spouse and children of the alien if accompanying or following to join the alien, who the Attorney General determines—

''(i) is or has been a victim of a severe form of trafficking in persons (as defined in section 3 of the Trafficking Victims Protection Act of 2000);

''(ii) is physically present in the United States or at a port of entry into the United States by reason of having been transported to the United States or the port of entry in connection with such severe form of trafficking in persons;

''(iii)(I) has not attained 15 years of age; or

''(II) was induced to participate in the commercial sex act or condition of involuntary servitude, peonage, or slavery or slavery-like practices that is the basis of the determination under clause (i) by force, coercion, fraud, or deception, did not voluntarily agree to any arrangement including such participation, and has complied with any reasonable request for assistance in the investigation or prosecution of severe forms of trafficking in persons; and

''(iv)(I) has a well-founded fear of retribution involving the infliction of severe harm upon removal from the United States; or

''(II) would suffer extreme hardship in connection with the victimization described in clause (i) upon removal from the United States;

and, if the Attorney General considers it to be necessary to avoid extreme hardship, the sons and daughters (who are not children), of any such alien (and the parents of any such alien, in the case of an alien under 21 years of age) if accompanying or following to join the alien.''.

(2) CONDITIONS ON NONIMMIGRANT STATUS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) by redesignating the subsection (l) added by section 625(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–1820) as subsection (m); and

(2) by adding at the end the following:

''(n)(1) No alien shall be eligible for admission to the United States under section 101(a)(15)(T) if there is substantial reason to believe that the alien has committed an act of a severe form of trafficking in persons (as defined in section 3 of the Trafficking Victims Protection Act of 2000).

''(2) The total number of aliens who may be issued visas or otherwise provided nonimmigrant status during any fiscal year under section 101(a)(15)(T) may not exceed 5,000.

''(3) The numerical limitation of paragraph (2) shall only apply to principal aliens and not to the spouses, sons, daughters, or parents of such aliens.

''(4) Aliens who are subject to the numerical limitation of paragraph (2) shall be issued visas (or otherwise provided nonimmigrant status) in the order in which petitions are filed for such visas or status.''.

(3) WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended by adding at the end the following:

''(13)(A) The Attorney General shall determine whether a ground for inadmissibility exists with respect to a nonimmigrant described in section 101(a)(15)(T).

''(B) In addition to any other waiver that may be available under this section, in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so, the Attorney General, in the Attorney General's discretion, may waive the application of—

''(i) paragraphs (1) and (4) of subsection (a); and

''(ii) any other provision of such subsection (excluding paragraphs (3), (10)(C), and (10(E)) if the activities rendering the alien inadmissible under the provision were caused by, or were incident to, the victimization described in section 101(a)(15)(T)(i).

''(C) Nothing in this paragraph shall be regarded as prohibiting the Attorney General from instituting removal proceedings against an alien admitted as a nonimmigrant under section 101(a)(15)(T) for conduct committed after the alien's admission into the United States, or for conduct or a condition that was not disclosed to the Attorney General prior to the alien's admission as a nonimmigrant under section 101(a)(15)(T).''.

(4) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

''(l)(1) If, in the opinion of the Attorney General, a nonimmigrant admitted into the United States under section 101(a)(15)(T)—

''(A) has been physically present in the United States for a continuous period of at least 3 years since the date of such admission;

''(B) has, throughout such period, been a person of good moral character;

''(C) has, during such period, complied with any reasonable request for assistance in the investigation or prosecution of severe forms of trafficking in persons; and

''(D)(i) has a well-founded fear of retribution involving the infliction of severe harm upon removal from the United States; or

''(ii) would suffer extreme hardship in connection with the victimization described in section 101(a)(15)(T)(i) upon removal from the United States;

the Attorney General may adjust the status of the alien (and the spouse, parents, married and unmarried sons and daughters of the alien if admitted under such section) to that of an alien lawfully admitted for permanent residence.

''(2) Paragraph (1) shall not apply to an alien admitted under section 101(a)(15)(T) who is inadmissible to the United States by reason of a ground that has not been waived under section 212, except that, if the Attorney General considers it to be in the national interest to do so, the Attorney General, in the Attorney General's discretion, may waive the application of—

''(A) paragraphs (1) and (4) of section 212(a); and

''(B) any other provision of such section (excluding paragraphs (3), (10)(C), and (10(E)), if the activities rendering the alien inadmissible under the provision were caused by, or were incident to, the victimization described in section 101(a)(15)(T)(i).

''(3) An alien shall be considered to have failed to maintain continuous physical presence in the United States for purposes of paragraph (1)(A) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

''(4)(A) The total number of aliens whose status may be adjusted under paragraph (1) during any fiscal year may not exceed 5,000.

''(B) The numerical limitation of subparagraph (A) shall only apply to principal aliens and not to the spouses, sons, daughters, or parents of such aliens.

''(C) Aliens who are subject to the numerical limitation of subparagraph (A) shall have their status adjusted in the order in which applications are filed for such adjustment.

''(D) Upon the approval of adjustment of status under paragraph (1)—

''(i) the Attorney General shall record the alien's lawful admission for permanent residence as of the date of such approval; and

''(ii) the Secretary of State shall not be required to reduce the number of immigrant visas authorized to be issued under this Act for any fiscal year.''.

SEC. 8. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

(a) MINIMUM STANDARDS.—Minimum standards for the elimination of trafficking for a country that is a country of origin, of transit, or of destination for a significant number of victims are as follows:

(1) The country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.

(2) For the knowing commission of any act of sex trafficking involving fraud, force, or coercion or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the country should prescribe punishment commensurate with that for the most serious crimes, such as forcible sexual assault.

(3) For the knowing commission of any act of a severe form of trafficking in persons, the

country should prescribe punishment which is sufficiently stringent to deter and which adequately reflects the heinous nature of the offense.

(4) The country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

(b) CRITERIA.—In determinations under subsection (a)(4) the following factors should be considered:

(1) Whether the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons that take place wholly or partly within the territory of the country.

(2) Whether the country cooperates with other countries in the investigation and prosecution of severe forms of trafficking in persons.

(3) Whether the country extradites persons charged with acts of severe forms of trafficking in persons on the same terms and to the same extent as persons charged with other serious crimes.

(4) Whether the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner which is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of victims and the internationally recognized human right to leave countries and to return to one's own country.

(5) Whether the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provision for legal alternatives to their removal to countries in which they would face retribution or other hardship.

(6) Whether the country vigorously investigates and prosecutes public officials who participate in or facilitate severe forms of trafficking in persons, and takes all appropriate measures against officials who condone such trafficking.

SEC. 9. ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS.

The Secretary of State and the Director of the Agency for International Development are authorized to provide assistance to foreign countries for programs and activities designed to meet the minimum international standards for the elimination of trafficking, including drafting of legislation to prohibit and punish acts of trafficking, investigation and prosecution of traffickers, and facilities, programs, and activities for the protection of victims.

SEC. 10. ACTIONS AGAINST GOVERNMENTS FAILING TO MEET MINIMUM STANDARDS.

(a) STATEMENT OF POLICY.—It is the policy of the United States not to provide nonhumanitarian foreign assistance to countries which do not meet minimum standards for the elimination of trafficking.

(b) REPORTS TO CONGRESS.—

(1) ANNUAL REPORT.—Not later than April 30 of each year, the Secretary of State shall submit to the appropriate congressional committees a report with respect to the status of severe forms of trafficking in persons which shall include a list of those countries, if any, to which the minimum standards for the elimination of trafficking under section 8 are applicable and which do not meet such standards, and which may include additional information, including information about efforts to combat trafficking and about countries which have taken appropriate actions to combat trafficking.

(2) INTERIM REPORTS.—The Secretary of State may submit to the appropriate congressional committees in addition to the annual report under subsection (b) one or more interim reports with respect to the status of severe forms of trafficking in persons, including information about countries whose governments have come into or out of compliance with the minimum standards for the elimination of trafficking since the transmission of the last annual report.

(c) NOTIFICATION.—For fiscal year 2002 and each subsequent fiscal year, for each foreign country to which the minimum standards for the elimination of trafficking are applicable and which has failed to meet such standards, as described in an annual or interim report under subsection (b), not less than 45 days and not more than 90 days after the submission of such a report the President shall submit a notification to the appropriate congressional committees of one of the determinations described in subsection (d).

(d) DETERMINATIONS.—The determinations referred to in subsection (c) are as follows:

(1) WITHHOLDING OF NONHUMANITARIAN ASSISTANCE.—The President has determined that—

(A)(i) the United States will not provide nonhumanitarian foreign assistance to the government of the country for the subsequent fiscal year until such government complies with the minimum standards; or

(ii) in the case of a country whose government received no nonhumanitarian foreign assistance from the United States during the previous fiscal year, the United States will not provide funding for participation by officials or employees of such governments in educational and cultural exchange programs for the subsequent fiscal year until such government complies with the minimum standards; and

(B) the President will instruct the United States Executive Director of each multilateral development bank and of the International Monetary Fund to vote against, and to use his or her best efforts to deny, any loan or other utilization of the funds of his or her institution to that country (other than for humanitarian assistance, or for development assistance which directly addresses basic human needs, is not administered by the government of the sanctioned country, and confers no benefit to that country) for the subsequent fiscal year until such government complies with the minimum standards.

(2) SUBSEQUENT COMPLIANCE.—The Secretary of State has determined that the country has come into compliance with the minimum standards.

(3) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the country to comply with minimum standards for the elimination of trafficking, the President has determined that the provision of nonhumanitarian foreign assistance to the country is in the national interest of the United States.

(4) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (3) with respect to all nonhumanitarian foreign assistance to a country or with respect to one or more programs, projects, or activities.

(e) CERTIFICATION.—Together with any notification under subsection (c), the President shall provide a certification by the Secretary of State that with respect to assistance described in clause (i), (ii), or (iv) of subparagraph 3(10)(A) or in subparagraph 3(10)(B), no assistance is intended to be received or used by any agency or official who has participated in, facilitated, or condoned a severe form of trafficking in persons.

SEC. 11. ACTIONS AGAINST SIGNIFICANT TRAFFICKERS IN PERSONS.

(a) AUTHORITY TO SANCTION SIGNIFICANT TRAFFICKERS IN PERSONS.—

(1) IN GENERAL.—The President may exercise IEEPA authorities (other than authorities relating to importation) without regard to section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1705) in the case of any foreign person who is on the list described in subsection (b).

(2) PENALTIES.—The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) apply to violations of any license, order, or regulation issued under this section.

(3) IEEPA AUTHORITIES.—For purposes of clause (i), the term ''IEEPA authorities'' means the authorities set forth in section 203(a) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)).

(b) LIST OF TRAFFICKERS OF PERSONS.—

(1) COMPILING LIST OF TRAFFICKERS IN PERSONS.—The Secretary of State is authorized to compile a list of the following persons:

(A) any foreign person that plays a significant role in a severe form of trafficking in persons, directly or indirectly in the United States or any of its territories or possessions;

(B) foreign persons who materially assist in, or provide financial or technological support for or to, or providing goods or services in support of, activities of a significant foreign trafficker in persons identified pursuant to subparagraph (A); and

(C) foreign persons that are owned, controlled, or directed by, or acting for or on behalf of, a significant foreign trafficker so identified pursuant to subparagraph (A).

(2) REVISIONS TO LIST.—The Secretary of State shall make additions or deletions to any list published under paragraph (1) on an ongoing basis based on the latest information available.

(3) CONSULTATION.—The Secretary of State shall consult with the following officers in carrying out paragraphs (1) and (2).

(A) the Attorney General;

(B) the Director of Central Intelligence;

(C) the Director of the Federal Bureau of Investigation;

(D) the Secretary of Labor; and

(E) the Secretary of Health and Human Services.

(4) PUBLICATION OF LIST.—Upon compiling the list referred to in paragraph (1) and within 30 days of any revisions to such list, the Secretary of State shall submit the list or revisions to such list to the Committees on the International Relations and Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives; and to the Committees on the Foreign Relations and the Select Committee on Intelligence of the Senate; and publish the list or revisions to such list in the Federal Register.

(c) REPORT TO CONGRESS ON IDENTIFICATION AND SANCTIONING OF SIGNIFICANT TRAFFICKERS IN PERSONS.—Upon exercising the authority of subsection (a), the President shall report to the Committees on the International Relations and Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives; and to the Committees on the Foreign Relations and the Select Committee on Intelligence of the Senate—

(1) identifying publicly the foreign persons that the President determines are appropriate for sanctions pursuant to this section; and

(2) detailing publicly the sanctions imposed pursuant to this section.

(d) EXCLUSION OF CERTAIN INFORMATION.—

(1) INTELLIGENCE.—Notwithstanding any other provision of this section, the list and report described in subsections (b) and (c) shall not disclose the identity of any person, if the Director of Central Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—Notwithstanding any other provision of this section, the list and report described in subsections (b) and

(c) shall not disclose the name of any person if the Attorney General, in coordination as appropriate with the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected to—

(A) compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) endanger the life or physical safety of any person; or

(D) cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—(A) Whenever either the Director of Central Intelligence or the Attorney General makes a determination under this subsection, the Director of Central Intelligence or the Attorney General shall notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and explain the reasons for such determination.

(B) The notification required under this paragraph shall be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate not later than July 1, 2000, and on an annual basis thereafter.

(e) LAW ENFORCEMENT AND INTELLIGENCE ACTIVITIES NOT AFFECTED.—Nothing in this section prohibits or otherwise limits the authorized law enforcement or intelligence activities of the United States, or the law enforcement activities of any State or subdivision thereof.

(f) EXCLUSION OF PERSONS WHO HAVE BENEFITED FROM ILLICIT ACTIVITIES OF TRAFFICKERS IN PERSONS.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by inserting the following new subparagraph at the end:

''(H) SIGNIFICANT TRAFFICKERS IN PERSONS.—Any alien who—

''(i) is on the most recent list of significant traffickers provided in section 10 of the Trafficking Victims Protection Act of 1999, or who the consular officer or the Attorney General knows or has reason to believe is or has been a knowing aider, abettor, assister, conspirator, or colluder with such a trafficker in severe forms of trafficking in persons as defined in the section 3 of such Act; or

''(ii) who the consular officer or the Attorney General knows or has reason to believe is the spouse, son, or daughter of an alien inadmissible under clause (i), has, within the previous 5 years, obtained any financial or other benefit from the illicit activity of that alien, and knew or reasonably should have known that the financial or other benefit was the product of such illicit activity, is inadmissible.''.

(g) IMPLEMENTATION.—

(1) The Secretary of State, the Attorney General, and the Secretary of Treasury are authorized to take such actions as may be necessary to carry out this section, including promulgating rules and regulations permitted under this Act.

(2)(A) Subject to subparagraph (B), such rules and regulations shall require that a reasonable effort be made to provide notice and an opportunity to be heard, in person or through a representative, prior to placement of a person on the list described in subsection (b).

(B) If there is reasonable cause to believe that such a person would take actions to undermine the ability of the President to exercise the authority provided under subsection (a), such notice and opportunity to be heard shall be provided as soon as practicable after the placement of the person on the list described in subsection (b).

(h) DEFINITION OF FOREIGN PERSONS.—As used in this section, the term ''foreign person'' means any citizen or national of a foreign state or any entity not organized under the laws of the United States, including a foreign government official, but does not include a foreign state.

(i) CONSTRUCTION.—Nothing in this section shall be construed as precluding judicial review of the placement of any person on the list of traffickers in person described in subsection (b).

SEC. 12. STRENGTHENING PROSECUTION AND PUNISHMENT OF TRAFFICKERS.

(a) TITLE 18 AMENDMENTS.—Chapter 77 of title 18, United States Code, is amended—

(1) in each of sections 1581(a), 1583, and 1584—

(A) by striking ''10 years'' and inserting ''20 years''; and

(B) by adding at the end the following: ''If death results from a violation of this section, or if such violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.'';

(2) by inserting at the end the following:

''§ 1589. Forced labor

''Whoever knowingly provides or obtains the labor or services of a person—

''(1) by threats of serious harm to, or physical restraint against, that person or another person;

''(2) by use of fraud, deceit, or misrepresentation if the person is a minor, mentally disabled, or otherwise particularly susceptible to undue influence;

''(3) by means of any scheme, plan, or pattern intended to cause the person to believe that if the person did not perform such labor or services, serious harm or physical restraint would be inflicted on that person or another person; or

''(4) by means of the abuse or threatened abuse of law or the legal process;

shall be fined under this title or imprisoned not more than 20 years, or both. If death results from a violation of this section, or if such violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

''§ 1590. Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

''Whoever knowingly—

''(1) recruits, harbors, transports, provides, or obtains by any means, any person for labor or services in violation of this chapter; or

''(2) benefits, financially or otherwise, from an enterprise in which a person has been subjected to labor or services in violation of this chapter;

shall be fined under this title or imprisoned not more than 20 years, or both. If death results from a violation of this section, or if such violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

''§ 1591. Sex trafficking of children or by coercion, fraud, deceit, or misrepresentation

''(a) IN GENERAL.—Whoever knowingly—

''(1) recruits, harbors, transports, provides, or obtains by any means a person, or

''(2) benefits, financially or otherwise, from an enterprise in which a person has been recruited, enticed, harbored, transported, provided, or obtained in violation of paragraph (1);

knowing that coercion, fraud, deceit, misrepresentation, or other abusive practices described in subsection (c)(2) will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

''(b) PUNISHMENT.—The punishment for an offense under subsection (a) is—

''(1) if the offense was effected by coercion, fraud, deceit, misrepresentation, or other abusive practices or if the person transported had not attained the age of 14 years at the time of such offense, by a fine under this title or imprisonment for any term of years or for life, or both; or

''(2) if the offense was not so effected, and the person transported had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title or imprisonment for not more than 20 years, or both.

''(c) DEFINITION.—In this section—

''(1) The term 'commercial sex act' means any sex act, on account of which anything of value is given to or received by any person, and—

''(A) which takes place in the United States;

''(B) which affects United States foreign commerce; or

''(C) in which either the person caused or expected to participate in the act or the person committing the violation is a United States citizen or an alien admitted for permanent residence in the United States.''

''(2) The term 'other abusive practices' means —

''(A) threats of serious harm to, or physical restraint against, the person or other person; and

''(B) the abuse or threatened abuse of law or the legal process.

''§ 1592. Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor

''(a) Whoever destroys, conceals, removes, confiscates, or possesses any identification, passport, or other immigration documents, or any other documentation of another person—

''(1) in the course of a violation of section 1581, 1583, 1584, 1589, 1590, or 1591 or a conspiracy or attempt to commit such a violation; or

''(2) to prevent or restrict, without lawful authority, the person's liberty to move or travel in interstate or foreign commerce in furtherance of a violation of section 1581, 1583, 1584, 1589, 1590, or 1591 or a conspiracy or attempt to commit such a violation;

shall be fined under this title or imprisoned for not more than 5 years, or both.

''(b) Subsection (a) does not apply to the conduct of a person who is or has been a victim of a severe form of trafficking in persons as defined in section 3(6) of the Trafficking Victims Protection Act of 2000, if that conduct is caused by, or incident to, that trafficking.

''§ 1593. Mandatory restitution

''(a) Notwithstanding sections 3663 or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

''(b)(1) The order of restitution under this section shall direct the defendant to pay the

victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3) of this subsection.

''(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

''(3) As used in this subsection, the term 'full amount of the victim's losses' has the same meaning as provided in section 2259(b)(3) and shall in addition include the greater of the gross income or value to the defendant of the victim's services or labor or the value of the victim's labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act (29 U.S.C. 201, et seq.).

''(c) As used in this section, the term 'victim' means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

''§ 1594. General provisions

''(a) An attempt or conspiracy to violate section 1581, 1583, 1584, 1589, 1590, or 1591 shall be punishable in the same manner as a completed violation of that section.

''(b)(1) The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person shall forfeit to the United States—

''(A) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

''(B) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation.

''(2) The criminal forfeiture of property under this subsection, any seizure and disposition thereof, and any administrative or judicial proceeding in relation thereto, shall be governed by the provisions of section 7(e) of the Trafficking Victims Protection Act of 2000.

''(c)(1) The following shall be subject to forfeiture to the United States and no property right shall exist in them:

''(A) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of this chapter.

''(B) Any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this chapter.

''(2) The provisions of chapter 46 of this title relating to civil forfeitures shall extend to any seizure or civil forfeiture under this subsection.

''(d) WITNESS PROTECTION.—Any violation of this chapter shall be considered an organized criminal activity or other serious offense for the purposes of application of chapter 224 (relating to witness protection).''; and

(3) by amending the table of sections at the beginning of chapter 77 by adding at the end the following new items:

''1589. Forced labor.
''1590. Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor.
''1591. Sex trafficking of children or by coercion, fraud, deceit, or misrepresentation.
''1592. Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor
''1593. Mandatory restitution.
''1594. General provisions.''.

(b) AMENDMENT TO THE SENTENCING GUIDELINES.—

(1) Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines and policy statements applicable to persons convicted of offenses involving the trafficking of persons including component or related crimes of peonage, involuntary servitude, slave trade offenses, and possession, transfer or sale of false immigration documents in furtherance of trafficking, and the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act.

(2) In carrying out this subsection, the Sentencing Commission shall—

(A) take all appropriate measures to ensure that these sentencing guidelines and policy statements applicable to the offenses described in paragraph (1) of this subsection are sufficiently stringent to deter and adequately reflect the heinous nature of such offenses;

(B) consider conforming the sentencing guidelines applicable to offenses involving trafficking in persons to the guidelines applicable to peonage, involuntary servitude, and slave trade offenses; and

(C) consider providing sentencing enhancements for those convicted of the offenses described in paragraph (1) of this subsection that—

(i) involve a large number of victims;

(ii) involve a pattern of continued and flagrant violations;

(iii) involve the use or threatened use of a dangerous weapon; or

(iv) result in the death or bodily injury of any person.

(3) The Commission may promulgate the guidelines or amendments under this subsection in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR THE INTERAGENCY TASK FORCE.—To carry out the purposes of section 5, there are authorized to be appropriated to the Secretary of State $1,500,000 for fiscal year 2000 and $3,000,000 for fiscal year 2001.

(b) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—To carry out the purposes of section 7(b) there are authorized to be appropriated to the Secretary of Health and Human Services $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(c) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF STATE.—To carry out the purposes of section 7(a) there are authorized to be appropriated to the Secretary of State $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(d) AUTHORIZATION OF APPROPRIATIONS TO ATTORNEY GENERAL.—To carry out the purposes of section 7(b) there are authorized to be appropriated to the Attorney General $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(e) AUTHORIZATION OF APPROPRIATIONS TO PRESIDENT.—

(1) FOREIGN VICTIM ASSISTANCE.—To carry out the purposes of section 6 there are authorized to be appropriated to the President $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(2) ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS.—To carry out the purposes of section 9 there are authorized to be appropriated to the President $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(f) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF LABOR.—To carry out the purposes of section 7(b) there are authorized to be appropriated to the Secretary of Labor $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

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

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

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

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

I am pleased to rise in strong support of H.R. 3244, the Trafficking Victims Protection Act of 2000. I am pleased to cosponsor H.R. 3244.

This legislation would not be before us today without the strong leadership and extensive work by the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights of our Committee on International Relations. He was joined in refining this legislation by the gentleman from Connecticut (Mr. GEJDENSON), the distinguished ranking Democratic member of our committee. Together they produced a very fine product which deserves the support of every Member of this body.

As noted in the legislation, Mr. Speaker, millions of people, primarily women and children, are trafficked every year across the international borders for sexual or other exploitive purposes. Approximately 50,000 women and children are trafficked into the United States for such purposes every year. H.R. 3244 contains a number of provisions designed to ensure that our government uses its influence around the world to stop this abominable trafficking in human beings. Moreover, it enhances the protections under U.S. law for victims of trafficking in the United States.

This legislation establishes minimum standards that should be achieved in nations with significant trafficking problems in order for them to begin eliminating trafficking. The bill also authorizes U.S. foreign assistance to help countries meet those minimum standards and beginning in the year 2002, requires the withholding of nonhumanitarian U.S. foreign assistance from countries that fail to meet those standards.

Mr. Speaker, this measure enables the President to exercise a national interest waiver to permit the delivery of nonhumanitarian assistance, notwithstanding this requirement. But in the

typical case, this threat should provide a powerful incentive to nations with trafficking problems to meet the minimum standards.

Within our Nation, the legislation permits certain victims of trafficking to remain in the country so that among other things, they can assist in the prosecution of the traffickers. Victims of severe forms of trafficking are also made eligible for special programs set up for crime victims. This legislation strengthens the criminal penalties for trafficking under U.S. law in a number of very critical respects.

Taken together, this is a solidly-crafted piece of legislation that addresses an urgent moral and humanitarian problem. Regrettably, the administration has opposed this legislation, but I am optimistic that a strong expression of support in the House of Representatives today will prompt the administration to reconsider its position.

Accordingly, Mr. Speaker, I urge our colleagues to fully support H.R. 3244.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume. I thank the distinguished chairman of the Committee on International Relations for his very kind words; the feeling is mutual and the respect is mutual.

Mr. Speaker, I am deeply grateful that the House is meeting today to consider H.R. 3244, the Trafficking Victims Protection Act of 2000 which I introduced last year along with the gentleman from Connecticut (Mr. GEJDENSON), the gentlewoman from Ohio (Ms. KAPTUR), the gentlewoman from New York (Ms. SLAUGHTER), the gentleman from Virginia (Mr. WOLF), and a number of other bipartisan cosponsors.

Before discussing the merits of the legislation, I would like to point out that the bill now has 36 cosponsors, 18 Democrats and 18 Republicans. Among the Republican cosponsors are the gentleman from Texas (Mr. ARMEY), the distinguished majority leader, who last year gave us a very firm commitment that this bill would be brought to the floor because of the egregious nature of the situation that we are facing; the gentleman from Texas (Mr. DELAY), the majority whip; the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations who just spoke; the gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce; and the gentleman from Florida (Mr. CANADY), the chairman of the Subcommittee on the Constitution. The Democratic cosponsors include not only the gentleman from Connecticut (Mr. GEJDENSON), the distinguished ranking minority member of the Committee on International Relations, but also the gentleman from Michigan (Mr. CONYERS), the gentleman from Illinois (Mr. GUTIERREZ), and the gentlewoman from Georgia (Ms. MCKINNEY), my friend and the ranking member on my subcommittee.

Another index of the broad support for the Trafficking Victims Protection Act is that it has both the support of Charles Colson and Gloria Steinem, of the Family Research Council and of Equality Now; of the Religious Action Center of Reform Judaism, as well as the National Association of Evangelicals.

In crafting this legislation, we have also had the assistance of impartial experts, such as Michael Horowitz of the Hudson Institute, Gary Haugen of the International Justice Mission, which goes out and rescues trafficked women and children one-by-one. I especially want to thank Grover Joseph Rees, the chief counsel and chief of staff of the Subcommittee on International Operations and Human Rights, for his remarkable skill in helping to craft this measure and, in like manner, I would like to thank David Abramowitz, the chief counsel for the Minority staff, who has done tremendous work on it as well. I would also like to thank Dr. Laura Lederer of the Protection Project whose painstaking research has been indispensable in ensuring that we have the facts about this worldwide criminal enterprise and its victims.

As a matter of fact, Mr. Speaker, in testimony at a Helsinki Commission sexual trafficking hearing that I chaired on June 28, Dr. Lederer told the story of Lydia. Lydia's story, she told us, is an amalgamation of several true stories of women and girls who have been trafficked in Eastern Europe in recent years.

□ 1245

Lydia was 16 and hanging around with friends on streets, she told us. You can fill in the name of the country here, the Ukraine, Russia, Rumania, Lithuania, the Czech Republic, when they were approached by an older, beautifully dressed woman who befriended them and told them they were so nice looking she could get them a part-time job in modeling.

She took them to dinner, bought them some small gifts, and when the dinner was over she invited them back to her home for a drink. Taking the drink is the last thing that Lydia remembers. The woman drugged her and handed her and her friends over to an agent who drove them, unconscious, across the border. Here you can fill in another set of countries, be it Germany, the Netherlands, Italy, some Middle Eastern countries, even as far as Japan, Canada, and of course, the United States.

When Lydia awoke she was alone in a strange room in a foreign country. Her friends were gone. A while later a man came into the room and told her that she now belonged to him. I own you, he said. You are my property. You will work for me until I say stop. Don't try to leave. You have no papers. You have no passport. You don't speak the language in this country. He told her if she tried to escape his men would come in after her and beat her and bring her back. He told her that her family back home was in danger. He told her that she owed the agency $35,000, which she would work off in a brothel by sexually servicing men, sometimes 10 to 20 men a day.

Stunned, angry, rebellious, Lydia refused. The man then hit her. He beat her. He raped her. He sent friends in to gang rape her. She was left in the room alone without food or water for 3 days. Frightened and broken, she succumbed. For the next 6 months she was held in virtual confinement and forced to prostitute herself. She received no money. She had no hope of escape.

She was rescued when the brothel was raided by local police. They arrested the young women and charged them with working without a visa. They arrested the brothel manager and charged him with procuration, but he was later released. They did not attempt to arrest the brothel owners or to identify the traffickers.

The girls were interviewed, and those who were not citizens of the country were charged as illegal aliens and transferred to a woman's prison where they awaited deportation.

A medical examiner found that Lydia had several sexually transmitted diseases. In addition, she was addicted to a potent cough syrup, and she was physically weak. She was spiritually broken. There was no one to speak for Lydia. She feared the future because she knew her keepers. They had the networks, the power, the resources to track her down, kidnap her, and bring her back again.

The risk is low so the potential profits are high, and girls like Lydia are the real target. There seems to be no one who cares about Lydia's life. The authorities do not have an interest in tracking down the organizations or the individuals in this trafficking chain, from the woman who drugged Lydia to the agent who brought her across the border to the agent who broke her will to the brothel managers and to the brothel owners.

In addition, there are corrupt law enforcement officers involved, because the process of getting Lydia across the borders and keeping the brothels running involves payoffs to local visa officials and police in the country of origin, border patrols for both countries, and local police in the destination countries. Lydia is without protection. The traffickers have bought theirs.

Now, think of Lydia's story multiplied by hundreds of thousands and you get the picture of the scope of the problem. UNICEF is estimating that 1 million children are forced into prostitution in southeast Asia alone, another 1 million worldwide. These are just children. An estimated 250,000 women and children from Russia, the newly-independent States, and Eastern Europe are trafficked into Western Europe, the Middle East, Japan, Canada, and the U.S. each and every year.

An estimated 20,000 children from Central American countries, and this is a new figure from the Working Group on Contemporary Forms of Slavery,

are being trafficked for the purposes of commercial sexual exploitation up through Central America and into the United States.

Mr. Speaker, on an OSCE human rights trip to St. Petersburg last July, my wife Marie and I, joined by several other Members, met with Dr. Juliette Engel of MiraMed Institute, an NGO dedicated to helping women exploited by trafficking. We met with girls and young women who told us their heartbreaking stories of their captivity.

Dr. Engel's group has supported H.R. 3244 and points out that, unfortunately for Russian girls, sexual trafficking is the most profitable of all the criminal enterprises. Estimates are as high as $4 billion last year, because unlike one-time sales of weapons and narcotics, women can be sold over and over again. Dreams are shattered, she writes, families are broken apart, lives are destroyed.

Mr. Speaker, our legislation, H.R. 3244, has attracted such broad support not only because it is pro-women, pro-child, pro-human rights, pro-family values, and anticrime, but because it addresses a problem that absolutely cries out for a solution.

The Trafficking Victims Protection Act focuses on the most severe forms of trafficking in human beings: on the buying and selling of children into the international sex industry, on sex trafficking of women and children alike by force, fraud, or coercion, and on trafficking into slavery, involuntary servitude, and forced labor.

Each year, as many as 2 million innocent victims, of whom the overwhelming majority of are women and children, are brought by force and/or fraud into the international commercial sex industry.

Efforts by the U.S. Government, international organizations, and others to stop this brutal practice have thus far proved, unfortunately, unsuccessful. Indeed, all the evidence suggests that instances of forcible and/or fraudulent sexual trafficking are far more numerous than just a few years ago.

Mr. Speaker, let me just say a couple of final points. Part of the problem is that current laws and enforcement strategies in the U.S. and other countries often punish the victims more severely than they punish the perpetrators. When a sex-for hire establishment is raided, the women and sometimes children in the brothel are typically deported if they are not citizens of the country in which the establishment is located, without reference to whether their participation was voluntary or involuntary, and without reference to whether they will face retribution or other serious harm upon return.

This not only inflicts further cruelty on the victims, it also leaves nobody to testify against the real criminals, and frightens other victims from coming forward.

My legislation, Mr. Speaker, seeks the elimination of slavery and particularly sex slavery by a comprehensive, balanced approach of prevention, prosecution and enforcement, and victim protection.

The central principle behind the Trafficking Victims Protection Act is that criminals who knowingly operate enterprises that profit from sex acts involving persons who had been brought across international boundaries for such purposes by force or fraud, or who force human beings into slavery, should receive punishments commensurate with the penalties for kidnapping and forcible rape. That means up to life imprisonment. Putting these gangsters away for life would not only be just punishment but also a powerful deterrent, and the logical corollary of this principle is that we need to treat victims of these terrible crimes as victims who desperately need protection.

Let me just say, this bill needs to be passed, Mr. Speaker and it needs to be passed today.

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 would like to start joining my colleagues, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. GILMAN), and commend them for working together on something that has a broad bipartisan and broad ideological support. These are clearly some of the most vulnerable people on the planet: people who are impoverished, often; people who have not had the opportunities to defend themselves. This legislation begins a process of giving them some protection.

I would like to particularly thank Alethia Gordon, a Fellow in my office, for the work that she did in establishing the boundaries of this legislation and in doing much of the research; and also my friend, Gloria Steinem, for her work. This legislation crosses the political boundaries that often are dividing this House, again, both political and ideological.

I think, as Mr. SMITH pointed out, what is so frustrating in the present situation is often the laws that we have punish only the victims, people who are tricked from their small villages or large cities in either the former Soviet Union or poor countries around the world, Africa, Asia, almost anywhere, tricked and then threatened, intimidated, their passports taken away, people who do not know what rights they may have and often may understand that the laws even in our country only apply to them and not so much, often, to those who enslave them.

We in this legislation begin the process to both shift the burden to those who traffic not just in sexual slavery, but employment slavery. People are brought to this country as employees, often, legally and illegally, and are then worked beyond all reasonable length of time in completely abhorrent conditions.

We have seen that happen from Mexicans who are deaf brought to work the U.S. airports to oftentimes even people brought up with diplomats and international organizations coming here. Their passports are taken away.

We do more than just work on the punishment end, though. We also in this legislation begin the process of getting the information back to the villages.

I was with a group of people who were in Groton, Connecticut, the other day who were having a march for MADD, the organization that has done so much to raise awareness about drinking.

Of all the things they have done, and they have done some wonderful things, it occurs to me probably the most important thing they have done is make people aware of the problem, getting the messages back to the villages so families will not be fooled into thinking their child is going off to work in a factory somewhere, or work as a domestic and bring back resources to a hungry and impoverished community. That is also an important part of this legislation. We need to make sure that message gets out.

In the dissolution of the Soviet Union, the poverty that has enveloped many of those former Soviet countries, the poverty in countries around the world, that ought not be an excuse for allowing people's lives to be enslaved.

Again, I applaud all the cosponsors, particularly the gentleman from New Jersey (Mr. SMITH), and all those who have worked on this legislation.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise today in support of the Trafficking Victims Protection Act, a bill that my good friend, the gentleman from New Jersey (Mr. SMITH) has worked on so tirelessly.

I would like to share a story with my colleagues. It is the story of a young girl from a very poor family in a developing country who had hopes for a better life in a wealthier land. This attractive young woman came from a good family, but it was a family that could provide her with very little. Like young people everywhere, she had dreams, dreams of nicer clothes, dreams of new opportunities, dreams of seeing foreign places.

One day she was offered the chance to make her dreams come true. She would have to leave her family and make her own way, but if she worked hard, she was promised a new life in a land of opportunity. She was nervous, but she took the chance.

When she got where she was going, she could tell something was wrong. She was led to a hot, dirty trailer and locked inside with a handful of other women, women with emotionless faces and broken spirits. It was there that her life as a sex slave began.

At first, she refused to do what she was told, but she could only take so many beatings. Then 30 men a day entered her trailer and raped her, sometimes beating her, always robbing her of her dignity and self-respect, almost constantly abused, crying until tears would no longer flow, month after month.

She could not escape because she was locked in a trailer. She didn't know where she was. She didn't know the language. This is a true story. It did not happen in Bangkok, it did not happen in Amsterdam, it did not happen in Rio de Janeiro, it happened in Florida. It is happening today in this country. Every year, 2 million women and children are trafficked into sexual slavery in this country and around the world, 45,500 to 50,000 times in America a year.

The sad ending to this story is that this poor girl, who was freed in an FBI raid 2 years ago, spent a year in jail waiting to be deported back to Mexico.

Mr. Speaker, if this country stands for justice at all, we can do better for this girl. Dr. Laura Lederer, director of the Protection Project of the John F. Kennedy School of Government, has taken the lead in researching and exposing the shockingly widespread nature of the international sex trade.

Here is what she says: ''To conceptualize how immense the problem is, imagine a city the size of Minneapolis or St. Louis made up entirely of women and children. Imagine that those women and children are kidnapped, raped, and forced into prostitution. Imagine that it happens every year. Then stop imagining, because it is happening now in those numbers.''

□ 1300

We all owe Dr. Lederer a debt that we cannot repay for the work he has done for the forgotten victims of this underprosecuted area of organized crime. I urge my colleagues to vote for this important bill.

Mr. GEJDENSON. Mr. Speaker, I yield 2½ minutes to the gentlewoman from New York (Ms. SLAUGHTER), who spent a tremendous amount of effort on this piece of legislation.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time. As he mentioned, on June 1994, I first introduced legislation addressing the growing problem of Burmese women and children who were being sold to work in a thriving sex industry in Thailand. It is an awful tragedy. These were sometimes young girls as young as 5 years.

This legislation responded to credible reports that indicated that thousands of Burmese women and girls were being trafficked into Thailand with false promises of good-paying jobs in restaurants or factories, and then being forced into brothels under slavery-like conditions.

Unfortunately, as I learned more and more about the issue, it became abundantly clear that the issue was not limited to one region of the world. In fact, in the wake of the discovery of a prostitution ring of trafficked women in Florida and the Carolinas, as well as a group of Thai garment workers held captive in California, I soon realized this was an issue that must also be dealt with in our own backyard.

Six years later, I am pleased to be standing here today to support this important legislation. H.R. 3244 sets forth policies not only to monitor but to eliminate trafficking here in the United States and abroad. More importantly, it does so in a way that punishes the true perpetrators, the traffickers themselves, while at the same time taking the necessary steps to protect the victims of this awful crime.

Finally, Mr. Speaker, it uses our Nation's considerable influence throughout the world to put pressure on other nations to adopt policies that will hopefully lead to an end to this abhorrent practice. I am especially pleased to see that this bill recognizes the fact that trafficking is not exclusively a crime of sexual exploitation. Taken independently, this action is an egregious practice in and of itself. But it is also important to be aware that people are being illegally smuggled across borders to work in sweatshops, domestic servitude, or other slavery-like conditions.

Mr. Speaker, developing this initiative has been a long and arduous process. At the beginning of this endeavor, many of the groups involved had different approaches to defining and dealing with the issue. And in addition, we also had to deal with a State Department that was often less than cooperative when dealing with the Congress.

Nevertheless, we are here today because this is an issue important enough to cross party lines and personality divides. I offer my personal thanks to the gentleman from New Jersey (Chairman SMITH) and the gentleman from Connecticut (Mr. GEJDENSON), ranking member, for moving the legislation and look forward to its passage.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WOLF), my good friend who has been very earnest on all human rights issues, but this one as well.

Mr. WOLF. Mr. Speaker, I rise in strong support of H.R. 3244, the Trafficking Victims Protection Act, and I want to compliment the gentleman from New Jersey (Mr. SMITH) and the gentleman from Connecticut (Mr. GEJDENSON). Both have done an outstanding job. If it was not for the both of these gentlemen, last year when we passed the religious freedom bill, I remember they went in there and that bill passed. What the gentleman from Connecticut and the gentleman from New Jersey are doing today is a continuation of that policy.

The gentleman from New Jersey (Mr. SMITH) has a heart for these issues and really cares deeply. My main purpose was to congratulate Mr. SMITH and Mr. GEJDENSON. It is a strong bill. It is a tough bill. It is comprehensive. It is another initiative fitting in with what their committee did last year with the religious freedom legislation. Hopefully, now this bill will be picked up in the Senate and passed quickly.

Mr. Speaker, I again thank the gentleman from Connecticut (Mr. GEJDENSON) for his efforts here and all the good work that he has done on human rights over the years. He has always been there on these issues. And the gentleman from New Jersey (Mr. SMITH) who, frankly, his people back in his congressional district can be very proud of him and his good work. Whenever there has been an issue like religious freedom, abortion, China, the Soviet Union, gulag, sex trafficking, the gentleman has been there; not in the crowd, but he has been right out in front and has made the big difference. So I thank him for the great job that he has done, and the staff as well. Mr. SMITH is a credit to the Congress and we are all better for his service.

Mr. GEJDENSON. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. WOOLSEY), who also spent immeasurable efforts on this legislation.

Ms. WOOLSEY. Mr. Speaker, I want to compliment the gentleman from New Jersey (Mr. SMITH) and the gentleman from Connecticut (Mr. GEJDENSON) for good work.

Mr. Speaker, I wholeheartedly agree that we must address the problem of sexual trafficking of women and children throughout the globe, and I support H.R. 3244 with a lot of enthusiasm.

More than 2 million women and girls are enslaved around the world. In the United States, estimates run as high as 100,000 being enslaved into sexual and domestic servitude as a result of lax protections.

Present laws in the United States are inadequate. This bill, H.R. 3244, addresses ways to deter trafficking and assist victims and it must be passed. But what is this Congress doing to strengthen women's human rights around the world in order to eradicate international sexual trafficking? Unfortunately, the Senate Foreign Relations Committee has not ratified the United Nation's women's treaty known as CEDAW, Convention to End Discrimination Against All Women.

The people's House must go on record to urge the Senate to ratify this Bill of Rights. Why? Because CEDAW establishes basic human rights for women around the globe, rights that are not fully addressed in any other international treaty. Ratification of CEDAW puts the United States in a position to be a real player when advocating for women's human rights and fighting against sexual trafficking.

Mr. Speaker, 165 countries, including Nepal, have ratified CEDAW. However, Nepal still struggles in its effort to fight against enslavement of nearly 200,000 women in Indian brothels. This is an example of where United States

ratification of CEDAW would lend muscle to the fight against sexual trafficking. We need to protect women from the human rights abuses they face simply as a result of their gender, and we can help to make that happen if the United States ratifies CEDAW.

It is time for Congress to take strides against sexual trafficking and having the Senate ratify CEDAW is key to this effort. Passing H.R. 3244 is also key.

The SPEAKER pro tempore (Mr. LATOURETTE). Without objection, the time of the gentleman from Connecticut (Mr. GEJDENSON) will be controlled by the gentleman from Ohio (Mr. BROWN).

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank my colleagues on both sides of the aisle for introducing this wonderful piece of legislation. I am sure, Mr. Speaker, there are many Americans who think that the buying and selling of people ended in the 19th century when slavery was abolished, and most people here are sure at least that if it happens, it certainly does not happen here.

Wrong. It is estimated that over 50,000 women and children are brought to the United States under false pretenses and forced to work as prostitutes, abused laborers or servants. And worldwide, it is even worse. Each year 1 to 2 million women and children are trafficked around the world. This is by far one of the worst human rights violations of our time. Women and children are easy targets for exploitation and are often the most marginalized members of society, the last to be educated, and the last to have economic independence.

Mr. Speaker, when I had the privilege of traveling with the President to South Asia, I saw a young girl named Nurjahan in Bangladesh. She was about 15 years old. All she knows for sure is that she thinks she is about 15 years old, but she knows for sure that at 8, she was bought by a brothel in Pakistan probably for between $200 and $1,500.

She finally escaped from a life as a sex slave. I met her and eight other girls at the headquarters of an organization called Action Against Trafficking and Sexual Exploitation of Children in Dhaka, Bangladesh. They all looked like the children they were, except for the acid scars borne by a few of them. The invisible scars one can hardly bear to imagine.

Many of these girls could not go home because even if their families would accept them, their communities would not. Adding to their unspeakable tragedy, some are infected with HIV and all require counseling, a relatively new practice in South Asia.

I am committed to advancing the economic, legal and political status of women and children here in the United States and worldwide, and urge my colleagues to support H.R. 3244, the Trafficking Victims Protection Act of 1999. Nurjahan and so many others are waiting for us to take seriously the horrendous practices involved in the trafficking of human beings.

Mr. BROWN of Ohio. Mr. Speaker, I have no further speakers on this side, and I yield back the balance of my time and ask for House support of H.R. 3244.

Mr. SMITH of New Jersey. Mr. Speaker, I thank all of those who have supported this bill through an incredibly arduous process, as well as for the kind and important comments that were made on the floor.

Mr. Speaker, the Trafficking Victims Protection Act contains several mutually reinforcing provisions, probably two most notable of which are reforms to the United States criminal law to provide severe punishment, up to life imprisonment in the worse cases, for criminals who buy and sell human beings or who profit from the deliberate, premeditated and repeated rape of women and children. This includes people who recruit, transport, purchase, and sell these innocent victims as well as those who manage or share in the proceeds of trafficking enterprises. And of equal importance the bill establishes preventive programs, and provides real, tangible protections for the victims.

Finally, Mr. Speaker, we cannot wait one more day to begin saving these millions of women and children who are forced every day to submit to the most atrocious offenses against their persons and against their dignity as human beings. I urge unanimous support for the Trafficking Victims Protection Act of 2000.

Mr. ABERCROMBIE. Mr. Speaker, I wish to express my support for H.R. 3244, the Trafficking Victims Protection Act of 2000.

Trafficking in human beings is an evil which many assume was abolished long ago. Sadly, this is not the case. Human trafficking remains one of the worst human rights violations of the contemporary world. Its victims are typically the poorest, the most vulnerable and most disadvantaged. Trafficking is global in scope, fed by poverty, lawlessness, dictatorship and indifference. Each year, more than one million people, mostly women and children, are lured or forced into slavery. Traffickers buy young girls from relatives, kidnap children from their homes or lure women with false promises of legitimate employment. Traffickers use rape, starvation, torture, extreme physical brutality and psychological abuse to force victims to work in horrible conditions as prostitutes, in sweatshops or domestic servitude. Every American should be concerned and ashamed that many of these victims—perhaps numbering in the thousands—are trafficked into the United States each year.

It is clear that we need stronger laws to deter trafficking. We especially need to impose disincentives to deter the international criminal rings which profit from the practice. H.R. 3244 includes these disincentives and other provisions to deter and punish traffickers by:

Establishing new criminal provisions and increasing criminal and other penalties for traffickers;

Establishing initiatives to prevent trafficking by educating potential victims and improving their economic conditions to decrease the lure of traffickers;

Authorizing assistance for countries where victims originate to help them;

Authorizing a new visa for trafficking victims and providing certain federal benefits for such victims to create a safe haven so that victims will escape their conditions and help prosecute the traffickers;

Cutting off non-humanitarian assistance to countries that do not effectively combat trafficking, while providing the President a national interest waiver; and

Focusing U.S. Government efforts in order to create greater interagency coordination to combat this problem.

Trafficking in human beings is a shameful blot on the contemporary world. It imposes unspeakable hardship and cruelty on millions of people. I support the Trafficking Victims Protection Act of 2000, because it provides a legal framework to attack this contemporary evil. This measure deserves our support, because it affirms our adherence to universally accepted norms of human rights and it gives concrete expression to our will to defend and extend those rights.

Mr. GEORGE MILLER of California. Mr. Speaker, I am in support of this legislation to address the issue of international sex trade. I thank the author, Mr. SMITH, for offering this legislation and the Committee on International Relations for bringing it to the floor for discussion.

The approach of this legislation is admirable. It sets up a process whereby the United States will motivate other countries to strengthen their laws with regard to the illegal trafficking of women for sex. It recognizes that women and children from poorer nations are the primary targets for the sex trade industry. They are often lured into a scheme of travel, opportunity, and jobs, only to find themselves as indentured servants and sex slaves. They are isolated and have no means of escape. The legislation addresses this issue and provides a mechanism for the U.S. to withhold non-humanitarian aid to those countries which refuse to be proactive in their approach to help stop human trafficking from happening. Foreign countries must meet a minimum criteria to protect against illegal trafficking and to prosecute those individuals that profit from this despicable business. Along with providing states and territories with funding to establish programs designed to assist victims, H.R. 3422 also allows for victims to seek a change in their residential status under the Immigration and Nationality Act (INA) so that they can become permanent residents of the United States while seeking redress from their abusers.

The problem is this bill will not help the victims of sexual slavery in the U.S. territory of the Commonwealth of the Northern Mariana Islands (US/CNMI) where the INA does not apply. Just last month, the Central Intelligence Agency released a report entitled, International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime. The report identifies the CNMI as a United States locality used by international criminal organizations to import women for the sex industry. The US/CNMI is used both as a transfer point and a point of destination for human smugglers. Unfortunately, local enforcement of immigration in the

CNMI has been unable and unwilling to halt this importation of sexual slaves. In fact, local immigration just permitted the importation of 300 young women from Russia to work in a new casino in the US/CNMI purportedly as waitresses and public relations staff even though none of them speak English.

The Republican leadership of this House has consistently refused to address the human rights abuses in the US/CNMI and now this legislation neglects to assist its victims. We need to be sure that as we encourage other countries to address the issue of illegal trafficking of women in the sex industry that we also make ourselves and our system a model for countries to look upon. The first and perhaps the easiest step is to make sure we protect victims of this industry beneath our own flag.

Mr. CONYERS. Mr. Speaker, of all the human rights violations currently occurring in our world, the trafficking of human beings, predominantly women and children, has to be one of the most horrific practices of our time. At its core, the international trade in women and children is about abduction, coercion, violence and exploitation in the most reprehensible ways. H.R. 3244 is a modest effort to eradicate forcible and/or fraudulent trafficking of persons into prostitution or involuntary servitude. The bill provides some protection for victims who would otherwise be deportable if identified by law enforcement by creating a new ''T'' visa category for eligible victims. Unfortunately, the bill reported out of the Judiciary Committee is much more restrictive than the bill originally introduced by Representative CHRIS SMITH and Representative SAM GEJDENSON. A compromise bill was substituted by the Republicans immediately prior to the Judiciary Committee mark-up to satisfy their unrealistic concerns that the bill would enable persons to fraudulently obtain a lawful status by claiming that they were a victim of sex trafficking or involuntary servitude.

In particular, the Committee-reported bill incorporated several significant restrictions on the availability of visas for victims of sex trafficking and involuntary servitude. Among other things, the bill requires that victims establish that their presence is a ''direct result of trafficking;'' that they did not ''voluntarily agree'' to such trafficking; that they have a ''a well-founded fear of retribution involving the infliction of severe harm upon removal from the United States'' or ''would suffer extreme hardship in connection with the trafficking upon removal from the United States;'' and limits the Attorney General's authority to waive grounds of inadmissibility for trafficking victims. Each one of these requirements represents a marked departure from the spirit and text of the introduced version of the legislation, and each has the potential to prevent real victims of the legislation, and each has the potential to prevent real victims of sex trafficking and involuntary servitude from receiving refuge from their tormentors.

Further, the bill unnecessarily caps at 5,000 per year the number of victims who can receive a nonimmigrant visa and caps at 5,000 per year the number of victims who can become permanent residents. Because estimates of the number of trafficking victims entering the United States are greater than 5,000 per year, we see no reason not to provide protection to the 5,001st who has been the subject of such terrible acts.

Not only would the original bill have been more helpful to victims and their families, I believe that we should be doing far more to protect not just the victims of sex traffickers and involuntary servitude but also the victims of other forms of abuse such as battered immigrants and sweatshop laborers. I hope we have the opportunity to consider such legislation in the near future.

Finally, I would like to note for the record my understanding of two somewhat technical issues. First, regarding the phrase in the new ''T'' visa provision that makes visas available to, ''an alien, and the children and spouse of the alien if accompanying or following to join the alien, who * * *.'' It is clear that the principal foreign national who is applying for the visa must meet the criterion for eligibility which includes proof that he or she is or has been a victim of a severe form of trafficking and several other requirements. The possible ambiguity is with respect to whether a child or spouse accompanying or following to join the principal foreign national also has to meet those requirements. However, I have been assured that the intention of the provision is for the child or spouse to receive derivative benefits from the principal foreign national who is applying for the visa. The spouse and child do not have to meet the eligibility requirements themselves.

The bill also would permit trafficking victims who have been here for three years to become lawful permanent residents of the United States. This issue concerns the possibility of a misinterpretation in this provision too. Whereas the new nonimmigrant visa provision applies one eligibility criterion to ''children'' and another criterion to ''sons and daughters (who are not children),'' the provision for adjustment of status only addresses criterion applicable to ''unmarried sons and daughters.'' In a perfect world, I would have preferred to use the term ''children'' in the adjustment of status context to explicitly state that ''children are eligible for derivative permanent resident status. That being said, I accept the sponsors position that in the case of adjustment of status, derivative status is available to unmarried sons and daughters, which includes children, of the principal foreign national.

Mr. HOEFFEL. Mr. Speaker, I rise in support of H.R. 3244, the Trafficking Victims Protection Act of 2000.

The illegal trafficking of women and children for prostitution and forced labor is one of the fastest growing criminal enterprises in the world.

Globally, between 1 and 2 million people are trafficked each year. Of these, 45,000 to 50,000 are brought to the United States. Some are made to work in illegal sweatshops, while many more are forced into prostitution or domestic servitude here in the United States.

There is an increasing need for adequate laws to deter trafficking. This legislation is meant to combat this modern day form of slavery by including provisions to punish traffickers and protect its victims.

Specifically, H.R. 3244 would require the Secretary of State to include informaiton on trafficking in the Annual Country Reports on Human Rights Practices. This bill would also require the President to appoint an Interagency Task Force to Monitor and Combat Trafficking and authorizes the Secretary of State to establish an Office to Monitor and Combat Trafficking to assist the Task Force.

This bill also has strong enforcement mechanisms. For example, H.R. 3244 would establish minimum standards applicable to those countries found to have significant trafficking problems to prevent, punish, and eliminate trafficking. If these countries do not meet the minimum standards, the President would be authorized to withhold nonhumanitarian assistance. This legislation would also require the Secretary of State to publish a list of those believed to be involved with illegal trafficking and would allow the President to impose International Emergency Economic Powers Act (IEEPA) sanctions against any individual on this list.

Mr. Speaker, I urge passage of this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3244, 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.

BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT OF 2000

Mr. LAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes, as amended.

The Clerk read as follows:

H.R. 4386

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 ''Breast and Cervical Cancer Prevention and Treatment Act of 2000''.

SEC. 2. OPTIONAL MEDICAID COVERAGE OF CERTAIN BREAST OR CERVICAL CANCER PATIENTS.

(a) COVERAGE AS OPTIONAL CATEGORICALLY NEEDY GROUP.—

(1) IN GENERAL.—Section 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) is amended—

(A) in subclause (XVI), by striking ''or'' at the end;

(B) in subclause (XVII), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(XVIII) who are described in subsection (aa) (relating to certain breast or cervical cancer patients);''.

(2) GROUP DESCRIBED.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following:

''(aa) Individuals described in this paragraph are individuals who—

''(1) are not described in subsection (a)(10)(A)(i);

''(2) have not attained age 65;

''(3) have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention breast and cervical cancer early detection program established under title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) in accordance with the requirements of section 1504 of that Act (42 U.S.C. 300n) and need treatment for breast or cervical cancer; and

''(4) are not otherwise covered under creditable coverage, as defined in section 2701(c) of the Public Health Service Act (45 U.S.C. 300gg(c)).''.

(3) LIMITATION ON BENEFITS.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended in the matter following subparagraph (G)—

(A) by striking ''and (XIII)'' and inserting ''(XIII)''; and

(B) by inserting '', and (XIV) the medical assistance made available to an individual described in subsection (aa) who is eligible for medical assistance only because of subparagraph (A)(10)(ii)(XVIII) shall be limited to medical assistance provided during the period in which such an individual requires treatment for breast or cervical cancer'' before the semicolon.

(4) CONFORMING AMENDMENTS.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)—

(A) in clause (xi), by striking ''or'' at the end;

(B) in clause (xii), by adding ''or'' at the end; and

(C) by inserting after clause (xii) the following:

''(xiii) individuals described in section 1902(aa),''.

(b) PRESUMPTIVE ELIGIBILITY.—

(1) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1920A the following:

''PRESUMPTIVE ELIGIBILITY FOR CERTAIN BREAST OR CERVICAL CANCER PATIENTS

''SEC. 1920B. (a) STATE OPTION.—A State plan approved under section 1902 may provide for making medical assistance available to an individual described in section 1902(aa) (relating to certain breast or cervical cancer patients) during a presumptive eligibility period.

''(b) DEFINITIONS.—For purposes of this section:

''(1) PRESUMPTIVE ELIGIBILITY PERIOD.—The term 'presumptive eligibility period' means, with respect to an individual described in subsection (a), the period that—

''(A) begins with the date on which a qualified entity determines, on the basis of preliminary information, that the individual is described in section 1902(aa); and

''(B) ends with (and includes) the earlier of—

''(i) the day on which a determination is made with respect to the eligibility of such individual for services under the State plan; or

''(ii) in the case of such an individual who does not file an application by the last day of the month following the month during which the entity makes the determination referred to in subparagraph (A), such last day.

''(2) QUALIFIED ENTITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'qualified entity' means any entity that—

''(i) is eligible for payments under a State plan approved under this title; and

''(ii) is determined by the State agency to be capable of making determinations of the type described in paragraph (1)(A).

''(B) REGULATIONS.—The Secretary may issue regulations further limiting those entities that may become qualified entities in order to prevent fraud and abuse and for other reasons.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as preventing a State from limiting the classes of entities that may become qualified entities, consistent with any limitations imposed under subparagraph (B).

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—The State agency shall provide qualified entities with—

''(A) such forms as are necessary for an application to be made by an individual described in subsection (a) for medical assistance under the State plan; and

''(B) information on how to assist such individuals in completing and filing such forms.

''(2) NOTIFICATION REQUIREMENTS.—A qualified entity that determines under subsection (b)(1)(A) that an individual described in subsection (a) is presumptively eligible for medical assistance under a State plan shall—

''(A) notify the State agency of the determination within 5 working days after the date on which determination is made; and

''(B) inform such individual at the time the determination is made that an application for medical assistance under the State plan is required to be made by not later than the last day of the month following the month during which the determination is made.

''(3) APPLICATION FOR MEDICAL ASSISTANCE.—In the case of an individual described in subsection (a) who is determined by a qualified entity to be presumptively eligible for medical assistance under a State plan, the individual shall apply for medical assistance under such plan by not later than the last day of the month following the month during which the determination is made.

''(d) PAYMENT.—Notwithstanding any other provision of this title, medical assistance that—

''(1) is furnished to an individual described in subsection (a)—

''(A) during a presumptive eligibility period;

''(B) by a entity that is eligible for payments under the State plan; and

''(2) is included in the care and services covered by the State plan;

shall be treated as medical assistance provided by such plan for purposes of section 1903(a)(5).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1902(a)(47) of the Social Security Act (42 U.S.C. 1396a(a)(47)) is amended by inserting before the semicolon at the end the following: ''and provide for making medical assistance available to individuals described in subsection (a) of section 1920B during a presumptive eligibility period in accordance with such section''.

(B) Section 1903(u)(1)(D)(v) of such Act (42 U.S.C. 1396b(u)(1)(D)(v)) is amended—

(i) by striking ''or for'' and inserting '', for''; and

(ii) by inserting before the period the following: '', or for medical assistance provided to an individual described in subsection (a) of section 1920B during a presumptive eligibility period under such section''.

(c) ENHANCED MATCH.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended—

(1) by striking ''and'' before ''(3)''; and

(2) by inserting before the period at the end the following: '', and (4) the Federal medical assistance percentage shall not be less than 75 percent with respect to medical assistance provided to individuals who are eligible for such assistance only on the basis of section 1902(a)(10)(A)(ii)(XVIII)''.

(d) EFFECTIVE DATE.—The amendments made by this section apply to medical assistance for items and services furnished on or after October 1, 2001, without regard to whether final regulations to carry out such amendments have been promulgated by such date.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the amendments made by this section, as enacted into law, should conform to the levels of new budget authority and budget outlays of the most recently adopted concurrent resolution on the budget for the fiscal years that are subject to such resolution, and to the extent that those amendments result in estimated expenditures for the five-fiscal-year period beginning with fiscal year 2001 in excess of such levels, that excess for such period should be fully offset before this section is enacted by both houses of Congress.

SEC. 3. HUMAN PAPILLOMAVIRUS; ACTIVITIES OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317G the following section:

''HUMAN PAPILLOMAVIRUS

''SEC. 317H. (a) SURVEILLANCE.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

''(A) enter into cooperative agreements with States and other entities to conduct sentinel surveillance or other special studies that would determine the prevalence in various age groups and populations of specific types of human papillomavirus (referred to in this section as 'HPV') in different sites in various regions of the United States, through collection of special specimens for HPV using a variety of laboratory-based testing and diagnostic tools; and

''(B) develop and analyze data from the HPV sentinel surveillance system described in subparagraph (A).

''(2) REPORT.—The Secretary shall make a progress report to the Congress with respect to paragraph (1) not later than one year after the effective date of this section.

''(b) PREVENTION ACTIVITIES; EDUCATION PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall conduct prevention research on HPV, including—

''(A) behavioral and other research on the impact of HPV-related diagnoses on individuals;

''(B) formative research to assist with the development of educational messages and information for the public, for patients, and for their partners about HPV;

''(C) surveys of physician and public knowledge, attitudes, and practices about genital HPV infection; and

''(D) upon the completion of and based on the findings under subparagraphs (A) through (C), develop and disseminate educational materials for the public and health care providers regarding HPV and its impact and prevention.

''(2) REPORT; FINAL PROPOSAL.—The Secretary shall make a progress report to the Congress with respect to paragraph (1) not later than one year after the effective date of this section, and shall develop a final proposal not later than two years after such effective date, including a detailed summary of the significant findings and problems. The report shall outline the further steps needed to make HPV a reportable disease and the best strategies to prevent future infections.

''(c) CONDOM EFFECTIVENESS; EDUCATION.—The Secretary shall require that the Department of Health and Human Services and all contractors, grantees, and subgrantees of such Department specifically state the effectiveness or lack of effectiveness of condoms in preventing the transmission of HPV, herpes, and other sexually transmitted diseases in all informational materials related to condoms or sexually transmitted diseases that are made available to the public. The Secretary shall assure that such information is made available to relevant operating divisions and offices of the Department of Health and Human Services. This subsection shall be effective within 6 months of the date of its enactment.''.

SEC. 4. LABELING OF CONDOMS WITH RESPECT TO HUMAN PAPILLOMAVIRUS.

(a) IN GENERAL.—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

''(u) If it is a condom, unless its label and labeling bear information providing that condoms do not effectively prevent the transmission of the human papillomavirus and that such virus can cause cervical cancer.''.

(b) APPLICABILITY.—The amendment made by subsection (a) applies to condoms manufactured on or after the expiration of the 180-day period beginning on the date of the enactment of this Act.

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

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

GENERAL LEAVE

Mr. LAZIO. 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 this legislation.

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

There was no objection.

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

Mr. Speaker, today Mother's Day comes a few days early in this House because of the hard work in a bipartisan fashion of a number of different leaders in the House of Representatives, beginning with the Speaker of the House, the gentleman from Illinois (Mr. HASTERT). Without his support and his commitment to this legislation, we simply would not be here right now.

Mr. Speaker, the gentleman from Virginia (Mr. BLILEY), chairman of the Committee on Commerce, deserves our respect and our appreciation for having addressed the merits of this bill in hearings and then supported it throughout the process.

I also commend the gentlewoman from Florida (Ms. ROS-LEHTINEN), the gentlewoman from Florida (Mrs. FOWLER) and the gentlewoman from Ohio (Ms. PRYCE), my colleagues, for their considerable influence with the leadership and with the membership to help move this along.

Finally, I want to thank the gentlewoman from North Carolina (Mrs. MYRICK), who for her entire tenure in the House has been focused on issues involving those people who are in struggles and need to build better partnerships. She has been an incredible advocate for women who face breast and cervical cancer and as the lead sponsor on this bill, I express my deep appreciation.

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Mr. Speaker, I want to tell my colleagues a story. It is a true story. It is a story about one of my constituents, but she can just as well have been born or lived somewhere else in America. It is about a woman named Judy Lewis.

See, Judy is a woman of modest means. She is an honest woman. She works as a waitress. Her employer, like a lot of employers throughout America, cannot afford to give his employees health insurance. On a waitress' salary, Judy cannot afford to purchase a policy either.

So imagine Judy's delight when she heard of a Federal program that would provide breast and cervical cancer screenings free of charge. So Judy went out and had herself screened, just as the Federal Government has encouraged her to do.

Mr. Speaker, one can imagine how Judy's delight turned to devastation when she received the diagnosis of breast cancer. One can imagine how her devastation turned to utter despondency when she was told that this Federal program was limited solely to cancer screening and that there was no treatment to be had.

Mr. Speaker, Judy Lewis found herself facing hard, hard options that I would not wish on anyone. She was forced to spend her life savings, to reduce herself to penury, in order to qualify for the Medicaid program that might just save her life.

Mr. Speaker, there are thousands of Judy Lewises out there. Thousands of women who are forced to face a Hobsons choice between a flatline or the bread line, between chemotherapy or the homeless shelter.

Mr. Speaker, it is about time that Congress acted, and it is about time that we filled in this deadly crack in our medical system that is consuming thousands of women like Judy Lewis each and every year.

Mr. Speaker, this is a good bill. This is a just bill. Let us work to make sure that no American woman would needlessly die of these deadly yet treatable diseases.

I want to conclude by emphasizing once again, Mr. Speaker, the bipartisan nature of this bill. I want to thank the gentleman from Ohio (Mr. BROWN), and I want to thank the gentlewoman from California (Mrs. CAPPS), and I would like to thank the gentlewoman from California (Ms. ESHOO) for their work on this as well.

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

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

Mr. Speaker, I want to commend the gentlewoman from California (Ms. ESHOO) and the gentleman from New York (Mr. LAZIO) for their hard work on behalf of women screened under the CDC National Breast and Cervical Cancer screening program. H.R. 1070 has tremendous support with 315 cosponsors.

In 1990, Congress passed a Breast and Cervical Cancer Mortality Prevention Act authorizing funding for a national breast and cervical cancer screening program, focusing on uninsured and under-insured women. The program is federally funded and locally operated, and it works.

My home State of Ohio set up 12 local screening sites providing coverage for all of Ohio's 88 counties. Since its inception, some 16,000 women in my State have been screened for cervical and breast cancer, and cancer has been detected in more than 200 women.

Early detection alters the odds of successful treatment dramatically, restoring precious years otherwise lost to these devastating cancers. But there is a catch. Early detention is a futile and ultimately cruel exercise if the cancer diagnosis does not trigger appropriate treatment. They go hand in hand.

The 1990 bill authorizes funding for screening but not for treatment. Screening alone surely cannot reduce cancer mortality. Thankfully, only a small percentage of women screened under the CDC program were actually diagnosed with cancer.

Imagine if one of these women was your sister, your mother, your wife, your daughter. Maybe she works for a company that does not offer health insurance. Maybe she is out of a job. Maybe you are.

With our encouragement, she participates in the CDC cancer screening program and learned she has life threatening cancer. What is next? If we pass this bill, she will face cancer with doctors and in a setting that makes sense. If we do not, she will be relegated to charity care. It is as simple as that.

The Nation can make a small investment and, in so doing, reduce cancer mortality, promote cost-effective early detection and prevention of cancer, and spare seriously ill women the added trauma of cobbled together often-ineffective care. Or we can look the other way.

There is only one right answer, Mr. Speaker. We need to pass this bill.

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

Mr. LAZIO. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlewoman from North Carolina (Mrs. MYRICK), the primary sponsor of this legislation.

Mrs. MYRICK. Mr. Speaker, I thank the gentleman from New York (Chairman LAZIO) for yielding me this time.

I am so pleased to be able to be here today and support this bill because it is a great day for American women. Today we can actually pass a bill that is going to ensure that low-income

working women can get treatment for their breast or cervical cancer.

This is a bill that covers women who are not eligible for Medicaid and too young for Medicare, but are caught in that crack of not having insurance coverage for a lot of reasons. Some, their employer does not provide it. Other times, they just flat cannot afford it.

So this program is a follow-up to something Congress has been doing for the last 10 years. We have been providing screening for breast and cervical cancer. But then if the woman is told that she has cancer, the critical aspect of treatment is not there. A lot of them are sent home with no treatment options.

By establishing this service, they are going to have that peace of mind that they will receive the care that they need. If we care enough to screen the women, we certainly should care enough to be able to provide the treatment.

I am very fortunate. I am currently undergoing treatment for breast cancer, but I have insurance. It is paying my thousands and thousands of dollars of medical bills. But the women that we are talking about today do not have that luxury. I cannot imagine anything more devastating than being told one has cancer, but I am sorry, there is no way one can get treated. I mean, one goes through enough emotional turmoil when one has to deal with this disease alone, let alone knowing that there is no hope there for one as a human being to continue to lead the rest of one's life, live the rest of one's life in a healthy manner.

So this is not only a great day for American women, it is a great Mother's Day gift for American women because, yes, Sunday is Mother's Day.

I would like so much to thank the gentleman from New York (Mr. LAZIO) and the gentlewoman from California (Ms. ESHOO) who have taken the lead on this bill. I thank Speaker HASTERT for his willingness to bring it to the floor.

I urge all of my colleagues to support the bill.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. ESHOO) who has done yeoman's work in pushing this bill to the House floor.

Ms. ESHOO. Mr. Speaker, I thank the gentleman from Ohio, the ranking member, for yielding me this time.

Mr. Speaker, I rise in support of the legislation that is here on the floor under suspension, which, to the American people, what that means is that there are so many people that support this that we do not have to worry about its passage.

On March 11, 1999, we held a press conference. The gentleman from New York (Mr. LAZIO) and myself brought about this bill, and I am very proud to be the chief Democratic sponsor of it.

On that day, I issued a challenge, our challenge to ourselves and the women around the country, that we would lobby the Congress and all of its Members so that, by Mother's Day of last year, we would have more than a simple majority to pass the bill. I did not realize what a fight we had on our hands.

We are here today for a bill that today, as brought to the floor, has three cosponsors. Why did it go from 315 to 3? Because last Friday the bill was gutted, plain and simple.

Now, this bill is not about my work. This bill is really not about the work of the gentleman from New York (Mr. LAZIO). This bill is about a need of women to have treatment for breast and cervical cancer. That is why I brought everything that I could to it.

The reason the bill was reconstituted with money in it, make no mistake about it, is because of the National Breast Cancer Coalition and its brave and courageous members. They were the ones that put in the telephone calls to the Speaker's office and to the leadership and said, unless you retain money in the bill, the Congress might as well send a greeting card to the families of America who have been victimized by either breast or cervical cancer, and said we are thinking about you on Mother's Day.

So I rejoice for them and their courageous advocacy, because, were it not for the National Breast Cancer Coalition, Mr. Speaker, we would not be here today with the reconstituted bill, because it was gutted and thrown by the side of the road last week.

This is a need in our Nation. Imagine women being victimized, not once, but twice, first by the breast or cervical cancer and then by a lack of insurance coverage. These are the waitresses, these are the uninsured or the underinsured women of our Nation.

So we do noble work for them today by passing this and saying to them that America is a better country, that she can, indeed, step up to and fund and advocate for and recognize where there is a weak link, where something is broken in our society.

I want to salute everyone in the House that was a cosponsor of H.R. 1070. That was the legislation that really allowed this to happen today. I want to thank all of my colleagues for having done that. It was a very important bipartisan effort. No major legislation in this House, no meaningful legislation can ever pass the Congress unless it is bipartisan.

So as we used to say when we were kids, sticks and stones may break my bones, but no one is going to break the spirit of those that need the most of what they need; and those of us in this House are going to insist that it be done the way it should be done in order to make it happen for them.

So God bless the women. Happy Mother's Day. They deserve it. They earned it. I thank the National Breast Cancer Coalition.

Mr. LAZIO. Mr. Speaker, I include for the RECORD the letter of glowing support of H.R. 4386 from the National Breast Cancer Coalition, as follows:

NATIONAL BREAST CANCER COALITION,
May 9, 2000.

DEAR CONGRESSPERSON: On behalf of the National Breast Cancer Coalition (NBCC) and the 2.6 million American women living with breast cancer. I urge you to support H.R. 4386, the substitute for H.R. 1070, the Breast and Cervical Cancer Treatment Act, when it comes to the House floor for a vote today. H.R. 4386 is bi-partisan legislation offered by Representatives Myrick (R–NC), Danner (D–MO), and Lazio (R–NY). This legislation is very similar to H.R. 1070, the Breast and Cervical Cancer Treatment Act, offered by Representatives Lazio (R–NY), Eschoo (D–CA), Ros-Lehtinen (R–FL) and Capps (D–CA), one of NBCC's priority issues for the 106th Congress.

H.R. 4386 would give states the option of providing Medicaid coverage to low-income women who are screened and diagnosed with breast and cervical cancer through the Centers for Disease Control and Prevention's (CDC) National Breast and Cervical Cancer Early Detection Program. While the CDC Early Detection Program currently provides screening for breast and cervical cancer for low-income, uninsured and underinsured women, if lacks a critical aspect—funding for treatment for women diagnosed with these cancers. These women are often working mothers who are too young for Medicare and whose incomes are too high for Medicaid, but who do not have health insurance. Screening must be coupled with treatment to reduce mortality.

H.R. 4386, like H.R. 1070, also includes the enhanced match of 75% Federal-25% State dollars for treatment, instead of the basic 60% Federal-40% State dollars. This enhanced match is a major incentive for governors to enroll their states in the program once the bill is signed into law so that these women can be created for their cancers. Many governors, including George W. Bush, have endorsed this legislation.

Congress provided funding for H.R. 4386 in the FY 01 Budget Resolution. President Clinton also included funding for this program in his FY 01 budget. H.R. 1070, which contains almost all of the same provisions as H.R. 4385, has 315 co-sponsors. The Breast and Cervical Cancer Treatment Act passed unanimously out of the House Commerce Committee.

Please vote ''yes'' on H.R. 4386. NBCC will record Members' votes on this legislation in our 2000 Voting Record, which will come out prior to the November elections.

With all of this support, we must pass H.R. 4386. Let's give all the mothers in this country the best gift we can this Mothers Day week—peace of mind that we are one step closer to assurance that if they are diagnosed with breast or cervical cancer they will receive the life-saving treatment they need.

Sincerely,

FRAN VISCO,
President.

Mr. LAZIO. Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN) who has been just an amazing advocate for this bill and for women who struggle with breast and cervical cancer.

Ms. ROS-LEHTINEN. Mr. Speaker, I congratulate the gentleman from New York (Mr. LAZIO) for his tireless leadership efforts on this bill because today marks a significant day in women's history as we will help decide the fate of scores of women throughout our country.

The bill before us, the Breast and Cervical Cancer Treatment Act, is a

bill that has long been awaited by our Nation's mothers and daughters whose lives have been touched by breast or cervical cancer.

Women's cancers are sweeping the Nation at high speeds. While researchers continue to look for cures and effective treatments, many women will never be able to see the benefits of such research because they simply are not able to afford it.

The bill before us will enable many low-income women to receive the necessary life treatment, life saving treatment through a State-optional Medicaid benefit which will help provide coverage for treatment for women who are screened and diagnosed through the Federal CDC Early Detection Program.

Today, if we pass our bill, our Nation's women will finally be given a fighting chance at beating a life-threatening disease. Today if we pass the bill of the gentleman from New York (Mr. LAZIO), low-income women everywhere will have peace of mind that, should she ever be diagnosed with breast or cervical cancer, life-saving treatment will be made available to them.

Despite education on preventative measures and early detection, the rate of cancer among women continues to increase at an alarming rate. Every 64 minutes, a woman is diagnosed with a reproductive tract cancer; and just today, one in eight women will be diagnosed with breast cancer.

The gentlewoman from North Carolina (Mrs. MYRICK), our own colleague, shared with us how her life has been directly touched by breast cancer. Fortunately for the gentlewoman, she is among the fortunate ones who can afford life-saving treatment after diagnosis, but many women unfortunately are not as lucky.

As cancer eats away at their spirits, many women are left to scramble and search for funding. They are forced to hold bake sales and car washes just to be able to afford the necessary life-saving treatment they so desperately need.

As role models and community leaders, we encourage all mothers and daughters to have mammogram screenings and take early detection measures. Today, Congress can make a difference and give mothers all over the country the best gift this coming Mother's Day by giving them life.

By passing the bill of the gentleman from New York, (Mr. LAZIO), the Breast and Cervical Cancer Treatment Act, we can give women a fighting chance at beating cancer. It is the very least that all of us in Congress can do for mothers and women everywhere.

I thank our colleagues for their extraordinary leadership, especially the gentleman from New York (Mr. LAZIO). I also thank the gentlewoman from North Carolina (Mrs. MYRICK) whose perseverance in the battle to eradicate breast cancer has been a strong inspiration for all of us.

When battling a fierce and treacherous disease such as cancer, every minute counts. Mr. Speaker, many of our Nation's mothers and daughters cannot wait any longer. I urge my colleagues to vote for passage of H.R. 4386, to extend to them the gift of life.

□ 1330

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I rise in support of H.R. 4386, the Breast and Cervical Cancer Treatment Act of 2000. This bill is a variation of legislation originally introduced by the gentlewoman from California (Ms. ESHOO) and the gentleman from New York (Mr. LAZIO) as H.R. 1070. Because of the untiring efforts of both of these sponsors, that legislation was finally considered by the Committee on Commerce and passed by a vote last October.

The gentlewoman from California (Ms. ESHOO) has continued to work to see that this legislation would receive consideration by the full House. She has been a driving force for this legislation. In view of those efforts, I find it disturbing that her name appears nowhere on the legislation before us today. Instead, we have a new bill and new Republican lead sponsors.

The bipartisan way this bill has been approached from the beginning is now paid lip service at best. Well, that will not fool the many groups who have long fought for this bill and who know the dedication of the gentlewoman from California (Ms. ESHOO) and many other Democrats who have fought for this effort as well. It will not fool the women of America.

I think it reflects poorly on the Republican leadership for trying to take sole partisan credit for a bill that has been bipartisan from the very beginning and is bipartisan in support of this legislation today. The Republicans are trying to take partisan credit for this bill, and by the time we are finished, they will take partisan credit for Mother's Day.

I regret also that the bill that is before us is not going to even be put into effect until the year 2001. This bill should have been effective immediately. It should have been brought up last year. Instead, what we have is a bill that will not be effective until 2001 but is called the Breast and Cervical Cancer Treatment Act of 2000.

Notwithstanding these last-minute changes, this bill will provide crucial treatment and follow-up services under Medicaid for women screened under the Breast and Cervical Cancer Screening Program who are found to have cancer.

Mr. Speaker, I was chairman of the Subcommittee on Health and the Environment when we originally passed the Breast and Cervical Cancer Screening Program into law. It was an important step forward. We did it on a bipartisan basis. It has proved to be a real success story in helping women. It remains a law that I am proud of. But when we have no services available for women who find that they have breast cancer, it, one, discourages many from even going in to be screened, and it is inhumane not to have those services available.

However, there is one part of this bill that was added in committee that is of great concern to me, and I want to point that out. I believe the mandate concerning human papilloma virus, HPV, was a well-intended but deeply misguided provision. From a public health point of view, this provision will not achieve a meaningful improvement in health or in the prevention of HPV. On the contrary, it threatens to discourage the use of condoms in preventing other sexually transmitted diseases, including HIV and AIDS.

I urge my colleagues to support the bill because of its important contributions to the treatment and care of American women with breast and cervical cancer.

Mr. Speaker, I rise in support of H.R. 4365, "The Children's Health Research and Prevention Amendments of 2000." This bill includes many important provisions which will advance the treatment, cure and prevention of many childhood diseases and disorders.

IMPORTANT TITLES ON ASTHMA AND AUTOIMMUNE DISEASES

I am very pleased that H.R. 4365 includes two titles which I have authored. Both titles promise to make significant advances in the treatment and prevention of childhood asthma and of autoimmune diseases, like multiple sclerosis, juvenile diabetes and lupus: Title V of this bill consists of H.R. 2840, "The Children's Asthma Relief Act of 1999," introduced by Congressman FRED UPTON and myself; and title XIX is based on H.R. 2573, "The NIH Office of Autoimmune Diseases Act of 1999," which was authored by Congresswoman CONNIE MORELLA and myself.

CHILDREN'S ASTHMA RELIEF ACT

Today, more than 5 million American children have asthma, one of the most significant and prevalent chronic diseases in America. Surgeon General David Satcher recently concluded that the United States is "moving in the wrong direction, especially among minority children in the urban communities."

That is why the Children's Asthma Relief Act provides new funding for pediatric asthma prevention and treatment programs, allowing States and local communities to target and improve the health of low-income children suffering from asthma. The act would also increase the enrollment of these children into Medicaid and State Children's Health Insurance Programs, (CHIP), such as California's Healthy Families.

I am particularly pleased that title V of H.R. 4365 includes mobile "breathmobiles" among the community-based programs eligible for funding. These school-based mobile clinics were developed by the southern California chapter of the Asthma and Allergy Foundation of America, in conjunction with Los Angeles County, Los Angeles Unified School District, and the University of Southern California.

Finally, this title reflects the leadership and work of Senators DICK DURBIN and MIKE DEWINE. It also has the strong support of leading child health and asthma organizations, including the American Lung Association, the American Academy of Pediatrics, Association

of Maternal and Child Health Programs, the National Association of Children's Hospitals, the American Academy of Chest Physicians, and the Children's Health Fund.

NIH INITIATIVE ON AUTOIMMUNE DISEASES

I am also pleased that H.R. 4365 establishes a new initiative at NIH to ''expand, intensify and coordinate'' research and education on autoimmune diseases.

Last year, Congresswoman MORELLA and I introduced ''The NIH Office of Autoimmune Diseases Act of 1999.'' This legislation created an office in the NIH Office of the Director to ensure the Federal funding of autoimmune disease research is used optimally and that clinical treatments are developed as rapidly as possible.

There are more than 80 autoimmune diseases—including multiple sclerosis, lupus, and rheumatoid arthritis—in which the body's immune system mistakenly attacks healthy tissues. These diseases affect more than 13.5 million Americans and are major causes of disability. Most striking of all, three-quarters of those afflicted with an autoimmune disease are women.

Research on autoimmune diseases is spread through many institutes of the National Institutes of Health (NIH), just as treatments involve many clinical specialties. Increasingly, however, scientists are identifying the common risk factors and symptoms of autoimmune diseases. This is why greater coordination and additional resources are needed in our Nation's autoimmune research effort.

Title XIX of H.R. 4365 adopts our office, transferring its activities and mission to an Autoimmune Diseases Coordinating Committee. Composed of NIH institute directors and permanently staffed with scientists and health professionals, the coordinating committee would be advised by a public advisory council.

Most significantly, the coordinating committee, in close consultation with the advisory council, will develop a plan for research and education on autoimmune diseases. The plan will establish NIH priorities and the Director of NIH will ensure the plan is fully and appropriately funded. The strategic plan would create crucial new funding opportunities for autoimmune research, based on the professional and scientific judgments of researchers, patients, and clinicians.

Finally, the committee would report to Congress on implementation of the plan, including the actual amounts dedicated by NIH to autoimmune disease research. The committee will also prospectively identify areas and projects of great promise which Congress should support.

I cannot overstate the importance of these activities. In conjunction with the strategic plan, these reports will provide an objective, scientifically sound roadmap to Congress and NIH to follow in the pursuit of new treatments and cures for autoimmune diseases.

CONTROVERSY CONCERNING TITLE XII ON ADOPTION AWARENESS

However, I do have serious concerns over one section of this bill—title XII's adoption awareness provisions. This title was the subject of great controversy and debate. The original language raised many serious objections concerning adoption policy as well as abortion policy.

These objections were made by Members, including myself, and important public health organizations including the American College of Obstetricians and Gynecologists, the National Association of Community Health Centers, and the National Abortion and Reproductive Rights Action League.

I recognize the sincerity of Chairman BLILEY's concern on the issue of adoption. And he has clearly made significant efforts to achieve a compromise and to remove the more troubling provisions from this title.

But while I support the passage of H.R. 4365, I join many colleagues in calling for careful scrutiny of this title when the legislation is in conference with the Senate. We must assure that its provisions do no harm to the provision of federally funded reproductive health services or to sensible adoption policy across the country.

Again, I urge passage of this bill's important provisions for children's health, and ask every Member to join me in voting for H.R. 4365.

Mr. LAZIO. Mr. Speaker, I yield myself 30 seconds just to respond, if I can, to the remarks of the gentleman from California.

First of all, I want to say it has been 10 years now since the Federal Government developed the screening program for low-income women who have breast and cervical cancer, and I am proud of the leadership in allowing us to bring this to the floor to finally address this. That is number one.

Number two, we are going to work very hard to try to ensure that we will move the effective date up to October of 2000 in conference. We are trying to make adjustments. Because of budgetary constraints and the budget resolution, we cannot move it any further until then.

Finally, let me just note that the gentlewoman from Missouri (Ms. DANNER), the last time I checked, was on the other side of the aisle and is a cosponsor of this bill. It is a bipartisan bill and I did try to pay tribute, in fact, to the gentlewoman from California (Ms. ESHOO), who has played an important role in moving this bill forward.

Mr. Speaker, I yield 2½ minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Speaker, first of all, I would like to pay tribute to the gentlewoman from California (Ms. ESHOO) and to the gentleman from New York (Mr. LAZIO) for their work on this bill. I do not think it would have come about without their efforts.

And I do not believe this has anything to do with partisan politics, and I am sorry that that has been raised as a part of this. The human papilloma virus, breast cancer, does not care what one's political affiliation is. It just is coming after us.

I also want to make clear the statements by the gentleman from California are erroneous. The number one sexually transmitted disease in this country today, that claims 15,000 lives, more lives than AIDS, is human papilloma virus. And for the American College of Obstetricians and Gynecologists to stick their head in the sands and say they do not really care about women because they do not want them educated about the number one risk factor for them developing cervical cancer.

It is true that 15,000 women will be diagnosed with cervical cancer this year. Fifteen thousand women will die. But hundreds of thousands of women will be treated for precancer dysplasia because we, as a government and health policy, have decided we are not going to let everybody know about the most dangerous sexually transmitted disease out there. This bill moves a long way toward that, of informing women of the actual method of transmission and the fact that prophylactic use of condoms will not prevent this disease.

ACOG did not dispute the facts. They just said they did not want the public to know. I think it is highly ironic in this day and time of advances in health care that those that control the power over the medical institutions have chosen to go against knowledge, against informing women. If they were to apply the same logic to breast cancer, they would not tell women about annual screening with mammograms, they would not tell women about how important it is for them to get a report back on their mammogram or to have a follow-up doctor visit or to do annual self-breast exams.

So I find it very ironic that, number one, this bill can be claimed to be partisan. It is not. The gentlewoman from Missouri (Ms. DANNER), the gentlewoman from California (Ms. ESHOO), and many others in this Chamber have worked hard to see that this bill came to fruition, including the ranking minority member of this subcommittee. Let us not let it be partisan.

Number two, let us not deny scientific truth. Let us let people know what they are at risk for. That is all this is about, to inform the public of the risks that are out there in terms of a disease that causes more deaths than AIDS in this country, and it is preventable.

And, Mr. Speaker, I am providing for insertion into the RECORD a letter from the Medical Institute on Human Papilloma Virus.

THE MEDICAL INSTITUTE,
Austin, TX, May 9, 2000.

PRESS RELEASE

HOUSE TO DECIDE WHETHER AMERICANS SHOULD BE TOLD THE TRUTH ABOUT THE MOST COMMON STD, HUMAN PAPILLOMA VIRUS (HPV)

AUSTIN, TEXAS (May 9, 2000).—Today the House of Representatives will consider the Breast and Cervical Treatment Act legislation (H.R. 4386). This important legislation has the potential to dramatically decrease the number of lives shortened each year by cervical cancer, which results from the most common STD, human papilloma virus (HPV).

H.R. 4386 would make HPV and cervical cancer prevention a new public health priority. The bill directs the CDC to determine the prevalence of HPV, and to develop and disseminate educational materials for the public and for health care providers regarding the impact and prevention of HPV. In addition, condom labels and government sponsored informational materials would be required to state that condoms do not prevent the transmission of HPV and that HPV can cause cervical cancer.

This bill is particularly significant in that it would make HPV a reportable disease to the Centers for Disease Control and Prevention. This action would make it possible to accurately assess how many individuals are hurt by the disease each year. Current estimates suggest that 75 percent of all sexually active adults currently have, or previously had, an HPV infection—that's over 80 million Americans between the ages of 15 and 49.

Current labeling on condom packages suggests that condoms protect users from HIV and other sexually transmitted diseases, including HPV. This bill would require condom packaging and public health messages to warn the public that condoms do not provide adequate protection for HPV transmission, which can lead to cervical cancer.

Most Americans—including American health care professionals—are currently unaware of HPV's dramatic prevalence.

HPV is the most common viral STD in the United States. Current estimates suggest that 5.5 million Americans acquire the infection each year.

HPV is the virus present in over 93 percent of all cervical cancers (according to a 1995 study in the Journal of the National Cancer Institute).

More women die from cervical cancer than die from AIDS each year in the U.S.

In addition to cervical cancer, HPV can lead to vaginal, vulvar, penile, anal and oral cancer. According to the National Cancer Institute, the evidence that condoms do not protect against HPV is so definitive that ''additional research efforts by NCI on the effectiveness of condoms in preventing HPV transmission is not warranted.''

Dr. Richard Klausner of the National Cancer Institute has stated, ''condoms are ineffective against HPV because the virus is prevalent not only in mucosal tissue, but also on dry skin of the surrounding abdomen and groin, and can migrate from those areas into the vagina and cervix.''

Despite these findings, The American College of Obstetricians and Gynecologists (ACOG) does not support this legislation. In a letter sent to the members of the House, the College states, ''We believe that the HPV language included in H.R. 4386 is not medically appropriate. Indeed, we feel the language, if passed, would discourage condom use although condoms are effective in preventing other serious STDs such as HIV/AIDS.''

This statement indicates that ACOG has abandoned its responsibility to inform the American public about the truth: condoms don't protect against the transmission of the most common STD—HPV. It's worth noting that ACOG is not questioning the medical accuracy of the legislation. They are simply fearful that the data might discourage condom usage (although there is no scientific or anecdotal evidence to support this conclusion).

H.R. 4386 must be passed to protect the future health of Americans. Americans have a right to know the truth about human papilloma virus (HPV). It is only when individuals know the facts that they can make informed decisions that impact their personal health and future happiness. The Medical Institute applauds the House for addressing this important issue.

The Medical Institute is a nonprofit medical organization founded in 1992 to confront the worldwide epidemics of nonmartial pregnancy and sexually transmitted infection with incisive health care data.

Mr. BROWN of Ohio. Mr. Speaker, how much time is remaining for each side?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Ohio (Mr. BROWN) has 11½ minutes remaining, and the gentleman from New York (Mr. LAZIO) has 9 minutes remaining.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Ms. DANNER).

Ms. DANNER. Mr. Speaker, during the break between the first and second session of the 106th Congress the gentlewoman from North Carolina (Mrs. MYRICK) and I had similar schedules to many of our compatriots here on the floor; cutting ribbons, going to civic affairs, meeting with our constituents in general. However, she and I differed from other Members in a very significant way. We each began our personal battle against breast cancer.

Fortunately, we were diagnosed very early. And since each of us have routine physical checkups and mammograms, our diagnoses were followed immediately by treatment because we both had insurance to cover us. And I might mention that we do pay premiums for that insurance. Some people wonder about that.

Unfortunately, there are many women who do not have the ability to pay for treatment after being diagnosed with breast or cervical cancer. This is a most tragic situation that this legislation seeks to address.

Because of my early diagnosis and subsequent treatment, along with millions of other women in America, I am a survivor. The early detection of my cancer has strengthened my belief in the vital role of having a regular mammogram and an annual physical checkup. I attribute my favorable and fortunate outcome to this diligence, and I encourage all women to take similar action for themselves, their families and their loved ones.

There is no denying that this short examination each year can be rather unnerving, rather trying, but I promise it may be a life-changing and, indeed, it may be a lifesaving experience for any woman and her family.

I urge all Members of this body to adopt this legislation, Mr. Speaker.

Mr. LAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), the chairman of the Subcommittee on Health and Environment of the Committee on Commerce, and a true advocate for all people suffering with cancer.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of H.R. 4386, this bipartisan bill, and I emphasize bipartisan bill, which was introduced by our colleagues the gentleman from New York (Mr. LAZIO), the gentlewoman from North Carolina (Mrs. MYRICK), and the gentlewoman from Missouri (Ms. DANNER).

This bill would allow States to expand coverage under the Medicaid program to breast and cervical cancer patients who have been screened through the National Breast and Cervical Cancer Early Detection Program. I was pleased to secure passage of similar legislation through my Subcommittee on Health and Environment last year, and that legislation was clearly ramrodded by the gentlewoman from California (Ms. ESHOO), and we must really credit her for starting the ball rolling in this regard.

The screening program is administered by the Centers for Disease Control and Prevention. I had the opportunity to learn more about the agency's important work in this area during a trip which I took with the gentleman from Ohio (Mr. BROWN) to its Atlanta headquarters last year, and I was also proud to sponsor women's health legislation which was enacted into law in 1998 to reauthorize the screening program.

H.R. 4386 will close the gap, as others have already said, left open when the screening program was first created, and it represents an important step forward in the battle against breast and cervical cancer. I urge my colleagues to support passage of this critical measure which will give new hope to breast and cervical cancer patients in need as we continue the fight to find a cure for these terrible, terrible diseases.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, in the past decade, over 2 million women were diagnosed with breast or cervical cancer. One quarter of these women, America's mothers, daughters, sisters, and wives, will be taken from their loved ones by the disease.

As a cancer survivor, I recognize the importance of cancer research and I am committed to increasing funding for research. Today, over 8 million people are alive as a result of the progress of cancer research. It has increased the cancer survival rate. With early detection, there is hope. I am living proof of that. I survived ovarian cancer because it was caught early. It gave me a fighting chance.

Congress made a commitment to early detection when it passed the Breast and Cervical Cancer Mortality Prevention Act, providing low-income women with access to a mammogram or a Pap smear through the Centers for Disease Control's Breast and Cervical Cancer Screening. An important step. Early detection can make all the difference. As a result of this program, over three-quarters of a million women receive breast and cervical cancer screenings.

Because it helped detect their cancers early, many of these women were easily treated and cured. In too many cases, women who are screened receive the awful news that they are facing cancer. They are without treatment because they are without insurance. This is wrong and, thankfully, today, we can do something about it. By passing the Breast and Cervical Cancer Treatment Act, we can ensure that these women are not left to battle cancer alone. The legislation will make these women eligible for Medicaid so that they can get

the care and the treatment that they need.

Being told that one has cancer is frightening enough; a million fears run through the mind all at once: Will I survive? What will happen to my family? The fear can be crippling. It takes the help of loved ones to build up strength to battle back. But love alone will not battle and defeat cancer. Access to treatment is critical. This legislation ensures that these women are given a fighting chance. I urge my colleagues to give it their full support.

Mr. LAZIO. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. FOLEY), a member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, I want to thank the gentleman for yielding me this time, and I strongly support passage of H.R. 4386.

Breast cancer is a disease that can strike almost anyone, no matter how young or how healthy, no matter how rich or how poor. One of my friends was recently diagnosed with breast cancer. When she got her diagnosis, she was able to get the best care money could buy. She was soon on a plane to Sloan-Kettering to be treated by one of the foremost cancer doctors in the country. Once there, she received quick treatment and top quality reconstructive surgery. Then she was able to return to the comfort of her own home for a long recovery.

□ 1345

Tricia was also fortunate that she had a loving and supportive family to help her cope with this disease. Even though she was fortunate enough to have these benefits, she has still suffered great emotional and physical pain from the breast cancer, painful surgery, the sickness of chemotherapy, the loss of hair, and the terrible uncertainty of whether the cancer would spread or be eliminated completely.

I think of someone in Tricia's situation, and then I try to imagine what breast or cervical cancer would mean to someone with no health insurance, no good medical care, and no support network.

These women not only face the fear of having this disease, they must also cope with the costs associated with their medical treatment, they have to worry about how to pay for their treatment, about whether they will be fired from their job, if their recovery period is too long, and about who will take care of their children while they recover.

These fears also lead to denial and to a delay in diagnosis and treatment. This delay is one of the leading factors in breast and cervical cancer morbidity and mortality.

The passage of this bill will help eliminate these fears and give uninsured women the hope and help that they need to get treated quickly and, God willing, to get back their lives.

Saving someone's life should not be determined by how much money or health insurance someone has. Let us give those who do not have wealth or good insurance the same chance at life the rest of us enjoy.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. LOWEY).

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

Mrs. LOWEY. Mr. Speaker, I rise in support of H.R. 4386, the Breast and Cervical Cancer Treatment Act, which has the potential to save the lives of thousands of American women.

Right now, with limited resources, only 15 percent of eligible women are being screened. But even if we could screen all eligible women, early detection is not enough. If we are serious about eradicating the scourge of breast and cervical cancer, all women diagnosed must have access to medical treatment.

The screening program was not designed to do that, and States have found themselves haphazardly and frantically cobbling together whatever resources they can. That is why this bill is so important.

I am truly delighted that this leadership brought the bill to the floor today. Yet, while I strongly support the overall bill, I do want to express my disappointment about the provisions dealing with human papillomavirus, which would make HPV a reportable disease and allow condoms to be labeled with a disclaimer that they do not effectively protect against HPV. I think it is critical that we get more research done and more education done with regard to HPV.

While there is a relationship between HPV and cervical cancer, the overwhelming majority of HPV cases do not result in cancer, and it is entirely too early to make HPV a reportable disease.

We also do not yet fully understand how condom use affects the transmission of HPV, and that is why again we must bolster the funding for HPV-related research and prevention programs. But it is imperative that we provide accurate information about HPV.

So I hope as the bill moves through the Senate we can work with our colleagues to address this issue, protect the health and safety of American women. Again, I want to reiterate my strong support for this bill.

Mr. LAZIO. Mr. Speaker, I now have the pleasure of yielding 2 minutes to the distinguished gentlewoman from Ohio (Ms. PRYCE) a member of the House leadership.

Ms. PRYCE of Ohio. Mr. Speaker, let me first congratulate my good friend the gentleman from New York (Mr. LAZIO) for his dedication to this cause and for his hard work in the battle against cancer on every front.

I also want to recognize the courage of my colleague the gentlewoman from North Carolina (Mrs. MYRICK). Her own personal fight against cancer is truly inspiring. The battle she is waging is not just for her own survival but also to promote awareness so that other women may prevail against this dreaded and all too familiar disease.

The public education that promotes early detection is absolutely crucial for cancer patients. And in the case of breast cancer, education is no small task, since one in eight American women will develop breast cancer in her lifetime.

After breast cancer, cervical cancer is the second most commonly diagnosed malignancy in women, 15,000 each year. This cancer often has no symptoms, and regular pap smears are our best defense.

This legislation builds on efforts Congress has already taken to encourage early detection of these cancers among low-income women. While these services are absolutely critical, their value is significantly diminished if these women find out they have cancer but do not have the resources to access treatment.

Imagine coping with the fear of being diagnosed with cancer compounded by the prospect of having no way to pay for the treatment that could save your life.

This bill helps these vulnerable women by encouraging States to provide Medicaid coverage to those diagnosed. And, in my mind, if it is a good public policy to use tax dollars to help these women detect their disease, then certainly it is worth every penny we spend to help them fight it.

I urge all of my colleagues to join with me in giving these women hope by voting for the Breast and Cervical Cancer Treatment Act.

I congratulate the gentleman from New York (Mr. LAZIO) and the gentlewoman from North Carolina (Mrs. MYRICK).

Mr. BROWN of Ohio. Mr. Speaker, I yield 1½ minutes to my friend, the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, if this Congress does anything this year, this might be the bill to pass and get signed into law. This bill underscores the whole issue of the uninsured in this country.

When women are diagnosed with breast cancer or cervical cancer and do not have the means to get the treatment, it is effectively giving them a death sentence. This bill will, at least, start the process of trying to help these women and help them beat this disease, which they can.

Now, I want to give my colleagues a story about somebody in my district, a woman named Barbara Mitchell, who was recently diagnosed with Stage 3 breast cancer at the Rose Center at Pasadena, Texas. The Rose in my district does free examinations.

The problem is, once they you examined, if they cannot get treatment, they are pretty much out of luck.

Ms. Mitchell is 35 years old and cannot afford the treatment for her breast cancer. She fought her first battle with cancer in 1988. Although uninsured at the time, Ms. Mitchell beat her cervical cancer and she managed to pay for her services. But because of her previous cancer history, she cannot afford to buy prohibitively expensive health insurance.

At 32, when she discovered a lump in her breast and was treated for breast cancer through the public health system, because she owns a dance studio, she is considered to have assets and, thus, has to pay $26,000 and probably will have to sell her only business, her only asset.

Now, this is counterproductive to what Democrats and Republicans would want to see Americans do. We want to see them create more jobs, create small businesses, and beat this terrible disease. This bill will allow it to happen, and I think we ought to pass it and get it signed into law.

Mr. LAZIO. Mr. Speaker, may I inquire as to the remaining time.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from New York (Mr. LAZIO) has 4 minutes remaining, and the gentleman from Ohio (Mr. BROWN) has 4½ minutes remaining.

Mr. LAZIO. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

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

Mr. Speaker, to honor Mother's Day on May 14, with passage of this bill, H.R. 4386, the Breast and Cervical Cancer Act, we will celebrate another step forward to stop the violence of cancer against women.

I want to congratulate the gentleman from New York (Mr. LAZIO), the gentlewoman from California (Ms. ESHOO), certainly the gentlewoman from North Carolina (Mrs. MYRICK), and the gentlewoman from Missouri (Ms. DANNER) who have indicated their own personal experiences have shown the need for this bill.

The legislation will provide treatment for low-income, uninsured working women who are diagnosed with breast or cervical cancer. Today the program provides screening for breast or cervical cancer but does not provide treatment. This must change. This bill will do it.

However, Mr. Speaker, while I strongly support this overall bill and its potential for saving lives, I am troubled with the provision on HPV and concerned that the proposed language could be problematic from a public health perspective. I hope the provision will be dropped in conference.

I do understand that there will be a meeting of some medical experts to discuss this issue and that meeting will be forthcoming. I look forward to that meeting to help to ameliorate this problem.

H.R. 4386 deserves to be passed unanimously by this body. Because, indeed, if we offer screening, we must offer treatment. Congress must and should pass the Breast and Cervical Cancer Treatment Act.

I again applaud the cosponsors and those who worked so hard, including the leadership, to help bring it to the floor now.

The proposed language on HPV and condom labeling could discourage condom use, thereby exposing men and women to the risks of HPV and other STDs, including HIV/AIDS.

The language of HPV belies the fact that condoms are highly effective in reducing the risk of contracting HPV and other STDs, including HIV/AIDS.

Mr. Speaker, there are over 100 strains of the HPV virus, and very few of these have the potential to lead to cervical cancer. It is misleading to have a label that does not clarify this point.

The HPV provision also suggests working to make HPV a reportable disease. Over 80 percent of the population has been found to carry one of the 100's of HPV strains. Reporting 80 percent of the population would not only be costly, but it is unrealistic.

Mr. Speaker, our goal should be to educate Americans about how to best prevent all STDs.

I support this H.R. 4386, it will save lives. This legislation will provide treatment for low-income, uninsured working women who are diagnosed with breast or cervical cancer.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, as co-chair of the Congressional Caucus for Women's Issues, I rise in strong support of this bill and congratulate my colleagues who have been leaders on this issue on both sides of the aisle, the gentleman from New York (Mr. LAZIO), the gentlewoman from California (Ms. ESHOO), the gentlewoman from California (Mrs. CAPPS), the gentlewoman from Missouri (Ms. DANNER), the gentlewoman from North Carolina (Mrs. MYRICK) and the gentlewoman from Connecticut (Ms. DELAURO).

Some of them have come to the floor today and shared their personal experiences that have highlighted the important need for this bill. This particular bill is one of the top priorities of the Women's Caucus, and we urge its passage.

The Center for Disease Control's National Breast and Cervical Cancer Early Detection Program provides screening services for low-income people who have little or no health insurance. But for many women who find that they have cancer from this important screening program, there is no guarantee of complete and comprehensive treatment.

This bill underscores the need for the uninsured and it underscores the fact that many, many women and, actually, many men cannot afford treatment. It is clear that much more needs to be done to provide coverage.

The bill, H.R. 4386, the Breast and Cervical Cancer Treatment Act, will help low-income women find resources to combat and, hopefully, cure cancer. I am a proud cosponsor of this legislation, and I encourage its swift enactment. It will save thousands and thousands of lives.

Mr. LAZIO. Mr. Speaker, it is now my pleasure to yield 1½ minutes to the distinguished gentlemen from Kentucky (Mr. FLETCHER), a fine Member of the House and a physician in his own right.

Mr. FLETCHER. Mr. Speaker, I stand before the House today to express my strong support for the Breast and Cancer Prevention Treatment Act.

Back a few weeks ago during the budget debate, myself, along with a number of colleagues, worked very hard to set aside what ended up being $250 million to provide treatment for those women that were identified to have breast and cervical cancer to make sure that they got Medicaid, that they got treatment if they were uninsured. So this certainly is a very important issue.

Also, in the State of Kentucky, we were able to get last year and worked very hard to get a CDC Cancer Prevention Center at the University of Kentucky. Because we have in Kentucky the highest rates of cervical cancer in the Nation. And, so, this bill is very important.

We also have a degree, unfortunately, levels of poverty and uninsured in Kentucky. This bill will be very important to make sure we address those needs, that those individuals first get detected early and, second, so that they can get the kind of treatment.

When we look at medical studies, we find that an individual that is hospitalized without insurance or coverage and matched demographically with others is three times more likely to die if they have no insurance versus having insurance.

So this bill is substantially, I believe, going to reduce morbidity and mortality to our women across the Nation and especially help at the University of Kentucky and in central Kentucky as we work to screen more individuals for breast and cervical cancer.

Let me talk briefly about HPV. Its unequivocally associated with cervical cancer. No question from a medical standpoint that it is associated. I think it is time for us to be honest to make sure that we report this and reduce the number of deaths.

I rise to support this bill.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE) who has done excellent work on this bill.

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

Ms. DEGETTE. Mr. Speaker, I want to thank everybody who has worked on

this legislation, most particularly my colleague the gentlewoman from California (Mrs. ESHOO) and my colleague the gentleman from New York (Mr. LAZIO).

In general, it is a good piece of legislation. However, I am deeply concerned about the provision included on human papilloma virus, or HPV, because I think from a public health perspective it is misguided.

I agree with the American College of Obstetrics and Gynecology that the condom labeling requirement may very well have the unintended consequence of discouraging condom use, which, as we all know, is very effective in preventing other diseases, including HIV/AIDS.

Taking steps to make HPV a reportable disease also does not make sense, since most all of these cases do resolve on their own and only a very small percentage lead to cervical cancer.

We should not be trying to instill panic here. Rather, we should be trying to encourage every American woman to have regular pap smear examinations, which are still the state of the art; and then we should finish researching all of these other issues.

□ 1400

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair advises that the gentleman from New York (Mr. LAZIO) has 1 minute remaining; the gentleman from Ohio (Mr. BROWN) has 2 minutes remaining.

Mr. LAZIO. Mr. Speaker, I want to reserve the right to close. I have no other additional speakers.

Mr. BROWN of Ohio. Mr. Speaker, I have one additional speaker, and then I will close on our side.

Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. SLAUGHTER).

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

Ms. SLAUGHTER. Mr. Speaker, I rise to express some serious concerns about a section of the bill that has gone largely unnoticed, that dealing with human papillomavirus virus, or HVP.

First and foremost, I would like to express my strong support for the underlying bill. I am proud to be an original cosponsor on which this legislation is based. Our consideration of this measure is long overdue, and I commend my friend, the gentlewoman from California (Ms. ESHOO), for her hard work and perseverance in advancing it.

My colleagues should be aware, however, of a troublesome provision that was added to H.R. 4386 in committee dealing with HPV issues. HPV is a group of viruses composed of over a 100 strains, of which approximately 30 are sexually transmitted. Recent research has shown that a few select strains appears to have precursors to cervical cancer. Promising research is being done on preventing and treating HPV as a method of reducing cervical cancer rates.

Mr. Speaker, unfortunately, this bill could damage our efforts to reduce HPV transmission and, by extension, cases of cervical cancer. During a markup, the language was added to the bill that directs the Department of Health and Human Services to outline further steps toward making HPV a reportable disease.

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

Mr. Speaker, I ask House support for H.R. 4386. When women are diagnosed under a Federal program that has been in existence for about a decade with breast cancer, some women clearly have nowhere to turn, they must cobble together various kind of charitable care and any health services that they can get.

I would hope this legislation, Mr. Speaker, will change that and take care of those women once they are diagnosed with breast cancer. I hope that H.R. 4386 will set the tone in this House and set the direction in this House for universal coverage for all Americans.

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

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

Mr. Speaker, let me thank the 310-plus Members of this House who have been cosponsors of H.R. 1070, and let me thank the two lead sponsors of H.R. 4386, the gentlewoman from North Carolina (Mrs. MYRICK) and the gentlewoman from Missouri (Ms. DANNER), one a Republican and one a Democrat, both Members of this House, and both breast cancer survivors. How could we have better advocates for this bill than those two?

Mr. Speaker, de Tocqueville said ''America is a great Nation because America is a good Nation, and the moment that America ceases to be good, she will cease to be great.''

Mr. Speaker, what greater test of goodness can there be to our willingness to take care of our own who are in need? Mr. Speaker, let us pass this bill. Let us give thousands of American women the gift of life. The cost is nominal. The benefit is enormous. It is the only fair and decent thing to do.

Mr. Speaker, I urge my colleagues to vote aye.

Mr. KLECZKA. Mr. Speaker, I would like to add my comments to those of my colleagues who have taken the floor in support of the Breast and Cervical Cancer Treatment Act.

Every year more than 4,400 American women die of cervical cancer. Breast cancer, the leading cause of death among women between 40 and 45, kills more than 46,000 women a year. This year it is estimated that in Wisconsin alone over 800 women will die of breast or cervical cancer. In many cases, early detection and treatment would have prevented these deaths. Nine years ago, Congress enacted the Breast and Cervical Cancer Mortality Prevention Act of 1990, authorizing the Centers for Disease Control to offer a breast and cervical cancer-screening program for low-income, uninsured, or underinsured women.

Unfortunately, the screening program lacks a critical aspect: treatment services for women diagnosed with breast cancer. Under current law, cancer therapy for Medicaid-eligible women is provided through an ad hoc patchwork of providers, volunteers, and local programs and often results in unpredictable, delayed, or incomplete treatment. Women are often forced to rely on charity care, donated services by physicians, or funds from bake sales and quilting bees. The Breast and Cervical Cancer Treatment Act would solve this problem by allowing States to establish an optional State Medicaid benefit for the treatment of low-income women diagnosed under the 1990 law.

I am pleased to see that the Breast and Cervical Cancer Treatment Act is supported by a bipartisan majority of the House. I salute the efforts of the advocacy groups, including the Wisconsin Breast Cancer Coalition to make this day possible.

Mr. WATTS of Oklahoma. Mr. Speaker, today I urge my colleagues to provide relief for low-income women who are screened and diagnosed with breast and cervical cancer. As you know, breast and cervical cancer is killing too many of our wives, mothers, sisters and daughters. Currently, the early detection screening program does not provide treatment for women who discover they have cancer as a result of that screening. This screening must be coupled with treatment in order to save lives.

Cancer is often fatal and the women who are tested can't afford critical treatment without help. These women face numerous difficulties in trying to obtain and pay for treatment for cancer. Resources are limited and yet the numbers of women being diagnosed are increasing.

Today, we have an opportunity to do something about this devastating disease by allowing states to expand Medicaid coverage to these women. Follow-up and treatment are the key to saving lives.

The fight against cancer transcends party lines and partisan bickering. So today, I urge all of my colleagues to join me in the fight against breast and cervical cancer. We must act now.

Mrs. KELLY. Mr. Speaker, I am in support of H.R. 4386, the Breast and Cervical Cancer Treatment Act. This legislation will give the States the ability to provide a reliable method of treatment for uninsured and underinsured women battling breast or cervical cancer.

The program currently provides screening for cancer, but it provides no treatment options for these women. If they are diagnosed with cancer, they have no options for their cure, which is a harsh problem. Giving States the option of providing Medicaid coverage for women will help save thousands of lives.

The present CDC program is a tremendous first step in identifying this disease early enough to make a difference in the lives of these women, but we need to help cover the cost of treatment when necessary. Being diagnosed with cancer is terrifying. Women shouldn't have the pain of knowing they have cancer, compounded with the despair of not being able to do anything about it.

The Breast and Cervical Cancer Treatment Act will allow women to focus their efforts on getting well instead of worrying about how they or their family will pay for their treatment. This legislation is a very important step in the process of getting treatment to women who need it. With Mother's Day just around the

corner, it is critical that we pass this legislation in time to give our mothers, our sisters, our daughters the most important gift of all, the gift of life.

Mr. WELDON of Florida. Mr. Speaker, I am in strong support of H.R. 4386, the Breast and Cervical Cancer Treatment Act. This measure amends title XIX of the Social Security Act to provide medical assistance for certain women under 65 who have been screened and found to have breast or cervical cancer by the Center for Disease Control and Prevention [CDC] early detection program.

In the United States, one out of eight women will develop breast cancer at some point in her lifetime. It is the second most common form of cancer in the country, afflicting three million women—including one million women who do not know they have breast cancer. Cervical cancer kills 4,400 women a year, and is increasingly becoming a nationwide concern due to a lack of proper education and research.

The Breast and Cervical Cancer Treatment Act will protect women who are diagnosed with breast and cervical cancer but do not have insurance to pay for treatment. Currently, the National Breast and Cervical Cancer Early Detection Program provides screening services for low-income women who have little or no health insurance. Treatment, however, is not provided through the program. Women who earn too much to be on federal assistance, but do not earn enough to afford private insurance are left without resources to cover the treatment they need to fight this dreaded disease. This bill will provide that much needed treatment.

As a physician I have treated hundreds of cancer patients and the key to providing a successful remedy to their life-threatening illness is, when possible, prevention, otherwise early detection, followed by immediate treatment. This bill will offer much needed assistance to thousands of American women who need these vital medical resources.

I am also very pleased with the provisions in this bill relating to the human papillomavirus [HPV] which affects at least 24 million Americans and is the principal cause of cervical cancer. H.R. 4386 makes cervical cancer prevention a priority. This bill requires the CDC to develop educational materials for health care providers and the public regarding HPV. And, it requires condom packages to include information stating that HPV is a cause of cervical cancer and that condoms do not prevent HPV transmission.

Many sexually active Americans have been mislead to believe a condom will protect them; however, this is not the case with HPV. In fact, the American Cancer Society has stated ''research shows that condoms cannot protect against infection with HPV.'' Our young people need to know this and H.R. 4386 takes a big step toward informing them.

This is a good bill and I urge all of my colleagues to support its passage.

Mr. TOWNS. Mr. Speaker, I am pleased that we will have an opportunity to vote on this important health bill before this weekend's celebration of Mother's Day. Certainly, no action is more important than the preventive breast and cervical cancer health screenings which will be authorized by this bill. As an advocate for retaining mammography screenings at age 40, I am pleased that H.R. 4386 will afford us the opportunity to provide breast and cervical cancer screenings for early detection and treatment.

For the grandmothers, mothers and aunts who are too young for Medicare and whose incomes are too high for Medicaid, but who still do not have health insurance, this bill can literally be the difference between life and death. H.R. 4386 includes the enhanced match of 75 percent Federal to 25 percent state dollars for treatment, instead of the basic 60 percent Federal to 40 percent State dollars. Hopefully, this enhanced match will be a major incentive for Governors to enroll their States in the program once the bill is signed into law so that these women can receive the treatment they need. I remain hopeful that our Senate colleagues will soon join us in passing this important initiative.

Mr. CROWLEY. Mr. Speaker, this year more than 200,000 American women will be diagnosed with breast and cervical cancer. These women are our mothers, our sisters, our friends, and our colleagues.

I am proud to be a cosponsor of the bipartisan Breast and Cervical Treatment Act that will enable low-income, uninsured women diagnosed with breast or cervical cancer in the National Breast and Cervical Cancer early detection program [NBCCEDP] to obtain treatment. Currently, the CDC detection programs provide eligible women with screening, but if cancer is detected, there are no funds to provide much-needed treatment. Instead, these women have to find other funds for treatment. No woman should have to worry about funding her treatment.

H.R. 4386 is bipartisan legislation that would add the life-saving treatment component to the NBCCEDP. The Breast and Cervical Cancer Treatment Act has overwhelming support and was passed unanimously by the Commerce Committee. I support this critical legislation and urge every member to vote for passage.

It is simply unfair that low-income, uninsured women are not given every treatment available to save their lives because they cannot afford costly medication and treatments.

Passage of this legislation is the best Mother's Day gift we can give our mothers, wives, sisters, and daughters. All women and their families in this country deserve the peace of mind that if diagnosed with one of these terrible illnesses, they will have access to the treatment they deserve.

While I strongly support the overall bill, I am deeply concerned about the provision included on human papillomavirus [HPV] and believe it is misguided from a public health perspective. The condom labeling requirement may have the unintended effect to discouraging condom use, which, as we all know, is effective in preventing other serious STDs, including HIV/AIDS. HPV is a serious public health issue, which deserves Federal funding and a coordinated response to educate men and women on its causes, effects, and treatment. I urge my colleagues to provide that by supporting more funding for title X, and other programs that work in a comprehensive and holistic way to improve women's health.

We should be advocating for public health policy that encourages women to be screened through Pap smear examinations to prevent the potential for cervical cancer, not discouraging condom use. I urge my colleagues to reexamine this issue.

Mr. QUINN. Mr. Speaker, I am in support of H.R. 4386, to provide financial assistance to women for the treatment of breast and cervical cancer.

Breast and cervical cancer together claim the lives of approximately 50,000 women each year. As Americans we must continue to address this crisis which today constitutes the number one cause of death among women aged 40–45. In 1990 we took a critical step in fighting this battle by passing the Breast and Cervical Cancer Mortality Prevention Act. This act authorized a screening program for low-income, uninsured or underinsured women. This was an important step since detection is the first step in fighting breast and cervical cancer. Indeed, more widespread use of regular screening mammography has been a major contributor to recent improvements in the breast cancer survival rate.

Providing financial assistance for screening and testing for women in financial need has been a major accomplishment in the fight against breast and cervical cancer. If detected early, breast cancer can be treated effectively with surgery that preserves the breast, followed by radiation therapy. However, screening and early detection are meaningless without following through with cancer treatment. For many women however, the costs of treatment are prohibitive and merely knowing that their cancer has been detected is inadequate when they are unable to seek treatment. The time has come for us to comprehensively confront these cancers and provide women with the power to conquer these odds. I urge the support of this bill critical to protecting women's health.

Mr. BEREUTER. Mr. Speaker, this Member is in support of H.R. 4386, the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

The American Cancer Society estimates that within his home state of Nebraska, approximately 1,000 women will be diagnosed with breast cancer this year and nearly 300 will die as a result of breast cancer. We must provide this enhanced Medicaid matching funds to our states to continue to promote early detection and prevention of breast and cervical cancer.

The five-year survival rate is over 95 percent if breast cancer can be detected early. Because only 5–10 percent of breast cancers are due to heredity, early detection must be made available to all women.

Mr. Speaker, this Member encourages his colleagues to continue to support the early detection and prevention of breast and cervical cancer and support H.R. 4386.

Mr. GILMAN. Mr. Speaker, I am in support of H.R. 4368, the Breast and Cervical Cancer Treatment Act. I am an original cosponsor of the legislation on which this bill is based, H.R. 1070 and I commend the gentleman from New York Mr. LAZIO, the gentlewoman from Missouri, Ms. DANNER and the gentlewoman from North Carolina Mrs. MYRICK for their commitment to fighting breast and cervical cancers and for helping to bring this legislation before us today.

This legislation will provide medical assistance for certain women under 65 who have been screened and found to have breast or cervical cancer by the Center for Disease Control and Prevention (CDC) Early Detection Program. Many women simply cannot afford to undergo prevention screenings and especially medical treatments. By providing screenings for breast and cervical cancer for the uninsured, many will benefit from early detection

and by following up a screening with medical treatment, fewer women will succumb to these devastating diseases.

Mr. Speaker, this issue is especially important to me and to my constituents, especially those in Rockland county. Recent studies have found that Rockland county has the highest rate of breast cancer in New York State and according to some studies, in the Nation. This legislation will help many of my constituents during a very difficult time in their lives. Providing medical treatment to those women who have been screened by the CDC will vastly improve their chances of survival and reduce the rate of mortality due to these cancers. I strongly support this legislation.

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

Mr. DINGELL. Mr. Speaker, I am in support of a bill that will make a big difference in the lives of low-income women with cancer, H.R. 4386, the Breast and Cervical Cancer Treatment Act.

Two individuals have campaigned tirelessly for this bill and the rights of low-income women. First, I commend Representative ANNA ESHOO. Were it not for the energy and attention that Ms. ESHOO brought to this issue, this bill would not be on the floor today. Secondly, I would like to remember Senator John Chafee, the original cosponsor of the companion bill in the Senate. The late Senator Chafee's advocacy for women, children, the poor, and the disabled will continue with the passage of this bill.

We all know that early detection and treatment are the key to surviving cancer. This is the reason why the Centers for Disease Control (CDC) uses Federal funds to provide free diagnostic tests for breast and cervical cancer for low-income uninsured women, many of whom are minorities.

With this bill, the Federal Government will complete its commitment to the low-income women who are diagnosed with cancer through the CDC's screening program. No longer will women diagnosed through the program have to scramble to find state funds, rely on charity care, or incur enormous debts in order to pay for radiation or chemotherapy. H.R. 4386 will allow women to enroll in the Medicaid program for the duration of their cancer treatment, so that they can focus their energies on fighting cancer instead of the health care system.

I hope that my colleagues will join me in voting for H.R. 4386. Advocates of this bill have waited a long time for this day. Let's not make women with breast and cervical cancer wait any longer.

Mr. BLILEY. Mr. Speaker, I commend the gentlelady from North Carolina, Mrs. MYRICK, for her personal courage in the face of breast cancer and for her many hours of work in persuading the House Leadership to bring this important bill to the floor today.

I also wish to recognize one of the original cosponsors of H.R. 4386, Mr. LAZIO of New York for his many months of hard work on the Commerce Committee persuading members and forging alliances with the American Cancer Society, the National Women's Health Network, the National Cervical Cancer Coalition, the National Breast Cancer Coalition, the Cancer Research Foundation of America, and so many others to make this day possible.

Like so many women with whom I have met over the last few years advocating for this legislation, my own wife is a breast cancer survivor. I know firsthand the fears that families face when they first hear that word. It is with those memories in my mind that I work in Congress to help find new ways that we can help more women from falling victim to cancer.

In the closing days of the last session, the Committee I chair reported out H.R. 1070, the Lazio ''Breast and Cervical Cancer Prevention and Treatment Act of 1999.'' I am very pleased that we are now on the floor debating a bill based on the Committee's work, which addresses both breast cancer, the leading cause of cancer deaths among women, and cervical cancer, a form of cancer caused by a viral infection that kills more women in America than AIDS.

Again, I thank Congresswoman MYRICK, my Commerce Committee colleagues, and many other Members who have contributed to bringing this legislation to the floor today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. LAZIO) that the House suspend the rules and pass the bill, H.R. 4386, as amended.

The question was taken.

Mr. LAZIO. 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.

CHILDREN'S HEALTH ACT OF 2000

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health, as amended.

The Clerk read as follows:

H.R. 4365

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 ''Children's Health Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AUTISM

Subtitle A—Surveillance and Research Regarding Prevalence and Pattern of Autism

Sec. 101. Short title.
Sec. 102. Surveillance and research programs; clearinghouse; advisory committee.

Subtitle B—Expansion, Intensification, and Coordination of Autism Activities of National Institutes of Health

Sec. 111. Short title.
Sec. 112. Expansion, intensification, and coordination; information and education; interagency coordinating committee.

TITLE II—RESEARCH AND DEVELOPMENT REGARDING FRAGILE X

Sec. 201. Short title.
Sec. 202. National Institute of Child Health and Human Development; research on fragile X.
Sec. 203. National Institute of Child Health and Human Development; loan repayment program regarding research on fragile X.

TITLE III—JUVENILE ARTHRITIS AND RELATED CONDITIONS

Sec. 301. National Institute of Arthritis and Musculoskeletal and Skin Diseases; research on juvenile arthritis and related conditions.
Sec. 302. Information clearinghouse.

TITLE IV—REDUCING BURDEN OF DIABETES AMONG CHILDREN AND YOUTH

Sec. 401. Programs of Centers for Disease Control and Prevention.
Sec. 402. Programs of National Institutes of Health.

TITLE V—ASTHMA TREATMENT SERVICES FOR CHILDREN

Sec. 501. Short title.

Subtitle A—Treatment Services

Sec. 511. Grants for children's asthma relief.
Sec. 512. Technical and conforming amendments.

Subtitle B—Prevention Activities

Sec. 521. Preventive health and health services block grant; systems for reducing asthma-related illnesses through urban cockroach management.

Subtitle C—Coordination of Federal Activities

Sec. 531. Coordination through National Institutes of Health.

Subtitle D—Compilation of Data

Sec. 541. Compilation of data by Centers for Disease Control and Prevention.

TITLE VI—BIRTH DEFECTS PREVENTION ACTIVITIES

Subtitle A—Folic Acid Promotion

Sec. 601. Short title.
Sec. 602. Program regarding effects of folic acid in prevention of birth defects.

Subtitle B—National Center on Birth Defects and Developmental Disabilities

Sec. 611. National Center on Birth Defects and Developmental Disabilities.

TITLE VII—EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS

Sec. 701. Short title.
Sec. 702. Purposes.
Sec. 703. Programs of Health Resources and Services Administration, Centers for Disease Control and Prevention, and National Institutes of Health.

TITLE VIII—CHILDREN AND EPILEPSY

Sec. 801. National public health campaign on epilepsy; seizure disorder demonstration projects in medically underserved areas.

TITLE IX—SAFE MOTHERHOOD; INFANT HEALTH PROMOTION

Subtitle A—Safe Motherhood Monitoring and Prevention Research

Sec. 901. Short title.
Sec. 902. Monitoring; prevention research and other activities.

Subtitle B—Pregnant Mothers and Infants Health Promotion

Sec. 911. Short title.
Sec. 912. Programs regarding prenatal and postnatal health.

TITLE X—REVISION AND EXTENSION OF CERTAIN PROGRAMS

Subtitle A—Pediatric Research Initiative

Sec. 1001. Short title.

Sec. 1002. Establishment of pediatric research initiative.
Sec. 1003. Investment in tomorrow's pediatric researchers.
Subtitle B—Other Programs
Sec. 1011. Childhood immunizations.
Sec. 1012. Screenings, referrals, and education regarding lead poisoning.
TITLE XI—CHILDHOOD SKELETAL MALIGNANCIES
Sec. 1101. Programs of Centers for Disease Control and Prevention and National Institutes of Health.
TITLE XII—ADOPTION AWARENESS
Subtitle A—Infant Adoption Awareness
Sec. 1201. Short title.
Sec. 1202. Grants regarding infant adoption awareness.
Subtitle B—Special Needs Adoption Awareness
Sec. 1211. Short title.
Sec. 1212. Special needs adoption programs; public awareness campaign and other activities.
TITLE XIII—TRAUMATIC BRAIN INJURY
Sec. 1301. Short title.
Sec. 1302. Programs of Centers for Disease Control and Prevention.
Sec. 1303. Programs of National Institutes of Health.
Sec. 1304. Programs of Health Resources and Services Administration.
TITLE XIV—PREVENTION AND CONTROL OF INJURIES
Sec. 1401. Authorization of Appropriations for programs of Centers for Disease Control and Prevention.
TITLE XV—HEALTHY START INITIATIVE
Sec. 1501. Short title.
Sec. 1502. Continuation of healthy start program.
TITLE XVI—ORAL HEALTH PROMOTION AND DISEASE PREVENTION
Sec. 1601. Oral health promotion and disease prevention.
TITLE XVII—VACCINE COMPENSATION PROGRAM
Sec. 1701. Short title.
Sec. 1702. Content of petitions.
TITLE XVIII—HEPATITIS C
Sec. 1801. Short title.
Sec. 1802. Surveillance and education regarding hepatitis C.
TITLE XIX—NIH INITIATIVE ON AUTOIMMUNE DISEASES
Sec. 1901. Short title.
Sec. 1902. Juvenile diabetes, juvenile arthritis, lupus, multiple sclerosis, and other autoimmune-diseases; initiative through Director of National Institutes of Health.
TITLE XX—GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN'S HOSPITALS
Sec. 2001. Extension of authorization of appropriations.
TITLE XXI—SPECIAL NEEDS OF CHILDREN REGARDING ORGAN TRANSPLANTATION
Sec. 2101. Short title.
Sec. 2102. Organ Procurement and Transplantation Network; amendments regarding needs of children.
TITLE XXII—MISCELLANEOUS PROVISIONS
Sec. 2201. Report regarding research on rare diseases in children.
TITLE XXIII—EFFECTIVE DATE
Sec. 2301. Effective date.

TITLE I—AUTISM

Subtitle A—Surveillance and Research Regarding Prevalence and Pattern of Autism

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''Autism Statistics, Surveillance, Research, and Epidemiology Act of 2000 (ASSURE)''.

SEC. 102. SURVEILLANCE AND RESEARCH PROGRAMS; CLEARINGHOUSE; ADVISORY COMMITTEE.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317G the following section:

''SURVEILLANCE AND RESEARCH REGARDING AUTISM AND PERVASIVE DEVELOPMENTAL DISORDERS

''SEC. 317H. (a) IN GENERAL.—The Secretary , acting through the Director of the Centers for Disease Control and Prevention, may make awards of grants and cooperative agreements for the collection, analysis, and reporting of data on autism and pervasive developmental disorders. An entity may receive such an award only if the entity is a public or nonprofit private entity ''(including health departments of States and political subdivisions of States, and including universities and other educational entities). In making such awards, the Secretary may provide direct technical assistance in lieu of cash.

''(b) CENTERS OF EXCELLENCE IN AUTISM AND PERVASIVE DEVELOPMENTAL DISORDERS EPIDEMIOLOGY.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall (subject to the extent of amounts made available in appropriations Acts) establish not less than three, and not more than five, regional centers of excellence in autism and pervasive developmental disorders epidemiology for the purpose of collecting and analyzing information on the number, incidence, correlates, and causes of autism and related developmental disorders.

''(2) RECIPIENTS OF AWARDS FOR ESTABLISHMENT OF CENTERS.—Centers under paragraph (1) shall be established and operated through the award of grants or cooperative agreements to public or nonprofit private entities that conduct research, including health departments of States and political subdivisions of States, and including universities and other educational entities.

''(3) CERTAIN REQUIREMENTS.—An award for a center under paragraph (1) may be made only if the entity involved submits to the Secretary an application containing such agreements and information as the Secretary may require, including an agreement that the center involved will operate in accordance with the following:

''(A) The center will collect, analyze, and report autism and pervasive developmental disorders data according to guidelines prescribed by the Director, after consultation with relevant State and local public health officials, private sector developmental disorder researchers, and advocates for those with developmental disorders;

''(B) The center will assist with the development and coordination of State autism and pervasive developmental disorders surveillance efforts within a region;

''(C) The center will provide education, training, and clinical skills improvement for health professionals aimed at better understanding and treatment of autism and related developmental disorders; and

''(D) The center will identify eligible cases and controls through its surveillance systems and conduct research into factors which may cause autism and related developmental disorders; each program will develop or extend an area of special research expertise (including, but not limited to, genetics, environmental exposure to contaminants, immunology, and other relevant research specialty areas).

''(c) CLEARINGHOUSE.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out the following:

''(1) The Centers for Disease Control and Prevention shall serve as the coordinating agency for autism and pervasive developmental disorders surveillance activities through the establishment of a clearinghouse for the collection and storage of data generated from the monitoring programs created by this section. The functions of such a clearinghouse shall include facilitating the coordination of research and policy development relating to the epidemiology of autism and other pervasive developmental disorders.

''(2) The Secretary shall coordinate the Federal response to requests for assistance from State health department officials regarding potential or alleged autism or developmental disorder clusters.

''(d) ADVISORY COMMITTEE.—

''(1) IN GENERAL.—The Secretary shall establish an Advisory Committee for Autism and Pervasive developmental disorders Epidemiology Research (in this section referred to as the 'Committee'). The Committee shall provide advice and recommendations to the Director of the Centers for Disease Control and Prevention on—

''(A) the establishment of a national autism and pervasive developmental disorders surveillance program;

''(B) the establishment of centers of excellence in autism and pervasive developmental disorders epidemiology;

''(C) methods and procedures to more effectively coordinate government and non-government programs and research on autism and pervasive developmental disorders epidemiology; and

''(D) the effective operation of autism and pervasive developmental disorders epidemiology research activities.

''(2) COMPOSITION.—

''(A) IN GENERAL.—The Committee shall be composed of ex officio members in accordance with subparagraph (B) and 11 appointed members in accordance with subparagraph (C).

''(B) EX OFFICIO MEMBERS.—The following officials shall serve as ex officio members of the Committee:

''(i) The Director of the National Center for Environmental Health.

''(ii) The Assistant Administrator of the Agency for Toxic Substances and Disease Registry.

''(iii) The Director of the National Institute of Child Health and Human Development.

''(iv) The Director of the National Institute of Neurological Disorders and Stroke.

''(C) APPOINTED MEMBERS.—Appointments to the Committee shall be made in accordance with the following:

''(i) Two members shall be research scientists with demonstrated achievements in research related to autism and related developmental disorders. The scientists shall be appointed by the Secretary in consultation with the National Academy of Sciences.

''(ii) Five members shall be representatives of the five national organizations whose primary emphasis is on research into autism and other pervasive developmental disorders. One representative from each of such organizations shall be appointed by the Secretary in consultation with the National Academy of Sciences.

''(iii) Two members shall be clinicians whose practice is primarily devoted to the treatment of individuals with autism and other pervasive developmental disorders. The clinicians shall be appointed by the Secretary in consultation with the Institute of Medicine and the National Academy of Sciences.

''(iv) Two members shall be individuals who are the parents or legal guardians of a person or persons with autism or other pervasive developmental disorders. The individuals shall be appointed by the Secretary in consultation with the ex officio members under subparagraph (B) and the five national organizations referred to in clause (ii).

''(3) ADMINISTRATIVE SUPPORT; TERMS OF SERVICE; OTHER PROVISIONS.—The following apply with respect to the Committee:

''(A) The Committee shall receive necessary and appropriate administrative support from the Department of Health and Human Services.

''(B) Members of the Committee shall be appointed for a term of three years, and may serve for an unlimited number of terms if reappointed.

''(C) The Committee shall meet no less than two times per year.

''(D) Members of the Committee shall not receive additional compensation for their service. Such members may receive reimbursement for appropriate and additional expenses that are incurred through service on the Committee which would not have incurred had they not been a member of the Committee.

''(e) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Congress, after consultation with and comment by the advisory committee under subsection (d), an annual report regarding the prevalence and incidence of autism and other pervasive developmental disorders, the results of research into the etiology of autism and other pervasive developmental disorders, public health responses to known or preventable causes of autism and other pervasive developmental disorders, and the need for additional research into promising lines of scientific inquiry.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Expansion, Intensification, and Coordination of Autism Activities of National Institutes of Health With Respect to Autism

SEC. 111. SHORT TITLE.

This subtitle may be cited as the ''Advancement in Pediatric Autism Research Act of 2000''.

SEC. 112. EXPANSION, INTENSIFICATION, AND COORDINATION; INFORMATION AND EDUCATION; INTERAGENCY COORDINATING COMMITTEE.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following section:

''AUTISM

''SEC. 409C. (a) IN GENERAL.—

''(1) EXPANSION OF ACTIVITIES.—The Director of NIH (in this section referred to as the 'Director') shall expand, intensify, and coordinate the activities of the National Institutes of Health with respect to research on autism.

''(2) ADMINISTRATION OF PROGRAM; COLLABORATION AMONG AGENCIES.—The Director shall carry out this section (other than subsection (b)) acting through the Director of the National Institute of Mental Health and in collaboration with any other agencies that the Director determines appropriate.

''(b) INTERAGENCY COORDINATING COMMITTEE.—

''(1) IN GENERAL.—The Secretary shall ensure that there is in operation an interagency committee to be known as the 'Autism Coordinating Committee' (referred to in this subsection as the 'Committee') to coordinate all efforts within the Department of Health and Human Services concerning autism, including activities carried out through the National Institutes of Health under this section and activities carried out through the Centers for Disease Control and Prevention under section 317H.

''(2) MEMBERSHIP.—The Committee shall be composed of such directors of the national research institutes, such directors of centers within the Centers for Disease Control and Prevention, and such other officials within the Department of Health and Human Services as the Secretary determines to be appropriate. The Committee may include representatives of other Federal agencies that serve children with autism, such as the Department of Education.

''(3) MEETINGS.—The Committee shall meet not less than twice per year.

''(c) CENTERS OF EXCELLENCE.—

''(1) IN GENERAL.—The Director shall under subsection (a)(1) make awards of grants and contracts to public or nonprofit private entities to pay all or part of the cost of planning, establishing, improving, and providing basic operating support for centers of excellence regarding research on autism.

''(2) RESEARCH.—Each center under paragraph (1) shall conduct basic and clinical research into autism. Such research should include investigations into the cause, diagnosis, early detection, prevention, control, and treatment of autism. These centers, as a group, shall conduct research including but not limited to the fields of developmental neurobiology, genetics, and psychopharmacology.

''(3) SERVICES FOR PATIENTS.—A center under paragraph (1) may expend amounts provided under such paragraph to carry out a program to make individuals aware of opportunities to participate as subjects in research conducted by the centers. The program may, in accordance with such criteria as the Director may establish, provide to such subjects referrals for health and other services, and such patient care costs as are required for research. The extent to which the center can demonstrate availability and access to clinical services shall be considered by the Director in decisions about awarding the grants to applicants which meet the scientific criteria for funding.

''(4) COORDINATION OF CENTERS; REPORTS.—The Director shall, as appropriate, provide for the coordination of information among centers under paragraph (1) and ensure regular communication between such centers, and may require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

''(5) ORGANIZATION OF CENTERS.—Each center under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director.

''(6) NUMBER OF CENTERS; DURATION OF SUPPORT.—The Director shall provide for the establishment of not less than five centers under paragraph (1), subject to the extent of amounts made available in appropriations Acts. Support of such a center may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

''(d) FACILITATION OF RESEARCH.—The Director shall under subsection (a)(1) provide for a program under which samples of tissues and genetic materials that are of use in research on autism are donated, collected, preserved, and made available for such research. The program shall be carried out in accordance with accepted scientific and medical standards for the donation, collection, and preservation of such samples.

''(e) INFORMATION AND EDUCATION.—

''(1) IN GENERAL.—The Director shall establish and implement a program to provide information and education on autism to health professionals and the general public, including information and education on advances in the diagnosis and treatment of autism and training and continuing education through programs for scientists, physicians, and other health professionals who provide care for patients with autism.

''(2) STIPENDS.—The Director may use amounts made available under this section to provide stipends for health professionals who are enrolled in training programs under this section.

''(f) PUBLIC INPUT.—The Director shall under subsection (a)(1) provide for means through which the public can obtain information on the existing and planned programs and activities of the National Institutes of Health with respect to autism and through which the Director can receive comments from the public regarding such programs and activities.

''(g) ANNUAL REPORT TO CONGRESS.—The Director shall prepare and submit to the appropriate committees of the Congress reports regarding the activities carried out under this section. The first report shall be submitted not later than January 10, 2002, and subsequent reports shall be submitted annually thereafter.

''(h) FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005. Such authorizations of appropriations are in addition to any other authorizations of appropriations that are available for such purpose.''.

TITLE II—RESEARCH AND DEVELOPMENT REGARDING FRAGILE X

SEC. 201. SHORT TITLE.

This title may be cited as the ''Fragile X Research Breakthrough Act of 2000''.

SEC. 202. NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT; RESEARCH ON FRAGILE X.

Subpart 7 of part C of title IV of the Public Health Service Act is amended by adding at the end the following section:

''FRAGILE X

''SEC. 452E. (a) EXPANSION AND COORDINATION OF RESEARCH ACTIVITIES.—The Director of the Institute, after consultation with the advisory council for the Institute, shall expand, intensify, and coordinate the activities of the Institute with respect to research on the disease known as fragile X.

''(b) RESEARCH CENTERS.—

''(1) IN GENERAL.—The Director of the Institute, after consultation with the advisory council for the Institute, shall make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct research for the purposes of improving the diagnosis and treatment of, and finding the cure for, fragile X.

''(2) NUMBER OF CENTERS.—In carrying out paragraph (1), the Director of the Institute shall, to the extent that amounts are appropriated, provide for the establishment of at least three fragile X research centers.

''(3) ACTIVITIES.—

''(A) IN GENERAL.—Each center assisted under paragraph (1) shall, with respect to fragile X—

''(i) conduct basic and clinical research, which may include clinical trials of—

''(I) new or improved diagnostic methods; and

''(II) drugs or other treatment approaches; and

''(ii) conduct research to find a cure.

''(B) FEES.—A center may use funds provided under paragraph (1) to provide fees to individuals serving as subjects in clinical trials conducted under subparagraph (A).

''(4) COORDINATION AMONG CENTERS.—The Director of the Institute shall, as appropriate, provide for the coordination of the activities of the centers assisted under this section, including providing for the exchange of information among the centers.

''(5) CERTAIN ADMINISTRATIVE REQUIREMENTS.—Each center assisted under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

''(6) DURATION OF SUPPORT.—Support may be provided to a center under paragraph (1) for a period not exceeding 5 years. Such period may be extended for one or more additional periods, each of which may not exceed 5 years, if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period be extended.

''(7) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 203. NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT; LOAN REPAYMENT PROGRAM REGARDING RESEARCH ON FRAGILE X.

Part G of title IV of the Public Health Service Act (42 U.S.C. 288 et seq.) is amended by inserting after section 487E the following section:

''LOAN REPAYMENT PROGRAM REGARDING RESEARCH ON FRAGILE X

''SEC. 487F. (a) IN GENERAL.—The Secretary, in consultation with the Director of the National Institute of Child Health and Human Development, shall establish a program under which the Federal Government enters into contracts with qualified health professionals (including graduate students) who agree to conduct research regarding fragile X in consideration of the Federal Government's agreement to repay, for each year of such service, not more than $35,000 of the principal and interest of the educational loans owed by such health professionals.

''(b) APPLICABILITY OF CERTAIN PROVISIONS.—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III, the provisions of such subpart (including section 338B(g)(3)) shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established in such subpart.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE III—JUVENILE ARTHRITIS AND RELATED CONDITIONS

SEC. 301. NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES; RESEARCH ON JUVENILE ARTHRITIS AND RELATED CONDITIONS.

Subpart 4 of part C of title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended by inserting after section 442 the following section:

''JUVENILE ARTHRITIS AND RELATED CONDITIONS

''SEC. 442A. (a) EXPANSION AND COORDINATION OF ACTIVITIES.—The Director of the Institute, in coordination with the Director of the National Institute of Allergy and Infectious Diseases, shall expand and intensify the programs of such Institutes with respect to research and related activities concerning juvenile arthritis and related conditions.

''(b) COORDINATION.—The Directors referred to in subsection (a) shall jointly coordinate the programs referred to in such subsection and consult with the Arthritis and Musculoskeletal Diseases Interagency Coordinating Committee.

''(c) PEDIATRIC RHEUMATOLOGY.—The Secretary, acting through the appropriate agencies of the Public Health Service, shall develop a coordinated effort to help ensure that a national infrastructure is in place to train and develop pediatric rheumatologists to address the health care services requirements of children with arthritis and related conditions.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 302. INFORMATION CLEARINGHOUSE.

Section 438(b) of the Public Health Service Act (42 U.S.C. 285d–3(b)) is amended by inserting '', including juvenile arthritis and related conditions,'' after ''diseases''.

TITLE IV—REDUCING BURDEN OF DIABETES AMONG CHILDREN AND YOUTH

SEC. 401. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 102 of this Act, is amended by inserting after section 317H the following section:

''DIABETES IN CHILDREN AND YOUTH

''SEC. 317I. (a) NATIONAL REGISTRY ON JUVENILE DIABETES.—The Secretary , acting through the Director of the Centers for Disease Control and Prevention, shall develop a system to collect data on juvenile diabetes, including with respect to incidence and prevalence, and shall establish a national database for such data.

''(b) TYPE 2 DIABETES IN YOUTH.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the Administrator of the Health Resources and Services Administration, shall implement a national public health effort to address type 2 diabetes in youth, including—

''(1) enhancing surveillance systems and expanding research to better assess the prevalence of type 2 diabetes in youth and determine the extent to which type 2 diabetes is incorrectly diagnosed as type 1 diabetes among children;

''(2) assisting States in establishing coordinated school health programs and physical activity and nutrition demonstration programs to control weight and increase physical activity among youth; and

''(3) developing and improving laboratory methods to assist in diagnosis, treatment, and prevention of diabetes including, but not limited to, developing noninvasive ways to monitor blood glucose to prevent hypoglycema and improving existing glucometers that measure blood glucose.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 402. PROGRAMS OF NATIONAL INSTITUTES OF HEALTH.

Subpart 3 of part C of title IV of the Public Health Service Act (42 U.S.C. 285c et seq.) is amended by inserting after section 434 the following section:

''JUVENILE DIABETES

''SEC. 434A. (a) LONG-TERM EPIDEMIOLOGY STUDIES.—

''(1) IN GENERAL.—The Director of the Institute shall conduct or support long-term epidemiology studies in which individuals with type 1, or juvenile, diabetes are followed for 10 years or more. Such studies shall, in order to provide a valuable resource for the purposes specified in paragraph (2), provide for complete characterization of disease manifestations, appropriate medical history, elucidation of environmental factors, delineation of complications, results of usual medical treatment and a variety of other potential valuable (such as samples of blood).

''(2) PURPOSES.—The purposes referred to in paragraph (1) with respect to type 1 diabetes are the following:

''(A) Delineation of potential environmental triggers thought precipitating or causing type 1 diabetes.

''(B) Delineation of those clinical characteristics or lab measures associated with complications of the disease.

''(C) Potential study population to enter into clinical trials for prevention and treatment, as well as genetic studies.

''(b) CLINICAL TRIAL INFRASTRUCTURE/INNOVATIVE TREATMENTS FOR JUVENILE DIABETES.—The Secretary, acting through the Director of the National Institutes of Health, shall support regional clinical centers for the cure of juvenile diabetes and shall through such centers provide for—

''(1) well-characterized population of children appropriate for study;

''(2) well-trained clinical scientists able to conduct such trials;

''(3) appropriate clinical settings able to house such studies; and

''(4) appropriate statistical capability, data, safety and other monitoring capacity.

''(c) DEVELOPMENT OF VACCINE.—The Secretary, acting through the appropriate agencies of the Public Health Service, shall provide for a national effort to develop a vaccine for type 1 diabetes. Such effort shall provide for a combination of increased efforts in research and development of candidate vaccines, coupled with appropriate ability to conduct large clinical trials in children.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE V—ASTHMA TREATMENT SERVICES FOR CHILDREN

SEC. 501. SHORT TITLE.

This title may be cited as the ''Children's Asthma Relief Act of 2000''.

Subtitle A—Treatment

SEC. 511. GRANTS FOR CHILDREN'S ASTHMA RELIEF.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following part:

"PART P—ADDITIONAL PROGRAMS

"SEC. 399L. CHILDREN'S ASTHMA TREATMENT GRANTS PROGRAM.

''(a) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—In addition to any other payments made under this Act or title V of the Social Security Act, the Secretary shall award grants to eligible entities to carry out the following purposes:

''(A) To provide access to quality medical care for children who live in areas that have a high prevalence of asthma and who lack access to medical care.

''(B) To provide on-site education to parents, children, health care providers, and medical teams to recognize the signs and symptoms of asthma, and to train them in the use of medications to treat asthma and prevent its exacerbations.

''(C) To decrease preventable trips to the emergency room by making medication available to individuals who have not previously had access to treatment or education in the management of asthma.

''(D) To provide other services, such as smoking cessation programs, home modification, and other direct and support services that ameliorate conditions that exacerbate or induce asthma.

''(2) CERTAIN PROJECTS.—In making grants under paragraph (1), the Secretary may make grants designed to develop and expand the following projects:

''(A) Projects to provide comprehensive asthma services to children in accordance with the guidelines of the National Asthma Education and Prevention Program (through the National Heart, Lung and Blood Institute), including access to care and treatment for asthma in a community-based setting;

''(B) Projects to demonstrate mobile health care clinics that in accordance with such guidelines provide preventive asthma care. Such projects shall be evaluated and reports describing the findings of the evaluations shall be submitted to the Congress.

''(C) Projects to conduct validated asthma management education programs for patients with asthma and their families, including patient education regarding asthma management, family education on asthma management, and the distribution of materials, including displays and videos, to reinforce concepts presented by medical teams.

''(2) AWARD OF GRANTS.—

''(A) APPLICATION.—

''(i) IN GENERAL.—An eligible entity shall submit an application to the Secretary for a grant under this section in such form and manner as the Secretary may require.

''(ii) REQUIRED INFORMATION.—An application submitted under this subparagraph shall include a plan for the use of funds awarded under the grant and such other information as the Secretary may require.

''(B) REQUIREMENT.—In awarding grants under this section, the Secretary shall give preference to eligible entities that demonstrate that the activities to be carried out under this section shall be in localities within areas of known or suspected high prevalence of childhood asthma or high asthma-related mortality (relative to the average asthma prevalence rates and associated mortality rates in the United States). Acceptable data sets to demonstrate a high prevalence of childhood asthma or high asthma-related mortality may include data from Federal, State, or local vital statistics, claims data under title XIX or XXI of the Social Security Act, other public health statistics or surveys, or other data that the Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, deems appropriate.

''(3) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' means a State agency or other entity receiving funds under title V of the Social Security Act, a local community, a nonprofit children's hospital or foundation, or a nonprofit community-based organization.

''(b) COORDINATION WITH OTHER CHILDREN'S PROGRAMS.—An eligible entity shall identify in the plan submitted as part of an application for a grant under this section how the entity will coordinate operations and activities under the grant with—

''(1) other programs operated in the State that serve children with asthma, including any such programs operated under titles V, XIX, or XXI of the Social Security Act; and

''(2) one or more of the following—

''(A) the child welfare and foster care and adoption assistance programs under parts B and E of title IV of such Act;

''(B) the head start program established under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) the program of assistance under the special supplemental nutrition program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(D) local public and private elementary or secondary schools; or

''(E) public housing agencies, as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

''(c) EVALUATION.—An eligible entity that receives a grant under this section shall submit to the Secretary an evaluation of the operations and activities carried out under the grant that includes—

''(1) a description of the health status outcomes of children assisted under the grant;

''(2) an assessment of the utilization of asthma-related health care services as a result of activities carried out under the grant;

''(3) the collection, analysis, and reporting of asthma data according to guidelines prescribed by the Director of the Centers for Disease Control and Prevention; and

''(4) such other information as the Secretary may require.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 512. TECHNICAL AND CONFORMING AMENDMENTS.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in part L, by redesignating section 399D as section 399A;

(2) in part M—

(A) by redesignating sections 399H through 399L as sections 399B through 399F, respectively;

(B) in section 399B (as so redesignated), in subsection (e)—

(i) by striking ''section 399K(b)'' and inserting ''subsection (b) of section 399E''; and

(ii) by striking ''section 399C'' and inserting ''such section'';

(C) in section 399E (as so redesignated), in subsection (c), by striking ''section 399H(a)'' and inserting ''section 399B(a)''; and

(D) in section 399F (as so redesignated)—

(i) in subsection (a), by striking ''section 399I'' and inserting ''section 399C'';

(ii) in subsection (a), by striking ''subsection 399J'' and inserting ''section 399D''; and

(iii) in subsection (b), by striking ''subsection 399K'' and inserting ''section 399E'';

(3) in part N, by redesignating section 399F as section 399G; and

(4) in part O—

(A) by redesignating sections 399G through 399J as sections 399H through 399K, respectively;

(B) in section 399H (as so redesignated), in subsection (b), by striking ''section 399H'' and inserting ''section 399I'';

(C) in section 399J (as so redesignated), in subsection (b), by striking ''section 399G(d)'' and inserting ''section 399H(d)''; and

(D) in section 399K (as so redesignated), by striking ''section 399G(d)(1)'' and inserting ''section 399H(d)(1)''.

Subtitle B—Prevention Activities

SEC. 521. PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT; SYSTEMS FOR REDUCING ASTHMA-RELATED ILLNESSES THROUGH URBAN COCKROACH MANAGEMENT.

Section 1904(a)(1) of the Public Health Service Act (42 U.S.C. 300w–3(a)(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(2) by adding a period at the end of subparagraph (G) (as so redesignated);

(3) by inserting after subparagraph (D), the following:

''(E) The establishment, operation, and coordination of effective and cost-efficient systems to reduce the prevalence of asthma and asthma-related illnesses among urban populations, especially children, by reducing the level of exposure to cockroach allergen through the use of integrated pest management, as applied to cockroaches. Amounts expended for such systems may include the costs of building maintenance and the costs of programs to promote community participation in the carrying out at such sites of integrated pest management, as applied to cockroaches. For purposes of this subparagraph, the term 'integrated pest management' means an approach to the management of pests in public facilities that combines biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks.'';

(4) in subparagraph (F) (as so redesignated), by striking ''subparagraphs (A) through (D)'' and inserting ''subparagraphs (A) through (E)''; and

(5) in subparagraph (G) (as so redesignated), by striking ''subparagraphs (A) through (E)'' and inserting ''subparagraphs (A) through (F)''.

Subtitle C—Coordination of Federal Activities

SEC. 531. COORDINATION THROUGH NATIONAL INSTITUTES OF HEALTH.

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by inserting after section 424A the following section:

''COORDINATION OF FEDERAL ASTHMA ACTIVITIES

''SEC. 424B (a) IN GENERAL.—The Director of Institute shall, through the National Asthma Education Prevention Program Coordinating Committee—

''(1) identify all Federal programs that carry out asthma-related activities;

''(2) develop, in consultation with appropriate Federal agencies and professional and voluntary health organizations, a Federal plan for responding to asthma; and

''(3) not later than 12 months after the date of the enactment of the Children's Health Act of 2000, submit recommendations to the appropriate committees of the Congress on ways to strengthen and improve the coordination of asthma-related activities of the Federal Government.

''(b) REPRESENTATION OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—A representative of the Department of Housing and Urban Development shall be included on the National Asthma Education Prevention Program Coordinating Committee for the purpose of performing the tasks described in subsection (a).

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle D—Compilation of Data

SEC. 541. COMPILATION OF DATA BY CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 401 of this Act, is amended by inserting after section 317I the following section:

''COMPILATION OF DATA ON ASTHMA

''SEC. 317J. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the Director of the National Heart, Lung, and Blood Institute, shall—

''(1) conduct local asthma surveillance activities to collect data on the prevalence and severity of asthma and the quality of asthma management;

''(2) compile and annually publish data on the prevalence of children suffering from asthma in each State; and

''(3) to the extent practicable, compile and publish data on the childhood mortality rate associated with asthma nationally.

''(b) NATIONAL COORDINATING COMMITTEE.—The Director of the National Heart, Lung, and Blood Institute shall in carrying out subsection (a) consult with the National Asthma Education Prevention Program Coordinating Committee.

''(c) COLLABORATIVE EFFORTS.—The activities described in subsection (a)(1) may be conducted in collaboration with eligible entities awarded a grant under section 399L.''.

TITLE VI—BIRTH DEFECTS PREVENTION ACTIVITIES

Subtitle A—Folic Acid

SEC. 601. SHORT TITLE.

This subtitle may be cited as the ''Folic Acid Promotion and Birth Defects Prevention Act of 2000''.

SEC. 602. PROGRAM REGARDING EFFECTS OF FOLIC ACID IN PREVENTION OF BIRTH DEFECTS.

Part B of title III of the Public Health Service Act, as amended by section 541 of this Act, is amended by inserting after section 317J the following section:

''EFFECTS OF FOLIC ACID IN PREVENTION OF BIRTH DEFECTS

''SEC. 317K. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out a program (directly or through grants or contracts) for the following purposes:

''(1) To provide education and training for health professionals and the general public for purposes of explaining the effects of folic acid in preventing birth defects and for purposes of encouraging each woman of reproductive capacity (whether or not planning a pregnancy) to consume on a daily basis a dietary supplement that provides an appropriate level of folic acid.

''(2) To conduct research with respect to such education and training, including identifying effective strategies for increasing the rate of consumption of folic acid by women of reproductive capacity.

''(3) To conduct research to increase the understanding of the effects of folic acid in preventing birth defects, including understanding with respect to cleft lip, cleft palate, and heart defects.

''(4) To provide for appropriate epidemiological activities regarding folic acid and birth defects, including epidemiological activities regarding neural tube defects.

''(b) CONSULTATIONS WITH STATES AND PRIVATE ENTITIES.—In carrying out subsection (a), the Secretary shall consult with the States and with other appropriate public or private entities, including national nonprofit private organizations, health professionals, and providers of health insurance and health plans.

''(c) TECHNICAL ASSISTANCE.—The Secretary may (directly or through grants or contracts) provide technical assistance to public and nonprofit private entities in carrying out the activities described in subsection (a).

''(d) EVALUATIONS.—The Secretary shall (directly or through grants or contracts) provide for the evaluation of activities under subsection (a) in order to determine the extent to which such activities have been effective in carrying out the purposes of the program under such subsection, including the effects on various demographic populations. Methods of evaluation under the preceding sentence may include surveys of knowledge and attitudes on the consumption of folic acid and on blood folate levels. Such methods may include complete and timely monitoring of infants who are born with neural tube defects.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—National Center on Birth Defects and Developmental Disabilities

SEC. 611. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

Section 317C of the Public Health Service Act (42 U.S.C. 247b–4) is amended—

(1) by striking the heading for the section and inserting the following:

''NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES'';

(2) by striking ''SEC. 317C. (a)'' and all that follows through the end of subsection (a) and inserting the following:

''SEC. 317C. (a) IN GENERAL.—

''(1) NATIONAL CENTER.—There is established within the Centers for Disease Control and Prevention a center to be known as the National Center on Birth Defects and Developmental Disabilities (referred to in this section as the 'Center'), which shall be headed by a director appointed by the Director of the Centers for Disease Control and Prevention.

''(2) GENERAL DUTIES.—The Secretary shall carry out programs—

(A) to collect, analyze, and make available data on birth defects (in a manner that facilitates compliance with subsection (d)(2)), including data on the causes of such defects and on the incidence and prevalence of such defects;

(B) to operate regional centers for the conduct of applied epidemiological research on the prevention of such defects; and

(C) to provide information and education to the public on the prevention of such defects.

''(3) FOLIC ACID.—The Secretary shall carry out section 317K through the Center.

''(4) CERTAIN PROGRAMS.—

''(A) TRANSFERS.—All programs and functions described in subparagraph (B) are transferred to the Center, effective on the date of the enactment of the Children's Health Act of 2000.

''(B) RELEVANT PROGRAMS.—The programs and functions described in this subparagraph are all programs and functions that—

''(i) relate to birth defects, folic acid, cerebral palsy, mental retardation, child development, newborn screening, autism, fragile X syndrome, fetal alcohol syndrome, pediatric genetics, or disability prevention; and

''(ii) were carried out through the National Center for Environmental Health as of the day before the date of the enactment of the Act referred to in subparagraph (A).

''(C) RELATED TRANSFERS.—Personnel employed in connection with the programs and functions specified in subparagraph (B), and amounts available for carrying out the programs and functions, are transferred to the Center, effective on the date of the enactment of the Act referred to in subparagraph (A). Such transfer of amounts does not affect the period of availability of the amounts, or the availability of the amounts with respect to the purposes for which the amounts may be expended.''; and

(3) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''(a)(1)'' and inserting ''(a)(2)(A)''.

TITLE VII—EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS

SEC. 701. SHORT TITLE.

This title may be cited as the ''Newborn and Infant Hearing Screening and Intervention Act of 2000''.

SEC. 702. PURPOSES.

The purposes of this title are to clarify the authority within the Public Health Service Act to authorize statewide newborn and infant hearing screening, evaluation and intervention programs and systems, technical assistance, a national applied research program, and interagency and private sector collaboration for policy development, in order to assist the States in making progress toward the following goals:

(1) All babies born in hospitals in the United States and its territories should have a hearing screening before leaving the birthing facility. Babies born in other countries and residing in the United States via immigration or adoption should have a hearing screening as early as possible.

(2) All babies who are not born in hospitals in the United States and its territories should have a hearing screening within the first 3 months of life.

(3) Appropriate audiologic and medical evaluations should be conducted by 3 months for all newborns and infants suspected of having hearing loss to allow appropriate referral and provisions for audiologic rehabilitation, medical and early intervention before the age of 6 months.

(4) All newborn and infant hearing screening programs and systems should include a component for audiologic rehabilitation, medical and early intervention options that ensures linkage to any new and existing state-wide systems of intervention and rehabilitative services for newborns and infants with hearing loss.

(5) Public policy in regard to newborn and infant hearing screening and intervention should be based on applied research and the recognition that newborns, infants, toddlers, and children who are deaf or hard-of-hearing have unique language, learning, and communication needs, and should be the result of consultation with pertinent public and private sectors.

SEC. 703. PROGRAMS OF HEALTH RESOURCES AND SERVICES ADMINISTRATION, CENTERS FOR DISEASE CONTROL AND PREVENTION, AND NATIONAL INSTITUTES OF HEALTH.

Part P of title III of the Public Health Service Act, as added by section 511 of this Act, is amended by adding at the end the following section:

''SEC. 399M. EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS.

''(a) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—The Secretary, acting through the Administrator of

the Health Resources and Services Administration, shall make awards of grants or cooperative agreements to develop statewide newborn and infant hearing screening, evaluation and intervention programs and systems for the following purposes:

''(1) To develop and monitor the efficacy of state-wide newborn and infant hearing screening, evaluation and intervention programs and systems. Early intervention includes referral to schools and agencies, including community, consumer, and parent-based agencies and organizations and other programs mandated by part C of the Individuals with Disabilities Education Act, which offer programs specifically designed to meet the unique language and communication needs of deaf and hard of hearing newborns, infants, toddlers, and children.

''(2) To collect data on statewide newborn and infant hearing screening, evaluation and intervention programs and systems that can be used for applied research, program evaluation and policy development.

''(b) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH.—

''(1) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall make awards of grants or cooperative agreements to provide technical assistance to State agencies to complement an intramural program and to conduct applied research related to newborn and infant hearing screening, evaluation and intervention programs and systems. The program shall develop standardized procedures for data management and program effectiveness and costs, such as—

''(A) to ensure quality monitoring of newborn and infant hearing loss screening, evaluation, and intervention programs and systems;

''(B) to provide technical assistance on data collection and management;

''(C) to study the costs and effectiveness of newborn and infant hearing screening, evaluation and intervention programs and systems conducted by State-based programs in order to answer issues of importance to state and national policymakers;

''(D) to identify the causes and risk factors for congenital hearing loss;

''(E) to study the effectiveness of newborn and infant hearing screening, audiologic and medical evaluations and intervention programs and systems by assessing the health, intellectual and social developmental, cognitive, and language status of these children at school age; and

''(F) to promote the sharing of data regarding early hearing loss with State-based birth defects and developmental disabilities monitoring programs for the purpose of identifying previously unknown causes of hearing loss.

''(2) NATIONAL INSTITUTES OF HEALTH.—The Director of the National Institutes of Health, acting through the Director of the National Institute on Deafness and Other Communication Disorders, shall for purposes of this section, continue a program of research and development on the efficacy of new screening techniques and technology, including clinical studies of screening methods, studies on efficacy of intervention, and related research.

''(c) COORDINATION AND COLLABORATION.—

''(1) IN GENERAL.—In carrying out programs under this section, the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall collaborate and consult with other Federal agencies; State and local agencies, including those responsible for early intervention services pursuant to title XIX of the Social Security Act (Medicaid Early and Periodic Screening, Diagnosis and Treatment Program); title XXI of the Social Security Act (State Children's Health Insurance Program); title V of the Social Security Act (Maternal and Child Health Block Grant Program); and part C of the Individuals with Disabilities Education Act; consumer groups of and that serve individuals who are deaf and hard-of-hearing and their families; appropriate national medical and other health and education specialty organizations; persons who are deaf and hard-of-hearing and their families; other qualified professional personnel who are proficient in deaf or hard-of-hearing children's language and who possess the specialized knowledge, skills, and attributes needed to serve deaf and hard-of-hearing newborns, infants, toddlers, children, and their families; third-party payers and managed care organizations; and related commercial industries.

''(2) POLICY DEVELOPMENT.—The Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall coordinate and collaborate on recommendations for policy development at the Federal and State levels and with the private sector, including consumer, medical and other health and education professional-based organizations, with respect to newborn and infant hearing screening, evaluation and intervention programs and systems.

''(3) STATE EARLY DETECTION, DIAGNOSIS, AND INTERVENTION PROGRAMS AND SYSTEMS; DATA COLLECTION.—The Administrator of the Health Resources and Services Administration and the Director of the Centers for Disease Control and Prevention shall coordinate and collaborate in assisting States to establish newborn and infant hearing screening, evaluation and intervention programs and systems under subsection (a) and to develop a data collection system under subsection (b).

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any State law.

''(e) DEFINITIONS.—For purposes of this section:

''(1) The term 'audiologic evaluation' refers to procedures to assess the status of the auditory system; to establish the site of the auditory disorder; the type and degree of hearing loss, and the potential effects of hearing loss on communication; and to identify appropriate treatment and referral options. Referral options should include linkage to State coordinating agencies under part C of the Individuals with Disabilities Education Act or other appropriate agencies, medical evaluation, hearing aid/sensory aid assessment, audiologic rehabilitation treatment, national and local consumer, self-help, parent, and education organizations, and other family-centered services.

''(2) The terms 'audiologic rehabilitation' and 'audiologic intervention' refer to procedures, techniques, and technologies to facilitate the receptive and expressive communication abilities of a child with hearing loss.

''(3) The term 'early intervention' refers to providing appropriate services for the child with hearing loss, including nonmedical services, and ensuring that families of the child are provided comprehensive, consumer-oriented information about the full range of family support, training, information services, communication options and are given the opportunity to consider the full range of educational and program placements and options for their child.

''(4) The term 'medical evaluation by a physician' refers to key components including history, examination, and medical decision making focused on symptomatic and related body systems for the purpose of diagnosing the etiology of hearing loss and related physical conditions, and for identifying appropriate treatment and referral options.

''(5) The term 'medical intervention' refers to the process by which a physician provides medical diagnosis and direction for medical and/or surgical treatment options of hearing loss and/or related medical disorder associated with hearing loss.

''(6) The term 'newborn and infant hearing screening' refers to objective physiologic procedures to detect possible hearing loss and to identify newborns and infants who, after rescreening, require further audiologic and medical evaluations.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—For the purpose of carrying out subsection (a), there are authorized to be appropriated to the Health Resources and Services Administration such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(2) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; CENTERS FOR DISEASE CONTROL AND PREVENTION.—For the purpose of carrying out subsection (b)(1), there are authorized to be appropriated to the Centers for Disease Control and Prevention such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(3) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS.—For the purpose of carrying out subsection (b)(2), there are authorized to be appropriated to the National Institute on Deafness and Other Communication Disorders such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE VIII—CHILDREN AND EPILEPSY

SEC. 801. NATIONAL PUBLIC HEALTH CAMPAIGN ON EPILEPSY; SEIZURE DISORDER DEMONSTRATION PROJECTS IN MEDICALLY UNDERSERVED AREAS.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b) is amended by adding at the end the following section:

''SEC. 330E. EPILEPSY; SEIZURE DISORDER.

''(a) NATIONAL PUBLIC HEALTH CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall develop and implement public health surveillance, education, research, and intervention strategies to improve the lives of persons with epilepsy, with a particular emphasis on children. Such projects may be carried out by the Secretary directly and through awards of grants or contracts to public or nonprofit private entities. The Secretary may directly or through such awards provide technical assistance with respect to the planning, development, and operation of such projects.

''(2) CERTAIN ACTIVITIES.—Activities under paragraph (1) shall include—

''(A) expanding current surveillance activities through existing monitoring systems and improving registries that maintain data on individuals with epilepsy, including children;

''(B) enhancing research activities on patient management and control of epilepsy;

''(C) implementing public and professional information and education programs regarding epilepsy, including initiatives which promote effective management and control of the disease through children's programs which are targeted to parents, schools, daycare providers, patients;

''(D) undertaking educational efforts with the media, providers of health care, schools and others regarding stigmas and secondary disabilities related to epilepsy and seizures, and also its affects on youth;

''(E) utilizing and expanding partnerships with organizations with experience addressing the health and related needs of people with disabilities; and

''(F) other activities the Secretary deems appropriate.

''(3) COORDINATION OF ACTIVITIES.—The Secretary shall ensure that activities under this subsection are coordinated as appropriate with other agencies of the Public Health Service that carry out activities regarding epilepsy and seizure.

''(b) SEIZURE DISORDER; DEMONSTRATION PROJECTS IN MEDICALLY UNDERSERVED AREAS.—

''(1) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to States and local governments for the purpose of carrying out demonstration projects to improve access to health and other services regarding seizures to encourage early detection and treatment in children and others residing in medically underserved areas.

''(2) APPLICATION FOR GRANT.—The Secretary may make a grant under paragraph (1) only if the application for the grant is submitted to the Secretary and the application is in such form, is made in such matter, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this subsection.

''(c) DEFINITIONS.—For purposes of this section:

''(1) The term ''epilepsy'' refers to a chronic and serious neurological condition which produces excessive electrical discharges in the brain causing recurring seizures affecting all life activities. The Secretary may revise the definition of such term as the Secretary.

''(2) The term ''medically underserved'' has the meaning applicable under section 799B(6).

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE IX—SAFE MOTHERHOOD; INFANT HEALTH PROMOTION

Subtitle A—Safe Motherhood Monitoring and Prevention Research

SEC. 901. SHORT TITLE.

This title may be cited as the ''Safe Motherhood Monitoring and Prevention Research Act''.

SEC. 902. MONITORING; PREVENTION RESEARCH AND OTHER ACTIVITIES.

Part B of title III of the Public Health Service Act, as amended by section 602 of this Act, is amended by inserting after section 317K the following section:

''SAFE MOTHERHOOD

''SEC. 317L. (a) MONITORING.—

''(1) PURPOSE.—The purpose of this subsection is to develop monitoring systems at the local, State, and national level to better understand the burden of maternal complications and mortality and to decrease the disparities among population at risk of death and complications from pregnancy.

''(2) ACTIVITIES.—For the purpose described in paragraph (1), the Secretary may carry out the following activities:

''(A) the Secretary may establish and implement a national monitoring and surveillance program to identify and promote the investigation of deaths and severe complications that occur during pregnancy.

''(B) The Secretary may expand the Pregnancy Risk Assessment Monitoring System to provide surveillance and collect data in each of the 50 States.

''(C) The Secretary may expand the Maternal and Child Health Epidemiology Program to provide technical support, financial assistance, or the time-limited assignment of senior epidemiologists to maternal and child health programs in each of the 50 States.

''(b) PREVENTION RESEARCH.—

''(1) PURPOSE.—The purpose of this subsection is to provide the Secretary with the authority to further expand research concerning risk factors, prevention strategies, and the roles of the family, health care providers and the community in safe motherhood.

''(2) RESEARCH.—The Secretary may carry out activities to expand research relating to—

''(A) encouraging preconception counseling, especially for at risk populations such as diabetics;

''(B) the identification of critical components of prenatal delivery and postpartum care;

''(C) the identification of outreach and support services, such as folic acid education, that are available for pregnant women;

''(D) the identification of women who are at high risk for complications;

''(E) preventing preterm delivery;

''(F) preventing urinary tract infections;

''(G) preventing unnecessary caesarean sections;

''(H) an examination of the higher rates of maternal mortality among African American women;

''(I) an examination of the relationship between domestic violence and maternal complications and mortality;

''(J) preventing smoking, alcohol and illegal drug usage before, during and after pregnancy;

''(K) preventing infections that cause maternal and infant complications; and

''(L) other areas determined appropriate by the Secretary.

''(c) PREVENTION PROGRAMS.—

''(1) IN GENERAL.—The Secretary may carry out activities to promote safe motherhood, including—

''(A) public education campaigns on healthy pregnancies and the building of partnerships with outside organizations concerned about safe motherhood;

''(B) education programs for physicians, nurses and other health care providers; and

''(C) activities to promote community support services for pregnant women.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Pregnant Mothers and Infants Health Promotion

SEC. 911. SHORT TITLE.

This subtitle may be cited as the ''Pregnant Mothers and Infants Health Protection Act''.

SEC. 912. PROGRAMS REGARDING PRENATAL AND POSTNATAL HEALTH.

Part B of title III of the Public Health Service Act, as amended by section 902 of this Act, is amended by inserting after section 317L the following section:

''PRENATAL AND POSTNATAL HEALTH

''SEC. 317M. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out programs—

''(1) to collect, analyze, and make available data on prenatal smoking, alcohol and illegal drug usage, including data on the implications of such activities and on the incidence and prevalence of such activities and their implications;

''(2) to conduct applied epidemiological research on the prevention of prenatal and postnatal smoking, alcohol and illegal drug usage;

''(3) to support, conduct, and evaluate the effectiveness of educational and cessation programs; and

''(4) to provide information and education to the public on the prevention and implications of prenatal and postnatal smoking, alcohol and illegal drug usage.

''(b) GRANTS.—In carrying out subsection (a), the Secretary may award grants to and enter into contracts with States, local governments, scientific and academic institutions, Federally qualified health centers, and other public and nonprofit entities, and may provide technical and consultative assistance to such entities.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE X—REVISION AND EXTENSION OF PROGRAMS

Subtitle A—Pediatric Research Initiative

SEC. 1001. SHORT TITLE.

This subtitle may be cited as the ''Pediatric Research Initiative Act of 2000''.

SEC. 1002. ESTABLISHMENT OF PEDIATRIC RESEARCH INITIATIVE.

Part B of title IV of the Public Health Service Act, as amended by section 112 of this Act, is amended by adding at the end the following:

''PEDIATRIC RESEARCH INITIATIVE

''SEC. 409D. (a) ESTABLISHMENT.—The Secretary shall establish within the Office of the Director of NIH a Pediatric Research Initiative (referred to in this section as the 'Initiative'). The Initiative shall be headed by the Director of NIH.

''(b) PURPOSE.—The purpose of the Initiative is to provide funds to enable the Director of NIH to provide—

''(1) increased support for pediatric biomedical research within the National Institutes of Health to ensure that the expanding opportunities for advancement in scientific investigations and care for children are realized;

''(2) enhanced collaborative efforts among the Institutes to support multidisciplinary research in the areas that the Director deems most promising; and

''(3) the development of adequate pediatric clinical trials and pediatric use information to promote the safer and more effective use of prescription drugs in the pediatric population.

''(c) DUTIES.—In carrying out subsection (b), the Director of NIH shall—

''(1) consult with the Director of the National Institute of Child Health and Human Development and the Directors of the other national research institutes, in considering their requests for new or expanded pediatric research efforts, and consult with the Administrator of the Health Resources and Services Administration and other advisors as the Director determines to be appropriate;

''(2) have broad discretion in the allocation of any Initiative assistance among the Institutes, among types of grants, and between basic and clinical research so long as the—

''(A) assistance is directly related to the illnesses and conditions of children; and

''(B) assistance is extramural in nature; and

''(3) be responsible for the oversight of any newly appropriated Initiative funds and annually report to Congress and the public on the extent of the total extramural support for pediatric research across the NIH, including the specific support and research awards allocated through the Initiative.

''(d) AUTHORIZATION.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be

necessary for each of the fiscal years 2001 through 2005.

''(e) TRANSFER OF FUNDS.—The Director of NIH may transfer amounts appropriated under this section to any of the Institutes for a fiscal year to carry out the purposes of the Initiative under this section.''.

SEC. 1003. INVESTMENT IN TOMORROW'S PEDIATRIC RESEARCHERS.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 921 of this Act, is amended by adding at the end the following:

''INVESTMENT IN TOMORROW'S PEDIATRIC RESEARCHERS

''SEC. 452G. (a) IN GENERAL.—In order to ensure the future supply of researchers dedicated to the care and research needs of children, the Director of the Institute, after consultation with the Administrator of the Health Resources and Services Administration, shall support activities to provide for—

''(1) an increase in the number and size of institutional training grants to pediatric departments of medical schools and to children's hospitals; and

''(2) an increase in the number of career development awards for health professionals who are in pediatric specialties or subspecialties and intend to build careers in pediatric basic and clinical research.

''(b) AUTHORIZATION.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Other Programs

SEC. 1011. CHILDHOOD IMMUNIZATIONS.

Section 317(j)(1) of the Public Health Service Act (42 U.S.C. 247b(j)(1)) is amended in the first sentence by striking ''1998'' and all that follows and inserting ''1998 through 2003.''.

SEC. 1012. SCREENINGS, REFERRALS, AND EDUCATION REGARDING LEAD POISONING.

Section 317A(l)(1) of the Public Health Service Act (42 U.S.C. 247b–1(l)(1)) is amended by striking ''1994'' and all that follows and inserting ''1994 through 2003.''.

TITLE XI—CHILDHOOD SKELETAL MALIGNANCIES

SEC. 1101. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION AND NATIONAL INSTITUTES OF HEALTH.

Part P of title III of the Public Health Service Act, as amended by section 703 of this Act, is amended by adding at the end the following section:

''SEC. 399N. CHILDHOOD SKELETAL MALIGNANCIES.

''(a) IN GENERAL.—The Secretary, acting as appropriate through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health, shall study environmental and other risk factors for childhood skeletal cancers, and carry out projects to improve outcomes among children with childhood skeletal cancers and resultant secondary conditions, including limb loss. Such projects shall be carried out by the Secretary directly and through awards of grants or contracts to public or nonprofit entities.

''(b) CERTAIN ACTIVITIES.—Activities under subsection (a) include—

''(1) the expansion of current demographic data collection and population surveillance efforts to include childhood skeletal cancers nationally;

''(2) the development of a uniform reporting system under which treating physicians, hospitals, clinics, and states report the diagnosis of childhood skeletal cancers, including relevant associated epidemiological data; and

''(3) support for the National Limb Loss Information Center to address, in part, the primary and secondary needs of persons who experience childhood skeletal cancers in order to prevent or minimize the disabling nature of these cancers.

''(c) COORDINATION OF ACTIVITIES.—The Secretary shall assure that activities under this section are coordinated as appropriate with other agencies of the Public Health Service that carry out activities focused on childhood cancers and limb loss.

''(d) DEFINITION.—For purposes of this section, the term 'childhood skeletal cancer' refers to any malignancy originating in the connective tissue of a person before skeletal maturity including the appendicular and axial skeleton. The Secretary may for purposes of this section revise the definition of such term to the extent determined by the Secretary to be appropriate.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XII—ADOPTION AWARENESS

Subtitle A—Infant Adoption Awareness

SEC. 1201. SHORT TITLE.

This subtitle may be cited as the ''Infant Adoption Awareness Act of 2000''.

SEC. 1202. GRANTS REGARDING INFANT ADOPTION AWARENESS.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 801 of this Act, is amended by adding at the end the following section:

''SEC. 330F. CERTAIN SERVICES FOR PREGNANT WOMEN.

''(a) INFANT ADOPTION AWARENESS.—

''(1) IN GENERAL.—The Secretary shall make grants to national, regional, or local adoption organizations for the purpose of developing and implementing programs to train the designated staff of eligible health centers in providing adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling.

''(2) BEST-PRACTICES GUIDELINES.—

''(A) IN GENERAL.—A condition for the receipt of a grant under paragraph (1) is that the adoption organization involved agree that, in providing training under such paragraph, the organization will follow the guidelines developed under subparagraph (B).

''(B) PROCESS FOR DEVELOPMENT OF GUIDELINES.—

''(i) IN GENERAL.—The Secretary shall establish and supervise a process described in clause (ii) in which the participants are—

''(I) an appropriate number and variety of adoption organizations that, as a group, have expertise in all models of adoption practice and that represent all members of the adoption triad (birth mother, infant, and adoptive parent); and

''(II) affected public health entities.

''(ii) DESCRIPTION OF PROCESS.—The process referred to in clause (i) is a process in which the participants described in such clause collaborate to develop best-practices guidelines on the provision of adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling.

''(iii) DATE CERTAIN FOR DEVELOPMENT.—The Secretary shall ensure that the guidelines described in clause (ii) are developed not later than 180 days after the date of the enactment of the Children's Health Act of 2000.

''(C) RELATION TO AUTHORITY FOR GRANTS.—The Secretary may not make any grant under paragraph (1) before the date on which the guidelines under subparagraph (B) are developed.

''(3) USE OF GRANT.—

''(A) IN GENERAL.—With respect to a grant under paragraph (1)—

''(i) an adoption organization may expend the grant to carry out the programs directly or through grants to or contracts with other adoption organizations;

''(ii) the purposes for which the adoption organization expends the grant may include the development of a training curriculum, consistent with the guidelines developed under paragraph (2)(B); and

''(iii) a condition for the receipt of the grant is that the adoption organization agree that, in providing training for the designated staff of eligible health centers, such organization will make reasonable efforts to ensure that the individuals who provide the training are individuals who are knowledgeable on the process for adopting a child and are experienced in providing adoption information and referrals in the geographic areas in which the eligible health centers are located, and that the designated staff receive the training in such areas.

''(B) RULE OF CONSTRUCTION REGARDING TRAINING OF TRAINERS.—With respect to individuals who under a grant under paragraph (1) provide training for the designated staff of eligible health centers (referred to in this subparagraph as 'trainers'), subparagraph (A)(iii) may not be construed as establishing any limitation regarding the geographic area in which the trainers receive instruction in being such trainers. A trainer may receive such instruction in a different geographic area than the area in which the trainer trains (or will train) the designated staff of eligible health centers.

''(4) ADOPTION ORGANIZATIONS; ELIGIBLE HEALTH CENTERS; OTHER DEFINITIONS.—For purposes of this section:

''(A) The term 'adoption organization' means a national, regional, or local organization—

''(i) among whose primary purposes are adoption;

''(ii) that is knowledgeable on the process for adopting a child and on providing adoption information and referrals to pregnant women; and

''(iii) that is a nonprofit private entity.

''(B) The term 'designated staff', with respect to an eligible health center, means staff of the center who provide pregnancy or adoption information and referrals (or will provide such information and referrals after receiving training under a grant under paragraph (1)).

''(C) The term 'eligible health centers' means public and nonprofit private entities that provide health-related services to pregnant women.

''(5) TRAINING FOR CERTAIN ELIGIBLE HEALTH CENTERS.—A condition for the receipt of a grant under paragraph (1) is that the adoption organization involved agree to make reasonable efforts to ensure that the eligible health centers with respect to which training under the grant is provided include—

''(A) eligible health centers that receive grants under section 1001 (relating to voluntary family planning projects);

''(B) eligible health centers that receive grants under section 330 (relating to community health centers, migrant health centers, and centers regarding homeless individuals and residents of public housing); and

''(C) eligible health centers that receive grants under this Act for the provision of services in schools.

''(6) PARTICIPATION OF CERTAIN ELIGIBLE HEALTH CLINICS.—In the case of eligible health centers that receive grants under section 330 or 1001:

''(A) Within a reasonable period after the Secretary begins making grants under paragraph (1), the Secretary shall provide eligible

health centers with complete information about the training available from organizations receiving grants under such paragraph. The Secretary shall make reasonable efforts to encourage eligible health centers to arrange for designated staff to participate in such training.

''(B) All costs of such centers in obtaining the training shall be reimbursed by the organization that provides the training, using grants under paragraph (1).

''(C) Not later than one year after the date of the enactment the Children's Health Act of 2000, the Secretary shall submit to the appropriate committees of the Congress a report evaluating the extent to which adoption information, and referral upon request, is provided by eligible health centers. Within a reasonable time after training under this section is initiated, the Secretary shall submit to the appropriate committees of the Congress a report evaluating the extent to which adoption information, and referral upon request, is provided by eligible health centers in order to determine the effectiveness of such training. In preparing the reports required by this subparagraph, the Secretary shall in no respect interpret the provisions of this section to allow any interference in the provider-patient relationship, any breach of patient confidentiality, or any monitoring or auditing of the counseling process or patient records which breaches patient confidentiality or reveals patient identity.

''(b) APPLICATION FOR GRANT.—The Secretary may make a grant under subsection (a) only if an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Special Needs Adoption Awareness

SEC. 1211. SPECIAL NEEDS ADOPTION PROGRAMS; PUBLIC AWARENESS CAMPAIGN AND OTHER ACTIVITIES.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 1202 of this Act, is amended by adding at the end the following section:

''SEC. 330G. SPECIAL NEEDS ADOPTION PROGRAMS; PUBLIC AWARENESS CAMPAIGN AND OTHER ACTIVITIES.

''(a) SPECIAL NEEDS ADOPTION AWARENESS CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall, through making grants to nonprofit private entities, provide for the planning, development, and carrying out of a national campaign to provide information to the public regarding the adoption of children with special needs.

''(2) INPUT ON PLANNING AND DEVELOPMENT.—In providing for the planning and development of the national campaign under paragraph (1), the Secretary shall provide for input from a number and variety of adoption organizations throughout the States in order that the full national diversity of interests among adoption organizations is represented in the planning and development of the campaign.

''(3) CERTAIN FEATURES.—With respect to the national campaign under paragraph (1):

''(A) The campaign shall be directed at various populations, taking into account as appropriate differences among geographic regions, and shall be carried out in the language and cultural context that is most appropriate to the population involved.

''(B) The means through which the campaign may be carried out include—

''(i) placing public service announcements on television, radio, and billboards; and

''(ii) providing information through means that the Secretary determines will reach individuals who are most likely to adopt children with special needs.

''(C) The campaign shall provide information on the subsidies and supports that are available to individuals regarding the adoption of children with special needs.

''(D) The Secretary may provide that the placement of public service announcements, and the dissemination of brochures and other materials, is subject to review by the Secretary.

''(4) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—With respect to the costs of the activities to be carried out by an entity pursuant to paragraph (1), a condition for the receipt of a grant under such paragraph is that the entity agree to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 25 percent of such costs.

''(B) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

''(b) NATIONAL RESOURCES PROGRAM.—The Secretary shall (directly or through grant or contract) carry out a program that, through toll-free telecommunications, makes available to the public information regarding the adoption of children with special needs. Such information shall include the following:

''(1) A list of national, State, and regional organizations that provide services regarding such adoptions, including exchanges and other information on communicating with the organizations. The list shall represent the full national diversity of adoption organizations.

''(2) Information beneficial to individuals who adopt such children, including lists of support groups for adoptive parents and other postadoptive services.

''(c) OTHER PROGRAMS.—With respect to the adoption of children with special needs, the Secretary shall make grants—

''(1) to provide assistance to support groups for adoptive parents, adopted children, and siblings of adopted children; and

''(2) to carry out studies to identify the reasons for adoption disruptions.

''(d) APPLICATION FOR GRANT.—The Secretary may make an award of a grant or contract under this section only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

''(e) FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIII—TRAUMATIC BRAIN INJURY

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Traumatic Brain Injury Act Amendments of 2000''.

SEC. 1302. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(3) the implementation of a national education and awareness campaign regarding such injury (in conjunction with the program of the Secretary regarding health-status goals for 2010, commonly referred to as Healthy People 2010), including the national dissemination of information on—

''(A) incidence and prevalence;

''(B) secondary conditions arising from traumatic brain injury upon discharge from hospitals and trauma centers.'';

(2) in subsection (d)—

(A) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia.''; and

(B) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''.

(b) NATIONAL REGISTRY.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393A the following section:

''NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY REGISTRIES

''SEC. 393B. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States or their designees to operate the State's traumatic brain injury registry, and to academic institutions to conduct applied research that will support the development of such registries, to collect data concerning—

''(1) demographic information about each traumatic brain injury;

''(2) information about the circumstances surrounding the injury event associated with each traumatic brain injury;

''(3) administrative information about the source of the collected information, dates of hospitalization and treatment, and the date of injury; and

''(4) information characterizing the clinical aspects of the traumatic brain injury, including the severity of the injury, the types of treatments received, and the types of services utilized.''.

SEC. 1303. PROGRAMS OF NATIONAL INSTITUTES OF HEALTH.

(a) INTERAGENCY PROGRAM.—Section 1261(d)(4) of the Public Health Service Act (42 U.S.C. 300d–61(d)(4)) is amended—

(1) in subparagraph (A), by striking ''degree of injury'' and inserting ''degree of brain injury'';

(2) in subparagraph (B), by striking ''acute injury'' and inserting ''acute brain injury''; and

(3) in subparagraph (D), by striking ''injury treatment'' and inserting ''brain injury treatment''.

(b) DEFINITION.—Section 1261(h)(4) of the Public Health Service Act (42 U.S.C. 300d–61(h)(4)) is amended—

(1) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia.''; and

(2) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2000 through 2004.''.

SEC. 1304. PROGRAMS OF HEALTH RESOURCES AND SERVICES ADMINISTRATION.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d–51) is amended—

(1) in subsection (b)(3)—

(A) in subparagraph (A)(iv), by striking ''representing traumatic brain injury survivors'' and inserting ''representing individuals with traumatic brain injury''; and

(B) in subparagraph (B), by striking ''who are survivors of'' and inserting ''with'';

(2) in subsection (c)—

(A) in paragraph (1), by striking '', in cash,''; and

(B) in paragraph (2), by amending the paragraph to read as follows:

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.'';

(3) by designating subsections (e) through (h) as subsections (g) through (j), respectively; and

(4) by inserting after subsection (d) the following subsections:

''(e) CONTINUATION OF PREVIOUSLY AWARDED DEMONSTRATION PROJECTS.—A State that received a grant under this section prior to the date of enactment of the Children's Health Act of 2000 may compete for new project grants under this section after such date of enactment.

''(f) USE OF STATE GRANTS.—

''(1) COMMUNITY SERVICES AND SUPPORTS.—A State shall (directly or through awards of contracts to nonprofit private entities) use amounts received under a grant under this section for the following:

''(A) To develop, change, or enhance community-based service delivery systems that include timely access to comprehensive appropriate services and supports. Such service and supports—

''(i) shall promote full participation by individuals with brain injury and their families in decision making regarding the services and supports; and

''(ii) shall be designed for children and other individuals with traumatic brain injury.

''(B) To focus on outreach to underserved and inappropriately served individuals, such as individuals in institutional settings, individuals with low socioeconomic resources, individuals in rural communities, and individuals in culturally and linguistically diverse communities.

''(C) To award contracts to nonprofit entities for consumer or family service access training, consumer support, peer mentoring, and parent to parent programs.

''(D) To provide individual and family service coordination or case management systems.

''(E) To support other needs identified by the advisory board under subsection (b) for the State involved.

''(2) BEST PRACTICES.—

''(A) IN GENERAL.—State services and supports provided under a grant under this section shall reflect the best practices in the field of traumatic brain injury, shall be in compliance with title II of the Americans with Disabilities Act of 1990, and shall be supported by quality assurance measures as well as state-of-the-art health care and integrated community supports, regardless of the severity of injury.

''(B) DEMONSTRATION BY STATE AGENCY.—The State agency responsible for administering amounts received under a grant under this section shall demonstrate or express a willingness to obtain expertise and knowledge of traumatic brain injury and the unique needs associated with traumatic brain injury.

''(3) STATE CAPACITY BUILDING.—A State may use amounts received under a grant under this section to—

''(A) educate consumers and families;

''(B) train professionals in public and private sector financing (such as third party payers, State agencies, community-based providers, schools, and educators);

''(C) develop or improve case management or service coordination systems;

''(D) develop best practices in areas such as family or consumer support, return to work, housing or supportive living personal assistance services, assistive technology and devices, behavioral health services, substance abuse services, and traumatic brain injury treatment and rehabilitation;

''(E) tailor existing State systems to provide accommodations to the needs of individuals with brain injury (including systems administered by the State departments responsible for health, mental health, labor, education, mental retardation/developmental disorders, transportation, and correctional systems);

''(F) improve data sets coordinated across systems and other needs identified by a State plan supported by its advisory council; and

''(G) develop capacity within targeted communities.'';

(5) in subsection (g) (as so redesignated), by striking ''agencies of the Public Health Service'' and inserting ''Federal agencies'';

(6) in subsection (i) (as redesignated by paragraph (3))—

(A) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia.''; and

(B) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''; and

(7) in subsection (j) (as so redesignated), by amending the subsection to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIV—PREVENTION AND CONTROL OF INJURIES

SEC. 1401. AUTHORIZATION OF APPROPRIATIONS FOR PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 394A of the Public Health Service Act (42 U.S.C. 280b–3) is amended by striking ''and'' after ''1994'' and by inserting before the period the following: '', and such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XV—HEALTHY START INITIATIVE

SEC. 1501. SHORT TITLE.

This title may be cited as the ''Healthy Start Initiative Continuation Act''.

SEC. 1502. CONTINUATION OF HEALTHY START PROGRAM.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 1203 of this Act, is amended by adding at the end the following section:

''SEC. 330H. HEALTHY START FOR INFANTS.

''(a) IN GENERAL.—

''(1) CONTINUATION AND EXPANSION OF PROGRAM.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, Maternal and Child Health Bureau, shall under authority of this section continue in effect the Healthy Start Initiative and may, during fiscal year 2001 and subsequent years, carry out such program on a national basis.

''(2) DEFINITION.—For purposes of paragraph (1), the term 'Healthy Start Initiative' is a reference to the program that, as an initiative to reduce the rate of infant mortality and improve perinatal outcomes, makes grants for project areas with high annual rates of infant mortality and that, prior to the effective date of this section, was a demonstration program carried out under section 301.

''(3) ADDITIONAL GRANTS.— Effective upon increased funding beyond fiscal year 1999 for such Initiative, additional grants may be made to States to assist communities with technical assistance, replication of successful projects, and State policy formation to reduce infant and maternal mortality and morbidity.

''(b) REQUIREMENTS FOR MAKING GRANTS.—In making grants under subsection (a), the Secretary shall require that applicants (in addition to meeting all eligibility criteria established by the Secretary) establish, for project areas under such subsection, community-based consortia of individuals and organizations (including agencies responsible for administering block grant programs under title V of the Social Security Act, consumers of project services, public health departments, hospitals, health centers under section 330, and other significant sources of health care services) that are appropriate for participation in projects under subsection (a).

''(c) COORDINATION.—Recipients of grants under subsection (a) shall coordinate their services and activities with the State agency or agencies that administer block grant programs under title V of the Social Security Act in order to promote cooperation, integrity, and dissemination of information with Statewide systems and with other community services funded under the Maternal and Child Health Block Grant.

''(d) RULE OF CONSTRUCTION.—Except to the extent inconsistent with this section, this section may not be construed as affecting the authority of the Secretary to make modifications in the program carried out under subsection (a).

''(e) MEDICALLY APPROPRIATE ULTRASOUND SERVICES; MEDICALLY APPROPRIATE SERVICES FOR AT-RISK MOTHERS AND INFANTS.—

''(1) IN GENERAL.—The Secretary may make grants to health care entities to provide—

''(A) for pregnant women, ultrasound services provided by qualified health care professionals upon medical indication and referral from health care professionals who provide comprehensive prenatal services; and

''(B) for pregnant women or infants, other health services (including prenatal care, genetic counseling, and fetal and other surgery) that—

''(i) are determined by a qualified treating health care professional to be medically appropriate in order to prevent or mitigate congenital defects (including but not limited to spina bifida and hydrocephaly) or other serious obstetric complications (including but not limited to placenta previa, premature rupture of membranes, or preeclampsia); and

''(ii) are provided during pregnancy or during the first year after birth.

''(2) ELIGIBLE PROJECT AREA.—The Secretary may make a grant under paragraph (1) only if the geographic area in which services under the grant will be provided is a geographic area in which a project under subsection (a) is being carried out, and if the Secretary determines that the grant will add to or expand the level of health services available in such area to pregnant women and infants.

''(3) TRANSPORTATION AND SUBSISTENCE EXPENSES FOR CERTAIN PATIENTS.—The purposes for which a grant under paragraph (1)(B) may be expended include paying, on behalf of a pregnant woman who is in need of the health services described in such paragraph, transportation and subsistence expenses to assist

the pregnant woman in obtaining such health services from the grantee involved. The Secretary may establish such restrictions regarding payments under the preceding sentence as the Secretary determines to be appropriate.

''(4) CERTAIN CONDITIONS.—A condition for the receipt of a grant under paragraph (1) is that the applicant for the grant agree as follows:

''(A) In the case of a grant under paragraph (1)(A), if ultrasound services indicate that there is a fetal anomaly or other serious obstetric complication, the applicant will refer the pregnant woman involved for appropriate medical services, including, as appropriate, for health services described in paragraph (1)(B) provided by grantees under such paragraph.

''(B) If the applicant provides nondirective pregnancy counseling to patients and is not subject to the condition under section 330F(b), such counseling provided by the applicant to patients will include (but is not limited to) the provision of adoption information and referrals.

''(5) RELATIONSHIP TO PAYMENTS UNDER OTHER PROGRAMS.—A grant may be made under paragraph (1) only if the applicant involved agrees that the grant will not be expended to pay the expenses of providing any service under such paragraph to a pregnant woman to the extent that payment has been made, or can reasonably be expected to be made, with respect to such expenses—

''(A) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

''(B) by an entity that provides health services on a prepaid basis.

''(6) EVALUATION BY GENERAL ACCOUNTING OFFICE.—

''(A) IN GENERAL.—During fiscal year 2004, the Comptroller General of the United States shall conduct an evaluation of activities under grants under paragraph (1) in order to determine whether the activities have been effective in serving the needs of pregnant women with respect to ultrasound services and the other health services described in paragraph (1)(B). The evaluation shall include an analysis of whether such activities have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups. Not later than January 10, 2005, the Comptroller General shall submit to the Committee on Commerce in the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions in the Senate, a report describing the findings of the evaluation.

''(B) RELATION TO GRANTS REGARDING MEDICALLY APPROPRIATE SERVICES FOR AT-RISK MOTHERS AND INFANTS.—Before the date on which the evaluation under subparagraph (A) is submitted in accordance with such subparagraph—

''(i) the Secretary shall ensure that there are not more than three grantees under paragraph (1)(B); and

''(ii) an entity is not eligible to receive grants under such paragraph unless the entity has substantial experience in providing the health services described in such paragraph.

''(e) FUNDING.—

''(1) GENERAL PROGRAM.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section (other than subsection (e)), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) ALLOCATIONS.—

''(i) PROGRAM ADMINISTRATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 5 percent for coordination, dissemination, technical assistance, and data activities that are determined by the Secretary to be appropriate for carrying out the program under this section.

''(ii) EVALUATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 1 percent for evaluations of projects carried out under subsection (a). Each such evaluation shall include a determination of whether such projects have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups.

''(2) MEDICALLY APPROPRIATE ULTRASOUND SERVICES; MEDICALLY APPROPRIATE SERVICES FOR AT-RISK MOTHERS AND INFANTS.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out subsection (e), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) ALLOCATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary shall make available not less than 10 percent for providing ultrasound services under subsection (d)(1)(A) (provided by qualified health care professionals upon medical indication and referral from health care professionals who provide comprehensive prenatal services) through visits by mobile units to communities that are eligible for services under subsection (a).''.

TITLE XVI—ORAL HEALTH PROMOTION AND DISEASE PREVENTION

SEC. 1601. ORAL HEALTH PROMOTION AND DISEASE PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 912 of this Act, is amended by inserting after section 317M the following section:

''ORAL HEALTH PROMOTION AND DISEASE PREVENTION

''SEC. 317N. (a) GRANTS TO INCREASE RESOURCES FOR COMMUNITY WATER FLUORIDATION.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States and Indian tribes for the purpose of increasing the resources available for community water fluoridation.

''(2) USE OF FUNDS.—A State shall use amounts provided under a grant under paragraph (1)—

''(A) to purchase fluoridation equipment;

''(B) to train fluoridation engineers;

''(C) to develop educational materials on the benefits of fluoridation; or

''(D) to support the infrastructure necessary to monitor and maintain the quality of water fluoridation.

''(b) COMMUNITY WATER FLUORIDATION.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with the Director of the Indian Health Service, shall establish a demonstration project that is designed to assist rural water systems in successfully implementing the water fluoridation guidelines of the Centers for Disease Control and Prevention that are entitled ''Engineering and Administrative Recommendations for Water Fluoridation, 1995'' (referred to in this subsection as the 'EARWF').

''(2) REQUIREMENTS.—

''(A) COLLABORATION.—In collaborating under paragraph (1), the Directors referred to in such paragraph shall ensure that technical assistance and training are provided to tribal programs located in each of the 12 areas of the Indian Health Service. The Director of the Indian Health Service shall provide coordination and administrative support to tribes under this section.

''(B) GENERAL USE OF FUNDS.—Amounts made available under paragraph (1) shall be used to assist small water systems in improving the effectiveness of water fluoridation and to meet the recommendations of the EARWF.

''(C) FLUORIDATION SPECIALISTS.—

''(i) IN GENERAL.—In carrying out this subsection, the Secretary shall provide for the establishment of fluoridation specialist engineering positions in each of the Dental Clinical and Preventive Support Centers through which technical assistance and training will be provided to tribal water operators, tribal utility operators and other Indian Health Service personnel working directly with fluoridation projects.

''(ii) LIAISON.—A fluoridation specialist shall serve as the principal technical liaison between the Indian Health Service and the Centers for Disease Control and Prevention with respect to engineering and fluoridation issues.

''(iii) CDC.—The Director of the Centers for Disease Control and Prevention shall appoint individuals to serve as the fluoridation specialists.

''(D) IMPLEMENTATION.—The project established under this subsection shall be planned, implemented and evaluated over the 5-year period beginning on the date on which funds are appropriated under this section and shall be designed to serve as a model for improving the effectiveness of water fluoridation systems of small rural communities.

''(3) EVALUATION.—In conducting the ongoing evaluation as provided for in paragraph (2)(D), the Secretary shall ensure that such evaluation includes—

''(A) the measurement of changes in water fluoridation compliance levels resulting from assistance provided under this section;

''(B) the identification of the administrative, technical and operational challenges that are unique to the fluoridation of small water systems;

''(C) the development of a practical model that may be easily utilized by other tribal, state, county or local governments in improving the quality of water fluoridation with emphasis on small water systems; and

''(D) the measurement of any increased percentage of Native Americans or Alaskan Natives who receive the benefits of optimally fluoridated water.

''(c) SCHOOL-BASED DENTAL SEALANT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with the Administrator of the Health Resources and Services Administration, may award grants to States and Indian tribes to provide for the development of school-based dental sealant programs to improve the access of children to sealants.

''(2) USE OF FUNDS.—A State shall use amounts received under a grant under paragraph (1) to provide funds to eligible school-based entities or to public elementary or secondary schools to enable such entities or schools to provide children in second and sixth grades with access to dental care and dental sealant services. Such services shall be provided by licensed dental health professionals in accordance with State practice licensing laws.

''(3) ELIGIBILITY.—To be eligible to receive funds under paragraph (1), an entity shall—

''(A) prepare and submit to the State an application at such time, in such manner and containing such information as the state may require; and

''(B) be a public elementary or secondary school—

''(i) that is located in an urban area in which and more than 50 percent of the student population is participating in federal or state free or reduced meal programs; or

''(ii) that is located in a rural area and, with respect to the school district in which the school is located, the district involved has a median income that is at or below 235 percent of the poverty line, as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

''(d) DEFINITIONS.—For purposes of this section, the term 'Indian tribe' means an Indian tribe or tribal organization as defined in section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XVII—VACCINE COMPENSATION PROGRAM

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Vaccine Injury Compensation Program Amendments of 2000.''.

SEC. 1702. CONTENT OF PETITIONS.

(a) IN GENERAL.—Section 2111(c)(1)(D) of the Public Health Service Act (42 U.S.C. 300aa–11(c)(1)(D)) is amended by striking ''and'' at the end and inserting ''or (iii) suffered such illness, disability, injury, or condition from the vaccine which resulted in inpatient hospitalization and surgical intervention, and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect upon the date of the enactment of this Act, including with respect to petitions under section 2111 of the Public Health Service Act that are pending on such date.

TITLE XVIII—HEPATITIS C

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Hepatitis C and Children Act of 2000''.

SEC. 1802. SURVEILLANCE AND EDUCATION REGARDING HEPATITIS C.

Part B of title III of the Public Health Service Act, as amended by section 1601 of this Act, is amended by inserting after section 317N the following section:

''SURVEILLANCE AND EDUCATION REGARDING HEPATITIS C VIRUS

''SEC. 317*O*. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may (directly and through grants to public and nonprofit private entities) provide for programs to carry out the following:

''(1) To cooperate with the States in implementing a national system to determine the incidence and prevalence of cases of infection with hepatitis C virus, including the reporting of chronic hepatitis C cases.

''(2) To identify and contact individuals who became infected with such virus as a result of receiving blood transfusions prior to July 1992 when the individuals were infants, small children, or adolescents.

''(3) To provide appropriate referrals for counseling, testing, and medical treatment of individuals identified under paragraph (2) and to ensure, to the extent practicable, the provision of appropriate follow-up services.

''(4) To develop and disseminate public information and education programs for the detection and control of hepatitis C, with priority given to recipients of blood transfusions; women who gave birth by caesarean section; children who were high-risk neonates; veterans of the Armed Forces; and health professionals.

''(5) To improve the education, training, and skills of health professionals in the detection and control of cases of infection with hepatitis C, with priority given to pediatricians and other primary care physicians.

''(b) LABORATORY PROCEDURES.—The Secretary may (directly and through grants to public and nonprofit private entities) carry out programs to provide for improvements in the quality of clinical-laboratory procedures regarding hepatitis C, including reducing variability in laboratory results on hepatitis C antibody and PCR testing.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIX—NIH INITIATIVE ON AUTOIMMUNE DISEASES

SEC. 1901. SHORT TITLE.

This title may be cited as the ''NIH Autoimmune Diseases Initiative Act of 2000''.

SEC. 1902. JUVENILE DIABETES, JUVENILE ARTHRITIS, LUPUS, MULTIPLE SCLEROSIS, AND OTHER AUTOIMMUNE-DISEASES; INITIATIVE THROUGH DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.

Part B of title IV of the Public Health Service Act, as amended by section 1002 of this Act, is amended by adding at the end the following:

''AUTOIMMUNE DISEASES

''SEC. 409E. (a) EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES.—

''(1) IN GENERAL.—The Director of NIH shall expand, intensify, and coordinate research and other activities of the National Institutes of Health with respect to juvenile-onset diabetes, rheumatoid arthritis, systemic lupus erthematosus, multiple sclerosis, Sjogren's syndrome, scleroderma, chronic fatigue syndrome, Crohn's disease and colitis (in this section referred to as 'autoimmune diseases').

''(2) ALLOCATIONS BY DIRECTOR OF NIH.—With respect to amounts appropriated to carry out this section for a fiscal year, the Director of NIH shall allocate the amounts among the national research institutes that are carrying out paragraph (1).

''(3) ADDITIONAL DISEASES OR DISORDERS.—In addition to the diseases or disorders specified in paragraph (1), the term 'autoimmune disease' includes for purposes of this section such other diseases or disorders as the Secretary determines to be appropriate.

''(b) COORDINATING COMMITTEE.—

''(1) IN GENERAL.—The Secretary shall establish a committee to be known as Autoimmune Diseases Coordinating Committee (referred to in this subsection as the 'Coordinating Committee').

''(2) DUTIES.—The Coordinating Committee shall, with respect to autoimmune diseases—

''(A) provide for the coordination of the activities of the national research institutes; and

''(B) coordinate the aspects of all Federal health programs and activities relating to such diseases in order to assure the adequacy and technical soundness of such programs and activities and in order to provide for the full communication and exchange of information necessary to maintain adequate coordination of such programs and activities.

''(3) COMPOSITION.—The Coordinating Committee shall be composed of the directors of each of the national research institutes involved in research with respect to autoimmune diseases and representatives of all other Federal departments and agencies whose programs involve health functions or responsibilities relevant to such diseases, including the Centers for Disease Control and Prevention and the Food and Drug Administration.

''(4) CHAIR.—From among the members of the Coordinating Committee, the Committee shall designate an individual to serve as the chair of the Committee. With respect to autoimmune diseases, the Chair shall serve as the principal advisor to the Secretary, the Assistant Secretary for Health, and the Director of NIH, and shall provide advice to the Director of the Centers for Disease Control and Prevention, the Commissioner of Food and Drugs, and other relevant agencies.

''(5) FULL-TIME STAFF.—The Secretary shall ensure that the Coordinating Committee is staffed and supported by not fewer than three scientists or health professionals for whom such service is a full-time Federal position. The Secretary shall in addition ensure that the Committee is provided with such administrative staff and support as may be necessary to carry out the duties of the Committee.

''(c) ADVISORY COUNCIL.—

''(1) IN GENERAL.—The Secretary shall establish an advisory council to be known as the Autoimmune Diseases Public Advisory Council (referred to in this subsection as the 'Advisory Council').

''(2) DUTIES.—The Advisory Council shall provide to the Director of NIH and the Coordinating Committee under subsection (b) recommendations on carrying out this section, including the plan under subsection (d).

''(3) COMPOSITION.—The Advisory Council shall be composed exclusively of not more than 18 members appointed to the Council by the Secretary from among individuals who are not officers or employees of the United States. The Secretary shall ensure that the membership of the Advisory Council includes—

''(A) scientists or health professionals who are knowledgeable with respect to autoimmune diseases;

''(B) representatives of autoimmune disease patient advocacy organizations, including organizations advocating on behalf of diseases affecting small patient populations; and

''(C) patients and parents of children with such diseases, including autoimmune diseases affecting small patient populations.

''(d) PLAN FOR NIH ACTIVITIES.—

''(1) IN GENERAL.—The Coordinating Committee shall develop a plan for conducting and supporting research and education on autoimmune diseases through the national research institutes, shall review the plan not less frequently than once each fiscal year, and shall revise the plan as appropriate. The plan shall—

''(A) provide for a broad range of research and education activities relating to biomedical, psychosocial, and rehabilitative issues, including studies of the disproportionate impact of such diseases on women; and

''(B) establish priorities among the programs and activities of the National Institutes of Health regarding such diseases.

''(2) CERTAIN ELEMENTS OF PLAN.—The plan under paragraph (1) shall, with respect to autoimmune diseases, provide for the following:

''(A) Research to determine the reasons underlying the incidence and prevalence of the diseases.

''(B) Basic research concerning the etiology and causes of the diseases.

''(C) Epidemiological studies to address the frequency and natural history of the diseases, including any differences among the sexes and among racial and ethnic groups.

''(D) The development of improved screening techniques.

''(E) Clinical research for the development and evaluation of new treatments, including new biological agents.

''(F) Information and education programs for health care professionals and the public.

''(3) RECOMMENDATIONS OF ADVISORY COUNCIL.—In developing the plan under paragraph (1), and reviewing and revising the plan, the Coordinating Committee shall consider the recommendations of the Advisory Council regarding the plan.

''(4) IMPLEMENTATION OF PLAN.—The Director of NIH shall ensure that programs and activities of the National Institutes of Health regarding autoimmune diseases are implemented in accordance with the plan under paragraph (1).

''(e) REPORTS TO CONGRESS.—The Coordinating Committee under subsection (b)(1) shall annually submit to the Committee on Commerce of the House of Representatives, and the Committee on Health, Education, Labor and Pensions of the Senate, a report that describes the research, education, and other activities on autoimmune diseases being conducted or supported through the national research institutes, and that in addition includes the following:

''(1) The plan under subsection (d)(1) (or revisions to the plan, as the case may be).

''(2) The recommendations of the advisory council under subsection (c) regarding the plan (or revisions, as the case may be).

''(3) Provisions specifying the amounts expended by the National Institutes of Health with respect to each of the autoimmune diseases included in the plan.

''(4) Provisions identifying particular projects or types of projects that should in the future be conducted or supported by the national research institutes or other entities in the field of research on autoimmune diseases.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005. The authorization of appropriations established in the preceding sentence is in addition to any other authorization of appropriations that is available for conducting or supporting through the National Institutes of Health research and other activities with respect to autoimmune diseases.''.

TITLE XX—GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN'S HOSPITALS

SEC. 2001. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.

Section 340E(f) of the Public Health Service Act (42 U.S.C. 256e(f)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) for each of the fiscal years 2002 through 2005, such sums as may be necessary.''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(C) for each of the fiscal years 2002 through 2005, such sums as may be necessary.''.

TITLE XXI—SPECIAL NEEDS OF CHILDREN REGARDING ORGAN TRANSPLANTATION

SEC. 2101. SHORT TITLE.

This title may be cited as the ''Pediatric Organ Transplantation Improvement Act of 2000''.

SEC. 2102. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK; AMENDMENTS REGARDING NEEDS OF CHILDREN.

(a) IN GENERAL.—Section 372(b)(2) of the Public Health Service Act (42 U.S.C. 274(b)(2)) is amended—

(1) in subparagraph (J), by striking ''and'' at the end;

(2) in each of subparagraphs (K) and (L), by striking the period and inserting a comma; and

(3) by adding at the end the following subparagraphs:

''(M) recognize the differences in health and in organ transplantation issues between children and adults throughout the system and adopt criteria, polices, and procedures that address the unique health care needs of children,

''(N) carry out studies and demonstration projects for the purpose of improving procedures for organ donation procurement and allocation, including but not limited to projects to examine and attempt to increase transplantation among populations with special needs, including children and individuals who are members of racial or ethnic minority groups, and among populations with limited access to transportation, and

''(O) provide that for purposes of this paragraph, the term 'children' refers to individuals who are under the age of 18.''.

(b) STUDY REGARDING IMMUNOSUPPRESSIVE DRUGS.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall provide for a study to determine the costs of immunosuppressive drugs that are provided to children pursuant to organ transplants and to determine the extent to which health plans and health insurance cover such costs. The Secretary may carry out the study directly or through a grant to the Institute of Medicine (or other public or nonprofit private entity).

(2) RECOMMENDATIONS REGARDING CERTAIN ISSUES.—The Secretary shall ensure that, in addition to making determinations under paragraph (1), the study under such paragraph makes recommendations regarding the following issues:

(A) The costs of immunosuppressive drugs that are provided to children pursuant to organ transplants and to determine the extent to which health plans, health insurance and government programs cover such costs.

(B) The extent of denial of organs to be released for transplant by coroners and medical examiners.

(C) The special growth and developmental issues that children have pre- and post-organ transplantation.

(D) Other issues that are particular to the special health and transplantation needs of children.

(3) REPORT.—The Secretary shall ensure that, not later than December 31, 2000, the study under paragraph (1) is completed and a report describing the findings of the study is submitted to the Congress.

TITLE XXII—MISCELLANEOUS PROVISIONS

SEC. 2201. REPORT REGARDING RESEARCH ON RARE DISEASES IN CHILDREN.

Not later than 180 days after the date of the enactment of this Act, the Director of the National Institutes of Health shall submit to the Congress a report on—

(1) the activities that, during fiscal year 2000, were conducted and supported by such Institutes with respect to rare diseases in children, including Friedreich's ataxia; and

(2) the activities that are planned to be conducted and supported by such Institutes with respect to such diseases during the fiscal years 2001 through 2005.

TITLE XXIII—EFFECTIVE DATE

SEC. 2301. EFFECTIVE DATE.

This Act and the amendments made by this Act take effect October 1, 2000, or upon the date of the enactment of this Act, whichever occurs later.

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

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

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4365.

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

There was no objection.

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

Mr. Speaker, I am very pleased to bring H.R. 4365, the Children's Health Act of 2000, to the floor of the House today. Every mother knows that America's children are its future.

On Sunday, we will celebrate Mother's Day to honor millions of women for the loving care they provide. I can think of no better gift to them than passage of this legislation to protect children from the threat of disease.

My subcommittee has examined some of the difficult barriers we face in working to improve children's health. Witnesses have testified about a number of serious childhood afflictions, including autism, childhood asthma and juvenile diabetes. We also discussed measures to promote adoption of children with special health needs.

Mr. Speaker, H.R. 4365 is an extended version of the original children's health bill, H.R. 3301. I was pleased to introduce both bills with the ranking member of the Subcommittee on Health and Environment, the gentleman from Ohio (Mr. BROWN). Together we have worked on a bipartisan basis and overcome significant, significant obstacles to bring this bill to the floor, and towards that end, I would like to personally thank the two members of our staffs, Anne Esposito of my staff, and Eleanor Dehoney from the staff of the gentleman from Ohio (Mr. BROWN), and Mr. Jason Lee and Marc Wheat of the majority staff for all of their efforts in this regard.

The bill before us, like its predecessor, authorizes and reauthorizes children's disease research and prevention activities conducted under the Public Health Service Act. Among its key provisions, the bill establishes a new pediatric research initiative within the National Institutes of Health to enhance opportunities for research and improve coordination of efforts to prevent or cure diseases affecting children.

The bill also addresses a number of specific concerns, including autism, fragile X, birth defects, early hearing loss, epilepsy, asthma, juvenile arthritis, skeletal malignancies, juvenile diabetes, adoption awareness, traumatic brain injury, injury prevention,

Healthy Start, oral health, vaccine injury compensation, hepatitis C, autoimmune diseases, graduate medical education in children's hospitals, organ transplantation needs of children and rare diseases in children. Equally important, it does not include specific funding earmarks or other controversial provisions.

This legislation incorporates a number of separate legislative proposals. I would like to acknowledge the efforts of those Members who worked to develop provisions that were included in the bill. I also want to acknowledge all of the patient advocates and cosponsors of the original children's health bill who lent their strong support to this initiative. Their dedication helped keep this legislation alive.

We can never estimate the human toll of childhood diseases. However, they also have an enormous financial impact through billions of dollars in increased health care costs. Every dollar spent by the Federal Government on disease research and prevention is an extremely wise investment.

Any parent can tell you that nothing is more heart wrenching than watching your own child suffer with an illness. As a father and grandfather myself, I know how terrible that can be. Today, however, we have a rare opportunity to do something that will give hope to families devastated by childhood disease.

It is my hope that Members will put aside their personal agendas and political disagreements to support passage of this consensus-based measure. Childhood diseases inflict pain and disruption on countless American children and their families. For the patients, families, caregivers and friends whose lives have been touched by childhood diseases, we should demonstrate our shared commitment to ending these terrible afflictions by approving H.R. 4365.

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

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

There are times, Mr. Speaker, when I feel especially privileged to be here and this is one of those times. This bill can help children I have met. It gives hope to parents I have met. I have two amazing daughters. I know how it feels when the only thing that matters is to end whatever it is that is causing your child pain. When the only thing that matters is to smooth the path for them to make sure the odds are and stay solidly in their favor. I can only imagine how the parents of a child with autism or arthritis or epilepsy must feel as they seek help for their children only to encounter dead end after dead end; to look for answers and to be told that the knowledge simply is not there, to be told that research is lacking.

H.R. 4365 is not a glamorous bill. Its passage is not going to make or break any campaigns. You are not going to hear about it on Meet the Press. But H.R. 4365 responds to very real needs. It does several good things.

The initiatives authorized in H.R. 4365 intensify efforts to find a cure for autism. The initiatives authorized could contribute to the cure and the prevention of juvenile diabetes, juvenile arthritis, epilepsy and asthma. The initiatives could contribute to the prevention of birth defects. It could help children with traumatic brain injury and protect more children from the environmental injuries like lead poisoning.

H.R. 4365 promotes children's health in other important ways. It extends the authorization for resources to support graduate medical education in our Nation's freestanding children's hospitals. It establishes a pediatric research initiative within NIH to create a more level playing field for research targeting children. The bill offers hope to children and hope to their families and if we put the resources behind it as we should, this bill will deliver children in the future from illnesses and disabilities that compromise their health and their well-being.

I feel privileged to have worked with families and community leaders and Members on both sides of the aisle who are committed to the goals of this bill and who have worked tirelessly to see that something actually gets done to achieve these goals.

I thank the gentleman from Florida (Mr. BILIRAKIS) for his good work, Jason Lee and Anne Esposito in his office and Donna Pignatelli, Ellie Dehoney and Katie Porter in mine. I hope the House will join in supporting this legislation.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman for yielding me this time. As the previous speaker, I do not think there is a moment that I have been more proud to be a Member of this body than I am today. The Children's Health Act is Congress's Mother's Day present to the Nation as well as an early Father's Day present. What makes us good mothers and fathers is our devotion to our children. Nothing so sharpens, focuses and deepens a parent's devotion as when their children are ill. When the child's illness is chronic, the parent's devotion becomes life long. Parents will do whatever they can for their children, but sometimes they need our help. They need Congress to fund research about the treatment and the cure for these diseases. They need us to help educate physicians and to monitor the incidence of these diseases. This bill will provide new hope to parents of children with the long list of diseases that the gentleman from Florida (Mr. BILIRAKIS) laid out in the beginning. In addition, it creates a brand new pediatric research initiative at the National Institutes of Health.

I would like to focus my remarks on the story of autism in this bill. Autism is the third most common childhood disorder in America. It affects 400,000 people in the United States. One out of every 500 babies born in this country has autism. Parents with children with autism see their children grow and develop normally and suddenly they seem to vanish. They lose their communication skills, their language skills. It is an agony for the parents.

This disease was misdiagnosed for a generation. Parents were told that their children were autistic because they had been poorly parented or traumatized. It was a cruel misdiagnosis on the part of these physicians. But the parents of these children formed an organization called Cure Autism Now and they did what the civics books told them to. They came to Washington, they told their elected representatives of their experience and they asked for our help. We put together an autism bill and we began the long process.

These parents came to press conferences, sometimes press conferences without press. They came and they did everything humanly possible to make the country and to make the Members of the United States Congress aware of their children's special needs. They came to the hearings and they testified. It is a scary thing to come to a hearing before the United States Congress and talk about your child, but they did that.

Then they suffered the agonies of the congressional clock, and they waited month after month, year after year for Congress to slowly get around to this bill. Today that day has finally come. Then finally in the last few days, they suffered the agonies of watching the possibility that this bill would get hijacked by other agendas, perfectly good agendas but agendas that would make the bill controversial.

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Finally, today, just about when they had been ready to give up hope, the system worked and today we take up their bill, and we should be proud to do so.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from Colorado (Ms. DEGETTE), my friend who has done as much or more on this legislation than any Member of the House.

Ms. DEGETTE. Mr. Speaker, I would like to thank the gentleman from Florida (Mr. BILIRAKIS), the chairman of our subcommittee and the gentleman from Ohio (Mr. BROWN) for their tireless efforts on what was not an easy process here. This is a good bill, and I am proud to support it.

Mr. Speaker, nothing can be more important to our Nation's future than our children. Numerous indicators of the well-being of our children paint a mixed picture of both success and shortcomings. I think this will give us a mixed view of what our Nation's future holds.

Reports of both gains and continued unmet needs are also apparent with regard to a variety of other pediatric

health care needs. Infant mortality, immunization rates, pediatric asthma care, youth violence, and the critically important fact that we still have 11 million children in this country who do not have health insurance.

Mr. Speaker, H.R. 4365 will increase research and prevention efforts targeted to improve the lives of the children. I do not think that we can question such a focus, but some have. If we have any doubt, according to a report issued by the President's National Science and Technology Council, the combined research spending for children in adolescence throughout the Federal Government represents less than 3 percent of the total Federal research enterprise. Thus, the Federal Government commits less than 3 percent of its research focused on the lives of children, despite the fact that they are 30 percent of our population and they are our future.

I would like to take the opportunity to highlight 2 important provisions of this bill. First of all, diabetes affects 16 million Americans and their families, often striking in childhood and becoming a lifelong disease. Type 1 diabetes is one of the most costly, chronic diseases of childhood. Now we are seeing Type 2 diabetes increasing among children.

I am pleased that this bill includes a provision authorizing the Centers for Disease Control and Prevention to implement a national public health effort to address Type 2 in youth. It also expands clinical trials for children with diabetes to move some of the remarkable research on diabetes from the laboratory bench to the patient's bedside.

Today's bill also incorporates the provisions from my legislation, H.R. 4008, that will require the Organ Transplantation Network to adopt criteria policies and procedures that will address the unique health care needs of children and organ transplantation. Virtually identical language was passed by this House just last month by a vote of 420 to zero. It improves the lives of children by requiring the Organ Transplantation Network to adopt criteria policies and procedures that address the unique needs of children.

Through the passage of this bill, we have the opportunity to help millions of children in this country. We owe to our children, our families, and our Nation nothing less than this sound investment in our future.

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

Mr. SMITH of New Jersey. Mr. Speaker, I thank my friend for yielding me this time.

Mr. Speaker, H.R. 4365, the Child Health Act of 2000, must be passed today and sent swiftly to the President for his signature.

Mr. Speaker, I would like to focus a few moments on the silent epidemic of autism, we are in the midst of a silent epidemic of autism. No State, no county, no Federal agency systematically tracks cases of autism, but even faint glimpses of the truth are terrifying to behold.

According to the Federal Department of Education, autistic special education students have increased by 153 percent from 1994 to 1999. In my home State of New Jersey, the Department of Education has said the number of kids classified as autistic in our school system has increased from 241 in 1991 to an incredible, astonishing 2,354 in 1999, an 876 percent increase.

Mr. Speaker, at my request, the CDC conducted a ground-breaking autism prevalence investigation in Brick Township in New Jersey. The findings of the 2-year investigation were released just last month. We are informed that Brick's rate of classic autism was a whopping 4 per 1,000 children between ages 3 and 10, and the rate of autism spectrum disorders was 6.7 cases per 1,000. That is higher than most people had thought. Normally it is about 2 per 1,000. We had an incidence of 4 per 1,000.

Mr. Speaker, I want to thank the gentleman from Florida (Mr. BILIRAKIS) for including the essence of my ASSURE bill which will create 3 to 5 ''Centers of Excellence in Autism'' under the auspices of the CDC so that the Federal Government will now be able to monitor the prevalence of autism at the national level and develop, hopefully, better teaching methods and health professionals to improve the treatment. It also authorizes CDC to create a National Autism and Pervasive Developmental Disability Surveillance Program. This program would use a combination of grants, cooperative agreements, and technical assistance to improve the collection, analysis and reporting on this very serious anomaly that is afflicting so many of our children.

Mr. Speaker, once again, I want to congratulate the gentleman from Florida (Mr. BILIRAKIS) on a great bill and I hope all of my colleagues will support it.

Most experts in autism research believe that while genetics are a major determinant in developing autism, something else is at work. The epidemiological research provided under H.R. 4365 will help researchers sort out how much of the problem is genetic and how much is environmental or developmental. If autism has a link to certain environmental pollutants, the surveillance programs established under ASSURE will be able to tell us more about these links. If autism is related to an immunological response to certain vaccines, the data provided by ASSURE can be used to support or dismiss this hypothesis.

Regardless of one's opinion on what causes autism, the bottom line is that we will never be able to get the answers parents need without the data generated by this bill. Once the CDC has established the centers of excellence, they will serve as a model for states to copy and form their own registries and surveillance programs. The centers will also improve the standard of care for autistic persons by providing education and training for health professionals, so that the latest proven treatments and interventions can be utilized to the maximum possible extent.

Also included in the Children's Health Act are provisions of H.R. 997, introduced by Congressman JIM GREENWOOD and myself, to improve autism research programs at the National Institutes of Health (NIH). This proposal, Section (B) of Title I, boosts the biomedical research needed to help solve the puzzle of autism.

And that's just Title I. In addition, there are a host of vital initiatives to improve surveillance efforts of children with diabetes, promote adoption, and reduce asthma and enhance services to asthmatics. All of these other provisions deserve out full support.

Today, Congress has an enormous opportunity to speak out on behalf of those whose voices have been silenced by autism. Kids like Alanna and Austin Gallagher in Brick Township, New Jersey.

Today, we can help restore breath to kids afflicted with asthma. People like Tommy Farese of Spring Lake, and my own two daughters Melissa and Elyse.

Today, we may save and extend the lives of children stricken by juvenile diabetes, such as young Charlie Coats of East Windsor.

It is for these children, their mothers and fathers, and the countless others like them across out nation, that we enact H.R. 4365. Join with me in supporting this legislation.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

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

I rise today in strong support of H.R. 4365, the Children's Health Act of 2000. In particular, I want to commend the authors of this legislation for the great strides it makes in autism research.

Mr. Speaker, autism is not rare. Four hundred thousand people in the United States, mostly children, are affected by this terrible disease. While 5 percent of those with autism may gain some progress with early intervention, 95 percent of them, or more than 350,000 people, will still suffer. They will never marry, they will never live on their own, and more than half of them will never even learn to speak.

Families affected by autism are forced to bear an extraordinary burden. Parents and siblings and friends have to learn to try to communicate with a child, many of whom are incapable of either verbal or nonverbal communication, and children who have often erratic behavior. It is a disease little understood. I have been trying since I came to Congress for find funding for autism research for the various autism clusters that we believe are occurring throughout New Jersey. I am proud that this bill lays the foundation for a comprehensive research effort on autism.

Mr. Speaker, this day has been a long time in coming, and I know those families who have been affected are grateful that it is now here. I urge all of my colleagues on behalf of my nephew, Jack, who suffers with autism and on behalf of a girl by the name of Heather Simms, who has been in confinement

for 5 years, having been brought into an institution at the age of 12, who today celebrates her 17th birthday, that this is a special day for all of the autistic children in the United States, their parents and loved ones. I urge my colleagues to support H.R. 4365 for its dramatic increase in national funding and attention for autism research.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. Mr. Speaker, let me first congratulate the gentleman from Florida (Mr. BILIRAKIS) and my colleague, the gentleman from Ohio (Mr. BROWN) for their very, very important work.

We all hope that the wealth of our Nation and the amazing technological advances that have been made in medicine will give us the necessary resources to protect our children from harm. We have made tremendous progress, but the sad fact is that there are still so many diseases that affect our children for which there is no cure, or even effective treatment.

The legislation before us will give child victims and their families hope by devoting more Federal resources to diseases such as autism, Fragile X, asthma, skeletal malignancies, juvenile diabetes, the list goes on and on. Sadly, it is quite long.

This legislation will also focus on prevention by encouraging healthy pregnancies, analyzing data about birth defects, and investigating the deaths and severe complications through pregnancy. In addition, a new pediatric research initiative at NIH, along with reauthorization for money to train physicians at children's hospitals, will help us better understand the way in which diseases attack children and how to give them the most effective and appropriate care. There are critical differences between medical care for adults and medical care for children, which must be reflected in training of physicians and treatments designed for a child's system, which is still developing. This legislation recognizes and focuses on these important differences.

Mr. Speaker, while we may never be able to make a child understand why they are sick or are made to suffer, we can invest in the research that will allow our best and brightest scientists to solve the mysteries of childhood disease so that more children can live the carefree youths to which they are entitled. What better way to invest our Nation's resources.

Mr. Speaker, I urge my colleagues to support this important child health initiative that will give hope to children and families across America who are searching for answers and praying for a return to the normalcy that will come with good health. As America's leaders, this investment in our children's health is really the least we can do to secure a better future for our Nation.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN), a distinguished member of the committee.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I want to thank the gentleman from Florida (Mr. BILIRAKIS), the chairman of our Subcommittee on Health of the Committee on Commerce, and the gentleman from Ohio (Mr. BROWN), the ranking member, for this legislation.

Just two weeks ago during our Easter Passover break at Texas Children's Hospital in Houston, the gentleman from Texas (Mr. BENTSEN) and I held a juvenile diabetes forum to hear from parents and experts on that terrible disease. Every member of the audience cried, literally, as we heard from the parents of 3-year-old Larry Baltazar who has recently been diagnosed with this disease. This legislation will help Larry, along with helping millions of other children who are diagnosed with juvenile diabetes, asthma, Fragile X and autism. It will help children who are diagnosed with birth defects and those who suffer a traumatic brain injury.

One thing that this legislation does not do, and I hope we can get this remedied in the conference committee, is increase funds to States for immunizations. Despite gains in recent years, we still are not doing enough to make sure that children get the right immunizations when they need it. In States like Texas, Michigan and Nevada, one in four children are not receiving the proper immunizations. In Houston, over 44 percent of the children do not receive at least one of their immunizations. In California, 27 percent do not receive at least one of their immunizations.

Over the past 5 years, Federal infrastructure funding to States, used by States and cities to identify needs, conduct community outreach, establish registries, deal with disease outbreaks and undertake educational and tracking efforts, among other things, has been cut from $271 million in 1995 to $139 million for the past 3 years. The gentleman from Pennsylvania (Mr. GREENWOOD) and I have introduced H. Con. Res. 315, which calls for an increase in funds to section 317, and we hope this increase will be included in the final version of the children's health legislation as it comes out of conference.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. WATKINS).

Mr. WATKINS. Mr. Speaker, I rise today in strong support of H.R. 4365, the Children'S Health Act of 2000. More specifically, I would like to call to the attention of my colleagues one very important aspect of this legislation that authorizes further research into a disease known as Fragile X, the most commonly inherited cause of mental retardation.

Fragile X affects one in every 2,000 newborn boys, and one in every 4,000 newborn girls. One in every 260 women is a carrier and has a 50 percent chance with each pregnancy of having a child with Fragile X. Most of these afflicted children will require a lifetime of special loving care at a cost of over $2 million each.

However, there is good news. One of the first discoveries of the human genome project, the cause of Fragile X has been linked to the absence of a single protein.

□ 1430

Since that time, great strides have been made in understanding how this disease causes mental retardation, seizures, aggressive outbursts, and severe anxiety.

This research has led Dr. James Watson, who shared the Nobel Peace Prize with Dr. Francis Crick on their discovery of DNA, to believe that a cure for this heartbreaking disease is within sight.

H.R. 4365 authorizes the establishment of at least three fragile X research centers through grants or contracts with public or private institutions. It also provides a program encouraging health professionals to conduct fragile X research by repaying a portion of the educational costs.

Mr. Speaker, I dedicate this day and legislation to my friends, David and Mary Beth Busby, who have two mentally retarded sons who suffer because of fragile X and, along with many good people of the FRAXA Research Foundation and many fine scientists within the National Institutes of Health, have completely devoted themselves to finding a cure for this disease.

I also dedicate this legislation to the mentally retarded children of McCall's Chapel in Ada, Oklahoma, and to Harman Samples, a childhood friend, mentally retarded from fragile X, with whom I shared many noon hours in school and shared two-stick nickel popsicle with as a boy in elementary and high school. Harmon's mother, Christine Sample, told me Harmon provided the physical strength to move and lift his invalid father before his death.

Much more remains to be done, however, and having co-sponsored legislation authorizing more research into Fragile X in the past, I whole heartedly offer my support for H.R. 4365 and encourage my colleagues to do likewise.

Ms. DEGETTE. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from California (Mr. WAXMAN), someone who has worked on these issues for many, many years.

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

Mr. Speaker, I rise in support of this bill. I want to commend the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN), our chairman and ranking member, for their work on this legislation.

Mr. Speaker, this bill includes many important provisions which will advance the treatment, the cure, and prevention of childhood diseases and disorders. I am also pleased to point out that this bill includes two titles which I have authored. Both titles promise to make significant advances in the treatment and prevention of childhood asthma and of autoimmune diseases like multiple sclerosis, juvenile diabetes, and lupus.

Title V of the bill, the Children Asthma Relief Act of 1999, was introduced by the gentleman from Michigan (Mr. UPTON) and myself, and title XIX is based on H.R. 2573, the NIH Autoimmune Disease Initiative Act of 1999, which was authored by the gentlewoman from Maryland (Mrs. MORELLA) and myself.

Today more than 5 million children suffer from asthma. It is one of the most significant and prevalent chronic diseases in America. That is why this bill provides new funding for pediatric asthma prevention and treatment programs, allowing States and local communities to target and improve the health of low-income children suffering from asthma.

As regards the autoimmune diseases, this would expand, intensify, and coordinate the efforts of NIH in research and education on autoimmune diseases. There are more than 80 autoimmune diseases, including multiple sclerosis, lupus, and rheumatoid arthritis, in which the body's immune system mistakenly attacks healthy tissues.

These diseases affect more than 13.5 million Americans and are major causes of disability. Most striking of all, three-quarters of those infected with an autoimmune disease are women.

The research efforts at NIH will be coordinated as a result of an office that would look at the activities throughout the NIH.

I do want to point out some serious concerns over one section of the bill, title XII's adoption awareness provisions. This title was the subject of great controversy and debate. The original language raised many serious objections regarding adoption and abortion policy.

I hope we will continue to look at this part of the bill, because it does offer some troublesome issues to be resolved.

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

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

Mrs. ROUKEMA. Mr. Speaker, I certainly thank the chairman for yielding time to me, and thank him most deeply and sincerely for all his leadership on this.

Mr. Speaker, all of us recognize the trauma and heartbreak that parents and all family members endure when serious illness strikes a child in the family. We must take this step today to set us on the way to making a happier, healthy life for all our children and for future generations.

I specifically want to thank Mary Higgins Clark, the notable author, and her son, David Clark, for reaching out to me on behalf of not only of her son and grandson, but for the millions of the dear children who suffer from fragile X.

As has been noted, fragile X is the most common inherited cause of mental retardation. With this legislation, we are clearly on the brink of a breakthrough against this tragic mental defect. The research models that have been identified here in this legislation would put us well on the road to researching recovery and a cure.

Again, I want to thank those who have brought this to my attention. I want to thank all those who did the work on this legislation, but specifically, let me dedicate this research in the name of David Frederick Clark of Hillsdale, New Jersey.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS), our distinguished colleague on the committee.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 4365, the Children's Health Act of 2000.

As a school nurse, a mother, a grandmother, children's health is an issue that has been of great concern to me throughout my life. This bill would dedicate more Federal spending to childhood diseases, including autism, early hearing loss, juvenile diabetes, and many others.

I want to highlight the new focus on infant hearing loss. I recently served as a panelist at a briefing on infant hearing held by the National Campaign for Hearing Health. Every day, 33 newborns leave hospitals in this country with undiagnosed hearing loss. Yet, only one-third of all infants are tested for this most common birth defect. More than half of the infants born today with hearing impairments go undetected until age two or three, which can have a long-term impact on language, social, and cognitive skills.

We can do better than that for our children, especially since new and effective treatments are now available. This legislation will provide needed grants to develop statewide newborn and infant hearing screening evaluations and intervention programs and systems.

Mr. Speaker, I urge my colleagues to join parents and grandparents with children and grandchildren who suffer from these childhood diseases in supporting this very important bill.

Mr. BILIRAKIS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

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

As the original sponsor of H.R. 2511, the Adoption Awareness Act, along with the gentleman from Virginia (Chairman BLILEY), a champion of adoption issues, I am pleased to endorse the Infant Adoption Awareness Act included in the child health bill.

While this language is not as broad as the original legislation, it does reflect significant efforts to advance the purpose of the Adoption Awareness Act. This language was drafted with input from a wide variety of organizations, including those in the adoption and public health communities.

Women facing unplanned pregnancies deserve to hear about their options from a well-trained counselor who can provide accurate, up-to-date information on adoption. This Act provides professional development for pregnancy counselors in adoption counseling. The training will enable pregnancy counselors to feel confident in their knowledge of the adoption process, relevant State and local laws, and the legal, medical, and financial resources which can be provided to women with unplanned pregnancies.

Furthermore, there are true experts in the field of adoption counseling who are extremely familiar with the adoption process from the viewpoint of the birth mother placing a child for adoption. These individuals should be the trainers for the pregnancy counselors receiving the training.

I am pleased to support the Infant Adoption Awareness Act as a step in the right direction to bring complete and accurate adoption information to women facing unplanned pregnancies. I hope that this step significantly advances our Nation in the direction of eliminating a perceived anti-adoption bias in pregnancy counseling in providing lasting answers to difficult circumstances.

I truly believe that in our great Nation, while there may be unwanted pregnancies, there are no unwanted children.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 1 minute to our colleague, the gentleman from Iowa (Mr. GANSKE), a member of the committee.

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

Mr. Speaker, I will vote for this bill. It does many good things. But Mr. Speaker, I have to ask, if we are going to legislate on this floor on fragile X, autism, juvenile diabetes, then why do we not address on this floor the number one public health issue before the country, and that is the use of tobacco?

It has been well recognized that tobacco companies for a long time have been targeting kids to get them to smoke. Why? Because nicotine is one of the most addicting substances known. It is as addicting as morphine. Those tobacco companies know if they get kids hooked early it is very, very difficult to get them to quit.

Three thousand kids today will start smoking. One thousand of those kids will eventually die of a tobacco-related disease. I think it is a travesty that we

are not bringing that issue to this floor. I and the gentleman from Michigan (Mr. DINGELL) have a bipartisan bill, the tobacco authorities bill, that gives the FDA authority to regulate tobacco. It is not a tax bill, it is not a liability bill. It simply says that those tobacco companies that have been targeting kids have to stop.

Mr. BILIRAKIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. STEARNS).

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

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

Mr. Speaker, I rise in support of H.R. 4365 and applaud the chairman for the work he is doing here. He has lots of Members who want priorities. I think this is a very important bill.

Part of the bill is this adoption awareness, and specifically infant adoption awareness ensures that family planning counselors have access to training on presenting complete and accurate adoption information and referrals to women facing unplanned pregnancies.

Two, the special needs adoption awareness directs the Secretary of Health and Human Services to make grants to carry out a national campaign to provide information to the public on adoption of special needs children, establishes a toll-free telephone line for providing information, makes grants to support groups for adoptive parents, and for research on reasons for adoption disruptions.

I think this is extremely important here in Congress to realize that adoption awareness is a solution for many women. I applaud the chairman for all the work he is doing. I am pleased to be a cosponsor and to provide support.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to my friend, the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in support of H.R. 4365, and would like to focus on one element of this bill, the Folic Acid Promotion and Birth Defects Prevention Act, which I introduced last year with the gentlewoman from Missouri (Mrs. EMERSON).

This provision will help prevent an estimated 2,500 U.S. babies a year from being born with serious birth defects of the brain and spine, such as spina bifida. Added to this tragedy is the fact that up to 70 percent of these birth defects can be prevented if women of childbearing age consume 400 micrograms of folic acid daily.

Unfortunately, thousands of U.S. women are unaware of this fact. The Folic Acid Promotion and Birth Defects Prevention Act in this bill addresses this problem by authorizing the Centers for Disease Control to launch a national education and public awareness campaign to inform women of the benefits of folic acid.

Like so many public health needs, common sense tells us that devoting a few extra dollars to this problem today will save thousands of dollars in future health care costs, but more importantly, will prevent the occurrence of these tragic birth defects.

On behalf of our Nation's families, I urge my colleagues to support H.R. 4365.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes 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 rise in strong support of H.R. 4365, the Children's Health Act of 2000.

I want to focus on one point of this bill. While I support every part of it, particularly the pediatric research, I want to talk a little bit about the graduate medical education part of this bill, because I have the honor of representing the Texas Medical Center, which is the largest Medical Center in the world and includes the largest children hospital, Texas Children's Hospital, as well as Hermann Children's Hospital in the Harris County Hospital District.

□ 1445

That being said, there is a great deal of clinical research that is done through graduate medical education at Children's Hospital which is not reimbursed because our medical education system is funded through the Medicare program and really does need to be restructured.

This bill is the first step following up on what we did last year in funding, at least in part, some of that medical education that is conducted at children's hospitals. Congress should go a lot further, frankly, but I am pleased that this bill includes that.

Mr. Speaker, let me say what I regret about this bill. What I regret is where it is lacking, and that is in the Medicaid program itself. There are 3 million children, including 800,000 children in my home State of Texas, who are eligible for Medicaid but not enrolled in the program. Texas leads the Nation in the number of children, nearly a million children, not enrolled in the program.

The gentlewoman from Colorado (Ms. DEGETTE) and myself have both offered bills that would begin to address this problem and bring these children into the system. This creates an even greater burden in our children's hospitals because when these kids get sick, they end up at the children's hospitals and we pay for it through the disproportionate share program. The fact is they ought to be enrolled in the Medicaid program and getting the preventive health care they need, instead of showing up at the emergency room at the last minute at a much higher cost structure.

So I regret the fact that the committee chose not to include these bills in this bill. I think overall, this is a good bill. But I would hope that the Committee on Commerce will move swiftly to bring these children into the Medicaid program and start to address this problem. And I think by doing that, we will not only be doing a lot for these kids, but we will be doing a lot for our children's hospitals throughout the country.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Florida (Mr. BILIRAKIS) for yielding the time to me, and I certainly commend the gentleman for his leadership, along with the leadership of the gentleman from Ohio (Mr. BROWN), ranking member, for this legislation, the Children's Health Act of 2000. I strongly support it.

Mr. Speaker, the bill attempts to foster Federal and State cooperation in creating public awareness about some of the devastating effects of disorders such as autism, epilepsy, fragile X, asthma and skeletal cancer in children.

I am pleased that it authorizes the Director of NIH to expand programs and activities dealing with autoimmune diseases, including the formation of coordinating committee and advisory councils to develop NIH activities in this area and report to Congress on how funds are being spend on autoimmune diseases.

Mr. Speaker, let me put a face on these dreaded diseases. They include juvenile diabetes, juvenile arthritis, rheumatic fever, Crohn's disease, pediatric lupus, Grave's disease, Evans syndrome, autoimmune hepatitis, primary biliary cirrhosis, and the list goes on and on.

There have been so few epidemiology studies on the prevalence of these diseases in children that we can only give a best effort estimate that upwards of 9 million pediatric and adolescent children are afflicted with one or more autoimmune diseases. The lack of epidemiology studies clearly shows that there is a need for comprehensive approach to research in these areas.

This is a comprehensive approach; this is a comprehensive bill. It is a bill that I urge my colleagues to support unanimously, H.R. 4365.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I rise in strong support of H.R. 4365. By expanding pediatric research efforts and providing additional resources for a number of diseases which afflict children, this bill will go a long way toward improving health care for our children and enhancing their health and safety.

As the main Democratic sponsor of the Safe Motherhood Monitoring and Prevention Research Act, I am particularly pleased that H.R. 4365 includes provisions to ensure that maternal health and safe motherhood research and programs are top public health priorities.

As we all know, the CDC is the premier source of health surveillance in

this country, and for the past 13 years they have been monitoring the maternal deaths, risks, and complications through the Pregnancy Mortality Surveillance System. The CDC also assists States in determining which women may be at increased risk for pregnancy-related complications and what types of interventions can decrease these risks through the Pregnancy Risk Assessment Monitoring System or PRAMS.

While most of us think that childbirth and pregnancy are completely safe, CDC's research tells us otherwise. According to the CDC, two to three women die each day from pregnancy-related conditions and nearly 5,000 women experience major complications either before or after labor begins. Even more disturbing is the news that black women are four times more likely and Hispanic women 1.7 times per likely to die during pregnancy than their white counterparts and that access to prenatal care does not close this gap.

That is why it is critical that we give the CDC the tools they need to collect data, investigate maternal deaths, research risks, and examine problems like domestic violence during pregnancy. Armed with that information and research, the CDC will also get the word out to women who need it most and the doctors who serve them.

Mr. Speaker, no woman should die due to pregnancy in 2000. So as we approach Mother's Day, I am delighted that this bill will enable CDC to do its good work.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Ohio (Mr. BROWN) is advised that he has 30 seconds remaining, as does the gentleman from Florida (Mr. BILIRAKIS).

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

Mr. Speaker, I ask House support of H.R. 4365. This legislation has been a good faith effort with the gentleman from Florida (Mr. BILIRAKIS), my office, and this committee working together. It will mean an absolute difference in children's lives; children who have often been ignored by the system in juvenile arthritis or juvenile diabetes and tests conducted not always for children and the unique diseases they have.

Mr. Speaker, I ask House support of this legislation.

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

Mr. BILIRAKIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, an awful lot of blood, sweat and tears has gone into trying to secure a better future for our children by helping to reduce the incidence of disease and illness. I thank my Committee on Commerce colleagues, particularly the gentleman from Ohio (Mr. BROWN) and I applaud all the Members for having the good sense to set aside some of our partisan agendas in order to improve the lives of our children and all of their families throughout this country. I ask all of the Members to support this legislation.

Mr. WEYGAND. Mr. Speaker, while I am in support of H.R. 4365, the Child Health Research and Prevention Amendments, this bill should not be on the floor today under the suspension of the rules—where no member can offer an amendment to strengthen and improve this bill.

I commend those of my colleagues who drafted this bill in the back rooms of Congress. They have drafted a good piece of legislation. But Congress works best when more than a minority of the members are involved in developing legislation. As a cosponsor of H.R. 3301, the base bill for this new draft legislation, I will vote in favor of the bill on the floor today. Make no mistake, however, that thousands of extremely ill children are being ignored by the House of Representatives today.

Well over a month ago, my staff contacted the Commerce Committee—both the majority and the minority—asking if this bill could also direct the NIH to review their work on children with the rare illness ''Hutchinson-Gilford Progeria Syndrome,'' similar to the study being asked for in the bill regarding Friedreich's ataxia. Other members of the House worked with me on this effort. I also joined with a member of the Majority to inquire if we could similarly add Spinal Muscular Atrophy to the same section of the bill. These measures are not in the bill today, and this process—which bars amendments—has kept these children and thousands of others from being heard, and helped by this bill.

In fact, this bill has not been open to amendments at any point since its introduction. Two committee mark-up sessions for this bill were canceled, and yet we are here voting for final passage! I ask you, Mr. Speaker, why has the leadership forgone the democratic process in order to pass a children's health bill? I would say it is because of tobacco and guns, the soft spot on the heart of the Republican leadership.

The failure of the leadership with regard to this bill represents a terrible missed opportunity for thousands of sick children. Because the Republican leadership couldn't stomach a vote on tobacco or gun safety—both huge problems for children's health—we bypassed regular order. That act has forced the House to forgo working together to develop a bill that could have helped even more children. My efforts to improve the bill are only one of 435 stories of members in this body. We have not only ignored the democratic process, we have ignored the needs of thousands of children in order to avoid some tough votes.

Shame on the leadership for failing our nation's children—not through the good of this bill, but through the leadership's failure to do even more for children.

Mrs. EMERSON. Mr. Speaker, it is with pleasure that I speak in support of this essential Children's Health Act of 2000. There are many of us who have worked very hard to get to this day, and I applaud the Commerce Committee and Mr. BILIRAKIS and Mr. BROWN for getting a consensus on this bill so it could come to the floor.

I represent 26 rural counties in Southern Missouri. These counties are home to some of the most poverty stricken communities in the State. Most of them lack even basic health care services. And many lack decent roads and reliable phone service. Many people in these communities find themselves isolated from their extended family, their friends and their neighbors.

Many young mothers-to-be in my rural district are isolated from family and friends—and they live miles away from nurses and doctors. This isolation often prevents them from getting prenatal care and adds to the fears and uncertainties that come along with being a new or expectant mother. Many American women fall through the cracks of our health system. Women throughout our nation face great challenges in securing healthy pregnancies and healthy children.

Consider the following: At the turn of this century more American women died in childbirth than from any other cause except for tuberculosis. At the close of this century, after all of the medical advances made in this country, it's easy to assume that today pregnancy and childbirth are safer for American women and their babies.

But this is a false assumption.

Last June, the CDC released a report that makes it painfully clear that the promise of safe motherhood is eluding too many women. In fact, during the past 15 years alone, total maternal deaths have not declined one bit in our nation. Just think of it. Today, tuberculosis claims about one American life out of 1,000 a year. But 2–3 women out of 10,000 lose their lives each day due to pregnancy-related conditions. And out of 1,000 live births in our country each year, 8 babies die. More infants die each year in the United States than in 24 other developed nations.

As a Member of Congress and as a mother of four daughters, this maternal and infant mortality rate is simply unacceptable. We've got to find out why safe motherhood is still out of reach for so many American women. I am very proud to join many of my esteemed colleagues in supporting this legislation that will have significant progress of maternal and infant health in this country.

The legislation includes several provisions that my colleague NITA LOWEY and I introduced as a stand alone bill, Safe Motherhood Monitoring and Prevention Research Act of 1999, which are especially beneficial to pregnant women, infants, and children.

The Safe Motherhood Portion of the bill achieves 3 key goals, all necessary components to true progress in the enhancement of material and infant care.

First, it expands CDC's Pregnancy Risk Assessment Monitoring System (PRAMA) so that all 50 states will benefit from a public health monitoring system of pregnancy-risk related factors.

Second, this bill authorizes an increase in federal funding for preventive research, so we can identify basic health prevention activities to improve maternal health.

The third and final component of this section of the bill directs the Secretary to help states and localities create public education and prevention programs to prevent poor maternal outcomes for American women.

In addition, this bill emphasizes the need to expand existing prevention programs and pregnancy risk assessment systems to include those areas of the country where underserved and at-risk populations reside.

Finally, I am also pleased that this bill includes many of the provisions in a bill I introduced last year called the Healthy Kids 2000

Act. This bill expands the opportunities for Pediatric Research by creating a pediatric research initiative within NIH, promotes the use of folic acid as a way to prevent birth defects, and creates a national Center on Birth Defects and Developmental Disabilities.

There are so many wonderful parts of this bill. On behalf of our youngest and most vulnerable citizens, I urge my colleagues to Vote for the Children's Health Act of 2000, and I urge the Senate to take action on this bill to move the process forward.

Mr. TIERNEY, Mr. Speaker, I commend the bipartisan effort that has produced this important bill, H.R. 4365, the Children's Health Act of 2000. I understand that in the spirit of cooperation, many amendments to this bill were laid aside in order to bring this legislation to the floor and ensure that the urgently needed programs included in H.R. 4365 were not jeopardized by disagreements on other matters.

I would like to mention one change to the bill that I believe is quite worthy and would not raise controversy. Had this bill come up under a rule rather than as a suspension, Mr. WEYGAND and I would have sought an amendment to include Hutchinson-Gilford Progeria Syndrome under Section 2201 of the bill as one of the rare childhood diseases on which NIH would have to report its activities.

This syndrome, commonly known as Progeria, is a genetic condition that manifests itself as accelerated aging in children. While it is quite rare, with an estimated incidence of roughly one in every 8 million newborns, Progeria is devastating. The average life span of an affected child is 13 years, and the disease is, without exception, fatal. Up until now, there has been little to no NIH research directly in this area. However, such research has the potential to benefit many individuals in addition to the victims of Progeria. According to Dr. Ted Brown, Professor and Chairman of the Department of Human Genetics at the New York State institute for Basic Research, ''Finding a cure for Progeria may provide keys for treating millions of people with heart disease associated with natural aging.''

Requiring the NIH report on activities relating to rare childhood diseases to include Progeria as one of those conditions is thoroughly consistent with the purpose of the bill before us today, and we thank the sponsors and managers of the bill who have been sympathetic to our suggested change. However, because of the process by which H.R. 4365 came to the floor, it was not possible to include this important and justified amendment. Mr. WEYGAND and I hope that the Senate's consideration of this legislation will proceed in a more deliberative manner, and we will work with our Senate counterparts to include Progeria language when this bill moves in the other Congressional chamber. It is our hope that the bill that emerges from conference will contain language bringing much-needed attention to this underrecognized and tragic condition.

Mr. BLILEY. Mr. Speaker, I commend the gentlemen from Florida and Ohio for introducing H.R. 4365, the Children's Health Act of 2000. This important legislation, introduced by Representatives BILIRAKIS and BROWN, contains a host of significant provisions that, when enacted into law, will improve the lives of untold numbers of children and families throughout this country.

Though too numerous to mention each provision individually, I want to comment on a few that I believe are parrticularly important. This Act makes important strides in the fight against autism—a heart-breaking condition. Autism is a serious disease, affecting 1 in every 500 children born today. More prevalent than Down's syndrome, childhood cancer or cystic fibrosis, it hits children during the first two years of life and causes severe impairment in language, cognition and communication.

As a proud adoptive father of two, I am pleased that this Act also advances adoption policy in this country by ensuring family planning counselors have access to training on presenting complete and accurate adoption information to women facing unplanned pregnancies. In the interest of time, I ask that I be permitted to extend my remarks for a more full discussion of this aspect of the legislation. Moreover, this bill contains several initiatives that will foster the adoption of special needs children. The Act also authorizes the Healthy Start program for the first time. For at-risk pregnant women served by this program, it authorizes ultra-sound screening and expands access to surgical services to the fetus, mother, and infant during the first year after birth.

The Act will enable the families of children who have had an adverse reaction to rotavirus vaccine to receive compensation under the vaccine injury compensation program. It extends the authorization of appropriations for graduate medical education in children's hospitals—an authorization that the Commerce Committee initiated in a bill signed into law last year.

The list goes on: the Act will bring help to children suffering from juvenile diabetes, pediatric asthma, juvenile arthritis, birth defects, hearing loss, epilepsy, skeletal malignancies, traumatic brain injury, dental disease, and a wide range of autoimmune diseases. It also ensures that our nation's organ transplantation system recognizes children's unique health care needs.

It is important that the Members of this House vote for passage of this critically important bill to secure a better future for America's children by helping to reduce the incidence of disease and illness. We know we can lessen the incidence of these diseases through heightened research activities, and through the use of successful interventions that still remain out of reach by many in our society.

Again, I thank my Commerce Committee colleagues and many other Members who have contributed to this bill. By voting to pass this bill, I applaud those Members for having the good sense to set aside some of our more partisan agendas in order to do a good work for our children and all of their families throughout this country.

Ten months ago, Congressman JIM DEMINT of South Carolina and I introduced H.R. 2511, the Adoption Awareness Act. During consideration by the Committee on Commerce, the language of H.R. 2511 changed but the central purpose remained the same: the Infant Adoption Awareness Act ensures that counselors in health clinics and other settings provide women who have unplanned pregnancies complete and accurate information on adoption.

As Chairman of the Commerce Committee, I have been responsible for the negotiations leading to the Infant Adoption Awareness Act for these many months, and I want to take this opportunity to explain the bill at length to my colleagues in case there is any confusion with the text of the original Adoption Awareness Act, H.R. 2511.

What struck Congressman DEMINT and me was that the studies and statistics available in this field show a lack of activity which may well reflect an anti-adoption bias in pregnancy counseling. According to a University of Illinois study by Professor Edmund Mech, Orientations of Pregnancy Counselors Toward Adoption, 40 percent of self-identified ''pregnancy counselors'' in settings such as health, family planning, and social service agencies do not even raise the issue of adoption with their pregnant clients. Of the 60 percent who raise the issue of adoption in some form, 40 percent provide inaccurate or incomplete information. Furthermore, while pregnancy counselors themselves may not have a negative bias towards adoption, they presuppose that their client is not interested and therefore do not present adoption as a true option for women facing unplanned pregnancies (Source: Mech, Pregnant Adolescents: Communicating the Adoption Option). The Infant Adoption Awareness Act would set up a training program by which clinic workers and others could receive professional inservice training in educational adoption counseling. By being properly trained, these counselors would be equipped to provide valuable information on adoption to their clients.

While many societal factors have changed in the last twenty years, including the acceptance of non-marital teen parenting, the availability of welfare, and increased availability of abortion services, there has been a dramatic drop in the number of adoptions among live births to unwed mothers. Prior to 1973, an adoption placement occurred for almost one of every ten premarital births. By the 1990s, the number had dropped to an adoption placement for one of less than every hundred premarital births. A long-term study of the Adolescent Family Life (AFL) pregnancy programs which included an adoption counseling component showed that—given necessary adjustments for client and community characteristics—more women chose to place their child for adoption when enrolled in an AFL Care project which provided adoption counseling as a part of pregnancy resolution decision-making (Source: McLaughlin and Johnson, Battelle Human Affairs Research Centers, The Relationship of Client and Project Characteristics to the Relinquishment Rates of the AFL Care Demonstration Projects). Thus, this Act intends to ensure that the public health and other professionals coming in contact with a high percentage of women facing unplanned pregnancies—often unwed adolescents—are properly prepared to have a complete and accurate discussion of adoption.

The Act allows for a six month period in which representatives of the adoption community come together to adopt or develop best-practices guidelines for counseling on adoption to women facing unplanned pregnancies. Specifically, the Secretary should include representatives of diverse viewpoints in the adoption community, including organizations representing agencies arranging infant adoptions, adoption attorneys, adoptive parents, social services, and appropriate groups representing the adoption triad (birth parents, infant, and adoptive parents). Organizations with significant expertise and history in this arena include

the National Council For Adoption, Loving and Caring, Bethany Christian Services, the American Academy of Adoption Attorneys, and the American Bar Association Family Law Section's Adoption Committee and these organizations should be represented on the panel. While recognizing the sensitivity of making an adoption decision, the organizations represented should be those which promote adoption in a realistic, positive manner as beneficial to the birth parents, child, and adoptive parents. The best-practices guidelines should focus on the essential components of adoption information and counseling to be presented during a pregnancy counseling session. Furthermore, the guidelines should include important variables to be presented, such as state laws on adoption, and available medical, legal, and financial resources. Previous curricula developed for these purposes should be the starting point and, as an interim set of guidelines, be determinative.

The role of the public health clinics on the panel developing the best practices guidelines (and organizations representing their interests, such as the Family Planning Councils of America) is to ensure the guidelines are relevant to the health clinic setting. The experts in adoption counseling, including those who have a history of developing and delivering training or tools to teach adoption counseling, should shape the best-practices guidelines to provide an excellent model for presenting adoption to women facing unplanned pregnancies. Since different attitudes towards adoption exist throughout the country which can be attributed to racial, ethnic, religious, social, and geographic differences, the best-practices guidelines should act as a blueprint or model while still allowing localities the flexibility to address their local situation. Therefore, the best-practices guidelines would be a model which could be tailored to address the individual needs of the pregnant woman.

After the best-practices guidelines are developed, the Secretary shall make grants to adoption organizations to carry out training, which will often be training trainers, to teach pregnancy counselors how to present complete and accurate information on adoption. The guidelines are meant to be the basis for the adoption, improvement, or development of a training curriculum by grantees. Furthermore, the grantees can carry out the training programs directly or through grants or contracts with other adoption organizations. For instance, a national office could subgrant or contract with local affiliates throughout the nation or a region thereof. The Secretary should use discretion in ensuring that all regions of the nation will have adequate access to the training without having duplicate services in an area with a small number of eligible health clinics. There are no geographic limitations on where the trainers should be trained. The intent is to provide for training of trainers, often on a statewide or regional basis, so truly expert trainers can teach others.

The trainers should be highly qualified individuals with an expertise in adoption counseling. ''Adoption counseling'' in the adoption community implies an in-depth discussion of adoption which includes knowledge of various types of adoption and familiarity with the viewpoint and challenges of birth mothers, putative fathers, adoptive parents, and the best interest of the child. Trainers should have experience in providing adoption information and referrals in the geographic area of the eligible health centers. With a knowledge of state laws and access to local support networks, a trainer will be able to provide a more extensive review of local information and resources to the pregnancy counselors. The most essential component of the training, however, is to teach pregnancy counselors how to accurately and completely present adoption as an option to their clients and to ensure counselors are able to answer the frequently asked questions clients have regarding adoption.

The Infant Adoption Awareness Act refers to pregnancy counselors providing adoption information and referrals as a part of pregnancy counseling. It is important to note that handing a client a piece of paper or booklet explaining the adoption process and providing phone numbers of agencies or attorneys for adoption referrals does not constitute adoption information and referrals. Adoption information means a counselor is able to fully explore the option of adoption with a client. This includes answering relevant questions such as the types of adoptions, financial and medical resources for birth mothers, and state laws regarding relinquishment procedures and putative father involvement. Referral upon request includes following the procedures of the health clinic to make an appointment for the client and follow-up as necessary. Referral may be made to an in-house adoption provider, such as a staff member of a licensed adoption agency. Since adoption is explored in the context of pregnancy counseling sessions in which counselors and clients have a limited amount of time, it is essential that the counselors provide complete and accurate summary information to their clients at that time.

The intent of this Act is to ensure that pregnancy counselors are well-trained, knowledgeable and comfortable presenting adoption to their clients. While adoption may not be the right choice for every woman facing an unplanned pregnancy, each woman should be presented adoption information to make a well-informed decision. Many women have not thought of the possibility of adoption, do not know how to explore the details of adoption, or have misconceptions of the adoption process which hinder their consideration of the alternative of adoption. Since pregnancy counselors act as an important resource for these women, they must be equipped to fully address the option of adoption with their clients.

The adoption organizations eligible to receive grants for training (or subgrants or contracts) are those national, regional, or local private, non-profit institutions among whose primary purposes is adoption, and are knowledgeable on the process of adopting a child and on providing adoption information and referrals to pregnant women. These adoption organizations must work in collaboration with existing Health Resources Services Administration (HRSA) funded ''training centers.'' Of particular importance is the organization's experience in explaining the process involved to the birth mother placing the child for adoption. It is essential that adoption is among the primary purposes of the entity, as it should be organizations with true experts in adoption counseling who are training pregnancy counselors.

Health centers which are eligible to have staff receive training are public and nonprofit private entities that provide health-related services to pregnant women. The designated staff of the health centers means the counselors who will interact and provide counseling to women with unplanned pregnancies. The designated staff members are those who provide pregnancy or adoption information and referrals (or will provide such information and referrals after receiving training). Furthermore, while the Act sets out those health centers which should receive priority in being trained, nothing should be construed to prohibit those who provide counseling in other settings, such as on military bases and corrections facilities, to be eligible to participate in the adoption counseling training sessions.

The grant is conditioned on the agreement of the adoption organization to make reasonable efforts to ensure that the eligible health centers which may receive training under this grant include, but are not limited to, those that receive federal family planning funding, community health centers, migrant health centers, centers for homeless individuals and residents of public housing and school-based clinics.

The Secretary has the duty to provide eligible health centers (which receive funding under Section 330 and 1001) with complete information about the training available from the adoption organizations receiving the training grants. Furthermore, the Secretary has the duty to encourage eligible health centers to have their designated staff participate in the training. The Secretary must make reasonable efforts to encourage staff to undergo training within a reasonable period after the Secretary begins making grants for such training. The grantees will cover the costs of training the designated staff and reimbursing the health center for costs associated with receiving the training. Adoption counseling training is a type of professional development for pregnancy counselors and should be reimbursed on a similar basis as other professional development activities which staff receive in the local area.

Within one year, the Secretary shall submit to the appropriate Committees of Congress a report prepared by an independent evaluator, paid for by funds set aside under this Act evaluating the extent to which adoption information, and referral upon request, is provided by eligible health centers. The study should be scientifically-based and sufficiently broad so as to gain an understanding of the current practices of providing adoption information in Federally funded health clinics throughout the country. This should include the attention given to adoption relative to other options discussed in pregnancy counseling. Further, the study should indicate how often and in what form (written, verbal) adoption information is offered, the completeness and accuracy of the adoption information provided, and non-identifying information about the options ultimately chosen by clients.

Within a reasonable period of time, the Secretary shall submit to the appropriate Committees of Congress a report evaluating the extent to which adoption information, and referral upon request, is provided by eligible health centers to determine the effectiveness of the training. The study should be scientifically-based, that is, more than a checklist asserting that adoption counseling, information, or referral has been provided, and focus on those health centers in which designated staff have been provided training through this Act. In conducting these studies, the Secretary shall ensure that the research does not allow any interference in the provider-patient relationship, any breach of patient confidentiality, or

any monitoring or auditing of the counseling process which breaches patient confidentiality or reveals patient identity.

Funding for research in adoption counseling practices has been sporadic at best. Despite the acknowledged need to ensure pregnancy counselors can present adoption in a positive, accurate manner, funding for such studies has not materialized in proportion to the need. The Adolescent Family Life Program in the Office of Population Affairs provided for limited studies in the 1980s and follow-up studies on the effectiveness of the AFL Demonstration Programs into the early 1990s. The Office of Adolescent Pregnancy Programs in the 1990s proposed an objective of increasing to 90 percent the number of pregnancy counselors who are able to counsel on adoption in a complete, accurate manner. With a change of Administration, this goal never materialized as one of the priorities of the Public Health Service. Furthermore, plans for follow-up study by the Department of Health and Human Services to determine if the orientations of pregnancy counselors toward adoption had changed were dropped in 1995. Thus, research in this area is of critical importance.

Additionally, there is an understanding that this Act would include ''charitable choice'' language allowing faith-based organizations to compete for grants on the same basis as any other non-governmental provider without impairing the religious character of such institution, upon agreement by the White House and House Leadership on ''charitable choice'' language for other legislation. Under charitable choice, the Federal Government cannot discriminate against an organization that applies to receive such a grant on the basis that the organization has a religious character and programs must be implemented consistent with the Establishment and Free Exercise Clauses of the United States Constitution. While following the agreed upon charitable choice model, the language must be crafted to conform it to the purpose and structure of this Act.

While we have come a long way, much work remains to be done. I look forward to working with my colleagues on the Appropriations Committee on this adoption priority and with members of the other body to enact this important provision into law this year, on which better and more humane Federal policies can be built in the future.

Mr. DINGELL. Mr. Speaker, I am in support of H.R. 4365, the Children's Health Act of 2000. This bill is an important first step toward improving the health and well-being of our nation's next generation.

H.R. 4365 enhances the national research infrastructure and reinforces surveillance and prevention initiatives for such conditions as fragile X, autism, asthma, juvenile arthritis, childhood malignancies, traumatic brain injury, hepatitis C, and immediate adverse reactions to vaccines. I am particularly pleased to see two provisions that reflect the tireless efforts of my colleague DIANA DEGETTE: one to advance the quest for a treatment and cure for juvenile-onset diabetes, and the second to improve pediatric organ transplant services. H.R. 4365 also strengthens existing activities to promote the use of folic acid in the prevention of certain birth defects, a measure that will reduce human suffering and save healthcare dollars.

Other highlights of the bill include the expansion of oral health and epilepsy treatment services to undeserved children, and the reauthorization of the Healthy Start initiative, a demonstration program established to reduce infant mortality and improve pregnancy outcomes.

Investments in America's researchers are also evidenced in H.R. 4365 through the extension of authorized appropriations to children's hospitals for the cost of graduate medical education. The bill enhances biomedical pediatric research by establishing a Pediatric Research Initiative within NIH, and centralizes the coordination of NIH research activities in the area of pediatric autoimmune disorders. Finally, to attract the most promising young research minds in the country to work on often overlooked childhood disorders, the bill contains loan repayment programs for biomedical researchers and physician-scientists.

Regrettably, however, this children's health bill is not the best we could do for America's children. A number of my colleagues had amendments that would have strengthened H.R. 4365, but the irregular procedures used by the majority for the bill blocked their consideration. These include, but are not limited to: (1) supplementing S–CHIP and Medicaid to provide seamless access to state-of-the-art prenatal services to all pregnant women; (2) assuring equal access to pediatric specialists, medically necessary drugs and clinical trials for children with rare and/or serious health problems; (3) attending to state-by-state disparities in new born screening for genetic diseases by authorizing HHS to carry out the recommendations of the Task Force on Newborn Screening, an issue of deep concern to my colleague Mr. PALLONE; and (4) an excellent proposal by my good friend Mr. TOWNS for establishing guidelines for the administration of psychotropic medications to children under five.

An even more glaring omission from this bill is the lack of a provision to restore FDA's jurisdiction over the regulation of youth tobacco use. This issue was thoughtfully raised in legislation introduced by my colleague, Dr. GREG GANSKE, which enjoys a broad base of bipartisan support. The process by which the legislation comes before us today is characterized by the majority's determination to block any discussion of this important issue.

I have additional concerns about the difficulties that will arise for this particular Children's Health bill, H.R. 4365, as companion legislation is crafted by the Senate. Title XII, the Infant Adoption Awareness Act of 2000, has drafting problems, and leaves the bill vulnerable to a host of family planning and adoption issues that are beyond the agreed upon scope of this Children's Health bill.

I will be one of the first to suggest that adoption is an important national issue. As of March 31, 1999, America had 117,000 children in the public foster care system who are awaiting adoptive parents and a permanent place to call ''home.'' This represents an increase of over 7,000 children since 1998, perhaps in part because Public Law 105–89, the Adoption and Safe Families Act has made more foster children, who are unable to return home safely, available for adoption. Something is wrong, however, when adoptive parents tell us that it is easier to pursue an international adoption than to adopt a special needs child from America.

If we wanted to address adoption issues, we should have considered legislation sponsored by Senator LEVIN that the Senate has passed three times. It would facilitate the creation of a national voluntary reunion registry. In the era of genetic medicine, with its emphasis on family medical history information, this not only makes sense as public policy, but addresses the life-long psychological issues that often shroud the adoption process. Again, irregular procedures blocked mere discussion of this issue.

Mr. Speaker, I will support this bill. I do so, however, with the fervent belief that we can, and should, do more for America's children than is reflected in H.R. 4365. The children of every district in this nation have waited too long for the many laudable provisions in the bill; but they also deserve more, and they deserve it soon.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 4365, as amended.

The question was taken.

Mr. BILIRAKIS. 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.

LONG ISLAND SOUND RESTORATION ACT

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3313) to amend section 119 of the Federal Water Pollution Control Act to reauthorize the program for Long Island Sound, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3313

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 ''Long Island Sound Restoration Act''.

SEC. 2. NITROGEN CREDIT TRADING SYSTEM AND OTHER MEASURES.

Section 119(c)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1269(c)(1)) is amended by inserting '', including efforts to establish, within the process for granting watershed general permits, a system for trading nitrogen credits and any other measures that are cost-effective and consistent with the goals of the Plan'' before the semicolon at the end.

SEC. 3. ASSISTANCE FOR DISTRESSED COMMUNITIES.

Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) by redesignating subsection (e) as subsection (f); and

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

''(e) ASSISTANCE TO DISTRESSED COMMUNITIES.—

''(1) ELIGIBLE COMMUNITIES.—

''(A) STATES TO DETERMINE CRITERIA.—For the purposes of this subsection, a distressed community is any community that meets affordability criteria established by the State in which the community is located, if such criteria are developed after public review and comment.

''(B) CONSIDERATION OF IMPACT ON WATER AND SEWER RATES.—In determining if a community is a distressed community for the purposes

of this subsection, the State shall consider the extent to which the rate of growth of a community's tax base has been historically slow such that implementing the plan described in subsection (c)(1) would result in a significant increase in any water or sewer rate charged by the community's publicly-owned wastewater treatment facility.

''(C) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).

''(2) REVOLVING LOAN FUNDS.—

''(A) LOAN SUBSIDIES.—Subject to subparagraph (B), any State making a loan to a distressed community from a revolving fund under title VI for the purpose of assisting the implementation of the plan described in subsection (c)(1) may provide additional subsidization (including forgiveness of principal).

''(B) TOTAL AMOUNT OF SUBSIDIES.—For each fiscal year, the total amount of loan subsidies made by a State under subparagraph (A) may not exceed 30 percent of the amount of the capitalization grant received by the State for the year.

''(3) PRIORITY.—In making assistance available under this section for the upgrading of wastewater treatment facilities, a State may give priority to a distressed community.''.

SEC. 4. REAUTHORIZATION OF APPROPRIATIONS.

Section 119(f) of the Federal Water Pollution Control Act (as redesignated by section 3 of this Act) is amended—

(1) in paragraph (1), by striking ''1991 through 2001'' and inserting ''2000 through 2003''; and

(2) in paragraph (2), by striking ''not to exceed $3,000,000 for each of the fiscal years 1991 through 2001'' and inserting ''not to exceed $80,000,000 for each of fiscal years 2000 through 2003''.

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

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

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3313.

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

There was no objection.

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

Mr. Speaker, I certainly want to commend the gentlewoman from Connecticut (Mrs. JOHNSON) and her colleagues from the Long Island Sound area who provided the leadership on this very important environmental piece of legislation.

This is the Long Island Sound Restoration Act, which is updated and improves the Long Island Sound program established under the Clean Water Act.

This is legislation which provides funding for clean water facilities and as well to control runoff. The Long Island Sound is one of the estuaries in the National Estuary Program. The Long Island Sound program was created in part to help carry out the goals of the Sound's long-term estuary management program. This legislation authorizes funding for that.

It provides financial relief for distressed communities and encourages the EPA to support ongoing State efforts in the watershed to establish a nitrogen trading credit program. It is a market-oriented program. Low-level dissolved oxygen, caused largely from the high levels of nitrogen from wastewater treatment plants, is one of the most significant problems in the Long Island Sound area. This legislation will help achieve the goals of reducing the nitrogen in the Sound.

H.R. 3313 will also help restore the Long Island Sound's habitat and improve the water-quality dependent uses so important to the regional economy.

Mr. Speaker, this is very, very important environmental legislation. I urge its support.

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

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

Mr. Speaker, I rise in support of H.R. 3313, the Long Island Sound Restoration Act. This legislation would extend the authorization of the Long Island Sound office under the Clean Water Act through fiscal year 2003 and would increase the authorization for grants to implement the Comprehensive Conservation and Management Plan for the Long Island watershed to $80 million per year for 4 years.

As stated in the committee report, the construction of projects that are treatment works as defined in the Clean Water Act will be subject to section 513 of the act. I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from New York (Chairman BOEHLERT), our colleagues, for their willingness to address this critical issue in a positive way.

H.R. 3313 would encourage the Administrator of the Environmental Protection Agency to use her existing authorities in implementing the Long Island CCMP to establish a nitrogen credit trading program or any other measure that is cost-effective and consistent with the goals of the CCMP.

H.R. 3313 does not alter any existing regulatory authorities under the Clean Water Act, nor does it provide the Administrator with any new authorities.

The bill, as amended by the Committee on Transportation and Infrastructure, would authorize New York and Connecticut to subsidize loans to distressed communities in the Long Island Sound watershed for wastewater treatment facilities under the revolving fund program of the Clean Water Act.

Population growth and economic development have impaired the water quality of the Sound, contributing to public health and environmental public problems in the watershed. Investment in wastewater treatment facilities as called for in the CCMP would lead to significant water quality improvement.

Mr. Speaker, I understand that all the wastewater treatment works in the Long Island Sound watershed are in need of improvement soon. This bill would enhance that effort by providing additional resources and flexibility.

I support providing additional assistance to address distressed communities in the region to help finance wastewater infrastructure improvements and investment to improve water quality. Many of us in the eastern United States know all too well about declining urban populations and diminished tax base even as infrastructure needs rise.

Mr. Speaker, I believe the amended bill represents a reasonable approach to providing additional financial assistance to distressed communities in the Long Island Sound watershed so that they can better afford necessary investments in wastewater treatment facilities.

It is modeled after the Safe Drinking Water Amendments of 1996, and may serve as a national model for the Clean Water Act. At the same time, the financial integrity and viability of the SFR programs of the States are not unduly compromised.

Mr. Speaker, I support the bill and urge approval.

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

Mr. SHUSTER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. BOEHLERT), chairman of the Subcommittee on Water Resources and Environment.

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

□ 1500

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H.R. 3313, the Long Island Sound Restoration Act.

First let me thank the gentleman from Pennsylvania (Chairman SHUSTER), and the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Pennsylvania (Mr. BORSKI) of the Committee on Transportation and Infrastructure for their leadership and cooperation in moving this important legislation forward.

I made clear right from the outset that this was a legislative priority of mine, not only in my capacity as chairman of the Subcommittee on Water Resources and Environment, but as a New Yorker and one who knows firsthand the value and beauty of the Long Island Sound. So for me, today's action is particularly gratifying.

I am sure no one is more gratified than the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from New York (Mr. LAZIO), the bill's primary sponsors. On a bipartisan basis, with 30 of our colleagues, they have worked tirelessly to advance this legislation and the cause of restoring and protecting Long Island Sound.

I would also like to recognize the invaluable efforts of Governor George Pataki of New York and Governor John Rowland of Connecticut and the many governmental and nongovernmental organizations that have championed this critically-needed legislation.

Let me say, Governor Pataki and Governor Rowland came to Washington to testify before our very committee. I know from firsthand experiences, my fellow New Yorkers on both sides of the aisle will tell us Governor Pataki has given this a very high priority. He is proving by performance that he is a leader on environmental issues, not only for the State of New York, but nationally. As a matter of fact, in New York State, through his leadership, we passed a $1.7 billion environmental bond act. We did it on a bipartisan basis.

Now we are demonstrating that we are willing to put our money where our mouths are. We are willing to back up our words with deeds under the leadership of Governor Pataki, and he deserves special commendation today.

Long Island Sound is approximately 110 miles long and 21 miles across at its widest point. More than 8 million people live within Long Island Sound Watershed, which borders both States, New York and Connecticut.

The Long Island Sound, like many estuaries across the U.S., supports multiple uses and demands. It generates more than $5 billion a year for the regional economy from boating, swimming, and commercial and sport fishing, among other activities. It also is home to a multitude of fish and wildlife species.

However, the Sound can no longer support these multiple economic and environmental uses and demands. Increasing population growth and development have led to water quality problems arising from increased nonpoint source pollution from storm water and agricultural runoff, wastewater discharges with high nitrogen levels, industrial pollution, and commercial and recreational waste.

In fact, an estimated $1 billion would be needed over the next 20 years to address the environmental and public health problems in the Sound. This is an important start. This is a demonstration of the Green Team in action again, and we see it on the floor here. Very dedicated Members of Congress support it by very able and very professional staff people who all have the privilege of working for the most productive committee in the House of Representatives in the people's House.

This is legislation I proudly identify with. Once again, I say to all of my colleagues, this is something that has earned our support for all the right reasons.

Mr. BORSKI. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. FORBES), and I note the gentleman's hard work to improve the water quality of the Long Island Sound.

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

Mr. FORBES. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure, and of course the gentleman from New York (Chairman BOEHLERT) and the gentleman from Pennsylvania (Mr. BORSKI), ranking member, for their leadership.

This bill on the floor today is a bill that enjoys strong bipartisan support, as it should. The Long Island Sound Restoration Act is critically needed. As one of the sponsors of this important legislation, I can tell my colleagues that we have long overdue the need for the Long Island Sound study and the proper implementation of the comprehensive conservation and management plan for Long Island Sound.

As we heard from the gentleman from New York (Mr. BOEHLERT), over the next decade, we are going to need upwards of $1 billion to restore the ecological health of Long Island Sound. As a member of the House Committee on Appropriations, I can assure my colleagues that I will be working with my colleagues from Connecticut and New York to ensure that we have the kind of funding that will make this critical estuary healthy once again.

Last fall, the Long Island Sound fell victim to some kind of a disease that really struck our lobster industry, and we saw a tremendous die-off of the lobster crop in Long Island Sound to the detriment of so many families on Long Island. Thanks to the efforts of the New York and Connecticut delegation, the Secretary of Commerce, Mr. Daley, declared a commercial fishery failure in January of this year.

Restoring the Sound to its critical health, the marine life so important to this estuary is critically important to all of us and certainly, important to our fishing families.

Underscoring the need to restore Long Island Sound is important, but equally important is the need to stop the Nation's largest polluter; and that is the Federal Government. The Federal Government continues to poison Long Island Sound with its dredge spoils.

What was reported out of the committee also unanimously was the Long Island Sound Protection Act, a measure that I authored, which I believe should go hand in hand with the measure on the floor. It would amend the Marine Protection Research and Sanctuaries Act of 1972 to make sure that the Federal Government is held to the same standards that we require of the private sector when dumping dredge spoils into Long Island Sound. Frankly, it reiterates something that was put into law back in 1980 by the late Jerome Anbrow, Democrat from Huntington.

This important legislation would end what we have seen for the last several decades, the Federal Government dumping poison sludge back into Long Island Sound. We are too sophisticated as a Nation today to allow this kind of egregious behavior to continue. So I lament the fact that we are not adding this amendment, this important protection for Long Island Sound, to this critically important legislation. I do applaud the committee for its bipartisan support of this legislation. It is long overdue.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER) very much for yielding me his time. I appreciate the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from New York (Mr. BOEHLERT), the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Pennsylvania (Mr. BORSKI) for their help in getting committee approval of H.R. 3313, the Long Island Sound Restoration Act, legislation both the Connecticut and New York delegations have worked hard together to bring to the floor.

I also want to thank Governor Rowland of Connecticut and the Connecticut Department of Environmental Protection for working closely with me, not only to achieve the worthy goals of this bill, but to do so in a way that small communities, distressed small towns can handle without unfair economic hardship.

Long Island Sound was one of the original 11 estuaries designated a national estuary under our Federal estuary program. Consistent with the requirements, New York and Connecticut, with the guidance from the EPA, developed a Comprehensive Conservation and Management Plan which dictates the steps each State must take to end pollution of the Sound. The plan addresses six core areas: hypoxia, or lack of oxygen in the water caused by high levels of nitrogen; nonpoint source pollutants; toxics in the water; floating debris; pathogens and land use or habitat protection.

Just Connecticut will spend between $600 million and $900 million over the next 20 years to clean up the 85 water treatment plants, the primary solution to hypoxia. These multimillion dollar costs will be paid by our towns and cities through a combination of grants from the State and local tax dollars that will repay loans from the revolving loan funds. While the grants are generous, totalling 30 percent of each town's expenses, the 70 percent of loans can impose an overwhelming burden on small communities and tax-strapped cities.

For instance, the town of Winsted, Connecticut has a cumulative debt of $15 million as a result of upgrades to both their water treatment, their drinking water, and wastewater treatment plants. Winsted's 2,500 customers face a daunting task in repaying the $15 million. They simply cannot afford any additional debt to fund the cost of nitrogen control equipment.

The Mattabassett District is the regional sewer authority for New Britain, Cromwell and Berlin, Connecticut and

serves 102,000 residents. This district estimates that it will have to raise rates by well over 100 percent in order to install the required nitrogen removal equipment. This area of the State, once a manufacturing hub of the Northeast, has seen its tax base collapse in the last two decades and has been slow to share in the current economic boom. A doubling of water rates would be devastating to economic development efforts just taking hold in these towns and to their tax-paying residents.

Some may argue that Long Island Sound is not a national problem and should be handled by those States most affected. But 10 percent of America's population lives within the Long Island Sound Watershed. It is one of the most populated, visited and traveled areas of the country.

The Sound contributes $5 billion annually to the regional economy. And the ports of Bridgeport, New Haven, and New London—each in Connecticut—handle incoming freight from national and international sources. Much of the northeast's heating oil comes in through these ports; over 12 million tons of petroleum products passed through in 1997.

I will not go through the details of what it contributes to our economy. But more than 12 million tons of petroleum come through its ports. The Port of New Haven alone handles 622,000 tons of steel in 1997, making it the fourth largest port of entry for steel products into the United States after New Orleans, Houston, and Philadelphia. The New London port is one of the chief ports for lumber exports and home to Groton Naval Shipyard.

Further, in 1998, New York and Connecticut caught $23.8 million worth of clams and oysters. In other words, if people aren't enjoying the Sound for its recreational opportunities, they are using the products that come in through its ports or consuming the seafood from its waters.

In other words, if people are enjoying the Sound for its recreational opportunities, they are using it, the products that come in through its ports or consuming the seafood from its waters.

In sum, the Sound is clearly a body of national, economic, and environmental significance and calls for a nationwide commitment to its restoration.

As the Federal Government has provided help to implement other States' plans to save their estuaries, harbors, and lakes, so New York and Connecticut need help. Boston Harbor received $840 million to construct Deer Island Water Treatment Facility and clean their harbor. The Great Lakes has received $13 million a year since 1991. The Chesapeake Bay has received nearly $20 million a year since 1991. Long Island Sound is important to our Nation. It is as important to these other bodies of water and deserves our national efforts.

But New York and Connecticut are not just looking for Federal help, they are looking for a Federal partnership. Consistent with its responsibility to that partnership, Connecticut has developed a plan for reducing the overall cost of the cleanup. Connecticut estimates that their water treatment upgrades could cost up to $900 million over the next 20 years, but with this trading program will cost considerably less, probably $200 million to $300 million less.

Mr. Speaker, I urge the support of my colleagues of this very important legislation to preserve one of the Nation's real gems.

My legislation will allow Connecticut and New York to develop a nitrogen trading program to fulfill their obligations under the CCMP. The entire state must still meet the same nitrogen levels, but the trading program will help small communities who contribute very little pollution do their part to clean up the Sound.

In addition to authorizing a trading program and increasing the authorization level for the Long Island Sound office, my legislation will provide states with the option to give additional help to low income, distressed communities which have slow growth tax bases and would be unable to sustain significant increases in water rates. These communities would be eligible for grant money as well as negative interest loans.

Nothing is more important than bequeathing to our children a clean, healthy environment. With this bill we take a giant step toward the restoration of a real jewel, Long Island Sound.

Again, I thank the Chairman, Mr. BOEHLERT and Mr. SHUSTER for their support and assistance in developing this bill and urge its passage by the House.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO). I thank the gentlewoman for her work in several sessions of the Congress to try to improve the viability and well-being of Long Island Sound.

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Pennsylvania very much for yielding me this time.

Mr. Speaker, I rise in strong support of the Long Island Sound Restoration Act. I have labored long and hard to try to see that we do clean up the Long Island Sound. It is critical to our environment and to our economy. It is one of the most complex estuaries in the country. It is located in a densely populated area. More than 8 million people live in the 16,000 square miles of watershed. Millions more flock to it for recreation. In fact, 10 percent of the U.S. population lives within 50 miles of the Long Island Sound.

It brings in more than $5 billion annually to the regional economy from activities like fishing, recreational, boating, swimming, and beachgoing, all of which require clean water.

The bill we consider today is a sensible approach to a problem that has plagued our community and its efforts to clean up the Long Island Sound for over a decade; that is the fact there are no reliable steady funding sources for implementing the Sound's Comprehensive Conservation Management Plan, which we developed in 1994 to protect the Sound.

This bill increases the authorized level we can spend on the Sound to $80 million a year for 4 years. It is a good first step. It is timely, because we need a dedicated increased funding source in order to be able to finally roll up our sleeves and to get the job done. It allows for a much-needed investment in clean water treatment facilities, provides a flexible approach for communities all around the watershed to reduce the pollution that goes into the Sound.

If one wants to talk to people who know the importance of the Long Island Sound to the communities and to our economy, take a walk along the shore with a lobsterman. We are suffering a massive lobster die-off that has virtually wiped out the lobster population in the Sound. To date, we do not know what has caused the die-off, but we do know that a cleaner Long Island Sound would make incidents like this less likely in the future.

I am pleased we are considering a bill like this today. I urge my colleagues to support the bill and help us clean up this treasure, our treasured Long Island Sound.

□ 1515

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

Mr. LAZIO. Mr. Speaker, first of all, let me thank the chairman of the full committee, the gentleman from Pennsylvania (Mr. SHUSTER), for his accommodation, together with the gentleman from Minnesota (Mr. OBERSTAR), in moving this consideration from yesterday, which was Cardinal O'Connor's funeral, to today to allow some of us to participate.

I also would like to thank the leader of the Green Team, the gentleman from New York (Mr. BOEHLERT), who is a hero to Long Islanders, and this is a major initiative on which his help has been invaluable. I also want to thank the gentlewoman from Connecticut (Mrs. JOHNSON), the prime sponsor of this legislation and the leading force, as well as the gentleman from New York (Mr. ACKERMAN) and the rest of the New York and Connecticut delegations who joined us in introducing this bill.

Mr. Speaker, I would like for my colleagues to visualize for a moment Yellowstone National Park. It is truly one of America's great jewels. Conservation managers at that park agonize over the impact of 3 million visitors that come annually to experience its beauty. They worry about the health of its sensitive ecosystems. They agonize about the stresses that this population influx puts on the system.

Now, I would like my colleagues to visualize that park with 8 million people living directly on its borders, with another 15 million living within 50 miles of it. I do not need to spell out the stresses that this situation would place on this natural system. I do not need to detail how the inability of that

park to meet the needs of our citizens would be degraded. And I do not need to detail how much this Nation would pay to maintain that jewel for the enjoyment of all.

Mr. Speaker, the picture I just described is one we are living with today on the Long Island Sound. This 150-mile-long estuary is one of America's natural jewels, providing recreational outlets, commercial fishing, shell fishing, and a vital transportation corridor for the most heavily populated portion of this Nation. Like Yellowstone, the Sound is a major asset to the regional economy, generating over $5 billion annually.

A full 10 percent of this Nation's people live on our near this body of water. To many of these people the Sound is their opportunity to escape the multitudes, to get in touch with the great outdoors. To others, the Sound is a livelihood, a way of life. The lonely lobsterman, who sails out every morning to check his traps, or a fisherman trying to land that special of the day for a Manhattan restaurant. To all these Americans, the Sound is increasingly less able to meet their essential needs.

Pollution problems in the Sound have degraded the recreational experience. They have reduced the fish and shellfish populations. And pollution in the Sound has contributed to the 90 percent decline in the lobster population, which has been this Nation's third largest lobster fishery. That decline forced Commerce Secretary Daley to declare the Sound a fishery disaster area.

In a separate action, I and the other New York and Connecticut Members are now looking for funds to mitigate the economic impact of the lobster disaster. Like much of our region, nearly the entire Long Island Sound coastline is developed. We have lost up to 35 percent of our vegetated wetlands, endangering wildlife and increasing the potential of flooding. Over a billion gallons of sewage is discharged daily from our treatment plants, killing our fish and shellfish. As a result of this ecological stress, many of our bays and harbor bottoms are contaminated, and health advisories now warn against eating too much of some of the Sound's fish and waterfowl.

New York and Connecticut recognized this problem and have been working cooperatively to develop a plan for cleaning up the Sound. This plan was developed with the support of local environmental groups, recreational and commercial users of the Sound, and property owners. We are now ready to implement. We are ready to put up the upgrades we need to our sewer systems, to construct our runoff diversion ponds, and to restore our lost habitats.

New York's governor recently announced the funding of $50 million worth of projects from that plan. Connecticut's governor has also pledged to put their share of funding forward. The only partner that is not at the table is the Federal Government. In a role reversal, we now have States coming to the Congress asking us to cost share with them on a program of national significance.

The bill before us makes the Federal Government a full partner in this critical enterprise. It recognizes that cleaning up our pollution problems is not cheap but that it is a good investment. And this bill recognizes that we owe the future of the Sound to our children.

I grew up on Long Island and was fortunate to be able to take advantage of the benefits of its coastal waters. I want my children to be able to have that same advantage. This bill will give them that opportunity.

Mr. BORSKI. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. ACKERMAN), an original cosponsor of the bill.

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

Mr. ACKERMAN. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from New York (Mr. BOEHLERT), the gentleman from Pennsylvania (Mr. SHUSTER), as well as the gentlewoman from Connecticut (Mrs. JOHNSON) for her leadership.

I also want to thank my colleague, the gentleman from New York (Mr. LAZIO), who has done a lot of work on this, and the rest of the Long Island delegation, the gentleman from New York (Mr. KING), the gentlewoman from New York (Mrs. MCCARTHY), as well as the gentleman from New York (Mr. FORBES), who has now managed to cosponsor this bill from both sides of the aisle.

I am proud to represent an area that borders the Long Island Sound. The Sound is one of our Nation's natural treasures with important environmental, recreational and commercial benefits. Its value as an essential habitat for one of the most diverse ecosystems in the Northeast cannot be understated. Residents and vacationers alike enjoy the Sound for swimming and boating, and the approximately $5 billion in revenue generated by commerce relating to the Sound is vital to the region as well as to individuals who base their livelihood on the benefits of the Long Island Sound.

Unfortunately, the effects of millions of people on the shore and in the Sound are evidenced by the deteriorated water quality. Over the last several years, the Long Island Sound has suffered from numerous forms of pollution which has caused a dramatic drop in the Sound's fish population. As a result of the pollution, the Sound's multibillion dollar a year fishing industry is in jeopardy. The most recent devastating example that we have heard about is the unexplained and widespread lobster die-off. We must supply adequate resources to address this crisis and to examine possible problems in the water that could have caused the crisis.

Preservation of the Long Island Sound is not a parochial issue but a national one. Its inclusion as a charter member in the National Estuaries Program, the Sound has been designated as one of only 28 estuaries of national significance. The time to act is now. When I first introduced this legislation by this name in 1992, and again in every subsequent Congress, the price tag was $50 million. Now it is $80 million. It will not get cheaper if we wait any longer.

I am pleased to say and to note that both the States of New York and Connecticut are prepared to match the $80 million authorization with State funds, and I am confident that these funds will have a significant impact on the ongoing efforts to improve the quality of the Sound. We must do everything possible to ensure the continued funding of these efforts, and this legislation is the appropriate means for achieving the desired end. I urge all of our colleagues to join with us in supporting this legislation.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

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

Mr. Speaker, I rise today in support of the Long Island Sound Restoration Act, and again thank the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from New York (Mr. BOEHLERT) for their work in getting this bill out of committee. I also wish to thank Governors Rowland and Pataki and the respective Departments of Environmental Protection from both Connecticut and New York, and to thank as well my co-chair of the Long Island Sound Caucus, the gentlewoman from New York (Mrs. LOWEY), and the members of the caucus, as well as in particular the primary sponsors, the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from New York (Mr. LAZIO).

Mr. Speaker, I would like to read what a number of very significant organizations have had to say about this bill. The first quote:

> This is the most significant congressional action for Long Island Sound since it was designated a national estuary in 1985. It is critical this bill pass the House of Representatives to ensure the Federal Government is a true partner in the restoration of Long Island Sound.

—David Miller, Executive Director, National Audubon Society of New York.

> Cleaning up the water quality of Long Island Sound is critical to a comprehensive approach to restoring this fabulous resource to its full potential as a natural resource.

—David Sutherland, Director of Government Relations, the Connecticut chapter of the Nature Conservancy.

> This bill garnered widespread support across party lines. I think this sends a clear message to voters that the environment does matter and that both parties can work together to help preserve our environment.

—Deb Callahan, President, League of Conservation Voters.

Nitrogen pollution in the Long Island Sound is a relatively recent discovery and quite literally a deadly problem. For many years gross pollution masked the damage being done by excess nitrogen. Thanks to Congress' efforts and construction grants and State revolving funds of the 1970s and 1980s, we have been able to make great progress only to find an underlying problem of great environmental and financial magnitude.

—Terry Backer, Soundkeeper, supporting this bill.

It is critical to Long Island Sound, our region's greatest natural resource, that the Federal Government increase its recognition of the need to improve this water body by making an increased financial commitment. It is critical to future generations that this water body be returned to a flourishing ecosystem of flora and fauna.

—John Atkins, President of Save the Sound.

And, finally,

Local and State governments have made enormous investments in sewage treatment and pollution control facilities, but the problems are much more regional in scope and therefore beg Federal involvement. Any plan which places the entire fiscal burden of cleanup on the most vulnerable level of government, local authorities, is destined for environmental and economic failure. That is why we support H.R. 3313.

—Ross Pepe, President, Construction Industry Council of Westchester and Hudson Valley, a professional employers association representing more than 550 companies and some 50,000 workers.

We will not have a world to live in if we continue our neglectful ways, and passage of this bill makes clear we are no longer being neglectful.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Mr. Speaker, I would like to thank the chairman of the committee, who has always been so responsive to the needs of our States and other Members, and the ranking Democrats involved in this effort for Connecticut.

This is an important effort, but it is a national effort. Almost 30 million American citizens live within a short distance of Long Island Sound. It is an important economic asset. We have obviously had challenges in the last several years. The lobstermen, in particular, as has been noted by a number of my colleagues, have had a very significant impact and a decreased number of lobsters out there. We need to address these issues. It is an important economic asset and an environmental asset.

From kayaking to commercial fishing to sports fishermen, who really play, I think, the most significant role in many ways of helping the economy of the region and increasing the quality of life, it is an important national asset and it is appropriate that we are taking this action today.

One need only drive along the coast from New York and go through the fishing villages of Stonington and Mystic to see the kind of diversity of activity along the shore. We need to take these actions for this generation but also for future generations to make sure that we leave this body of water in better shape than we found it when we took over the stewardship of Long Island Sound.

Again, I would like to thank the chairman and the ranking member for their support and urge passage of the legislation.

Mr. Speaker, as an original co-sponsor of H.R. 3313, I rise in strong support of this measure. I would like to begin by thanking Chairmen SHUSTER and BOEHLERT and ranking Members OBERSTAR and BORSKI and their staffs for their support in moving this legislation through the Committee process. I truly appreciate their efforts.

The bill before us today reauthorizes activities of the Environmental Protection Agency's Long Island Sound Program Office for four years. It also authorizes $80 million annually to help implement the comprehensive conservation and management plan approved for the Long Island Sound under the National Estuary Program. It also allows New York and Connecticut to provide grants from their state clean water revolving funds for the upgrade of wastewater treatment facilities in small communities that can ill-afford the cost of the necessary procedure.

The Long Island Sound is one on the 28 designated estuaries in National Estuary Program. As one of the eleven original estuaries designated in 1987, it is recognized as a significant national resource making its health a top priority for not only Connecticut and New York, but the country as a whole. Ten percent of the American population lives within 50 miles of the Sound. It is a source of recreation for vacationers, fishermen, and boaters as well as a key commercial water way for trade and commerce, providing over $5 billion to the regional economy.

I believe the increase in funding is reasonable. It would provide the necessary funds to allow Connecticut and New York to implement the goals of the Comprehensive Conservation and Management Plan for the Long Island Sound. By providing grants to distressed communities to assist them in upgrading wastewater treatment plants, the facilities would be better equipped to reduced the amount of nitrogen released into the Sound.

The high levels of nitrogen have depleted the supply of oxygen in the water—a phenomenon known as hypoxia or low dissolved oxygen. The nitrogen, which comes from a variety of sources including treatment facilities and run-off from lawns and fields, promotes the growth of algae by over-fertilization. Subsequently, the plants die, sinking to the bottom and decaying, using up the little oxygen there is. Too little oxygen can stunt the development or kill marine species like lobsters, slow moving species and finfish and flounder while also affecting their resistance to disease.

Recently, there has been a massive lobster die-off in the Sound. The lobster population has been in serious decline for the last year. Landings in Connecticut in December 1998 totaled 442,888 pounds while December 1999 landings were a mere 2,892 pounds. Initial findings indicate the presence of a parasite; however, there is still much research to be done. The need for research dollars is great making the funding provided within this legislation a significant step in the right direction.

The Long Island Sound is a nationally significant resource which deserves continued federal support. Passing this legislation today will allow the states of Connecticut and New York to continue their efforts to clean up the Sound and restore a healthy habitat for not only the wildlife that live in and around the Sound, but our constituents as well. The health of the Sound is crucial to our quality of life and economic well-being.

I urge my colleagues would join me in supporting H.R. 3313.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I thank our ranking member and the chairman for their support of this important bill, and I rise in strong support of H.R. 3313, the Long Island Sound Restoration Act.

As the co-chair of the Long Island Sound Congressional Caucus, I am especially proud to stand here today in support of a bill that reaffirms our commitment to Long Island Sound. Protecting our fragile waterways and coastal environments is essential, and the bill we are considering today will strengthen our efforts to preserve Long Island Sound.

Long Island Sound is a national treasure, but this extraordinary environmental economic and recreational asset has been damaged by years of pollution and neglect. It is absolutely crucial to expand the Federal Government's role in controlling pollution and in stewarding our coastal resources throughout the Sound.

One of my proudest achievements since coming to Congress was working to establish the Environmental Protection Agency's Long Island Sound office in 1991, which coordinates the implementation of the Sound's Comprehensive Conservation and Management Plan. The Plan is working to bring the Sound back to life again. But we need to do much more.

EPA estimates that simply meeting the appalling backlog of water quality infrastructure upgrades nationwide will cost $140 billion over the next 20 years. And the amount needed to address the health and environmental concerns around Long Island Sound alone over the next two decades is $1 billion. This critical legislation supports these efforts by significantly increasing authorization levels for the Long Island Sound office and targets these important resources towards implementation of the Sound's cleanup plan.

The Long Island Sound Restoration Act is another important tool in our arsenal to expand the Federal Government's role in restoring Long Island Sound, and I urge my colleagues to support this fragile resource by voting for H.R. 3313.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 3313, the Long Island Sound Restoration Act.

The Long Island Sound is a unique, urban watershed nestled among one of the most densely populated regions of this country. Like

many of the salt-water estuaries along the coast of the United States, the Long Island Sound supports a variety of uses and demands, including providing vital habitat to numerous fish and wildlife species, as well as recreational and commercial activities.

However, increasing pressures from residential, industrial, and agricultural development have dramatically altered the natural conditions of this region, and have increased the discharge of pollutants into the Sound.

In 1987, upon the realization that additional efforts were needed to protect our Nation's salt-water estuaries, Congress authorized the establishment of the National Estuaries Program (NEP), within EPA, to restore and protect these resources. The Long Island Sound was one of the original waterbodies to be designated as an Estuary of National Significance under the NEP.

The Management Conference convened to develop a Comprehensive Conservation and Management Plan (CCMP) for the Long Island Sound identified several issues meriting special attention, including low oxygen conditions due to excessive nutrient loading, toxic and pathogen contamination, and the degradation and loss of marine habitat. Of these concerns, hypoxia, caused by excessive discharges of nitrogen from both point and non-point sources, was identified as the priority problem.

In 1990, Congress recognized that additional resources were needed to realize improvements in the Sound, and created a new office within the Environmental Protection Agency to assist in achieving these improvements. The Long Island Sound Program Office has been charged with assisting and supporting the implementation of the Long Island Sound CCMP.

The legislation we are considering today, H.R. 3313, extends the reauthorization of this office, as well as make additional changes aimed at achieving greater improvements to the Sound watershed.

The bill, as amended by the Committee on Transportation and Infrastructure, reauthorizes the Long Island Sound Program Office through 2003, and authorizes $80 million per year through 2003 in grants for projects and studies which will help implement the CCMP.

In addition, this legislation encourages the Administrator of EPA, through the Long Island Sound Program Office, to use existing regulatory authorities to implement the CCMP, including efforts to establish, within the process for granting watershed general permits, a system for trading nitrogen credits and any other measures that are cost-effective and consistent with the goals of the CCMP.

It is important to note that this legislation does not expand the authorities of the EPA with respect to pollution credit trading; it merely encourages the Administrator to use existing authorities to achieve water quality goals within the Sound.

Finally, H.R. 3313 provides enhanced assistance to distressed communities within the Long Island Sound basin for repayment of construction loans under the Clean Water Act.

This legislation grants the Administrator authority to provide additional loan subsidization, including principal forgiveness, to distressed communities within the Sound. Principal forgiveness provides significant assistance to distressed communities in the repayment of construction loans without the unintended consequence of significantly diminishing the corpus of State Revolving Loan funds.

I support this bill and urge its approval.

Mr. CROWLEY. Mr. Speaker, I support H.R. 3313, the Long Island Sound Restoration Act.

I congratulate Representative NANCY JOHNSON for crafting this bi-partisan legislation that represents an excellent step in the right direction towards cleaning up and maintaining the water quality of Long Island Sound.

A great many of my constituents benefit from this water body—whether it be vacationing on her beautiful beaches, working on her shores or eating the fish products caught in the Sound. Long Island Sound is a vital lifeline for the people of my district and of the whole tri-state area.

Unfortunately, with the population explosion along the shores of Long Island Sound, new threats are appearing.

This legislation will increase the funding for the Long Island Sound Office by $77 million. Additionally, this legislation will address the efforts to reduce nitrogen discharges into the Sound and authorizes the surrounding states to provide additional subsidies to designated distressed communities from a state's clean water fund.

Finally, this legislation will not hinder the environmentally important dredging efforts occurring in communities surrounding Long Island Sound. In my district, dredging operations have vastly improved both the economic as well as the environmental climate in a number of communities.

As a deliberative body, we must ensure that important dredging projects, such as ones occurring in Flushing Bay and New York Harbor continue unencumbered.

I urge my colleagues to support this valuable, environmental legislation.

□ 1530

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 3313, as amended.

The question was taken.

Mr. SHUSTER. 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.

SENSE OF THE HOUSE IN SUPPORT OF AMERICA'S TEACHERS

Mr. MCKEON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 492) expressing the sense of the House of Representatives in support of America's teachers.

The Clerk read as follows:

H. RES. 492

Whereas the foundation of American freedom and democracy is a strong, effective system of education in which every child can learn in a safe and nurturing environment;

Whereas a first-rate education system depends on a partnership between parents, principals, teachers, and children;

Whereas much of the success of our Nation during the American Century is the result of the hard work and dedication of teachers across the land;

Whereas, in addition to their families, knowledgeable and skillful teachers can have a profound impact on a child's early development and future success;

Whereas, while many people spend their lives building careers, teachers spend their careers building lives;

Whereas our Nation's teachers serve our children beyond the call of duty as coaches, mentors, and advisors without regard to fame or fortune; and

Whereas across this land nearly 3 million men and women experience the joys of teaching young minds the virtues of reading, writing, and arithmetic: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors and recognizes the unique and important achievements of America's teachers; and

(2) urges all Americans to take a moment to thank and pay tribute to our Nation's teachers.

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

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

Mr. MCKEON. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I rise in strong support of this important resolution in recognition of our Nation's teachers, and I would like to start off by simply saying thank you.

Thank you to all of the teachers who have shaped the lives of American school children. Thank you for your selfless and sometimes exhausting commitment to the children of this country, and thank you for protecting America's future.

Mr. Speaker, I believe in many cases that we take teachers for granted and simply expect them to single-handedly prepare our students to face the challenges of life and become productive members of society.

Here in Congress, we have a responsibility to ensure that Federal education programs allow local officials and schools the flexibility to make decisions based upon their specific needs. Again, I want to stress the flexibility is the key.

Last year, in bipartisan fashion, the House passed the Teacher Empowerment Act to help address the needs of local schools and teachers relating to their recruiting, hiring and training of teachers.

While this legislation requires school districts to both decrease class size and improve the quality of training for teachers, it leaves the exact balance between the two at the discretion of those at the local level who best know the needs of their schools and communities.

I know I am not alone when I say I was privileged to have teachers who had a profound impact on my development, not only as a student but as a person. One of the greatest rewards of my job now is the opportunity to visit

schools and witness the great work that our teachers are doing and the difference they are making.

It is almost universally true that every successful person, regardless of their field, can include the role of teachers as significant in the process of achieving that success.

Mr. Speaker, in closing, I want to reiterate my thanks to all the teachers across our Nation who mean so much to our children and, consequently, to every citizen of this country both now and in the future.

Teachers certainly deserve recognition, and I am honored to be able to be here on National Teacher Day to associate myself with this resolution.

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

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

Mr. Speaker, I rise in support of H. Res. 492, which recognizes the unique and important contributions of America's teachers and urges all Americans to pay tribute to our Nation's teachers.

Were it not for the benefit of an outstanding teacher, many of us would not have been as successful as we have been. When I was in the sixth grade, I had a very dedicated and perceptive teacher named Ms. Casson.

Mr. Speaker, I will never forget Ms. Casson. Ms. Casson saw through my poor attitude and recognized it as my frustration over losing my battle with math.

We were doing a math test and I didn't understand decimals, fractions, et cetera, and instead of doing the lesson, I was doing drawings I was making drawings, and she snuck up behind me and came down with a ruler across my hands and woke me up. And from there, she took the time to work with me and would not let me give up on myself; although, I gave her cause to do so on many occasions.

Due to Ms. Casson's patience and persistence, I was not only able to conquer my difficulties with math, but also master other subjects as well.

As a result, I was able to finish school in an era when most young Hispanics did not finish high school, much less receive postsecondary education.

My experience with Ms. Casson made me realize that a good teacher can mean the difference between success and failure for a student, not only in school, but in life.

Recent studies show that teacher quality is the single most important factor in student achievement. However, today's teachers face greater challenges than they ever have before.

Classes are larger and more unmanageable. Classroom space is inadequate and often in poor and even unsafe conditions. And discipline problems and school violence are an all-time high.

On top of it, we know the teacher candidates often do not receive adequate training; new teachers are not supported by their school systems; and current teachers are not provided with meaningful professional development. Under these circumstances, even Ms. Casson would have had problems.

Mr. Speaker, Congress tried to address a number of those issues, in which the gentleman from California (Mr. MCKEON) alluded to, during the 1998 reauthorization of the Higher Education Act by creating the Loan Forgiveness Program for individuals who agree to teach for 5 years in a high-risk school district and by encouraging schools of education to improve the quality of their teacher education programs.

We have another opportunity to provide greatly needed support to new and current teachers through the reauthorization of ESEA. We can provide them with smaller classes, safe and adequately-equipped classrooms, and the support of mentor teachers and relevant professional development. However, while I have no doubt that every Member of Congress supports helping our Nation's teachers, ESEA is currently caught up in a tangle bipartisan politics in both House and Senate; therefore, I suggest that if we really are sincere about recognizing paying tribute to our Nation's teachers, that we not only pass H. Res. 492, but also put aside our differences and pass ESEA that includes resources necessary for teachers to succeed in today's classrooms.

As such, I rise in support of Ms. Casson and the millions of teachers like her who are doing perhaps the most difficult and important job in America and in support of H. Res. 492 and an ESA bill that we can all be proud of.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce.

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

First of all, I want to congratulate the gentlewoman from Texas (Ms. GRANGER) who was the driving force behind bringing this resolution to the floor.

Mr. Speaker, after parents, whether the child succeeds or fails academically will, in a great degree, be determined by the quality of the teacher in the classroom. This is why our Even Start Program and all family literacy programs work to help make sure the parent becomes child's first and most important teacher.

This is why, in a bipartisan way, the Committee on Education and the Workforce brought to the floor of the House the Teacher Empowerment Act, so that the second most important person in the child's academic life, the teacher, can be the most qualified person to fill that role.

I hope the Senate will pass that bill so that it can be presented to the President for his signature.

Public school teaching is the most difficult and yet important job in America today, and I join my colleagues in paying tribute to the dedication to achieving the goal of a totally literate America, as I do for all teachers, private, parochial school, as well as teachers of the home school.

I think of Ms. Yost when I think of the teaching profession. Ms. Yost was my grade 1–4 teacher in a one-room school, teaching all four grades, where she had an average of 40 students per year. She was the art teacher, the music teacher, the reading teacher, the writing teacher, the arithmetic teacher, as well as the counselor, the psychologist and, yes, even the custodian. She was brilliant and dedicated and one of the role models who caused me to become a public school teacher, counselor, and administrator for 22 years.

I thank the teachers for their dedication. America's future lies very heavily on their shoulders.

Mr. MARTINEZ. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BACA).

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

Mr. BACA. Mr. Speaker, I want to thank my distinguished colleague the gentleman from Southern California (Mr. MARTINEZ) for yielding me the time. I want to commend him for his hard work on behalf of education and support of America's teachers.

Mr. Speaker, I want to also recognize my colleague the gentleman from Southern California (Chairman MCKEON). I commend him for his hard work on the Subcommittee on Postsecondary Education, Training and Lifelong Learning.

I also want to commend our colleague the gentlewoman from Texas (Ms. GRANGER) for sponsoring this important education resolution.

Education is an important aspect of America. Education is the foundation and it is the fruits that we bear in improving the quality of life. Education defines who we are.

I want to commend many of our teachers who are out there today in our public schools. As it has been stated, they are teaching in an area where it is very difficult, conditions are not the best, they are teaching in diverse areas with a multitude of many languages.

I believe that if a lot of us look at America and where we are today, we are here today because we have had good teachers that were willing to sacrifice and are willing to teach us and are willing to work with us.

Too often in today's society we fail to recognize these teachers that are willing to give of their time and effort to make sure that the quality of life is improved. When we look at every business person, every individual in our society, they have been touched by some teacher some way along the lines.

Whether it had been in elementary, whether it had been in intermediate, whether it had been a secondary, or whether it had been at a community college or State college or university,

it was these teachers who cared and motivated these students, who gave them the self-esteem that said that they have the confidence to go on in society and be what they want.

That is why it is important that we today remember and recognize and support this H. Res. 492 in distinguishing this week as the 15th Annual Teachers Appreciation Week.

America's investment in education represents an investment in our future. The measures of investment we make in our children's future reflects America's commitment to our future growth and future strength.

On Friday, in conjunction with Teachers Appreciation Week, I am sponsoring an educational summit in San Bernardino. This summit will bring together teachers and students, along with officials of the public and private sector. This summit will explore education in the new millennium and improve technology in teacher training.

As we seek to show our appreciation of America's teachers, it is important that we give them the tools needed to get the job done.

Last week I introduced legislation to give teachers added help by bringing technology into the classroom and training teachers as they prepare for the 21st century. This bill will help teachers achieve the technology training that they will need in order to educate students today and tomorrow. We must demonstrate to America and recognize and give teachers the honor they fully deserve.

I strongly urge support of our teachers. I appreciate this resolution.

Mr. MCKEON. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. BLUNT), the chief deputy whip.

Mr. BLUNT. Mr. Speaker, I am pleased to be here today on National Teachers Day in honor of this important day.

I was able to cosponsor this legislation along with the gentleman from Tennessee (Mr. CLEMENT), my co-chair of the House Education Caucus, with the gentleman from Pennsylvania (Chairman GOODLING) and the gentleman from California (Chairman MCKEON) and others.

One out of five Members of the House, including the gentlewoman from Texas (Ms. GRANGER), who drafted this resolution, have been full-time educators at one time in their career. Members of this House know from personal experience what it is like to be in the classroom, to be an administrator, to work with the responsibilities of teachers.

This resolution honors and recognizes the unique and important achievement of America's teachers. It urges all Americans to take a moment to thank teachers and pay tribute to our Nation's teachers.

I would like to mention just briefly a teacher in the Springfield school district that is being recognized this week as the Teacher of the Year in that district.

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Ms. Mae Tribble originally aspired to be a pediatric nurse so she could help others in need. However, while she was in college at Southwest Missouri State University and while working with the Springfield Park Board, she discovered the challenge and the reward of teaching. She has now taught for 27 years. She currently teaches the second grade at Pittman Elementary School. She has taught at other schools in the Springfield district and the Strafford district. Her education includes teaching first grade, second grade, disabilities K–6, reading and math. She is an outstanding teacher.

Teachers make a difference in people's lives, Mr. Speaker. They expand our only expandable resource, the potential of young people, the potential of our country. I am glad we recognize them today.

Mr. MARTINEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. I thank the gentleman from California (Mr. MARTINEZ), who has served us so well in this House and been a real leader on education issues for yielding me this time.

Mr. Speaker, I am pleased to join with the gentlewoman from Texas (Ms. GRANGER) and the gentleman from Missouri (Mr. BLUNT) in introducing this legislation to honor America's teachers. I know this body often disagrees on various issues but I think this is one of them that we can sure work together on. As cochair of the House Education Caucus, a former college President and a parent of two teenage daughters, I am pleased to take this opportunity to honor the outstanding work our teachers do every day. I fondly remember many of the teachers who instilled in me and in my children the love of learning and the desire to set and obtain goals.

Few other professionals touch so many people in such a lasting way as teachers do. Teacher Appreciation Day affords us the opportunity to recognize the contributions that educators make to our community and to thank those special teachers who have made a difference in our lives and the lives of our children.

I would like to especially honor the teachers of the year in my congressional district. Jennifer Snoot has taught in Tennessee's public schools for 9 years and is currently at Old Center Elementary School. Janet Stout, a teacher at Cameron Middle School, has taught for 14 years. And Martha Burton, who teaches at Pearl-Cohn Business Magnet High School, has taught for 15 years. All of these three are dedicated teachers who have epitomized the dedication and commitment of America's teachers and helped our children so very much.

There is no more important or challenging job than that of our Nation's teachers. Teachers open children's minds to the magic of ideas, knowledge and dreams. They keep American democracy alive by laying the foundation for good citizenship. And they fill many roles as listeners, explorers, role models and mentors, encouraging our children to reach farther than they would have thought possible. Teachers continue to influence us long after our school days are only memories.

Seldom do we recognize the importance of their job or the depth of their commitment to our children. While many people spend their lives building careers, teachers spend their careers building lives. For this they deserve our support, praise and gratitude.

Teachers often put in countless extra hours outside of the classroom preparing lessons, reading and correcting papers and working with students who need just a little extra help. They do this because they love their job, care about their students and are committed to ensuring that our children have the best chance at success. All this under often trying circumstances and with less than adequate resources and support.

I thank the thousands of teachers who have dedicated themselves to educating and believing in our children. I encourage all of my colleagues to take a moment as the school year winds to a close to thank those teachers who have made a difference in the lives of our children and our children's children. They are truly the unsung heroes of our communities.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER), the author of this resolution.

Ms. GRANGER. I thank the gentleman from California for yielding me this time.

Mr. Speaker, Benjamin Disraeli once said, ''The fate of our Nation depends on the education of our children.'' Today I rise to honor the men and women who determine the fate of our Nation and our children, its teachers. These are the men and women who rise each day to make a difference. They go to work early, working with children who need a little extra help. They find the creativity to keep algebra fresh and at the end of the day they even may wipe away a few tears. These are the men and women who teach our children not only how to earn a living but also how to make a life.

I have one of those special teachers in my district. Her name is Carole Brown and she is a second grade teacher. Carole was recently nominated Birdville Independent School District Teacher of the Year. Her coworkers wrote in her nomination that Carole is ''the teacher that every child deserves.'' They said Carole finds the time and resources to meet every child's individual needs.

One parent of a special needs child said in a letter to Carole:

I often think of the difficulty we experienced last year in dealing with my son's disruptive behavior prior to his attention deficit hyperactivity diagnosis. My heart went

out to my son and you each day as I observed class. Your encouragement gave me the desire and strength to seek the medical attention my son needed. My son is on the road to success now. My heartfelt appreciation and respect for you is difficult to express in words. I pray that I have conveyed a portion of that gratitude to you. I hope the very best for you and I praise God for your dedication in providing excellence in education.

Mr. Speaker, Carole Brown truly believes every child can learn. She is the embodiment of the Texas education philosophy, leave no child behind. Today I salute Carole Brown and the other men and women out there who are molding our future by teaching our children as my own mother did for 47 years and as I did for 9.

Mr. MARTINEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, we have done a lot of talking the last few years about renewing our investment in education. School construction, computers and Internet access, school safety, up-to-date textbooks and library books, all of these are vital pieces in our efforts to improve local schools. But too often in this debate, Mr. Speaker, we have failed to focus on the need to invest in our most valuable resource, teachers. Next to a good parent, I cannot think of anyone more important to a child than a good teacher. A good teacher can provide guidance and help reinforce lessons in character and values taught by parents. And a good teacher can open the minds of children and show them that the pursuit of their dreams can be more than just a dream. But somehow our society has devalued teaching. We no longer place teachers on a pedestal of honor and respect. Instead we lionize professional athletes. We deify movie stars. Even lawyers and politicians whom most people, with all due respect for those of us here, do not like are viewed by children as people who have actually made it in America.

But they do not view teachers that way. Today a common cliche is, ''Those who can do and those who can't teach.'' Think about what that statement means. We have so devalued the profession of teaching that we consider it a refuge to those who cannot make it elsewhere. That is so wrong. If we in the Congress are going to talk about how we are going to make our country a better place for our children, then elevating teachers must be a central part of that discussion. We must give teachers the tools to succeed. Talk to a teacher and she will tell you that she is more interested in additional training and professional development than she is in more money. I think good teachers should have both.

Last year with the help of Speaker Hastert we were able to appropriate money for a teachers academy for the Chicago Public Schools. Congress needs to continue to support efforts like this, both to improve our schools and to demonstrate to our young people that America recognizes what teaching is, a noble profession worthy of their pursuit.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON), a strong member of the Committee on Education and the Workforce.

Mr. ISAKSON. I thank the gentleman from California (Mr. MCKEON) for the introduction and for yielding me the time.

Mr. Speaker, I am particularly honored to stand as a member of the Committee on Education and the Workforce and thank the gentlewoman from Texas (Ms. GRANGER) for bringing this measure to floor and thank the gentleman from Pennsylvania (Mr. GOODLING) for his better than two decades' commitment to America's teachers, America's children and most recently his successful guidance to the passage of our commitment with the Individuals with Disabilities Education Act. And I associate myself with the remarks of the gentleman from California (Mr. MARTINEZ) and my sincere hope in addition to our verbal tribute that we pay tribute to education by finally passing the reauthorization to ESEA in a bipartisan fashion in the interest of all children.

But if we read House Resolution 492, it has two parts. First to thank all teachers and then second to take a moment, every American, to thank a teacher for the commitment that they make. In my remaining time, I would like to do just that by paying tribute to Ms. Linda Morrison, an advanced placement history, government and international affairs teacher at North Cobb High School in Acworth, Georgia, a woman who for better than two decades has brought government and history alive to children of great diversity, not of great economic prosperity. She has made our history and this government real. Year in and year out, her students go to New York and win or place in Model U.N. and throughout public service in our State today, many of her students serve their fellow man because of the inspiration of Linda Morrison.

But like most and like all of us, she has achieved this through her difficulties. In the last 2 years, the greatest 2 years of her career, she has inspired children, led them to entering and winning the Model U.N., been a model teacher in Georgia and fought breast cancer successfully. Through chemotherapy and all its terrors, day in and day out remaining in the classroom to teach our children. I want to take my responsibility in this resolution to thank that teacher, Ms. Linda Morrison, who to me exemplifies the countless thousands of teachers in Georgia and in America who teach and educate our children.

Mr. MARTINEZ. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I am pleased to join my colleagues in doing two things, honoring our teachers and saying thank you to our ranking member the gentleman from California (Mr. MARTINEZ) for all he has done for education and as usual complimenting the gentleman from California (Mr. MCKEON) for what he does.

I am pleased to join my colleagues in expressing my strong support and deep appreciation for America's teachers. Mr. Speaker, in appreciation of all of our teachers, I would like to suggest that we in Congress give them a gift. The idea came from a teacher in my district who wrote an article about what he thinks is wrong with American education.

In this article, which I will include for the RECORD, Paul Eggenberger writes that the problem with our education system is not the students, is not the administrators, and it is certainly not the teachers. The problem, and I quote Mr. Eggenberger, is with our culture. Families are fractured, they are too busy to care, they are in a hurry to raise academic standards, a hurry to eat, a hurry to get to work, a hurry to get to the soccer game, a hurry to get home.

He goes on: ''We don't have time for our kids, to listen to them, to get involved in their lives, to discipline and to guide them.''

There is much we can do right here in Congress to support families so that they will have the time their children need. Initiatives such as paid leave for new parents, coordinated family services at schools and universal school breakfast are just a few good examples of how to give parents more time with their children and give children the attention and the support they need to be good students and good citizens.

Mr. Speaker, I include the Eggenberger article in its entirety:

[From the Press Democrat, May 4, 2000]

A FORMER TEACHER TELLS WHY HE LEFT

(By Paul Eggenberger)

Ten years ago, with the encouragement of my friends and family, I decided to respond to the call to teach. I sold a successful business, invested $20,000 in my education and enrolled in the teacher credential program at Sonoma State University. Now, after eight years, I have resigned my teaching position. Given the current discussion about education by the various ''experts'' I thought it might be useful if I shared a few observations.

The problem with our educational system is not the students. It is unfair for adults to blame children for our failure to educate them. They are only responding to the people and activities that affect their lives. They don't make the video games, TV programs, books, magazines, sports, friends, music and schools that they are exposed to.

The problem with our educational system is not the teachers. They are doing the best they can when you consider the low wages, lack of supplies, poor and outdated textbooks, insufficient curriculum materials and lack of administrative support. I well remember my shock upon entering the school environment after owning my own business for 15 years. Any employee who ever worked for me would have quit within a few days if placed into the environment of today's teachers. The norm in the school I worked in was at least 50 hours a week not including

committees, sporting events, clubs, fundraisers, PTA meetings, etc. That means the average teacher with the equivalent education of a master's degree earned about $15 an hour.

The problem with our educational system is not the administration. They are in a constant juggling match to make the best of insufficient funding, high turnover and unrealistic demands from the state. No corporation or dotcom would think of trying to improve its product without investing in capital improvement or research and development. But that's what our schools must do because of lack of funding and unclear direction from the state.

The problem is with our culture. Families are fractured. They are too busy to care. They are in a hurry to raise academic standards, a hurry to eat, a hurry to get to the soccer game, a hurry to get to work, a hurry to get home, a hurry to get rich. Parents are self-involved or stressed out. Single moms can't get child support from irresponsible, absent dads. TV has replaced conversation and literacy. Sex has replaced love.

We don't have time for our kids, to listen to them. To get involved in their lives. To develop deep relationships with them. To discipline and guide them. To teach them wisdom. To teach them respect. To teach by example.

No, instead we have taught them to look out for themselves, to get gratification from video games and gangs, drugs and sex, fast food and fast cars. To take the easiest way out. To stay uninvolved, uncommitted, unloving. To always blame someone else. After all, that's what adults do. Is it any wonder they don't want to learn?

I came to Congress seven years ago determined to make education our nation's number one priority. Today, as a Member of the Education Committee, I remain committed to that goal and I spend much of my time looking at ways we can tackle the problems in our schools.

But while we in Congress focus a lot on what's wrong with education, we must remember that there's a lot that's right.

Every day, in classrooms around the country, teachers are reaching out and connecting with their students. We are lucky to have outstanding teachers around the country preparing our children for a successful future.

Despite new challenges and increasing demands, teachers in my District come to school everyday determined to make a difference.

Today, National Teachers Day, I'd like to honor Marin County Teacher of the Year Mary Beth Vanosky and Sonoma County Teacher of the Year Susie Conte—who are two examples of the hard-working teachers we are fortunate to have in the North Bay.

As a teacher with 25 years' experience, Ms. Vanosky doesn't consider teaching her fifth through eighth grade students her only job. Throughout her career, Ms. Vanosky has consistently served as a master teacher for student teachers and a mentor teacher to colleagues who were either new to teaching or new to their grade level. She knows that learning truly is a life-long process. For that reason, she hasn't stopped playing the role of student herself. Despite her years at the head of the class, Ms. Vanosky is constantly expanding her know-how with post-graduate studies at the University of Wisconsin, Arizona State University and San Francisco State University.

In Sonoma County, Susie Conte gets high marks from students, colleagues and parents for the work she does teaching preschool and helping special needs students at Bennett Valley Elementary School. She has developed education programs for autistic children, formed a support group for parents of special-needs children and helped make classrooms safer for all children.

Even after the school bell rings, Ms. Conte keeps giving. Once her school work is done, Ms. Conte makes time to volunteer with the Special Olympics and the YWCA's Women's Safe House.

Mary Beth Vanosky and Susie Conte are just two examples of what's right about American education. While we have set aside National Teachers Day to pay tribute to educators, we must keep in mind that everyday teachers like Ms. Vanosky and Ms. Conte are working to make the future bright.

Mr. MCKEON. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. PITTS), a good friend of education.

Mr. PITTS. Mr. Speaker, I want to thank my colleagues for sponsoring this resolution to honor America's teachers. This week we honor those who challenge our children to learn and grow and prepare to be leaders of tomorrow. When I graduated from college, my first job was teaching in public schools, and I have never forgotten the lessons I learned in the classroom years ago. Teachers, second only to parents, have the future of our Nation in their hands. This resolution honoring and recognizing the unique and important achievements of our teachers urges Americans to take a moment to thank and pay tribute to them.

Elaine Savukas is a teacher from my district in Hempfield High School, Lancaster County, Pennsylvania. She teaches an AP government class and guides her students as they participate in the We the People competition. Each of her students is a scholar, if you will, in the Constitution, able to match wits with students across America. I can hardly think of a better way to prepare a student for a life of good citizenship than to challenge them to know the ins and outs of our unique form of government.

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America is a great country because of our foundational document, the Constitution. But America is also great because of the generations of dedicated teachers like Elaine Savukas. I want to thank Elaine today for her dedication, her professionalism, and there are countless thousands of other teachers in America who deserve equal thanks. Let us pass this resolution, express to America's teachers just how much we appreciate what they do every day.

Mr. Speaker, I urge my colleagues to support the resolution.

Mr. MARTINEZ. Mr. Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. Speaker, as the father of an outstanding public school teacher and as a former State superintendent of my State schools, I rise in strong support of this resolution and I am a proud cosponsor of it as well, which really expresses the sense of this House for the support of America's teachers. I also want to thank all of the teachers who have touched my life through the years and made a difference.

Mr. Speaker, what a difference a couple of years can make. Not long ago, this Chamber's majority engaged in teacher-bashing with reckless abandon. Rather than praise teachers as this bipartisan resolution rightly does, until recently, politicians in this Congress routinely took potshots at teachers and bad-mouthed our public schools for partisan gain. So today's resolution is a welcome change from the past.

Mr. Speaker, talk really is cheap. Although this resolution is a very nice statement, this Congress needs to do more than talk the talk. We must walk the walk. This Congress must pass the many important legislative initiatives that are bottled up in one committee or another.

With our schools bursting at the seams and with our children crowded into trailers, this House must act on common sense school construction legislation, and as our teacher shortage is critical in this country and reaching a crisis proportion, we need to pass legislation for 100,000 teachers. As we debate the issues of youth violence and values in our society, this Congress needs to pass character legislation to help our children learn the lessons of respect, responsibility, honesty, integrity, courage, kindness, and those basic values that we look to.

Mr. Speaker, today is National Teachers Day, and this week is the 15th annual National Teachers Appreciation Week. But every day should be Teachers Appreciation Day. We need to raise the standards in this country for the profession of educators. Congress must exert the leadership and the moral authority to give every teacher in this country the high regard that he or she richly deserves.

This resolution is a good step in that direction, and I commend its bipartisan support. However, we must take action to support our teachers and pass legislation that will improve education for our children.

Mr. MCKEON. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. SHIMKUS), a good friend of education.

Mr. SHIMKUS. Mr. Speaker, it is with great pride that I rise today as cosponsor of House Resolution 492 which recognizes and honors America's teachers. As a former high school teacher myself, I understand the hard work and values teachers add to a child's life.

At the end of this month, I will have the opportunity to attend the graduation of Collinsville class of 2000 when I will receive the Alumni Award and I will have the chance to address the students and the graduates. I will thank administrators Ron Ganshin and Rees Hoskin and Margaret Linder. But more

importantly, I will thank my teachers, Ron Adams, Kathy Baker, Richard Crabtree, Lloyd Dunne, Fay Fultz, Robert Johnson, Russ Keene, Jenet Kanel, Joe Naylor, Mark Nelson, Terry Smith, Joe Spurgeon, Neal Strebel, Steve Shults, Charles Suarez and Don Davisson, and many others whom my faltering memory and the lack of a yearbook have made it difficult for me to recall. Some are still in the profession, some no longer, and some have passed away. They have encouraged my thoughts and my dreams. They have supported my goals and my aspirations. I thank them for their work, and in thanking them, I thank all teachers today.

Teachers have one of the most important jobs in our society, but it is often thankless. I urge all of us to make teacher appreciation not something we do once a year, but a practice and a habit that we practice year-round.

Mr. MARTINEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, today is National Teacher Appreciation Day, and I wish to pay tribute to 4 remarkable teachers on the central coast of California. What a joy this is.

Last month Tory Babcock, an English teacher at Santa Ynez High School, was named Santa Barbara County Teacher of the Year. She was cited for her work in challenging students to embrace reading and writing, as well as her professionalism, her enthusiasm and success in motivating students in the classroom and beyond. She will be considered for California Teacher of the Year in the fall.

Dr. Ed Avila was recently chosen by Hispanic Magazine as Hispanic Teacher of the Year. Dr. Avila is the director of the Endeavour Academy, an engineering and applied science preparatory school within a public school. A national panel of Hispanic leaders and educators selected Dr. Avila for exhibiting excellence in curriculum innovation, subject competence and the ability to motivate students.

Just last week, Kevin Statom was chosen by Lucia Mar School District as Teacher of the Year. As head of the Arroyo Grande High School math department, Mr. Statom has been praised specifically for his efforts to get disinterested students turned on to math. Students at the high school praised him for spending at least 20 hours a week outside the classroom giving them the extra help they need.

Finally, Mark Fairbank, a Paso Robles High science teacher, was recently chosen as one of the three best teachers in California. He is also under consideration for the Presidential Award for Excellence in Mathematics and Science Teaching. Mr. Fairbank is an expert in alternative learning tools and cross curricular learning that can help students who learn visually, such as those with dyslexia.

Mr. Speaker, the Central Coast of California has much to be proud of. I am glad that we here in Congress are taking the time to honor our teachers. The education of our children and, indeed, of our future as a Nation rests on the quality of our Nation's teachers.

Mr. MCKEON. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Kentucky (Mrs. NORTHUP), a strong supporter of education.

Mrs. NORTHUP. Mr. Speaker, I wish to rise and add my voice to the others in recognition of our teachers who have made such a difference in our lives. Most of us can think back to the years that we went through school, and the teachers that touched us in many different ways, in bringing out our talents and helping us to be successful in school. Those teachers were very different, some were very strict, we thought some of them were very specific; other ones were more creative and brought us in through different ways. But all of them had one thing in common: They gave us a sense of how important education is. They taught us what was important for us to know, and they gave us a love of learning.

Today, on this teacher appreciation resolution, I wish to, first of all, thank the teachers in my life, teachers that touched my life and who were largely unthanked in the years where they were making such an important difference to so many children.

Secondly, I would like to thank the teachers that are in the classroom today. We are almost at the end of this school year, and many children will walk out of the classroom door and will fail to recognize at this moment in their lives how much their teachers have meant to them this year and will mean to them for the rest of their lives.

So, for the children that walk out of the classroom door this year, let us, here in Congress, invite the American people across this country to thank them in these children's stead so that they will know how important they are today and for the future generations.

Mr. MARTINEZ. Mr. Speaker, might I inquire of the time remaining?

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from California (Mr. MARTINEZ) has 1½ minutes remaining; the gentleman from California (Mr. MCKEON) has 5½ minutes remaining.

Mr. MCKEON. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

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

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

As a member of the Committee on Education and the Workforce, I am proud to be able to support this resolution recognizing the significance of teachers and the quality of education in our country. I would urge all Americans to use this week as an opportunity to thank their teachers in their own communities.

Mr. Speaker, outside of the active involvement of parents in their children's life and the education process, I think it is irrefutable that the best determination of how well a child is going to perform in our school system today is the quality of teachers that are in the classroom. They are doing remarkable work, even though more and more are being asked of them. I feel an important obligation that we as policymakers provide them with the tools and the resources they need to do their job better.

Many of the teachers have been contacting us as Members of Congress in light of the Elementary and Secondary Education Act, asking for additional funding or resources for ongoing training and professional development programs so that they can enhance their skills in working with our children. They are also calling for resources to reduce class sizes so that there is more individualized attention for the students and better safety in the classrooms and better discipline.

So I would encourage the policymakers to support the Elementary and Secondary Education Act and to thank the teachers who have made such a big difference in many of our lives and encourage the continued work that they are doing.

Mr. MARTINEZ. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I rise today to pay tribute to one of our Nation's most valuable resources, the dedicated men and women who serve as teachers. I know that dedication, because I have been married for 30 years to a high school algebra teacher. I come home at night in our district at 9:30 or 10:00 and exhausted, and she is still grading papers or inputting grades into the computer.

Our teachers are hard-working professionals who are on the front lines of our struggle to provide a quality education for every child in America. Day in and day out they work hard so that our children can be prepared for whatever they want to be in the future. Teacher appreciation week is our time to show the appreciation for teachers. I would like to say that we could do much better.

We should be able to put aside our differences and pass worthwhile legislation like H.R. 1196, which would repeal the 60-month limit on student loan interest deductibility and help relieve the burden of student loan debt for our teachers; H.R. 4555, the Teacher Technology Training Act, so that local money could be provided to train teachers in computer-related skills in the classroom; the School Construction Act to modernize our school facilities; and H.R. 1623, the Classroom Size Reduction and Teacher Quality Act.

Mr. Speaker, there are lots of things we can do outside of just recognizing our teachers this week.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HORN), a good friend and colleague and a former university president.

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

Mr. Speaker, I rise today on National Teachers Day to pay tribute to America's teachers. Every day I can go through in my mind the teachers I had from first grade through the senior year of high school, not to mention the college teachers. I wish to give these men and women the honor and recognition that they deserve. I also wish to thank them for their service and their dedication to the Nation's young people.

Our educational system is only as good as the teachers in it. Every day, American teachers face a variety of challenges, including overcrowded classrooms, crumbling facilities, safety concerns and severely limited resources. Given the importance of education to our children's future, it is unacceptable that teachers should have to tolerate these conditions.

The best way I can think of to celebrate National Teachers Day is to enact educational reform to give teachers the resources and the flexibility that they so desperately need. Teachers make an invaluable contribution to the Nation and they deserve our gratitude. They touch our children's lives in countless ways and open up a world of possibilities to young people. For this reason, I am honored to support this resolution recognizing and thanking America's teachers.

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

GENERAL LEAVE

Mr. MCKEON. 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. 492.

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

There was no objection.

□ 1615

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

Mr. Speaker, I want to thank the gentleman from California (Mr. MARTINEZ). We have had the good fortune of working together during this Congress. It has been a real joy working together with him. I do not know how many other opportunities we will have, but I want to thank him and let him know that I really have appreciated working with him, and appreciate his friendship. He is a great man and he has done a lot for this country. He has been a great Congressman.

Mr. DINGELL. Mr. Speaker, today I praise one of the too often under appreciated professions in our society: teachers. In doing so, I would like to offer my sincere thanks for their often thankless, but noble efforts.

To quote Cicero, ''what nobler a profession, or more valuable to the state, than that of a man who instructs the rising generation.'' Teachers, next to parents, are the most influential people in the lives of our children. Like parents, they prepare students for the future. Teachers serve as role models, mentors, and friends. They strive to work with parents and guardians so that the full potential of each child may be realized.

Mr. Speaker, teaching has never been an easy job, and it hasn't gotten easier in recent years. Currently, the people to whom we entrust our children must teach in classes so large many of us would find it impossible to maintain order, let alone create an atmosphere that is conducive to learning. Many teachers must work in dilapidated buildings, where heating, plumbing and cooling systems are insufficient. At a time when many of us would find it impossible to function without a computer, teachers are confronted with the task of preparing kids to work in an increasingly technological society without the use of this most basic piece of equipment.

Not only do teachers deserve our thanks, they also deserve access to the best tools possible. Our nation's future is, after all, in their hands. We, in Congress, would be wise to enact a proposal similar to Vice President GORE's teacher assistance plan. We need to invest the necessary money to hire more teachers to reduce class sizes, modernize old schools and build new ones, and provide opportunities for teachers to get additional training so they can better prepare kids for the future. We must also draw educated and idealistic young men and women into teaching by providing student loan assistance to future teachers.

Many of my colleagues and our Nation's Governors, acting either in haste, desperation, or stupidity, have continually tried to undermine real education reform by grasping at ''revolutionary schemes'' such as vouchers, which have proved to be as destructive to public schools as well as ineffective in raising student performance. They have attempted to privatize public schools, where 90 percent of America's children are educated. In an attempt to highlight the problems faced by public schools, they have used teachers and schools alike as punching bags to further their own risky, underhanded schemes that only divert education money away from where it's most needed. I stand before you today to say we should not tolerate this rascality any longer. Our teachers, our kids, and our Nation's future deserve better.

Mr. Speaker, I am hopeful that we can all work together, write quality legislation, help our schools, and thank our teachers for their efforts by showing them we know how important educating our children—and their role in this mission—is to America's future.

Mr. COSTELLO. Mr. Speaker, I rise today in strong support of H. Res. 492, sense of the House in support of America's teachers.

America's teachers are one of our most valuable resources. Since coming to Congress I have worked hard to improve our schools by helping teachers in my district express their concerns and support legislation to promote the noble profession they have chosen. In fact, my wife, Georgia, is a principal at Central Junior High School in Belleville, IL. I am proud of her accomplishments with the hundreds of students she comes in contact with every day as well as all of the teachers in the 12th District of Illinois.

Mr. Speaker, as a parent and grandparent of school-age children I cannot think of a career more important than that of our Nation's teachers. Every day teachers are faced with numerous crises including nurturing children from broken homes, children facing the growing threat of youth violence in our schools, and school buildings that do not meet safety standards.

I applaud the countless generations of teachers for living up to the day to day challenge of preparing our children for the outside world. I urge all of my colleagues to join me in strong support of this resolution. Our teachers deserve this praise and recognition.

Mr. QUINN. Mr. Speaker, I rise in support of H. Res. 492, expressing the sense of the House of Representatives in support of America's teachers.

As a former high school English teacher, I am very familiar with the ability of teachers to have an impact on the lives of children. Teachers are some of the first role models many children have. They give us the tools to become well-rounded adults and upstanding citizens. Teachers are exceptional people who bring their love of learning and share their enthusiasm to work to share with their students everyday. Tirelessly, they impart their knowledge of any variety of subjects, from grammar to music to algebra. Inspired by the flicker of understanding in their students' eyes, they rely on the gratitude of their students and their families rather than on monetary rewards as their compensation.

Indeed, our teachers are our Nation's greatest resource. They build the foundation of knowledge in our future generations, which will one day not only rule the world, but fundamentally change it for the better. Teachers fundamentally mold the character of our Nation's future leaders. We should all take the time to stop and remember the important influence that our teachers had upon our lives. In fact, we should all make an effort to go back and thank our teachers, or even just a single teacher who may have had a special impact on our educational experience in order to say ''thank you.'' This is the greatest way that we can recognize our teachers and repay our gratitude for all that they shared with us.

Mr. PAUL. Mr. Speaker, I am pleased to support the resolution of the gentlewoman from Texas expressing Congress' appreciation for the valuable work of America's teachers. I would also like to take this opportunity to urge my colleagues to support two pieces of legislation I have introduced to get the government off the backs, and out of the pockets, of America's teachers. The first piece of legislation, H.R. 1706, prohibits the expenditure of federal funds for national teacher testing or certification. A national teacher test would force all teachers to be trained in accordance with federal standards, thus dramatically increasing the Department of Education's control over the teaching profession. Language banning federal funds for national teacher testing and national teacher certification has been included in both the House and Senate versions of the Elementary and Secondary Education Act (ESEA).

I have also introduced the Teacher Tax Cut Act (H.R. 937) which provides every teacher in America with a $1,000 tax credit. The Teacher Tax Cut Act thus increases teachers' salaries without raising federal expenditures. It lets

America's teachers know that the American people and the Congress respect their work. Finally, and perhaps most importantly, by raising teacher take-home pay, the Teacher Tax Cut Act encourages high-quality people to enter, and remain in, the teaching profession.

Mr. Speaker, these two bills send a strong signal to America's teachers that we in Congress are determined to encourage good people to enter and remain in the teaching profession and that we want teachers to be treated as professionals, not as Education Department functionaries. In conclusion, I urge my colleagues to vote for this resolution recognizing the hard work of America's teachers. I also urge they continue to stand up for those who have dedicated their lives to educating America's children by cosponsoring my legislation to prohibit the use of federal funds for national teacher testing and to give America's teachers a $1,000 tax credit.

Mr. UNDERWOOD. Mr. Speaker, I am thankful for the opportunity to speak in support of House Resolution 492. I would also like to take this opportunity to thank Representative KAY GRANGER of the 12th District of Texas for introducing this resolution which pays tribute to all teachers in the United States and aptly commemorates National Teachers Day, which we are celebrating today.

My family comes from a long line of teachers, my mother is a former teacher, I am a former teacher and academic vice president and my daughter is a teacher in my district in Guam. As a former educator, I well appreciate the challenges all teachers face. It is often said that teaching is a thankless job. Although, it is the case with most teachers to be overworked by the growing volume of students in classrooms and overwhelmed by the constant shortage of teachers entering the ranks of the teaching profession from year to year, the impacts they make in shaping our lives and our futures is enormous and immeasurable. I would like to take this time to commemorate the remarkable commitment and contributions teachers make to our lives and highlight the contributions of Guam's Teacher of the Year for 2000, Mr. Josh Ledbetter.

Mr. Ledbetter has come to teaching at a later period in his life than most rookies. Now at the young age of 49 and after many years serving our country in the U.S. Navy, followed by a brief career as a journalist, Mr. Ledbetter found teaching to be his calling. Mr. Ledbetter received his teaching degree from the University of Guam in 1993. Since then he has taught for nearly six years as a first grade teacher at the Maria Ulloa Elementary, the Harry S. Truman Elementary and before transferring to the brand new Machananao Elementary School in Guam.

Mr. Ledbetter is a testament to what it means to go the extra mile in the classroom. He brings constant innovation to teaching and emphasizes the need to bring relevance to his teaching. As a project, Mr. Ledbetter asked his students to bring in unneeded items from their homes. Students brought in an array of unneeded items including bottle caps buttons, plastic bread fasteners. Mr. Ledbetter incorporated these household materials to teach students concepts in mathematics through grouping the materials the students were so familiar with; first with a base of four, five, six, and then using a base of ten. The students became so comfortable with the idea of grouping that they had mastered the concepts before the time they reached the use of base ten.

Mr. Ledbetter has broadened his commitment to education through his participation in various organizations, including the International Reading Association, the University of Guam Language Arts Conference and Symposium, the National Council of Teachers of English and numerous other projects to the pursuit of education.

Mr. Ledbetter is currently pursuing his masters and doctorate degrees at the University of Guam and plans yet another career change, this time as a professor at the University of Guam's College of Education, teaching cadres of young adults about the importance of teaching. I wish him much success.

It gives me much pleasure to recognize and highlight the contributions that teachers like Josh Ledbetter make to our community. Mr. Speaker, I would like to thank all teachers for their constant contributions to instill and shape the lives of our children and our communities.

Mr. CROWLEY. Mr. Speaker, today, National Teacher's Day, we honor our nation's teachers and recognize the lasting contribution they make in our children's lives. Teachers are fundamental to the future successes of our children. They inspire our children to learn and instill them with the tools they need to be successful in their careers and in their lives.

People who enter the teaching profession don't do it for the money—they do it out of love. That love is reflected in the countless hours they spend outside the classroom, preparing lesson plans, being involved in extra curricular activities, and even buying supplies with their own money. Mr. Speaker, the average teacher spends $408 of his or her money each year to meet the needs of their students.

Let me tell you about the teachers we have in my district. They certainly don't teach for the money—in fact many salaries barely pay rent—but they are the most dedicated workforce I know.

I invited the Secretary of Education, Richard Riley, to my district to witness first hand the problems the schools in my district face with overcrowding. He visited on April 27, 2000, along with the new chancellor of the New York City Board of Education and we had a very informative and productive tour and meeting.

When deciding which school to highlight for Secretary Riley, I selected PS 19, which operates at 157% capacity, and is one of the most, if not the most, overcrowded elementary school in the City of New York.

I contacted the Principal at PS 19, Catherine Zarbis, who agreed to open up her school during their spring break, to show the Secretary and the Chancellor their overcrowded conditions and numerous portable classrooms.

When we visited the school the day before, we found many teachers there—on their spring break—cleaning their classrooms, making new room and hall decorations, and preparing lesson plans. These teacher came in, on their own free time, to clean the building and prepare for the Secretary's visit. In fact, everyone from the teachers to custodial staff to the security personnel pitched in for this event. I want to personally recognize everyone for their hard work: Principal Catherine Zarbis, Assistant Principal Roseann Napolitano, Assistant Principal Dina Erstejn; Mr. Miria Villegas, Mrs. Janina Juszczak; and Mrs. Kathleen Ktistakis, who is affectionately called Mrs. K by her students. The custodial staff: Mr. Thomas Zerella, the Custodial Engineer; Ms. Renee Rhein; Mr. William Bischoff; Mr. Fernando Seara; Mr. Louis Bischoff; Mr. Leonard Rooney; Mr. David Fasano; Mr. Wilmer Romero; Mr. Omar Yahia. And the parent volunteers: Mrs. Zoraya Torres; Mrs. Ana Hernandez; and Mrs. Julliana Bonetti. These educators truly represent what teachers really stand for and should serve as role models to us here in Congress as well as our children.

I urge my colleagues to put aside partisanship and help these teachers—reduce their class size average of 36, give them full classrooms, instead of converted closets, bathrooms, hallways, and attics. We need to pass substantial school construction legislaiton as well as class size reduction, implement after school programs, safe and drug free schools, and provide access to technology. Our teachers and our children deserve it.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and agree to the resolution, H. Res. 492.

The question was taken.

Mr. MCKEON. 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, the Chair will reduce to 5 minutes the minimum time for electronic voting on four additional motions to suspend the rules on which the Chair has postponed further proceedings. Such votes will be taken immediately following this vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 12, as follows:

[Roll No. 149]

YEAS—422

Abercrombie	Bonior	Cox
Ackerman	Bono	Coyne
Aderholt	Borski	Cramer
Allen	Boswell	Crane
Andrews	Boucher	Crowley
Archer	Boyd	Cummings
Armey	Brady (PA)	Cunningham
Baca	Brady (TX)	Danner
Bachus	Brown (FL)	Davis (FL)
Baird	Brown (OH)	Davis (IL)
Baker	Bryant	Davis (VA)
Baldacci	Burr	Deal
Baldwin	Burton	DeFazio
Ballenger	Callahan	DeGette
Barcia	Calvert	Delahunt
Barr	Camp	DeLauro
Barrett (NE)	Canady	DeLay
Barrett (WI)	Cannon	DeMint
Bartlett	Capps	Deutsch
Barton	Capuano	Diaz-Balart
Bass	Cardin	Dickey
Bateman	Carson	Dicks
Becerra	Castle	Dingell
Bentsen	Chabot	Dixon
Bereuter	Chambliss	Doggett
Berkley	Chenoweth-Hage	Dooley
Berman	Clay	Doolittle
Berry	Clayton	Doyle
Biggert	Clement	Dreier
Bilbray	Clyburn	Duncan
Bilirakis	Coble	Dunn
Bishop	Coburn	Edwards
Blagojevich	Collins	Ehlers
Bliley	Combest	Ehrlich
Blumenauer	Condit	Emerson
Blunt	Conyers	Engel
Boehlert	Cook	English
Boehner	Cooksey	Eshoo
Bonilla	Costello	Etheridge

Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (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
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)
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
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
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
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
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—12

Buyer
Campbell
Cubin
Gephardt
Kuykendall
Lucas (OK)
McCollum
McIntosh
Moakley
Payne
Wise
Young (FL)

□ 1638

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 3293, by the yeas and nays;
H.R. 4386, by the yeas and nays;
H.R. 4365, by the yeas and nays;
H.R. 3313, by the yeas and nays.

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

PLAQUE TO HONOR VIETNAM VETERANS WHO DIED AS A RESULT OF SERVICE IN THE VIETNAM WAR

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3293, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GALLEGLY) that the House suspend the rules and pass the bill, H.R. 3293, as amended, 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. 150]

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
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
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
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (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
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)
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
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
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
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
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—13

Buyer
Campbell
Cooksey
Cubin
Gephardt
Kuykendall
Lucas (OK)
McCollum
McIntosh
Moakley
Payne
Wise
Young (FL)

☐ 1646

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT OF 2000

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the question of suspending the rules and passing the bill, H.R. 4386, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. LAZIO) that the House suspend the rules and pass the bill, H.R. 4386, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 12, as follows:

[Roll No. 151]

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
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
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
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (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
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)
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
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
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
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
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—1

Sanford

NOT VOTING—12

Buyer
Campbell
Cubin
Gephardt
Kuykendall
Lucas (OK)
McCollum
McIntosh
Moakley
Payne
Wise
Young (FL)

☐ 1656

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHILDREN'S HEALTH ACT OF 2000

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4365, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 4365, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 2, not voting 13, as follows:

[Roll No. 152]

YEAS—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
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
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (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
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)
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
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
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
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
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—2

Paul
Sanford

NOT VOTING—13

Burton
Buyer
Campbell
Cubin
Gephardt
Kuykendall
Lucas (OK)
McCollum
McIntosh
Moakley
Payne
Wise
Young (FL)

□ 1705

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LONG ISLAND SOUND RESTORATION ACT

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the question of suspending the rules and passing the bill, H.R. 3313, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 3313, as amended, on which the yeas and nays were ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 29, not voting 14, as follows:

[Roll No. 153]

YEAS—391

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
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)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hefley
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.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
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)
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
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
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
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—29

Ballenger
Brady (TX)
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Crane
Davis (VA)
Doolittle
Duncan
Everett
Herger
Hostettler
Johnson, Sam
Jones (NC)
Largent
Paul

Royce	Sensenbrenner	Stump
Salmon	Shadegg	Taylor (NC)
Sanford	Smith (MI)	Tiahrt
Schaffer	Stearns	

NOT VOTING—14

Burton	Hayworth	Moakley
Buyer	Kuykendall	Payne
Campbell	Lucas (OK)	Wise
Cubin	McCollum	Young (FL)
Gephardt	McIntosh	

□ 1715

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, on rollcall No. 152 and rollcall No. 153, I was unavoidably detained. Had I been here I would have voted ''yea'' on both.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3308

Mr. LARGENT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3308.

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

There was no objection.

SPECIAL ORDERS

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

EDDIE MAE STEWARD POST OFFICE BUILDING

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker, it is with great pleasure and a mix of sadness that I come to the floor today to speak on the designation of the post office located at 1601–1 Main Street in Jacksonville, Florida, as the Eddie Mae Steward Post Office Building.

I am saddened because of the untimely passing of Eddie Mae Steward as a result of heart disease and the sense of emptiness it imposed on her friends in the community and her family.

In Jacksonville, Florida, she is best known as a mother, a friend, a leader, a fighter, and an activist. But, most important, she is known as one who would never shy away from a fight against social injustice.

Eddie Mae Steward single-handedly led the fight for desegregation of the Duval County school system, initiating the lawsuit that led to the court ordered desegregation of the school system. She was a tireless advocate for most of our citizens and, in particular, our children.

Much like Dr. King and other leaders of the Civil Rights era, she too was labeled as a troublemaker and paid dearly for her activities.

Eddie Mae Steward spoke out in 1967 about the school board's decision to send 268 African American children to a condemned, run-down building. Mrs. Steward served on the board for the northeast Florida Community Action Agency and was a member of the State Housing Council and State Bi-racial Monitoring Committee for Higher Education. She also served on numerous community-oriented groups.

True to Mrs. Steward's character, her neighbors said of her, ''If there were more people like her, we would have a better community.'' She was a woman of unquestionable integrity who believed in equal justice and equal opportunity.

Eddie Mae Steward's passing is Jacksonville's loss, which is why I am delighted to honor her memory by designating the post office in her name.

Mr. Speaker, I ask that the Florida Delegation support this effort by signing on to my letter, which I will begin circulating early next week.

HONORING AMERICA'S TEACHERS

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

Mr. METCALF. Mr. Speaker, I rise today to honor our Nation's teachers. I would like to thank our teachers for their dedication and inspiration. Through their hard work and caring attitude, our teachers play a vital role in ensuring that our students have the opportunity to become life-long learners and real contributors to society.

I was a teacher for 30 years, and I understand the importance of a good education and the foundation it builds for our youth.

Our schools, both public and private, must establish curricula designed to challenge students and reward classroom successes. American students, parents, and teachers must strive to maintain the highest level of quality in the field of education.

Currently, it takes about 18,000 Federal and State employees to manage 780 Federal education programs in 39 Federal agencies, boards, and commissions. It is, therefore, not surprising that only 70 cents per Federal dollar makes it directly to the classroom and that teachers complain of excessive paperwork burdens.

We can do better. Congress needs to pass the Dollars to the Classroom legislation and consolidate the Federal K–12 programs and regulations. Congress needs to require that 95 percent of the Federal funds are directed to the Nation's classrooms.

According to the Digest of Education Statistics, 74 percent of teachers claim they spend too much time on administrative tasks. That is why I voted for the Education Flexibility Partnership Act, which, hopefully, allows schools and school districts more flexibility to spend education dollars as determined by the local school board.

Instead of meeting burdensome Federal and State regulations, school districts should be able to focus more effort on teaching students. This regulatory relief will help schools reduce paperwork, decrease administrative costs, and, most importantly, improve student achievement. Teachers should be teaching our children, not filling out unnecessary paperwork.

In addition, I would encourage everyone to take a moment out of their busy lives and say thank you to our Nation's teachers.

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.)

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

(Mr. WELDON of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MILLER of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LET US BEGIN ANEW THE WAR AGAINST CANCER

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

Mr. HORN. Mr. Speaker, in 1990, Congress passed and President Bush signed into law the Breast and Cervical Cancer Mortality Prevention Act, creating the National Breast and Cervical Cancer Early Detection Program.

This program allows States to work with the Center for Disease Control and Prevention to provide screening services for breast and cervical cancer for low-income or health insurance for uninsured women.

Unfortunately, this legislation did not provide for access to treatment once a woman screened through the program was diagnosed with this devastating breast and cervical cancer. What a heartbreaking irony.

Common sense tells us there are two steps to fighting breast cancer: detection and treatment.

The Breast and Cervical Cancer Prevention and Treatment Act of 2000 will fill the critical void left by the 1990 law. This bill will provide Medicaid coverage to uninsured women who have been screened and diagnosed with breast cancer through the Center for Disease Control Program.

As Mother's Day approaches, passage of the Breast and Cervical Cancer Prevention and Treatment Act of 2000 is a fitting tribute to all our mothers, sisters, wives, and daughters.

As a cosponsor of this legislation and a long-time supporter of breast cancer research, I am so delighted to lend my support to this important bill. I encourage all of my colleagues to do the same.

SOCIAL SECURITY SURPLUS

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

Mr. SMITH of Michigan. Mr. Speaker, on the issue of Social Security, on the issue of total public debt, it has been suggested by Vice President Gore that we start using the surplus coming in from Social Security and borrowing that money to pay down what is called the debt held by the public.

Just for a brief review, we now owe about $5.7 trillion total debt. That includes what I call the Wall Street debt, the debt held by the public, at about $3.7 trillion dollars. It includes what we owe Social Security at approximately $1 trillion and what we owe the other trust fund at approximately $1.1 trillion.

The suggestion is that if we use the surplus coming in from Social Security and pay down the Wall Street debt, the debt held by the public, then the savings in interest, which represents about 15 percent of our budget now, pretty bad, we should pay down that debt, using all of that savings to apply to the Social Security Trust Fund so it becomes another giant IOU of a future promise that somehow the Federal Government will come up with the money, but it is sort of like taking one credit card and paying off another credit card because we still owe the money to Social Security.

The suggestion by the Clinton-Gore administration and by Republicans and Democrats is that if we use all these funds by the year 2013 or 2014, we will have paid down that portion of the debt held by the public, the $3.6 trillion. That sounds good.

But what happens if we do nothing to take care of the long-term problem of Social Security? That debt starts to go back up again. So the paying off is just a blip. Because when the baby-boomers retire, they go out of the paying-in mode and go into the taking-out mode to take Social Security benefits. We change from a dramatic situation of no longer will Social Security taxes be enough to pay existing benefits. So we have a cash flow problem.

Currently, in this country, our total debt represents 35 percent of gross domestic product. By 2013, if we use all of the money to pay it back, then it gets to zero on the debt that we owe the public. But eventually that goes back up to 65 percent if we borrow the money to pay the benefits that we have promised Social Security.

Let me review this chart, sort of a Federal Government spending. The pie chart represents where the Federal budget is being spent this year. Starting at the bottom at 6 o'clock, Social Security is 20 percent. Going clockwise, another entitlement, Medicare, is 11 percent. Medicare eventually, in the next 25 years, will over take Social Security as a cost.

□ 1730

We have Medicaid, the health care program for low-income. The other entitlements represent 14 percent. Domestic discretionary spending represents 19 percent. Defense represents 17 percent; interest, 13 percent of the total budget. Social Security is the biggest program. It is the biggest program in this country. It is the biggest program of any country in the world. And it has been quite successful, so it deserves our attention this presidential election year. So let the debate begin. Let us start talking about it. Let us increase our understanding of the predicament, of the problem, of the estimate by the Social Security Administration actuaries that Social Security is going broke.

Here is why. We have a current surplus coming in from the Social Security tax. The actuaries estimate that somewhere between 2011 and 2014, the cash flow problem will hit us and we go into the red. The red represents that we are going to have to come up with that money. Through cutting other government programs? I doubt it. Increasing taxes? It is going to be hard for politicians to do that. Increased borrowing? Probably the majority of this body, Republicans and Democrats, will say, ''Well, let's borrow the money because you can't see that as evidently what we are running as far as a debt that we are leaving to our kids and grandkids.''

I am a farmer. I am from a farm. What we grew up doing is saying, we are going to try to pay down the mortgage so that there is a lesser obligation for our kids and grandkids. What we are doing in the Federal Government by not dealing with this problem of Social Security and Medicare entitlements is we are increasing the burden, increasing the mortgage for them to pay in their future years. It is not fair. Let us discuss and debate it this election year.

TRADE WITH CHINA

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PASCRELL) is recognized for 60 minutes as the designee of the minority leader.

Mr. PASCRELL. Mr. Speaker, in the next hour, many of us in the Congress will lay out what our position is on the China trade vote, which is to come up in a very short period of time.

The time has arrived for a vote on what is now commonly referred to as permanent normal trade relations, or PNTR, for China. We used to call this MFN, or most-favored-nation status. I suppose the proponents thought PNTR sounded kinder and gentler. But bad policy is bad policy, no matter what we call it. So here we are again. This year, the vote is a little different. If annual NTR was not bad enough, this year we are going to vote for permanent NTR status for China. Our argument is not and should not be with the Chinese people. This vote is not a referendum on the 1 billion people who are forced to live under Communist tyranny. This argument is about America's relationship with the Chinese government.

What has the Chinese government done to deserve PNTR? They have not improved the living conditions of their people as China is one of the worst offenders of human rights in the world. China is a country that does not tolerate political dissent or free speech. In the New York Times this past Monday, we see story upon story. This government uses executions and torture to maintain order, to persecute religious minorities, and to violate workers' rights. The State Department report on human rights practices in China is filled with atrocities. Our trade with China has increased, and yet human rights practices are getting worse.

Some feel that American jobs will be lost if PNTR is not passed. The growth in exports would generate 325,000 new jobs. This will not match the over 1 million jobs lost in the United States due to rising imports from the low wages in China. This is a net loss of an additional 817,000 jobs, on top of the 880,000 jobs already lost due to our current trade deficit with China. How can we do something so great in raising the minimum wage for our workers, for our families, and in the next breath give first-class treatment to a nation that features slave labor prison camps as part of its manufacturing community?

And have they made strides to make our trading privileges reciprocal? Has our trade deficit decreased? No, it is now $68.7 billion and climbing, an increase of 14.6 percent, a 6 to 1 ratio of imports to exports, the most unbalanced relationship we have had in trade in United States history. But I do not see the infrastructure in China to accept any substantial amount of American merchandise. Who, making 13 cents an hour, can afford to buy an automobile? Why would the Chinese government purchase American software for their computers when they already run pirated versions of our own software?

We have seen the failure of NAFTA to improve the living conditions in

Mexico. This deal is not any different. Maybe China has acted favorably with regards to weapons proliferation. Let us look there. No, they have failed on that front as well. The People's Republic of China refused to join the Missile Technology Control Regime, despite President Clinton's offer in 1998 to support full participation. China is the only major nuclear supplier to shun the 35-nation nuclear suppliers group that requires full scope safeguards. They rejected entry into MTCR as well as NSG.

And the administration's reaction is to bring up this final vote? Is this our response? It simply does not make sense. This vote determines the message we are going to send to the Communist government in China. Are we going to vote to give permanent most-favored-nation status to China, thereby giving tacit approval to the Chinese government's practices and policies? Would that really be the normal thing for us to do? Or can we make a stand for a change here and now?

Let us have a novel idea. Let us say, no, your policies are not acceptable to the people of the United States. Our workers, our clergy, our families say no. This is not a government in China that we have been able to trust. They have broken every commitment they have made with the United States of America. It has broken every trade agreement it has signed with the United States over the past 10 years. This year will not be any different. I see no reason to end our annual renewal at this juncture in time. We should not vote to rubber-stamp a failed trading arrangement into infinity. That fails our people and it is wrong. Trade rights should be a privilege to be earned, not a right merely handed out.

Mr. Speaker, I yield to the gentlewoman from California.

Ms. WOOLSEY. I thank the gentleman from New Jersey (Mr. PASCRELL) for yielding.

Mr. Speaker, I am outraged that we are less than 2 weeks from a vote that will ask Congress to permanently give up our economic trade leverage with China, permanently, not year by year but permanently. Considering China's abysmal record regarding previous trade agreements, it makes no sense for Congress to give up our annual review of China as a trading partner.

The question becomes simple, it becomes straightforward; namely, why should we reward China for its terrible record of violating past trade commitments with a permanent special trade status? Why? Some Members of the House will argue that trade with China will put an end to these past abuses as well as bolster the U.S. economy. They are wrong on both counts. Trade is beneficial only if it is a two-way street. But right now, there is no way that we can characterize our trading relationship with China as reciprocal.

It is a fact that we have a trade deficit with China in the billions of dollars. Furthermore, the economic benefit of trading with a repressive nation is negligible when we consider how workers are treated, especially child workers in China. China workers are being exploited in order for the United States to receive benefit, benefit from low pay, benefit from no workers' rights, benefit from outrageous human rights practices.

Some of my colleagues will go even further and argue that China has made progress in many areas over the last few years. But when I see harassment of religious leaders, the sale of weapons technology to rogue states, imprisonment of students and those who dare to speak their minds, I have to ask, is that progress? And, of course, the answer is no, that is not progress. Congress cannot be fooled. We must not be fooled into thinking that the same failed policy of economic engagement would be different this time around, particularly if the agreement is permanent.

It is very much like thinking you have fallen in love with somebody who has a lot of faults and saying, I am going to marry this guy, and then I am going to change him. That does not work, and we know it. It is long overdue for U.S. trade policy to address human rights and workers' rights, not only with China but with all of our trade partners and with all of our trade negotiations. Trade cannot be free, it cannot be fair when there is no freedom and no fairness for the citizens of the country involved. Yet year after year our policy of granting special trade status to China has not resulted in improved human rights.

As it stands now, this trade deal does not address China's horrendous record of failure to abide by internationally recognized human rights and workers' rights. And how long are we going to ignore China's continuing policy of forced child labor? Child labor is known to be concentrated in China's southern coastal cities. It is estimated that hundreds of thousands of children migrate with their parents from rural areas to this export processing area to engage in income-earning activities. The conditions these children work under are horrific.

For example, we are familiar with the scenarios like the Nike company negotiating a deal with a sweatshop in China to pay teenage girls 16 cents an hour to make gym shoes that sell here in our country for $120 a pair. However, reports often overlook other foreign-invested textile enterprises like the one in Guang Dong that employed 400 rural migrants. 160 of these were child workers. At this plant, a 14-year-old girl, exhausted from working 18 hours a day, fainted. As she fell, her hair was pulled into a machine and she died on the spot.

These worker abuses are not limited, though, to just the large multinational corporations. In December of 1994, China Women's News reported on a brick shop owner in Henan Province using forced child labor. The children had to carry bricks for over 10 hours each day and were fed only melon soup.

□ 1745

Here, more than 40 workers shared a makeshift hut. Moreover, they were not given one cent of the wages they had been promised.

The contractor employed guards to keep watch on them 24 hours a day, and on August 13, 1994, the workers started a fight as a distraction so that two children could escape and report the case to the public security bureau. When the police arrived, more than 100 child workers were found in the brick shop.

While arrests were made for this one incident, no further information is available on follow-up activities or punishment of the forced labor violations.

These examples highlight serious reasons that we cannot give up our annual review of China. Why should we tempt our own corporations to shift appropriation to China where labor is undeniably cheaper, where there is less oversight on working conditions, and where those who disagree have no right to organize against their oppressors. Chinese workers, especially forced child laborers, have no power to speak out for a better deal, no right to organize, no right to basic dignity. There is little hope for improvement unless we as a Nation are courageous enough to take a stand and say, we do not support it.

An annual review of China's trade status is our only leverage to pressure China to make progress on worker and human rights. Like many others throughout the country, my constituents in Marin and Sanoma Counties support free trade, but they overwhelmingly want the United States to engage in responsible trade policy. Free and fair trade is important, but they do not feel it is more important than freedom of worship, freedom of speech, freedom to vote, or freedom to enjoy the most basic of human rights, including the rights of workers.

The United States is already China's best customer. We buy all their stuff. I do not believe we need to give China authorities another economic incentive to change by granting permanent Most Favored Nation status. Instead, if we use our economic clout, if we have the courage to leverage our economic strength for real reform, we will give the people of China a chance to help themselves. When China starts to live up to its agreements, when it starts to demonstrate a real commitment to human rights, only then should we consider granting permanent trading status to China.

Mr. Speaker, I yield back to the gentleman from New Jersey.

Mr. PASCRELL. Mr. Speaker, I want to thank the gentlewoman. I yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman from New Jersey for granting me this time.

Mr. Speaker, in the modern world today, we see a world where multinational corporations controlling billions of dollars can, with the tap of the mouse, in a short e-mail, move manufacturing plants, facilities and capital from one country to another in the never-ending pursuit of higher profits. Untold numbers of American workers have had their lives disrupted like chess pieces on a chess board. Day after day, night after night, the evening news and Wall Street economists trumpet our economic prosperity in the 1990s. We see record corporate profits drive the stock market to all-time highs, and an elite group of shareholders partaking in the profits.

Unfortunately, they do not normally talk about the real lives and real people hidden behind the rosy statistics of economic growth. Real people who are coming to the conclusion that unfortunately, the American dream may be just a dream in reality. They do not talk about a Nation where working families pay more and more taxes and big business pays less and less. They do not talk about stacked wages that have plagued the American middle class for well over a decade.

They do not talk about big business and the 111,000 layoffs in 1998 that jumped 600 percent to a record 677,795 layoffs in 1998. That is 600 percent in less than 10 years to 677,795 layoffs in 1998 alone. They do not talk about the $68 billion trade deficit with China. They do not talk about the 2.6 million manufacturing jobs sucked away by our growing trade deficit in the last 20 years alone. That is 2.6 million manufacturing jobs. They do not talk about the subjugation of public values and even patriotism to the continual pursuit of potential profits.

Mr. Speaker, there are a lot of things Wall Street does not want to talk about, and there are a lot of things they do not want American working families to know. So they only tell us what they want us to hear. We hear about how free trade and free markets are such wonderful things, that we need to give PNTR to China for us to continue our robust economic growth. But contrary to the elitist proclamation of the high priests of free trade, free trade will not save the world and it certainly is not going to save the surging U.S. trade deficit.

Mr. Speaker, giving China PNTR will only make a bad situation even worse. We already have an unfair trading relationship. On average, we only apply a 2 percent tariff on Chinese products. China turns around and slaps a 17 percent tariff on U.S. products, even after the U.S. and China had an agreement back in 1992 where China promised to remove major market barriers to U.S. products. China broke that promise. Again I say, China broke that promise.

So what is to say that China will not break the one brokered and agreed to last year? What is to say that China, after agreeing to certain concessions in return for the Clinton administration's support for China's acceptance by WTO will not turn around and break the agreement once again? The Chinese leaders in Beijing did it at least once before and, in my opinion, they will certainly do it again.

Mr. Speaker, make no mistake about it. China is still a totalitarian regime run by a single party, the Chinese Communist party, and it is a party that is intent on keeping its grip on power.

We did not give PNTR to the Soviet Union when it was a Communist dictatorship. We did not give it to Cuba. We did not give it to North Korea. We did not give it to Libya. Why should we treat China any differently? The answer is quite simple: We should not.

Mr. Speaker, PNTR comes to a vote before this body next week. I urge all of my colleagues to think about this and how this trade deal could possibly benefit American workers, or, for that matter, workers across this world. Really, that is the simple question: does this benefit working men and women in this country or around the world? The very simple, direct answer is no, and that is the way we should vote on this piece of legislation.

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

Mr. PASCRELL. Mr. Speaker, I thank the gentleman. I yield to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding me this time. I want to congratulate him and my friend from Illinois (Mr. LIPINSKI) for an outstanding statement. I think the gentleman from Illinois has got this right on the money. He understands completely what is happening here, as does the gentlewoman from California (Ms. WOOLSEY) and others.

What we are here tonight to discuss the issue of trade with China and Most Favored Nation status, but also to focus in on the question of human rights and how that is important in our talks and negotiations in our relationships with other nations.

Let me just say at the outset and reiterate what my friend from New Jersey has said. The Chinese government is a brutal, authoritarian, police State. If someone opposes the government on religious grounds, on trade unionist grounds, on democratization, political democratization grounds, that someone will end up in jail. It is as simple and as painful and as stark as that. The jails in China are filled with people who dared to try to express themselves religiously. Catholics, Buddhists, Protestants, Muslims, all languishing in jail because they dare practice their religion. We have had Catholic archbishops languish in jail in China for 30 years, and that repression continues today.

The New York Times yesterday wrote something about China cracking down on liberal intellectuals, and they said, and I quote, ''China's leaders are trying to rein in a growing and increasingly assertive liberal intellectual movement, criticizing prominent academics and authors in speeches, forbidding newspapers from running their articles, and punishing or shutting down publishers who have brought out their work.

''Despite his western-leaning, economics President Jiang Zemin has, in the last year, constantly reiterated the importance of standing fast by Communist idealogy.''

The New York Times goes on to say, ''In the last few months, those admonitions have led to a series of punitive actions against writers perceived as straying too far in a liberal or reformist direction.''

Liberal intellectuals have been criticized. Publishing houses have been shut down. Academics have been fired. Newspaper editors have been fired.

This is the latest in a long series of crackdowns the regime in Beijing has undertaken to suppress dissent, stifle democracy activists, and maintain absolute and maximum control.

Mr. Speaker, the U.S. Commission on Religious Freedom last week, the Commission on Religious Freedom issued their annual report. The Commission, I would tell my colleagues, is an independent group. Seven of its 9 members were appointed by supporters of permanent Most Favored Nation status for China. The Commission opposes permanent MFN for China without substantial human rights improvements. Rabbi David Saperstein, a highly respected religious leader, is the chairman of the Commission.

Experts from the Commission's findings and recommendations are, and I quote, ''Chinese government violations of religious freedom increased markedly during the past year. Roman Catholics and Protestant underground 'house churches' suffered increased repression; the crackdown included the arrests of bishops, priests, and pastors, one of whom was found dead in the street soon afterward. Several Catholic bishops were ordained by the government without the Vatican's participation or approval.

''The repression of Tibetan Buddhists expanded; government authorities in Tibet, in defiance of the Dalai Lama, named Reting Lama. Another important religious leader, the Karmapa Lama, fled to India.

''Muslim Uighurs, having turned increasingly to Islamic institutions for leadership in recent years, faced heightened repression of their religious and other human rights, as they responded to a deliberate government campaign to move Han Chinese into the region in order to out-populate the Uighurs, the Muslims, in their own land.''

□ 1800

While many on the Commission support free trade, the Commission believes that the United States Congress should grant China permanent normal trade relations status only after China makes substantial improvements in respect for religious freedom.

Michael Young of George Washington University Law School, who described himself as a passionate believer in free trade, said, ''The extraordinary deterioration of religious freedom in China is close to unprecedented since the days of Mao.'' Mr. Young cited cases of women beaten to death by police for trying to practice their religion.

The conditions the Commission has laid out are reasonable, and they include the following:

Require China to provide unhindered access to religious leaders, including those in prison, detained, or under house arrest in China;

Release from prison all religious prisoners in China;

Require China to ratify the International Convention of Civil and Political Rights.

If we look at our own State Department country reports on human rights practices, they state in their latest report that China's ''poor human rights record deteriorated markedly throughout the year, as the government intensified efforts to suppress dissent, particularly organized dissent . . . The government continued to commit widespread and well-documented human rights abuses in violation of internationally accepted norms.''

Permanent MFN supporters claim that the Internet and technology will unshackle the Chinese people, but the record shows the opposite has happened. According to the State Department, authorities have blocked at various times politically sensitive websites, including those of dissident groups and some major foreign news organizations such as Voice of America, the Washington Post, the New York Times, and the British Broadcasting System.

The news is also not good for workers in China. They pay workers in manufacturing in China a miserable 13 cents an hour. We have heard about the sweatshops and we have heard about the child labor. We have heard about the beatings of women in the workplace, as the gentlewoman from California (Ms. WOOLSEY) so eloquently demonstrated for us just a few minutes ago on the floor.

If you are a worker and you stand up for workers organizing for workers' rights or for better wages, if you stand up for workers, you are going to end up in jail. ''The government continued to tightly restrict worker rights, and forced labor in prison facilities remains a serious problem,'' said the State Department in the report.

For instance, there is the case of Guo Yunqiao, who led a protest march of 10,000 workers to local government offices following the 1989 massacre. He is currently serving for that act a term of life in prison on charges of hooliganism for leading a protest.

In the case of Guo Qiqing, who was detained in Shayang County on charges of disrupting public order, he had organized a sit-in to demand money owed to the workers.

There is the case of Hu Shigen, an activist with the Federal Labour Union in China, who is imprisoned in Number 2 prison in Beijing and has 12 years remaining on his sentence. Mr. Hu is seriously ill and has been charged with ''counter-revolutionary crimes.''

The list goes on and on and on. I think people get the point. What is going on in China is a brutal, suppressive military police state. It is simply that. For us to reward them for this behavior after they have been put on notice by their own people and by the world community year after year after year sends the complete opposite message of that which we should be sending to the Chinese government.

It is ironic to me that governments now who operate in a suppressive manner seem to be the governments in the world who are receiving, in many instances, the open arms of capitalists, free enterprise, free markets.

The argument the other side makes is, well, the free market will lead to economic, democratic, political reforms, and religious reforms. The reality is just the opposite. I do not think a lot of my friends have read Orwell. They could use this technology to suppress as well as they could to open up.

The fact of the matter is that the Chinese have and still are suppressing their people on religious, trade unionist, and political grounds. So it is very clear to me that what we have here is a situation that needs our most fervent attention. We need to be standing up for Wei Jingsheng and for Harry Wu, who spent countless years in jail fighting for the right for their own people to speak on a political, an economic, and on religious grounds that they cannot do today. I want to be associated with those people.

People say, well, the market opened up America. A market did not open up America. The United States of America and the reforms that we have here, the political process that we have here, the right to practice our religion, the right of trade unionists to organize, collectively bargain, fight for a decent wage, a better living standard, a better pension, all the things that we have today, those did not come from the free market, they come from people who challenged the free market, who marched, who demonstrated, who were beaten, who went to jail, and some even died in order that people would have the right to vote, in order that people could form political parties, in order that people could make a decent wage and have a pension and have health care and have education for their kids.

That came at a terrible price, but it was a price they felt worth paying, and it is a price that all of us have benefited from for the last 100 years in this country.

That same dynamic is going on in the developing world and it is going on in China today. The question we have to ask ourselves, is who are we going to associate ourselves with? Who are we going to stand with? Whose side are we on? Are we on the side of those who are struggling for these basic decent human freedoms that were struggled and fought for in our country, or are we going to be on the side of the free market unfettered capitalist approach that has not worked in opening up a society and providing these freedoms, and that will not work unless it is tempered with some basic human decency and dignity?

I suggest that the American people overwhelmingly choose the side that we represent and are on today. So I just want to commend my colleagues, the gentleman from Ohio (Mr. BROWN), and my other colleague who has been the champion of this issue, the gentlewoman from California (Ms. PELOSI) for their passion on this issue and for standing up.

The gentleman from Ohio (Mr. BROWN) has talked quite well and quite eloquently in the past about this dynamic of multinational corporations moving in to nations that restrict these basic freedoms because that will give them a free hand, free leverage in which to maximize their profits. That is exactly what is going on with globalization.

Unless we take on this issue of globalization in a humane, decent way, open it up, give seats at the decision-making table to those who represent labor and the environment and human rights, we will continue on this path of oppression and we will be a weaker Nation as a result of that in more than just a material way; we will be weaker in terms of our moral standing within our community, and we will betray the basic tenets of our Founding Fathers and the grandparents and ancestors who fought for these liberties that the Chinese dissidents are so valiantly struggling for today.

I thank my colleague. I appreciate his time for coming down and speaking on this issue. I know my friend, the gentleman from Ohio (Mr. BROWN) has similar thoughts on this issue. I would love to hear from him.

Mr. PASCRELL. Mr. Speaker, I thank the gentleman from Michigan, and I thank him for his leadership, as well.

I yield to my good friend, the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from New Jersey for his leadership on this issue in organizing this special order, and special thanks to my friend, the gentlewoman from California (Ms. PELOSI) for her leadership and good will and good work on this, and the gentleman from Michigan (Mr. BONIOR), who has been fighting the right fight on trade issues, unfair trade issues, for at least this whole decade.

The gentleman from Michigan (Mr. BONIOR) stood in this hall with me and several others, but he was here night after night during the debate on the North American Free Trade Agreement

in opposition to it, and what he predicted and what he projected absolutely, unfortunately, has come true in relations with that country and our trading partners that way. The gentleman from Michigan (Mr. BONIOR) has a perfect understanding of what is happening with globalization.

As we walk the halls in this job and go back and forth between committee hearings and meetings in our office and the House floor, we have seen more CEOs of America's largest corporations walking the halls than at any time of the year. Every time we vote on China trade relations, there are more corporate jets at National Airport, more CEOs walking the halls of this Congress.

When one of them stops and talks to us, they invariably say that engagement with China will mean more democracy with China; that as we go to China, as we trade and engage with them more, as we sell them more and buy more from them, that democracy will be able to flourish in China.

They have been telling us that for 10 years, when our trade deficit with China in 1989 was $100 million, million with an M, and today that trade deficit with China with this engagement that we have undertaken with the Chinese, our trade deficit now is $70 billion with a B, $70 billion. But they continue to tell us over and over, let us do more of this with China, more engagement, more trade, and things in China will get better.

They tell us that there are 1.2 billion potential consumers in China. What they do not tell us is their interest is that China has 1.2 billion potential workers for those American corporations and other western companies that invest in China and sell products back to the United States.

The real question on globalization and democratization, perceived democratization, predicted democratization of developing countries like China, the real issue boils down to this: that as we have engaged more with developing countries, as investors have gone into developing countries, western investment has shifted from those developing countries that are democracies to those developing countries that are authoritarian governments.

We see fewer investment dollars going to India, a democracy, the world's largest democracy, and more investment dollars going to China. We see fewer investment dollars, relatively, going to Taiwan and South Korea, democracies, and more investment dollars going to countries like Indonesia, authoritarian governments.

In the postwar decade the share of developing country exports to the United States for democratic nations fell from 53 percent to 34 period. In other words, corporations want to do business with countries with docile work forces, with countries where people earn below poverty wages, in countries where people are not allowed to organize and bargain collectively, in countries that pay 25 cents an hour. They have been moving away from democracies into authoritarian countries.

In manufacturing goods, developing democracies' share of exports fell 21 percentage points, from 56 percent to 35 percent. Again, corporations, Western investors, are choosing to move away from democracies in their investments, developing democracies, and going to developing authoritarian countries, because U.S. investors like the idea of a docile work force, like the idea of workers that cannot talk back, like the idea of workers with low wages, like the idea of investing in countries where the government is not free, where workers simply do what they are told.

In example after example, we can see investment moving from those democracies to countries like China. China has certainly been the largest one where that has happened.

Again, these CEOs that roam the halls of Congress these days and tell us that if we engage with China it will mean more democracy in China, these same CEOs will have us believe that their interest in China, their going to China, will cause this blossoming of democracy, this blooming of democracy in China.

But look who the major players in Communist China today are, those people who are the major decision-makers in the direction that Chinese society goes: the Communist Party of China; the People's Liberation Army in China, which controls many of the businesses that export to the United States; and Western investors.

Which of those three entities, the Communist Party, the People's Liberation Army, or large Western companies, multinational companies, which of those three groups want to empower workers? Which of those three groups want to pay higher wages? Which of those three groups want more democracy in China? Which of those three groups want to change markedly Chinese society?

I submit, Mr. Speaker, that none of these three groups want to see change in these societies. That is why Western investment finds its way into countries like China, rather than a country like India.

If American business investors in China and around the world really want a democracy, they would not be going to China. They would not be taking development dollars out of democratic countries and putting them in authoritarian states. That is why the argument they make, that engagement with China will mean a more democratic world and a more prosperous and democratic China, is absolutely bogus.

Mr. Speaker, we as a Nation, we as a Nation have no business rewarding investors that go to countries like China instead of countries like India. We have no business taking sides in that sense by rewarding those countries and those investors whose values run very different from ours, run counter to ours.

In this country, in this Congress, we believe in democracy, we believe in free markets, we believe in people being able to move from one job to another, we believe in people being organized and bargaining collectively. We believe in the kind of democratic values that made this country great.

Our passing PNTR is going to mean more of the same in China: more repression, more oppression from the government, a government that resists democracy because they have the power to.

We will be making those same entities, the Communist party, the People's Liberation Army of China, much more powerful if we continue to pour monies in and give them most-favored-nation status.

□ 1815

So, Mr. Speaker, I would again thank the gentleman from New Jersey (Mr. PASCRELL) for this time. I congratulate the gentlewoman from California (Ms. PELOSI) for the good work she does, and urge my colleagues to vote no on Permanent Most Favored Nation Status for the People's Republic of China.

Mr. PASCRELL. Mr. Speaker, I thank the gentleman, and I now recognize the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman from New Jersey for yielding, and for his very substantial leadership on this issue to the American people.

Mr. Speaker, how much time is the gentleman yielding to me?

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

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman has 15 minutes remaining.

Mr. PASCRELL. We have to get one, two, three more speakers in.

Ms. PELOSI. Mr. Speaker, some people think I can talk all day on China and are afraid that I will, so I will try to be succinct and get to just a few basic points, because so many of my colleagues have touched on the very serious human rights violations and the very substantial trade violations.

Mr. Speaker, China has violated agreements between our two countries and, of course, there is the issue of proliferation. I think I will focus in the short time allotted to me, Mr. Speaker, on the fact that today a number of our former Presidents joined President Clinton in calling for Congress to pass Permanent Normal Trade Relations with China. These Presidents, who have been a part and parcel of this policy which is a total failure, are asking Members of Congress to put their good names next to a policy that has failed in every respect.

Permanent Normal Trade Relations is the cornerstone of the Clinton-Bush China policy. There are three areas of concern that we have in our country about that policy. First of all, and in

no particular order of priority, we have the issue, since this is a trade issue, of the substantial violations of our trade relationship which continue. When we started this debate, we were talking about 1, 2, $3 billion that was the trade deficit we suffered with China. That was over a decade ago. Now the trade deficit for this year is projected to be over $80 billion.

So this idea that if we kowtowed to the regime, and we gave them MFN, Most Favored Nation status, now called Permanent Normal Trade Relations, the name has been changed to protect the guilty, if we do that then the China market will be opened to U.S. products, it simply has not happened.

In the area of trade, China has violated every trade agreement, be it the market access agreement, the agreement on intellectual property, the agreement on use of prison labor for export, the agreement on transshipments, any trade agreement we can name.

So, President Clinton is sending us this request for Permanent Normal Trade Relations based on the 1999 U.S.-China trade agreement. What reason do we have to think that China will honor that? The President's request is based on broken promises, not proven performance.

Already, China is engaged in its traditional reinterpretation of the agreement. For example, let me give some comparisons. The Trade Rep's fact sheet, our Trade Rep's fact sheet says China will import all types of U.S. wheat from all regions of the U.S. to all ports in China. China's Trade Rep says it is a complete misunderstanding to expect this grain to enter the country. Beijing only conceded a theoretical opportunity for the export of grain.

On meat, China, according to our fact sheet, the U.S. Trade Rep's fact sheet, China will lift the ban on U.S. exports of all meat and poultry. China's negotiator said diplomatic negotiations involve finding new expressions. If we find a new expression, this means we have achieved a diplomatic result. In terms of meat imports, we have not actually made any material concessions.

The ink is not even dry on this agreement. This is a 1999 agreement that is already being reinterpreted by the regime. The list goes on: Petroleum, telecommunications, insurance, et cetera. I talked about the history of it and I do not have enough time to go into the history of their trade violations.

Some would lead us to believe that we who are opposing this request of the President are willing to risk U.S. jobs in support of promoting human rights in China. But the facts point to a situation where this is a very bad deal on the basis of trade alone. On the basis of trade alone. If we could forget the brutal occupation of Tibet. If we could forget the serious repression of religious and political freedom in China. If we could forget that for a moment. If we could forget China's proliferation of weapons of mass destruction. That would be chemical, biological and nuclear technology to Iran, to Pakistan, to the Sudan, to Libya.

To Libya, it is very recent. This is a major embarrassment in the Clinton administration policy. But fortunately for them, this information came out during the Easter break and it has not really sunk in. But this is a very serious violation. And it proves again that kowtowing to the regime does not get us any better benefits in terms of stopping the proliferation of weapons of mass destruction, making the world a safer place, any fairer treatment, making a fairer deal.

Mr. Speaker, they want us to give China a blank check, while China gives us a rubber check by not even honoring the deal that they are putting forth. And then in terms of human rights, we are a country of values. When people say, well, other countries do not do this. We are not other countries. We are the United States of America. We are the freest country in the world and we have a commitment to promote the aspirations of people who aspire to freedom. That does not mean we go to war for them or anything like that, but it does mean that we should at least, at least recognize the repression they are suffering for freedom.

Wei Jingsheng, a hero. He has spent many, many years of his life, probably half of his adult life in prison. Harry Wu has spent years in prison. They know that the United States must not act from fear of what the Chinese regime might do. We have to act from strength and confidence in our own sense of values.

So when the President says, ''Oh, you either want to isolate China or engage China,'' he does a grave disservice to this very serious debate. Certainly we need to engage China, but we need to do it in a sustainable way that sustains our values and sustains our economy and sustains a world peace in making the world a safer place.

The administration is willing to ignore Tibet and China and all of that. They are willing, more seriously, to ignore China's proliferation of weapons of mass destruction. They are willing to say that the human rights situation is improving in China, when we have the National Catholic Conference of Bishops supporting us; when we have, as was mentioned by others, the new Commission on Religious Freedom supporting us in this, and the list goes on. In terms of the environment, the Sierra Club, in terms of agriculture, the National Farmers Union, the list goes on.

Mr. Speaker, I am proud to join the working people of America to oppose this and say to the President there is a way to do it. A decent way. And it is a way that says let us see some proven performance before we surrender to the dictates of the Beijing regime the only leverage we have, which is our annual review.

So it is not about ''engage or isolate.'' Certainly we engage. It is not about whether we trade or not. Certainly we trade. It is a question of how we do it. And it does not have to be according to the terms and the timing of the Beijing regime, but more in keeping with what is right and what is appropriate for our great country. We are leaders in the world; we should continue to be so. And I would hope that the President and the former Presidents would respect the intelligence of the Members of Congress to know that they should not ask us to place our good name next to their failed policy just so that we can help redeem the lack of success they have, instead of allowing us to go forward in a very positive way.

We all have a responsibility. We all have a responsibility to come to an agreement on trade with China that is responsible. Give us a chance to do that. I urge my colleagues not to support this, but to allow us to do it right and not according to the terms and timing of the regime in Beijing. With that, I will yield back.

Mr. PASCRELL. Mr. Speaker, I recognize the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman very much. Interestingly, on this piece of legislation we have all of corporate America telling us what a good deal it is and the multinationals are pouring huge sums of money into this campaign. But, meanwhile on the other side, we have trade unions representing millions of workers who are saying this is a bad deal for American workers. We have most of the environmental organizations in this country who are saying this is a bad deal for the environment in this world. We have human rights organizations and religious organizations who are saying this is a bad deal if we are concerned about human rights and the dignity of people.

So on one side are the big money people who, over the last 20 years, have invested over $60 billion in China in search of labor there where people are paid 15, 20, or 25 cents an hour. And not surprisingly, these people have concluded that this is a great agreement. Well, I suppose it is if one is a multinational corporation who wants to throw American workers out on the street and hire people at 15 or 20 cents an hour. I can understand why they think it is a good deal.

But it is not a good deal for American workers. American workers should not be asked to compete against desperate people in China who are forced to work at starvation wages, who cannot form free trade unions, who do not even have the legal right to stand up and criticize their government.

The truth of the matter is that in the midst of the so-called economic boom, the average American today is working longer hours for lower wages. One of the reasons is that we have a miserable

failed trade policy that has cost us millions of jobs and that has forced wages down in this country.

So I will be very brief because I know that there are other speakers, the gentlewoman from Ohio (Ms. KAPTUR) is here. But I would urge my colleagues to vote no on this PNTR. Stand up for American workers, for human rights, and for the environment and let us have the courage to take on the big money interests.

Mr. PASCRELL. Mr. Speaker, I now recognize the gentlewoman from Ohio (Ms. KAPTUR) for the balance of our time.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding to me and for his leadership on this. We could not ask for a better Member of Congress. I also want to thank the gentleman from Vermont (Mr. SANDERS) for allowing me these few minutes, and I will try not to use all the time.

It has been a joy to work with our colleagues to open up the truth about China to the American people. And today in Congress, we held a bipartisan hearing on one of the dimensions of this debate that has not been talked about. We called our hearing ''Women in China, Women in Chains''. C–SPAN was there for the entirety of this hearing where there were four witnesses, women from China who came to tell their incredibly compelling stories. Stories of repression. Stories of forced abortion. Stories of missing women and children. Stories of women in the countryside and in factories as exploited workers. Women married to men who are fighting for democracy, many in prison from 10 to 30 years. Other women imprisoned because they participated in a spiritual group, Falun Gong.

Other women from Tibet. A young woman whose roommate had demonstrated in Tiananmen Square and was shot dead, and that young woman today came before our committee. She had been activated through that, even though she is a physicist by training, telling how she has gotten involved in trying to tell the American people the true story of what is happening in China. And the story of women workers in the countryside who are producing the majority of food in that country. Women in the factories, exploited women workers, their voices we tried to lift up.

Mr. Speaker, I just want to let the membership know that the hearing itself, because it was recorded on C–SPAN, is being advertised on their Web site at www.cspan.org. My colleagues can look for the hearing on women's rights in China to hear the truth about what is happening in that country.

Mr. Speaker, I just want to thank my colleagues, the gentlewoman from Florida (Ms. ROS-LEHTINEN), the gentlewoman from California (Ms. PELOSI), who was here, the gentlewoman from California (Ms. WOOLSEY), the gentlewoman from California (Mrs. NAPOLITANO), the gentlewoman from New York (Ms. VELÁZQUEZ), the gentlewoman from Hawaii (Mrs. MINK) and the gentleman from Minnesota (Mr. PETERSON) for joining us today and helping us to listen to these stories where women basically told us, look, the only time that prisoners who are democracy demonstrators are let go in China is during the debate here in the Congress of the United States on trade with China.

□ 1830

They said please do not give that away. If you give this power from the United States to the World Trade Organization, the enforcement will not occur. We are the only Nation in the world raising concerns about Communism in China. And once it goes to the WTO, it will be lost. America will retain her power by using our bilateral trade negotiations with China to at least, at least give voice to over 1.2 billion people who cannot voice their own opinions inside their society.

Mr. Speaker, I want to thank the gentleman from New Jersey (Mr. PASCRELL) so very much. You truly have been a leader, not just for America's workers and farmers but for the worlds and a liberty-loving Member, obviously of this Congress. And, as I said, to the people who assembled at the hearing this morning, the flag over this Capitol flies 24 hours a day and it flies not just for America but for the cause of liberty everywhere.

For those women today who testified, who cannot return to China in fear for the lives of their families and relatives, we stood proud with them today. We understood what this Constitution is all about, and we hope that the young people of our country will watch www.cspan.org to see the world's new democracy fighters in countries like China who are paying the most precious price with their lives, sacrificing their families, giving everything to try to bring a greater measure of freedom to a country that still remains Communist in every aspect of life there. I thank the gentleman so very, very much. Please watch www.cspan.org. Look when this program will be broadcast.

Mr. PASCRELL. Mr. Speaker, I want to thank the gentlewoman from Ohio (Ms. KAPTUR) and I thank the speaker for your patience and endurance.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Texas.

REPORT ON TEXAS A&M BONFIRE

Mr. BARTON of Texas. Mr. Speaker, the University of Texas and Texas A&M have been playing football for over 100 years. It is one of the most intense athletic rivalries in the Lone Star State. In 1909, students at Texas A&M began a tradition that we now call bonfire. They went out and gathered old packing crates and pallets and trash and limbs from the community and built a bonfire to testify to their undying commitment to beat the University of Texas in the annual Thanksgiving football game.

By the mid 1940s, what had been basically an exercise in getting some logs and some trash and had grown into quite an operation, and the 2 years that I worked on bonfire in 1968 and 1969, the stack, the height of the bonfire reached 109 feet.

It is not unusual today for a bonfire at Texas A&M before the University of Texas football game to weigh over 2 million pounds, to have 5,000 to 7,000 logs and to be in the 70-foot to 80-foot range. Because of some accidents and concerns about environmental issues beginning in the 1980s, the administration at Texas A&M put a limitation on the number of logs, the height of the stack, the diameter of the stack.

This past November, I believe, on November the 18th, two days before the game, the bonfire collapsed, killing 12 students and injuring 27 others, a terrible, terrible tragedy by any definition. As a consequence of the bonfire collapse and the injuries and the death, the administration at Texas A&M put together a Bonfire Commission to go out and investigate the causes of the problem and to determine what, if anything, should be done to correct the problems, and whether to even have a bonfire.

This is the report that was released last week. It is approximately 2½ inches in diameter. It does not make any recommendations to the administration at A&M to do, but it does determine what caused the collapse. The chairman of the commission is a distinguished engineer named Leo Linbeck from Houston, Texas, and the commission members are Veronica Callaghan, retired major general Hugh Robinson, Alan Shivers, Jr., William E. Tucker, the consultants are McKinsey & Company, Fay Engineering, Packer Engineering, Kroll-O'Gara and Performance Improvement International.

It cost about $2 million. They interviewed several thousand witnesses. They have over 5,000 pages of documents. The conclusion of the Bonfire Commission is that the bonfire collapse was because of structural failure, the weight of the logs on the top stacks became so great that it forced a pressure down into the first stack, that created a lateral pressure that forced the logs on the bottom stack to come out, and there was a catastrophic collapse.

They investigated, researched whether human factors such as alcoholic consumption, horseplay played a role in the collapse, and the answer is no; although, there was some of that, and it should be prohibited.

I think the Bonfire Commission has done a commendable job. They have been very extensive. I have glanced at the entire report. I have actually read page by page approximately half of it. And as a professional engineer myself, not a civil engineer, not a structural engineer, obviously, I am convinced that the commission has done its job in determining the causes of the problem.

The President of Texas A&M, Dr. Bowen, has said that he will consider this report and decide in the next 2 months whether to allow the bonfire tradition to continue or not, and if he makes a decision on whether to allow it, under what conditions it will be allowed.

This report makes no recommendations about whether it should or should not be continued, but it does point out some things that I think are worth highlighting.

Number one, one obviously need to have structural integrity of the bonfire. One needs to have professional oversight of the bonfire.

Under the tradition of Texas A&M, it has all been done by students. There was no written design, it had to be certified as having structural integrity. Each bonfire student leadership looked at what was been done the year before and then decided what to do this year.

I cannot tell Dr. Bowen what to do, but I would certainly think that some of the things he has got to consider is have a design that is actually on paper that has been certified as structurally sound by professional engineering groups, and then make sure that there is oversight to see that the design is actually implemented.

Speaking only for myself, I can certainly understand if Dr. Bowen decided not to allow the bonfire to continue, but I would hope that he will allow the tradition to continue under very restrictive and overseeing regulations.

PATIENT'S BILL OF RIGHTS CONFERENCE

The SPEAKER pro tempore (Mr. SHERWOOD). Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, on last Friday, in the USA Today, I could not help but notice on the front page an article. It was called ''HMOs Take Spiritual Approach.'' It is written by Julie Appleby. It starts out by saying ''Health plans, buffeted in recent years by their no-frills approach to medical care, are pushing ever further into alternative medicine, hoping to find low cost ways to boost patient satisfaction. Need help understanding the meaning of life? No problem. A Denver-based HMO offers spiritual counseling, six visits at $10 a pop. Fearing surgery? Blue Shield of California unveils a new prescription today, free audio cassettes for patients aimed at harnessing their imaginations to promote healing.''

Mr. Speaker, when I read this and when I also read about some of the abuses by some of the HMOs, I think patients will need some of this spiritual healing to get over some of the ways that they have been treated by HMOs.

I want to talk tonight for a little while about where we stand in conference with the patient protection legislation that passed the House and the Senate. My information on how the conference is going is from my sources on the Republican side. There have been reports that the conference is making some progress. Maybe a month ago, there was reported progress on emergency care provisions and also on a couple other smaller items that should be relatively noncontroversial. It should be pointed out that there has been no legislative language divulged from any of these earlier ''agreements in principle.''

But about a week or 2 ago, there was a report that there was progress being made on one of the most important parts of the bill, which is, how does one handle disputes between care that is requested by a patient and care denied by the HMO. In both the bill in the House and in the Senate, when there is a dispute on a denial of care by the HMO, a patient could take that to an external appeals panel.

The reports in the press seem to indicate that progress was made and that there was some sort of agreement between the Republicans and the Democrats in the House-Senate conference on this point. Well, I am sorry to inform my colleagues on both sides of the aisle here in the House that these reports have been vastly overplayed.

As a result of that, President Clinton asked for a meeting for this Thursday of conferees down at the White House to try to spur on progress on the patient's rights. But let me just point out some of the problems, these are from my Republican sources, on how there is not agreement on some of the fundamental aspects of the external appeals process.

For instance, there is not agreement on the standard for determining whether cases are eligible for review. Mr. Speaker, this is sort of fundamental. One has to know what kind of cases can go to review, and this has not been decided.

In determining whether a case is eligible for review, the independent reviewer should not be limited by a plan's definition or interpretations where they involve applications of medical judgment. This is what is in the House. This is the provision in the House where we say that the independent panel can make a determination on medical necessity that is not bound by the plan's own guidelines. They can be considered. The plan's guidelines can be considered, but the independent panel is not bound by those.

Also, it has not been decided in terms of protection, such as the independent panel determining medical necessity disputes on coverage or benefit determinations, and which of those are not subject to review.

Now, in the House bill, we say that if there is an explicit denial of coverage in the contract, then regardless of whether the patient needs that medical procedure or not, that independent panel cannot tell the HMO to give the care.

For instance, the HMO could write a contract saying we do not cover liver transplants. A patient could come along, maybe medically need a liver transplant, but under the House bill, the independent panel cannot tell the HMO to give that, because there is an explicit exclusion of coverage. But aside from that, this crucial question has not been decided in the conference.

Other things related to external review have not been decided in the conference. For instance, there has not been a decision on what to do with existing State laws that deal with external appeal systems. Now, in my opinion, the independent review should have the authority to direct the health plan to provide the care. That is what we passed here in the House with a vote of 275 to 151.

□ 1845

We said, okay, if there is a denial of care, if it has gone through an internal appeals process and goes to the external independent review panel, that that panel can tell the HMO to give the care. In our bill that passed the House, if the HMO does not give the care, then they are subject to a fine, a rather stiff fine. And if a patient is injured as a consequence of not receiving that care, then that plan would be liable for that. This has not been decided. This has not been decided in the conference.

Furthermore, one would think that this would be an easy thing that could have been decided, and that is that the panel should be independent from the HMO. Apparently, this has not been decided in the conference either. So all of those reports saying that significant progress was being made on the appeals process, I think, are vastly overblown.

Furthermore, I would point out to my colleagues, and I really do not need to tell them this, because all of them that have been here for more than 6 months know this is the case, that unless we see legislative language, we can talk all we want about ''principles,'' but one simple clause in legislative language can totally turn the intent of that provision around. And there is no legislative language available.

So what do we have here? We have a situation where States all around the country are saying we need to do something about this. State legislature after State legislature have passed bills for patient protection. In fact, in Oklahoma, the State legislature just passed a law making it easier for patients to sue HMOs and other insurers for unreasonable denials of medical care. Under the Oklahoma law, a health plan can be required to pay damages if it fails to exercise ''ordinary care'' in treating patients.

The chief sponsor of the Oklahoma bill, State Senator Brad Henry, has said, ''The chairman of the House Senate conference is definitely out of step with the public here in Oklahoma. Polling information shows that 72 percent of Oklahomans support giving the patient the right to sue.''

That Oklahoma measure was not even a close vote. It passed 94 to 5 in the State House of Representatives in Oklahoma and 44 to 2 in the State Senate, and it was signed by Republican Governor Frank Keating on April 28.

Mr. Speaker, I am sorry to say that as time has gone by since we passed this in October last year, a lot of patients are being denied care by some HMOs, and I think are being injured by it. I have here some estimates for how many patients are being injured.

Now, I can give my colleagues specific examples of patients who have been injured. I have done that many times on the floor. I have brought up posters showing their faces. I have brought up posters showing the families of women who have died because of HMO decisions and how they are left without their mother or their wife. But just to give some idea of the magnitude of the problem that we are dealing with, there have been two recent studies from which we can extrapolate how many cases each day in this country we are seeing of HMO denial and abuse causing pain and suffering and injury to patients.

The studies that I am citing here are Helen Schauffler's California Managed Health Care Improvement Task Force Survey of Public Perceptions and Experiences with Health Insurance Coverage from the University of California Berkeley School of Public Health and Field Research Corporation. This was reported in Improving Managed Health Care in California, Findings and Recommendations. And also a study from the Committee Analysis Based on Kaiser Family Foundation and Harvard Public School of Health called Survey of Physicians and Nurses, July 1999.

Here are some of the highlights that my colleagues can take from these studies showing what is going on every day around the country. According to these two studies, every day 59,000 patients, because of HMO inappropriate denials of care, experience added pain and suffering.

According to these studies, every day, 41,000 patients experience a worsening of their medical condition. According to these studies, every day 35,000 patients have had needed care delayed.

Thirty-five thousand patients have a specialty referral delayed or denied every day. Thirty-one thousand patients every day are forced to change doctors. Eighteen thousand patients every day are forced to change medications.

And every day 14,000 physicians see patients whose health care has seriously declined because an insurance plan refused to provide coverage for a prescription drug. Mr. Speaker, every day in this country 10,000 physicians see patients whose health has seriously declined because an insurance plan did not approve a diagnostic test or a procedure.

And every day 7,000 physicians see patients whose health has seriously declined because an insurance plan did not approve referral to a medical specialist. And, Mr. Speaker, every day 6,000 physicians see patients whose health has seriously declined because an insurance plan did not approve an overnight hospital stay.

These are pretty amazing statistics. If we want to talk about the number of patients each year in this country who experience HMO abuse in delay of needed care, we are dealing with almost 13 million.

Each year, 12,800,000 patients experience HMO plan abuse in terms of delay or denial of care. It is about 11 million patients each year in this country that have to change their doctors because of HMOs. It is about 6,500,000 patients each year in this country that are forced to change medications. It is about 22 million patients in this country that each year have added pain and suffering because of HMO decisions and abuse, and about 15 million patients each year in this country see their medical conditions worsen because of HMO abuse.

And here we are. It has been, what, 7, 8 months since we passed the bill in the House? We have been working on this for 4 or 5 years. We could multiply these annual numbers by four or five times and it would begin to approach the magnitude of the problem that we are dealing with on this.

A few years ago, in testimony before my committee, the Committee on Commerce, a small, quiet woman, who was a medical reviewer for an HMO, gave some very compelling testimony. She said that she had actually made medical decisions that had cost patients' lives and that she had been rewarded for that by HMOs. She said, and I am paraphrasing her, ''I am coming clean. I cannot tolerate this any more.'' She said, ''I made a medical decision that cost a man his life. He needed an operation on his heart and I denied it. It was medically necessary for him.''

And then she pointed out what the smart bomb is of cost containment for HMOs, and that is in the area of denials based on ''medical necessity'', which HMOs can arbitrarily define, according to Federal law, any way they want to. Some HMOs even define medical necessity as ''the cheapest, least expensive care.'' Now, think of that for a minute. Would we like our health plan to define medical necessity for us as the cheapest, least expensive care? Now, one might say, well, that would help hold costs down. But it would also result in some really bizarre activities.

Before coming to Congress, I was a reconstructive surgeon. I took care of a lot of kids with cleft lips and palates. The standard treatment for a kid with a cleft lip and a cleft palate is surgical correction. The hole in the roof of the mouth is surgically corrected so that they can learn to speak normally, so that they do not have food coming out of their nose. Under that irresponsible definition of medical necessity, as the cheapest, least expensive care, that HMO would be totally justified in just giving this little baby a piece of plastic to shove up into the roof of his mouth so that food would not come out. Sort of like an upper denture. I think that is really ridiculous.

I have given some talk on this floor about some practice guidelines that a company by the name of Milliman and Robertson, sort of the HMO flack house, has created. If it were not for the fact they have sold about 20,000 of these guidelines around the country to hospitals and HMOs, we would not need to talk so much about this. But in a previous talk here on the floor I gave a lot of examples of how wrong, how far away from standards of care those guidelines are.

I recently got a letter from Milliman and Robertson trying to explain where they come up with some of these. I think this article that is in Pediatrics, the journal Pediatrics, Volume 105, No. 4, April 2000, is a much more scientific approach to analyzing the validity of Milliman and Robertson's guidelines.

Let me just read the conclusion. ''In New York State, during 1995, length of stay for selected pediatric conditions was generally in excess of published Milliman and Robertson guidelines.''

I love how these conclusions always understate what the article says. They say, ''This raises concern about the potential effects of such guidelines on both patients and the hospitals caring for them.'' They go on and say in the text of this, ''Several studies have demonstrated that certain length of stay related guidelines adversely affect patient care,'' and then they list a number of them. I just want to quote some of these to give a flavor for the analysis in the medical literature of some of these ''guidelines.''

Jerome Kassirer, in the New England Journal of Medicine, wrote an article on The Quality of Care and the Quality of Measuring It. Arnold Relman, Reforming the Health Care System, the New England Journal of Medicine. Wilson, in Medical Decision Making, Primary Care Physicians' Attitudes Toward Clinical Practice Guidelines. Fitzgerald, in the New England Journal of Medicine, The Care of Elderly Patients With Hip Fracture: Changes Since Implementation of Prospect of Payment system. Mitchell, Who Are Milliman & Robertson and How Did They Get in My Face?, in the Journal of the Kentucky Medical Association.

Well, what do these articles have in common? They have in common what this article in the journal Pediatrics found, and that was that the length of stay recommendations put out by this company, Milliman and Robertson, are really far out. They say in this article, ''Numerous commentaries in both the lay and medical press have raised concerns regarding the largely unknown impact of guidelines on health of the more vulnerable populations, particularly the elderly, the young, and the chronically ill. Our findings demonstrate that actual pediatric length of

stay in New York State during 1995 exceeded, often markedly, the Milliman and Robertson functional length of stay guidelines. The difference was most marked in diagnoses with long courses of antibiotics, for instance, bacterial meningitis, osteomyelitis, and complicated appendectomy.''

In a previous talk I gave, I pointed out that the average length of stay in a hospital for somebody with a really serious infection, this is for a child, like bacterial meningitis, is somewhere around a week, if not longer. That is usual and that is customary. These kids are really sick. Milliman and Robertson recommends one or two days, one or two days in the hospital for somebody who has a serious bacterial infection of their brain or their spinal cord and who could die from that.

□ 1900

I know something personally about this because about 3 years ago now I had a bad case of encephalitis. It is impossible for me to believe that a patient with even a moderate case of encephalitis could be discharged in 1 or 2 days. It just boggles my mind.

There are many quotes in this study. Let me just read a few. ''Both the Institute of Medicine and the Agency for Health Care Policy and Research have set high standards for the development of guidelines, including the involvement of multi-disciplinary panels and the use of explicit evidence-based approaches. This is a methodology used by governmental groups such as the Institute of Medicine.

''At a minimum, we should expect that the data and methods contributing to Milliman and Robertson's guidelines be available for public discussion and debate.''

They are not, unfortunately.

That is why that lady who was a medical reviewer who testified for my committee said those determinations based on plan guidelines are the smart bomb of HMO's cost containment.

But there is something that needs to be dealt with in terms of the external appeals process that we are dealing with in conference between the House and the Senate. And if they are not dealt with, and as I repeat, to date, my sources on the Republican side tell me they have not been dealt with, then we should not be releasing reports to the press saying that there is significant progress being made in that conference.

I think that the conferees, when they go down to the White House, ought to really make an effort to move on this.

There are many other things that I could speak about in terms of where we are at with various issues related to the patient protection. I want to just deal with about four or five.

The first is that the bill that passed this House on patient protection would lead to a flood of litigation. That is just not true. Our bill was modeled after the bill that passed in Texas about 3 years ago, and there have only been a handful of lawsuits since that time in Texas.

Of those lawsuits, though, I would say several are meritorious. Let me give my colleagues one example.

There is a patient named Mr. Piloseca who was in the hospital suicidal. His doctor recommended that he stay in the hospital to be treated for his suicidal tendencies. His health plan, NYLCare, said, no, no, you are out the door.

Maybe they used their own guidelines. Maybe they used Milliman and Robertson's guidelines. I do not know. They said, you are out the door and we are not going to pay for any hospitalization.

Under that circumstance, under Texas law, where there is a dispute between the physician and the health plan, the health plan is supposed to go to an expedited review to that independent panel for a determination.

What did they do? They just ignored it and said, we are not going to pay for your hospitalization. Unless you want to pay for it yourself, then you are out of here.

Well, this family is of average modest means and they do not have the ability to do that. So Mr. Piloseca went home that night and, sure enough, suicidal that he was, he drank half a gallon of antifreeze and he committed suicide.

That health plan is being sued in Texas. That is one of the handful. But they are being sued because they did not follow the law that was in Texas.

Hardly a flood of lawsuits.

Then there are opponents to our bill that passed the House that say, oh, employers could be sued under the bill that passed the House.

And I will tell my colleagues that, under the bill that passed the House, the Norwood-Dingell-Ganske bill, the bipartisan consensus Managed Care Reform Act, an employer can only be sued or held legally accountable if that employer exercises discretionary authority in making a decision that results in negligent harm to the patient.

Most employers are nowhere near that. I have got lots of small businesses in my district. Those businesses hire an HMO to provide health care for themselves and for their employees. They do not get involved in the medical decision-making. And if they are not involved in the medical decision-making, they cannot be held liable.

Furthermore, in our bill that passed the House, we expressly stated that employers cannot be sued for choosing to contract with a particular health plan, deciding which benefits to include in the plan, or deciding to provide additional benefits not generally covered by the plan.

Mr. Speaker, here is another myth. The myth is that, well, if you just have a strong appeals process, there is no need for any legal accountability.

I would just refer you back to the case I just told you about. If do you not have accountability, what is going to make the HMO follow the law?

I would point out this. Many times I have talked on this floor about a little boy from Atlanta, Georgia, who, when he was 6 months old, was really sick, his mom and dad had to take him to the emergency room in the middle of the night, but he was only given an authorization to go to an emergency room that was about 60 or 70 miles away instead of stopping at any two or three emergency rooms that were very close to their room.

That was a medical decision, a medical judgment, that that reviewer made over the telephone. Unfortunately, he had a cardiac arrest in the car before he got to this far-away emergency room. They managed to keep him alive, but he suffered circulatory loss to his hands and feet and he lost both of his hands and both of his feet.

Now, there was not any chance to have to go to an independent appeals process in that situation. But that HMO made a medical judgment, and they should be responsible for that.

I can give my colleagues several other real-life examples. How about the patient who sustained injuries to his neck and spine in a motorcycle accident. He was taken to the hospital. The hospital's physicians recommended immediate surgery. But the health plan refused to certify that surgery. Time and time and time went on. And what happened? The patient was paralyzed.

How about the patient who was admitted to an Emergency Room in his community hospital complaining of paralysis and numbness in his extremities. The treating room emergency physician concluded that this was a really serious case, he needed to go to the medical school immediately. The health plan denied authorization for a transfer. Hours and hours later, by this time, the patient is now quadriplegic, i.e., paralyzed in both his hands and both his legs.

You need to have accountability, not just on the more leisurely cases that come along, but also from the get-go.

How about this: People say that the bill that passed the House could significantly increase the cost of health insurance and the number of insured. And I say baloney. The Congressional Budget Office looked at our bill, and the legal accountability provision was estimated to raise premiums one percent over 4 years.

A one percent equivalent over 4 years is equal to employers paying a mere 4 cents per day for individual coverage with employees contributing just one additional penny per day.

Now, opponents also of our bill have said, oh, for every one percent increase in premiums, you are going to have 400,000 people lose their jobs. That is baloney, too. Nobody has ever documented where that statistic came from. But the General Accounting Office did a study of it and they said, that is wrong, it is outdated, it does not account for the relevant factors.

So people came back and said, well, maybe it is only 300,000 people will lose

their insurance if premiums go up 1 percent. GAO came back again and looked at that data and said, wrong, wrong, the statistics do not show that.

And furthermore, I would point out this: Between 1988 and 1996, the number of workers offered coverage actually increased in this country despite increased premiums each year.

I would also point out to my colleagues that we did not pass this bill and it has not become Federal law and premiums went up last year. Why? Because the HMOs wanted to show it on their bottom line profit statements for Wall Street.

Then opponents say, well, you know what, consumer support for this bill will evaporate if consumers learn how much it is going to cost them.

Let me cite to my colleagues a 1998 nationwide survey by Penn, Shown & Burlin that showed that 86 percent of the public support a bill that would give patients health plan legal accountability, access to specialists, emergency services, and point-of-service coverage. When asked if they would support such a bill if their premiums increased between $1 and $4 a month, 78 percent, more than three-fourths of the people in this country, said, you bet.

Now, I want to tell my colleagues what the bill that passed the House would cost. The House-passed bill would raise insurance premiums an average of 4.1 percent, covering to the Congressional Budget Office, over 4 years. Do my colleagues know how much that would account for an individual?

Remember, 78 percent of people in this country say that they want to see Congress pass this law even if it means to them an increase in cost between $1 and $4. Dollars. For an individual, that percentage increase would cost $1.36 per month and, for a family of four, $3.75 per month.

Do my colleagues know what? That is less than what a Big Mac meal costs me out at National Airport. And that is giving people assurance that all the money that they are spending for their health insurance actually means something when they get sick.

I think that is why a recent public opinion survey found that most Americans believe problems with managed care have not improved, 74 percent, and most think that legislative action is either more urgent or equally urgent as it was when this debate began several years ago, 88 percent. That is from the Kaiser Family Foundation survey of February this year.

Mr. Speaker, it is clear, when we start looking at how many patients every day are being injured or denied care because Congress is sitting here doing nothing, or maybe because some Members of Congress are listening to the insurance industry and the HMO industry, we need to get something done on this.

I just want to go over these figures one more time for my colleagues. According to a couple reports that I have cited earlier, every day, as a result of inaction in this Congress for addressing this HMO problem, we are seeing 59,000 patients experience added pain and suffering, we are seeing 41,000 patients experience a worsening of their medical condition, we are seeing 35,000 patients having needed care delayed, 35,000 patients with a specialty referral delayed or denied, 31,000 patients are forced to change doctors, and 18,000 patients are forced to change medications needlessly.

Mr. Speaker, it should be clear that the conferees to the HMO reform bill should really get off their fannies and get to work. When they go down to the White House on Thursday, as I hope they do, I hope in good faith they sit down and try to get something done and not just try to ride out the time clock on this year.

Mr. Speaker, I am happy to yield to my friend and colleague the gentleman from California (Mr. HORN). I know he wants to speak some about health care, also.

Mr. HORN. Mr. Speaker, I thank the gentleman for yielding to me. He has been marvelous in terms of bringing to the American people the need for a decent health care program.

Mr. Speaker, health care paperwork has become a complex and often confusing problem for many Americans. Many of us have experienced the confusion of erroneous billings, lengthy delays in reimbursement, and troubling disputes about what is and is not covered under a health care plan.

These problems are of particular concern in the Medicare program, the largest purchaser of health care in the world and a program that is absolutely vital to nearly 40 million senior citizens who rely on its services.

In the early 1990's, the Medicare program was designated as one of the Government's high-risk programs by the Comptroller General of the United States and his General Accounting Office.

Medicare's size, complexity, and lack of management controls are a problem and worthy of our attention. Each year the House Subcommittee on Government Management Information and Technology, which I chair, conducts oversight hearings to determine what progress has been made in resolving the management problems within Medicare. Each year we are told that significant progress has been made and more is expected soon.

□ 1915

Mr. Speaker, it is true that progress has been made. Two years ago, the Inspector General of the Department of Health and Human Services reported that erroneous bills in the Medicare program totalled an estimated $20.3 billion in fiscal year 1997. That was 11 percent of all Medicare billings that year. In short, one of every $10 spent by Medicare was an improper payment. This year, the Inspector General, the very able June Gibbs Brown, returned to testify that the error rate was now estimated at $13.5 billion for fiscal year 1999, or about 8 percent of total billings.

As I said, that is in fact progress. We are moving in the right direction, but I am still stopped cold by those numbers. Medicare improperly paid out $13.5 billion last year for claims that were not covered by the program, for claims that were, to quote the General Accounting Office, ''not reasonable, necessary and appropriate.''

Mr. Speaker, all of us know that the Medicare program is a very large and complex operation and presents an enormous management challenge. The program still operates under the rules set in 1965. Medicare uses private insurance companies as the contractors and intermediaries between the patient, the doctor, the hospital to process bills and those that go to Medicare. That paper flow is a virtual Niagara Falls. Every day, the Medicare program's contractors process about 3.5 million claims worth an average of more than $650 million a day. That is every day of the year. Managing this flow is indeed a major challenge.

But, Mr. Speaker, the challenges in the Medicare program are not new. Medicare has been in existence for 35 years and its specific management problems have been documented in excruciating detail by a long list of reports from the Inspector General and the Comptroller General of the United States, the head of the General Accounting Office. Even with all of the attention and concern, serious management deficiencies continue to plague this program and waste or misspent billions of Medicare dollars.

In all of the reports on Medicare's problems, the key recommendation has been this. Medicare must develop a fully integrated financial management system, standardized with all of its contractor intermediaries so that timely, accurate and meaningful information can be developed to control this $300 billion a year program.

Mr. Speaker, today I am introducing H.R. 4401. This legislation can move us toward the goal of first rate management. This bill has been introduced in the other body by Senator RICHARD LUGAR of Indiana. I have a very high regard for Senator LUGAR. His bill in the other body is S. 2312, and H.R. 4401 is similar to his legislation. In brief, we are working together and the two of us believe that enacting sound and effective controls on the Medicare program must be made a very high priority.

The Health Care Infrastructure Investment Act is designed to force the creation of an advanced information infrastructure that will allow the Medicare program to instantly process the vast number of straightforward transactions that now clog the pipeline and drain off scarce health care resources. The bill calls for the development and implementation of an integrated system so that Medicare and its contractors can serve seniors with immediate points of service and

verification of insurance coverage, point of service checking for incomplete or erroneous claim submission, and point of service resolution of simple, straightforward claims for doctor's office visits, including the delivery of an explanation of benefits and payment that the patient can understand. That means that when Medicare beneficiaries walk into the doctor's office, they can know immediately what their benefits are and what copayments or deductibles apply. When they leave, they will receive a simple statement of what was done and what is owed.

Our bill is careful to avoid mandates that would undermine privacy rights. Privacy is of paramount concern and must be safeguarded in the design of an advanced network of financial management systems for Medicare. The goal of H.R. 4401 is to reduce and, where possible, to eliminate paperwork. Greater efficiency will free doctors to spend more time treating patients, doctor's offices and insurance companies should be able to reduce the cost of claims processing, and patients will be fully informed about treatments and costs.

Mr. Speaker, this legislation could save the taxpayers billions of dollars every year, and it would not be wasting Medicare access, either. It would get us to modernize the paperwork and the inefficiencies and put an end to many time-consuming and confusing complications in the billing process for doctor office visits, and both for doctors and for patients.

This bill, H.R. 4401, also can lay the foundation for modernizing Medicare's financial management systems so that the annual reports of billions of dollars misspent will become a thing of the past. Then we can be assured that every Medicare dollar is being properly used to pay for the health care our seniors need. Our bill, H.R. 4401 in the House, will be sent to the Committee on Commerce, the Committee on Government Reform and Ways and Means.

Mr. Speaker, I ask that H.R. 4401 be printed below.

H.R. 4401

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Health Care Infrastructure Investment Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Moratorium on delayed payments under contracts that provide for the disbursement of funds.
Sec. 3. Establishment of the Health Care Infrastructure Commission.
Sec. 4. Study and final recommendations; timetable for implementation of advanced informational infrastructure.
Sec. 5. Application of advanced informational infrastructure to the FEHBP.
Sec. 6. Authorization of appropriations.

SEC. 2. MORATORIUM ON DELAYED PAYMENTS UNDER CONTRACTS THAT PROVIDE FOR THE DISBURSEMENT OF FUNDS.

Section 1842(c) of the Social Security Act (42 U.S.C. 1395u(c)) is amended by striking paragraph (3).

SEC. 3. ESTABLISHMENT OF THE HEALTH CARE INFRASTRUCTURE COMMISSION.

(a) ESTABLISHMENT.—There is established within the Department of Health and Human Services a Health Care Infrastructure Commission (in this section referred to as the ''Commission'') to coordinate the expertise and programs within and among departments and agencies of the Federal Government for the purposes of designing and implementing an advanced informational infrastructure for the administration of Federal health benefits programs.

(b) DUTIES.—The Commission shall—

(1) establish an advanced informational infrastructure for the administration of Federal health benefits programs which consists of an immediate claim, administration, payment resolution, and data collection system (in this section referred to as the ''system'') that is initially for use by carriers to process claims submitted by providers and suppliers under part B of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) after conducting the study under section 4(a)(1);

(2) implement such system in accordance with the final recommendations published under subsection (a)(2) of section 4 and the timetable set forth under subsection (b) of such section; and

(3) carry out such other matters as the Secretary of Health and Human Services (in this section referred to as the ''Secretary''), in consultation with the other members of the Commission, may prescribe.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 7 members as follows:

(A) The Secretary, who shall be the chairperson of the Commission.

(B) One shall be appointed from the National Aeronautics and Space Administration by the Administrator.

(C) One shall be appointed from the Defense Advanced Research Projects Agency by the Director.

(D) One shall be appointed from the National Science Foundation by the Director.

(E) One shall be appointed from the Office of Science and Technology Policy by the Director.

(F) One shall be appointed from the Department of Veterans Affairs by the Secretary.

(G) One shall be appointed from the Office of Management and Budget by the Director.

(2) REQUIREMENTS.—Each of the members appointed under subparagraphs (B) through (G) of paragraph (1) shall—

(A) have been appointed as an officer or employee of the agency by the President by and with the advice and consent of the Senate; and

(B) be an expert in advanced information technology.

(3) DEADLINE FOR INITIAL APPOINTMENT.—The members of the Commission shall be appointed by not later than 3 months after the date of enactment of this Act.

(d) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at the call of the chairperson, except that it shall meet—

(A) not less than 4 times each year; or

(B) on the written request of a majority of its members.

(2) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(e) COMPENSATION.—Each member of the Commission shall serve without compensation in addition to that received for the services of such member as an officer or employee of the United States.

(f) STAFF.—

(1) IN GENERAL.—The chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties.

(2) COMPENSATION.—The chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(g) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(h) TERMINATION.—The Commission shall terminate on the date on which the system is fully implemented under section 4(b)(3).

SEC. 4. STUDY AND FINAL RECOMMENDATIONS; TIMETABLE FOR IMPLEMENTATION OF ADVANCED INFORMATIONAL INFRASTRUCTURE.

(a) STUDY AND FINAL RECOMMENDATIONS.—

(1) STUDY.—The Commission shall conduct a study during the 3-year period beginning on the date of enactment of this Act on the design and construction of an immediate claim, administration, payment resolution, and data collection system (in this section referred to as the ''system'') that—

(A) immediately advises each provider and supplier of coverage determinations;

(B) immediately notifies each provider or supplier of any incomplete or invalid claim, including—

(i) the identification of any missing information;

(ii) the identification of any coding errors; and

(iii) information detailing how the provider or supplier may develop a claim under such system;

(C) allows for proper completion and resubmission of each claim identified as incomplete or invalid under subparagraph (B);

(D) allows for immediate automatic processing of clean claims (as defined in section 1842(c)(2)(B)(i) of the Social Security Act (42 U.S.C. 1395u(c)(2)(B)(i)) so that a provider or supplier may provide a written explanation of medical benefits, including an explanation of costs and coverage to any beneficiary under part B of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) at the point of care; and

(E) allows for electronic payment of claims to each provider and supplier, including payment through electronic funds transfer, for each claim for which payment is not made on a periodic interim payment basis under such part.

(2) FINAL RECOMMENDATIONS.—

(A) PUBLICATION.—Not later than 3 years after the date of enactment of this Act, the

after the date of enactment of this Act, the chairperson of the Commission shall publish in the Federal Register final recommendations that reflect input from each interested party, including providers and suppliers, insurance companies, and health benefits management concerns using a process similar to the process used for developing standards under section 1172(c) of the Social Security Act (42 U.S.C. 1320d–1(c)).

(B) CONSIDERATIONS.—In developing the final recommendations to be published under subparagraph (A), the Commission shall—

(i) make every effort to design system specifications that are flexible, scalable, and performance-based; and

(ii) ensure that strict security measures—

(I) guard system integrity;

(II) protect the privacy of patients and the confidentiality of personally identifiable health insurance data used or maintained under the system; and

(III) apply to any network service provider used in connection with the system.

(b) TIMETABLE.—The timetable set forth under this subsection is as follows:

(1) INITIAL IMPLEMENTATION.—Not later than 5 years after the date of enactment of this Act, the system shall support—

(A) 50 percent of queries regarding coverage determinations;

(B) 30 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 40 percent of clean claims submitted by providers and suppliers under part B of the medicare program.

(2) INTERMEDIATE IMPLEMENTATION.—Not later than 7 years after the date of enactment of this Act, the system shall support—

(A) 70 percent of queries regarding coverage determinations;

(B) 50 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 60 percent of clean claims submitted by providers and suppliers under part B of the medicare program.

(3) FULL IMPLEMENTATION.—Not later than 10 years after the date of enactment of this Act, the system shall support—

(A) 90 percent of queries regarding coverage determinations;

(B) 60 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 40 percent of the total number of claims submitted by providers and suppliers under part B of the medicare program.

SEC. 5. APPLICATION OF ADVANCED INFORMATIONAL INFRASTRUCTURE TO THE FEHBP.

(a) IN GENERAL.—The Office of Personnel Management (in this section referred to as the ''Office'') shall—

(1) adapt the immediate claim, administration, payment resolution, and data collection system established under section 3 (in this section referred to as the ''system'') for use under the Federal employees health benefits program under chapter 89 of title 5, United States Code; and

(2) require that carriers (as defined in section 8901(7) of such Code) participating in such program use the system to satisfy certain minimum requirements for claim submission, processing, and payment in accordance with the timetable set forth in subsection (b).

(b) TIMETABLE.—The timetable set forth in this subsection is as follows:

(1) INITIAL IMPLEMENTATION.—Not later than 5 years after the date of enactment of this Act, the Office shall require that carriers use the system to process not less than—

(A) 50 percent of queries regarding coverage determinations;

(B) 30 percent of determinations of incomplete or invalid claims; and

(C) immediate processing at the point of care of 10 percent of the total number of claims.

(2) INTERMEDIATE IMPLEMENTATION.—Not later than 7 years after the date of enactment of this Act, the Office shall require that carriers use the system to support not less than—

(A) 70 percent of queries regarding coverage determinations;

(B) 50 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 20 percent of the total number of claims.

(3) FULL IMPLEMENTATION.—Not later than 10 years after the date of enactment of this Act, the Office shall require that carriers use the system to support not less than—

(A) 90 percent of queries regarding coverage determinations;

(B) 60 percent of determinations of incomplete or invalid claims; and

(C) immediate processing of 35 percent of the total number of claims.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are appropriated to the Health Care Infrastructure Commission established under section 3, out of any funds in the Treasury that are not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

(b) AVAILABILITY.—Any sums appropriated under subsection (a) shall remain available until the termination of the Health Care Infrastructure Commission under section 3(h).

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Iowa (Mr. GANSKE) has 18 minutes remaining.

Mr. GANSKE. Mr. Speaker, I just point out that my colleague from California has been a stalwart in working on matters of health concern for his constituents and in particular has been very strong on supporting a Patient's Bill of Rights. I appreciate his work and effort in that very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members to refrain from references to individual Senators.

EDUCATION REAUTHORIZATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 60 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I start today by talking about the person whose name I carry and the reason I have such a long name on the board. That name is MILLENDER, JUANITA MILLENDER-MCDONALD. It is because of my father, Reverend Shelly Millender, who taught us that education is important, that we must have a quality education in order to challenge the world that would be before us. And so, Mr. Speaker, tonight I rise with several of my colleagues to discuss the reauthorization of the Elementary and Secondary Education Act known to us as ESEA.

This act is an act that is of immense importance to our children and the future of our Nation. The education of our Nation's children is an issue of paramount concern. As Members of the House of Representatives, it is imperative that we remain focused on our national priorities of raising standards and providing special assistance to children in need to ensure that all students are prepared to face the challenges of the 21st century. Globalization has brought us into a more competitive world where the challenges of technology will dominate the economic relations among world nations. If all of our children are not prepared to face these challenges, our great country will not continue to lead the world in the vital areas of economy and technology, and also in the critical areas of democracy and political participation.

We must, Mr. Speaker, guarantee quality school facilities, quality teachers, smaller classroom sizes and gender equity in technology so that all of our children, both boys and girls, are able to face these new challenges.

I stand with some of my Members who are on the floor today as we recognize America's teachers. As a former teacher, I know the importance of teachers and their leadership to the classroom, but more importantly their leadership for the future, for our future, America's future because they are guiding our children who will be the leaders of tomorrow. Some of them will be the Members of Congress. Therefore, we must instill in them not only the moral standards, character building, but also quality education, quality education that comes from good teachers. I stand today in that salute and recognize the importance of teachers in this whole process.

In the 106th Congress, the authorization of Federal aid to many education programs covered under the Elementary and Secondary Education Act known as ESEA is expiring. These bills have passed through the House in a piecemeal approach to reauthorizing major ESEA programs. It is expected that the final piece of the ESEA puzzle, H.R. 4141, will be coming to the floor soon. H.R. 4141, the Education Opportunity to Protect and Invest in Our Nation's Students Act, also known as the OPTIONS Act, amends ESEA programs regarding education technology which is part of title III, the safe and drug-free schools and communities that is couched within this title III. It also amends title IV, and the education block grant which is title V.

I am deeply concerned, however, Mr. Speaker, with title I of H.R. 4141, entitled the transferability. Transferability is essentially a backdoor block grant program which would allow Federal funds intended to target technology, teacher training, school safety and after-school care needs to be used for any purpose deemed educational regardless of its relevance to the core mission.

When we look at, Mr. Speaker, technology we think about the digital divide. The urban and rural areas both are in dire straits because of the lack of high technology to our students in both the urban and the rural areas. When we look at teacher training, Mr. Speaker, we look at those persons who will be guiding and directing our students through this 21st century, and indeed it is critical that we focus on professional development as an ongoing core of teacher training.

School safety. We do recognize that children must be in an environment that is conducive to learning and, therefore, school safety is vital for this training. After-school care cannot just be left up to the schools now. It should be the community, it should be churches and all others who are getting involved in after-school care programs. These are very vital, very critical areas in the holistic education of our students.

Title I of H.R. 4141 allows States and local educational agencies to transfer funds between ESEA programs after receiving funds for specific purposes. I would like to draw attention to that, because we can ill afford to have moneys that should go for one program specifically for that purpose to be transferred to another program. That is the whole notion of this transferability clause. Under title I, local education agencies can transfer up to 30 percent of one program's funds to another without any publicly documented rationale.

That is wrong, Mr. Speaker. If we are going to really train our teachers, educate our students, have a school that is conducive to learning and have targeted technology that is applied for all students, then we must not have this transferability clause that will snatch funding from any program one deems important to transfer these funds to another program. In other words, if the funding has gone to the State specifically for a purpose and a program, then we should not be allowed to transfer up to 30 percent or any percent on a program that was not initially funded by this body.

If a local education agency receives State approval, then 100 percent of those funds can be transferred between programs. In such cases, the State is not required to establish criteria for these decisions or document their approval. Again, it would not be up to the State, it would be up to the legislation that we apply here on the floor, and this is why I believe that H.R. 4141 does a great injustice to this country's young people, our students.

□ 1930

Block grants, whether by law or de facto, and despite their popularity, do more harm to education than good. In fact, by pouring Federal funds into general State operating funds, we are not able to guarantee that the needs of all children are served, particularly the schools and the students with the most need.

Again, I reiterate, those students are the students who are in the urban schools like my schools, in the Watts area, in the Compton area, and the Linwood area and the Wilmington area. Those are the schools where there are the students with most needs, and also in the rural communities where those students are falling behind in technology.

Transferability, as mandated in Title I of H.R. 4141 increases the odds that ESEA money will not reach urban, minority students for much-needed educational programs. A study done, Mr. Speaker, by the General Accounting Office in January of 1999, reported that Federal funds are 8 times more likely than State funds to target disadvantaged students. Why are we putting this in the hands of the State when this has been documented by GAO, that the funds will be targeted more for disadvantaged students in coming from the Federal as opposed to the State?

The report further concluded that Federal monies helped to close the gap in spending between the richest and poorest districts. Currently, local education agencies that receive Federal money are required to use the funds on specific populations and for specific purposes. No more, no less. The transferability clause of H.R. 4141 will allow local education agencies to use Federal funds in any way they like, resulting in the possible exclusion of funds for programs that serve disadvantaged students in low-income districts.

We know that is not right, Mr. Speaker. We know that we cannot look to any local education agency to apply the funds that should be documented in legislation from us. We just give them that autonomy to transfer 30 percent of those funds to any program they deem important.

Mr. Speaker, it is shocking to think that funds earmarked for the improvement of our education system's core mission can be used for virtually any purpose. Transferability makes this prospect a reality and it is likely to have a negative effect on teacher training, school safety, and education technology.

Under H.R. 4141, we run the risk of diminishing our present emphasis on teacher training that is critical to maintaining a high standard among our schools. Under H.R. 4141, schools can decide to use funds targeted for upgrading and improving teacher quality for other purposes. Funds that could be used for teacher recruitment and certification may also be transferred to other programs.

Mr. Speaker, I have with me tonight a gentleman who we all know was the superintendent of public instructions in the State of North Carolina. He has come tonight because we are both rather stunned by this H.R. 4141 and its adverse impact on the education of our students. Let me now present the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentlewoman from California for yielding, and I thank her for putting together this Special Order tonight, and for her leadership on this issue in the House. It is an important issue.

Mr. Speaker, I rise this evening to speak about this critical issue of education for our Nation. When we talk about that, we talk about our children. I often wonder, having served at the State level in North Carolina for 8 years where I saw the funds coming, the Federal funds, and let me remind our colleagues and the people who might be listening this evening that when we talk about Federal funds, they only represent about 7 percent of the total money spent in this country on education. Is that insignificant? No. Is that the only amount we can have? Well, let me explain to folks that if we go back to the 1960s, it was about 15 percent.

So it is not a magic number, it is just a number that we live with today because the money has been cut over the years. Did that money make a difference? Absolutely, because it was categorical money. Folks tend to forget that in the 1960s, we decided math and science were important in this country after Sputnik. We put the resources in, and did it make a difference? Absolutely, it made a difference. It gave us a lead in science and technology that we are enjoying the benefits of today. Our public schools responded, and so did our universities.

Now, why people need to have movement of funds from one category to another in that is very easy. There is not enough money in them. If there is enough money in those categories, they would not need to steal from staff development for teachers and for teacher recruitment and those dollars that are badly needed. It is important that those dollars be there, because I think the Federal commitment, as the gentlewoman has pointed out, is so critical. It says that it is important to this Nation.

Here just today we have stood on this floor and talked about how important our teachers are, and now we have a chance to decide that we are going to turn words into actions.

Mr. Speaker, I said today, words are cheap, talk is cheap. We ought to walk the walk instead of talk the talk.

I happen to have a son who teaches the fourth grade. If we paid teachers the minimum wage, we would be raising the salary of teachers in this country, because they put in an awful lot of hours they are not compensated for.

I think a lot of folks think of teachers working from maybe 7:30 or 8 o'clock to whatever time is school is out in the afternoon. What they do not realize is those teachers grade papers in the evenings, they take children on field trips on the weekends, and here we are arguing about a few dollars. It is a lot of money in terms of what schools get, but if we look at it in terms of the whole Federal budget, it is not really a great deal of money. But a

few dollars at the classroom level where teachers are makes a big difference.

We have colleagues here who want to say well, it is just where the teacher is. No, we need people for staff development. We need people in the principal's office, we need people in the central office, because someone has to coordinate all of this. We need people at the Federal level. I know when I was State superintendent, I depended greatly on the Federal office of education for research and development monies, and yes, for those grant monies. So it does make a difference that we have those monies in those categories.

Mr. Speaker, it is amazing to me that we want to talk about taking it away, and that is really what we are talking about. Any way we cut it, we are going to take it away from some of the most needy children in this country, the very children that we want to raise the threshold for and make sure that in the 21st century, they have a chance to make it.

We talk about the digital divide, and I will talk about that more in just a moment. But the digital divide is nothing compared to the divide that we are going to have for the children who do not have the opportunity to learn to read, and reading is fundamental; that do not learn to do math early, because many of the children show up at the public schools in this country who have not had the opportunity before they get there for a variety of reasons, the biggest one being poverty.

If there is one thing that we can classify, it reaches across ethnic lines, no matter whom they are, a child who shows up from poverty is a child more likely to be behind in school and have a difficult time. If we do not give children a good education, we relegate them and the future generation to poverty.

That is what public education is about in this country. America is really the one place in the world that says, no matter where one comes from, we give them an opportunity to step up to this great smorgasbord we call public education, if one is willing to work for it. But if America is going to seize this opportunity of a new economy in the 21st century, Congress must provide national leadership in this vital effort. We cannot capitulate now. The one time we have a chance to make a difference, we ought not to just lay down and play dead.

I have often said, there is a big slip between the lip and the hip, and that really comes with a lot of talk and not a lot of resources to get the job done.

Across this country, the American people are crying out for a greater investment in education. I have been in probably many schools, maybe more than most people in this body, having been superintendent, and I go back regularly. I have never had a child, the truth is I have never had a teacher to ask me who paid for something in the school, whether it was local, State, or Federal. They just know they do not have enough. There are surveys after surveys that tell us that teachers take money out of their pocket to make sure they have resources in the classroom for their children.

Now, I am here to tell my colleagues tonight that is not right. Here we are arguing about a few dollars that we are going to send to help make education better for the poorest of our students, because those are the ones the teachers take money out of their pockets for. They are the ones who are there that we are not paying as well as we ought to.

I told someone today, my colleague may have overheard it, when we go through the grocery line in the check-out and pay for our groceries, because the teachers are not paid like they should be, in my opinion, they do not have a check-out that says, if you are a teacher, come through this line, and if you are a millionaire, come through this line. We all go through the same line. We ought to recognize that. If we truly value what our teachers do, and I do, I think we have to do a better job, and I think folks are expecting us to do it.

The leadership in this House, the Republican leadership, has to join with us to make it happen. We have to stop arguing about those things like school vouchers. Every year they want to talk about school vouchers. That is not the answer to the problem. Because if that were the answer, we would have all been on board a long time ago. All that is is a way to take money off the top and deny those most-needed students their opportunity.

We can talk about all we want in saying, well, competition is what we need in schools. We have 53 million students in school in America this year, and 94 percent, roughly, in this country, and in some States it is higher than that, it is 95, 96 percent, they are in the public schools. So the key is for us to use what resources, to use the kind of influence and support we have to help all of our children do better.

I think our schools are doing a far better job today than they have ever done, for all of our children. There is no question about that. No one can tell me that is not true, after looking at the data and look at the data across years. But the challenge we have is what we have done last year or 5 years ago is not good enough. It will not suffice in the high-tech economy we find ourselves in, competing with the world. We cannot drain off resources from our public schools and leave our children behind, condemned to a bleak future of failure.

As we work in this Special Order tonight, I hope we can share with the American people that our commitment is to our public schools, it is to make sure that every single child has an opportunity.

Mr. Speaker, one of the things we have done in this country is make sure that children, try to make sure that children show up ready to learn. We can tell a difference in a child who comes from a background who has not had those opportunities, if he just had one year of Head Start, good Head Start or preschool.

In North Carolina, as my colleagues well know, our governor has worked with the general assembly and they are now putting in a prekindergarten program. They call it Smart Start. We had some when I was superintendent that we used Federal monies for that, and it makes all the difference in the world. It is a public-private partnership, and in some cases, we are working with other groups. But for the children who have not had that enrichment, who show up at school who do not know their colors, who have not been read to when they were little folks, it makes all the difference in the world. It helps the teacher, when we have 26, 28, and in some cases, 30 children.

I often remind folks that Fay and I were fortunate. We have 3 children. I would have hated to have had 26 of them, trying to teach them. Some days it was tough with 3. People do not realize what it is in that classroom. Teachers are liable to stay in that classroom. If they want to go to the bathroom, they have to get relief. There are not many jobs like that today. I think we need to honor them and respect them.

Mr. Speaker, our job here in Washington ought to be talking about how we can make it better, not create situations that are barriers to those teachers, and the teachers are the ones who really understand the problems the children have. They do not want the money to be taken away from staff development. Education may be the only place I am aware of where we tell teachers that they have to continue to get recertified, and they to pay for it themselves. Most businesses that I know of pay for their employees to go to get continuing training.

We are starting to do a better job, but we are not there yet where we are paying for all of them. I think if we honor education and we care for our children and our teachers, we ought to be about doing those things. Our schools can do better, and they will with our help, but only if we are willing to help.

□ 1945

We need to foster a greater connection, I think, between students, teachers, parents, and the broader business communities, one of the points we were talking about earlier.

If a community gets involved, it is amazing what happens to students. One of the things you talked about earlier that are so important, we have to reduce class sizes. But if we talk about reducing class sizes on the one hand and take away staff development for the teachers and the training opportunities they have, all of a sudden we are working against ourselves because we are saying, well, this worked well but we are going to take that away and put it over here.

What we really need is to enrich and help that whole system. We need staff development for teachers and administrators. We need to make sure that when we are looking at roughly 2 million teachers we are going to need in the next few years, we ought to be looking for ways we can energize and put money out there. We did it in the sixties when we wanted to do math and science. We are going to have to do it again if we honor and believe in education.

I happen to believe very strongly that I would not be here in the United States Congress if it had not been for public education, and I would say to the bulk of the Members, neither would they. They should not forget from whence they came. I would not be here. If we had been in the process of vouchers and all these other things, I would not have gotten the kind of education I did. I went to the public school, and whatever the most affluent child in my community got, I had the opportunity to get. That is true of most of the people in this body.

We should never forget that. We should not deny that opportunity for any child in America, no matter where they come from ethnically nor where they come from economically, because who knows, who knows, one of those youngsters may find the cure for cancer or any other number of diseases. Eventually they may be in this body making some of the same decisions.

We have a tremendous challenge. We need a national commitment. We need that commitment to the notion that parents in America have the right to expect that their children will have the best teachers in the world, and we cannot have, attract, nor retain the best teachers if we do not support them. It is one thing to get them there. It is equally as important to keep them there with pay, respect, and support.

That means staff development. That means when they need help, we respond; that we honor what they do, rather than criticize what they do. That bothers me greatly when I hear Members in this body do that. I was pleased today that we passed a resolution, but I will repeat one more time, now that we have said the words, we need to walk the walk. We need to have an education bill that bespeaks of how important education is in America for every child. Whether he lives in the richest suburbs or the poorest inner city or the most isolated rural parts of America, he should have the opportunity for an education.

I think block grants and vouchers are not the way to go. We would ultimately waste the ability of children in this country. We must make sure that every neighborhood school in America works.

I thank the gentlewoman for putting together this special order.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentleman. He is steeped in experience. As a former State Superintendent of Public Instruction, he recognizes and understands the importance of quality education, and he understands the barriers that are there with our children. They already come with a set of barriers, being poor and having unskilled parents. Then to further those barriers by not giving them the quality education is just absolutely an atrocity, in my book.

I thank the gentleman from North Carolina for his leadership on this issue.

I have another Member who is a leader in education who is on this floor just about every night talking about the inadequate education, given the funding that we do not get, but is busy pushing the whole notion of school construction and quality teacher training so that we can have the quality education that is sorely needed for those 53 to 54 million students.

I yield to none other than the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I thank the gentlewoman from California for yielding to me. I want to congratulate her and applaud her insight in focusing on a very serious facet of the education bill that is going to be coming to this floor soon.

I serve on the Committee on Education, and I have had to live with this for a long time. To have Members who are not on the committee understand what is going on and offer to give us some help in this crucial area is very uplifting. It is good to hear that we are going to be prepared to fight the fight on the floor which we fought in the committee and we lost.

The crux of the argument that is being made tonight is that we should not take the Federal monies that are appropriated primarily to help the poorest students in the poorest communities and water that down, spread it out to communities which may need money for education, but we should not give them additional funds for education at the expense of those who have the greatest need.

The original intent of the Elementary and Secondary Education Act was to provide additional help for the poorest school districts and for the poorest students in those school districts.

We have had a doctrine of flexibility and super flexibility, and various names have been assigned to it in the past 6 years by the Republican majority. But what they are attempting to do is Robin Hood in reverse. What the Republican majority wants to do is take the money from the poor and spread it out to the others who need it less.

The irony of it is that they have better choices. We can all rejoice that we can make choices now which are very different from that and at the same time address the needs of any area that has educational needs.

We have a surplus. We have a surplus. A lot of people do not want to talk about it here in Washington. It is the most important factor and development in the last 10 or 20 years. Instead of talking in terms of a deficit, there is a Federal surplus. Why do we have to rob the poor, therefore, to spread the Federal funds out to cover needs in some other district?

I do think there are other needs. Nobody has spoken more often here on this floor than I have in favor of the Federal government taking a larger role in funding for education. The Federal Government's role now is around 7 percent of the total funding. Most funding for education comes from the State governments and from the local governments. The Federal government has a small role. The Elementary and the Secondary Education Act that we are talking about today is about $8 billion of Federal funds, $8 billion out of a huge budget for education, when we add the State and local government contributions.

Clearly, if we go back and read the law it is still there, the findings in the preamble to the Elementary and Secondary Education Act that clearly the Federal government did not meet all the needs of everybody in education. The reasoning was that we should help those districts which have the needs most, help the poorest students, to relieve some of the burden from the State and local governments doing what they should have been doing all along, giving the kind of help these districts needed.

The pattern is across America that those who need it most get the least. The pattern of State government is that they neglect those who need it most because they are the ones who have the least amount of power. It is a power situation. The pattern over the years has been State government always neglects the needs of the poor, whether it is health care or education or any other need.

The Federal government has stepped in in the interests of national security, in many cases. In World War II, they found when they had to draft large numbers of young men that they were basically unhealthy, suffered from poor nutrition, any number of problems that led to the generation of concerns at the national level about health care.

We later on got the beginning of health care programs in terms of Medicare, Medicaid, and various other funding for hospitals and well baby clinics because it was understood that we cannot leave that to the States because they do not deal with it, and there is a need, there is a national security interest, in having a healthy population.

There is now a national security interest in having a population that is well-educated. Nothing is clearer than the fact that brain power now drives the world in terms of the economy. If we move to the military sphere, any area of activity among governments or in governments requires a tremendous amount of brain power. Educated people are our best resource.

What we are proposing here and what the gentlewoman from California has

pinpointed is we are proposing a very dangerous and deadly move. We are moving in the wrong direction at a time when the budget surplus permits us to give more aid to education. If we want to help other areas beyond the poorest of the poor, then we could just add money to the budget and cover the additional areas.

No, at a time when we can do that, we are proposing to take the money away from the poorest of the poor and give it to the other areas. Why not, at a time like this, dedicate more of the Federal budget to education?

Let us stop for a moment. The American people should listen closely to what is happening. Between the time that Congress recessed and the time we came back last week, the estimates of the budget surplus went up by $40 billion.

The estimate now is, the most conservative estimate is that this year's budget surplus, the amount of money we will take in in terms of taxes, revenue, versus the amount of money we have spent, the surplus, the leftover money, will be no less than $200 billion, $200 billion. The projection is that over the next 10 years we will have about the same or more, $200 billion per year for 10 years. We are talking about a $2 trillion surplus over a 10-year period.

Why are we in an atmosphere of that kind? Why are we, with opportunities of that kind, going to rob or take money from the poorest of the poor and give it, spread it out for the rest of the schools? That is mean-spirited, it is insensitive, and it is shortsighted.

We should rise to the moment. We have a golden opportunity, every legislator here, everybody in government has a golden opportunity to rise to this moment when we have abundant resources. We have had to make decisions for a long time based on the fact that we had a deficit. There was not enough funding. Now we have the funds. Where is our conscience? Where are our consciences? Where are our hearts? Where are our souls when it comes time to make decisions with resources that we have been blessed with?

Instead of the generosity and charity spirit prevailing, just the opposite is happening. We choose to take what we have allocated for education for the poorest of the poor and to give it to those who need it less, spread it out.

Sandra Feldman, who is the president of the American Federation of Teachers, has put it well in a recent article that she has in several papers.

The legislative term for what is happening she says some people call a block grant, but she calls it a blank check. ''The result would probably be the disappearance —or at least the radical weakening—of programs designed to guarantee funding for critical national objectives like safe schools and lower class sizes.''

I am quoting from Sandra Feldman's article, Mr. Speaker, and I will include the entire article for the RECORD.

The article referred to is as follows:

COMMENTARY ON PUBLIC EDUCATION AND OTHER CRITICAL ISSUES—A BLANK CHECK

(By Sandra Feldman)

People in Hartford, Connecticut, have good reason to be proud and pleased. For a number of years, students in this poor, urban school district ranked academically lowest in the state, but things are changing. A new superintendent, working with the AFT local, used Title I money (federal funding targeted specifically to educationally needy children) to put in place a proven program called Success for All. And this year, the district celebrated significant improvements in math and reading test scores.

This is just one story among many in which children are doing better because their schools receive federal funding. But if a measure that Congress is currently debating becomes law, there will be fewer of these success stories.

The so-called Straight A's bill would allow states to lump together federal funding now devoted to programs that are proven to help children learn—as well as programs that help keep schools safe and drug free and enhance learning technology—and give the money to the states to use in any way they choose.

The legislative term for this is ''block grant.'' But it should really be called ''blank check.'' The result would probably be the disappearance—or at least the radical weakening—of programs designed to guarantee funding for critical national objectives like safe schools and lower class sizes.

GURANTEED FUNDING

The biggest of these programs, Title I, reaches 11 million disadvantaged kids—though in fact many more could use the kind of help it offers. Title I money goes directly to the districts and schools where it's most needed, and it pays for, among other things, extra teachers and programs that help students master reading and writing and achieve higher standards. Over the years, as Title I has been improved and focused on proven programs, student achievement has improved, and in some cases, such as Hartford, Title I has been a big factor in turning around entire schools and even school districts.

It is possible that the states would carry on Title I and other programs that are working—but it's very risky. The reality about block grants is that they allow state governments to spend the money any way they want to. And of course, they have their own priorities, their own pressures and demands to answer to, which do not necessarily include needy children.

This is not to say the states aren't good at lots of things. Most have been working successfully to raise student achievement. But it has been the targeted program funds of the federal government that have spurred most of them on. States have never done a good job of making sure all children get their fair share of the education pie. Schools in poorer communities have always been underfunded. Poor children, who need more than other children, have always gotten much less.

SPECIOUS ARGUMENTS

Supporters of education block grants talk about giving states the right to run their own school systems without federal interference. They claim they are for ''flexibility'' and against the ''status quo.'' This is disingenuous, to say the least. Virtually all of the Title I money already goes to the local level, so what kind of flexibility are they talking about? (Flexibility not to spend the money on what works?) As for moving away from the status quo, that already happened in a big way in Title I just four years ago. Strong accountability requirements for district and schools receiving Title I funds were added, and those requirements have been the engine driving a lot of the academic progress we've been seeing in the states.

Of course, there is a big remaining problem with the status quo: There simply isn't enough federal education funding to meet needs. One percent of the entire federal budget is spent on K–12 education, in comparison, for example, with the 2.5 percent spent on transportation. No one denies that transportation is critical, but is building highways more than twice as important as educating our kids?

Americans want money spent according to need, not politics. So why would Congress even consider turning the funding for programs that serve needy kids into pork barrels for the states? Straight A's is bad news for children, and people who care about educational equity should call their members of Congress to tell them so.

To continue reading from her article, quoting, ''The biggest of these programs, Title I, reaches 11 million disadvantaged kids—though in fact many more could use the same kind of help it offers. Title I money goes directly to the districts and schools where it is most needed, and it pays for, among other things, extra teachers and programs that help students master reading and writing and achieve higher standards. Over the years, as Title I has been improved and focused on proven programs, student achievement has improved, and in some cases, such as Hartford, Title I has been a big factor in turning around entire schools and even school districts.''

''Supporters of education block grants talk about giving states the right to run their own school systems without Federal interference. They claim they are for 'flexibility' and against the 'status quo.'''

□ 2000

This is disingenuous, says Sandra Feldman. This is disingenuous to say the least, virtually all of the title I goes to the local level so what kind of flexibility are they talking about? They are talking about flexibility not to spend the money on what works.

As for moving away from the status quo, that already happened in a big way in title I just 4 years ago. Strong accountability requirements for districts and schools receiving title I funds were added, and those requirements have been the engine driving a lot of the academic progress we have been seeing in the States.

Mr. Speaker, I think that the examples that have already been made by the Welfare Reform Act, where large amounts of money that were targeted for the poorest of the poor, welfare people, has not been spent by the States, and instead of them using that money for daycare and for job training, where they have had choices, and sometimes even when they did not have choices, they have channeled the money into other kinds of general funds or road repair or whatever and not bother to use it for the human resource needs that they have had.

Given that example, why should anyone think that giving the States a

blank check on maximum flexibility on education funds will mean that they are going to spend them wisely on those funds? I would like to conclude by saying there is a simple formula that I would like to leave with everybody who cares about education in America. If we just take 10 percent of the surplus, 10 percent of the surplus each year, and devote it to education, we could resolve all of these problems with a minimal amount of distress anywhere.

We do not have to take it from the poor to give to the rich. We can add money to the budget; that 10 percent would pay for construction needs, infrastructure needs. It would pay for additional computers. It would pay for a lot of different things like more teachers for the classroom, 10 percent of the surplus is $20 billion. It is only 10 percent, but because the surplus is so large, it is $20 billion per year.

With $20 billion per year, we can meet the capital needs in terms of infrastructure and equipment, and at the same time, we can also meet the needs in terms of improvements in education in other areas.

We have an answer, and the answer does not require us to be mean-spirited and take away from the poor to give to the rich. The answer is to add more money, 10 percent of the surplus should go for education, and we can solve this problem.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentleman so much for his leadership and the expertise that he brings to the table on education.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I would like to thank the gentleman from New York (Mr. OWENS). He has absolutely been stalwart in bringing to this floor those education needs and some of the concerns that are critical in the communities that have been underserved. We thank again the gentleman from New York.

We have another education leader, I say, because he is on the Committee on Education and the Workforce, but he has also shown great leadership in this area.

Mr. Speaker, I bring to now the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for yielding to me. I commend her for giving us an opportunity this evening to have a general discussion of the state of education policy in the United States Congress and the all-important work that we are trying to accomplish in reauthorizing the Elementary and Secondary Education Act, that is the Federal programs affecting preschool and K through 12 and even afterschool activities that have been reauthorized every 5 years, and this year it is up. I hope we get it right.

Earlier today we did pass a resolution in this House in regards to commemorating and honoring the teachers that serve our children throughout the country. And I am very glad that we took a few minutes this afternoon in order to do that, because, obviously, the studies show that outside of the active, caring, loving, involvement of parents in their own children's lives and especially the education, the next important determinant of how well a child is going to succeed in the classroom is the quality of the teacher actually working with our children, and that is why I feel we cannot do enough in order to support the teachers, provide them with the resources that they need in order to accomplish the job and the tasks and the objectives that we are calling upon them ever more so today to do.

Unfortunately, I am afraid that the turn of the Elementary and Secondary Education Act has not been a happy one. I mean the Federal involvement in K through 12 education funding is roughly 6 percent to 7 percent. It is not a large chunk of the pool of money that is provided to our public school systems throughout the country, but I feel it is a very important piece of the pie, because it goes to targeted, high need, disadvantaged students who are otherwise slipping through the cracks, and through the history of ESEA, there was a consensus developed throughout the Nation and in this Congress that the Federal Government can be involved in a targeted fashion, filling in some of those cracks, providing resources to the poor and disadvantaged high need children in the country. Also, our involvement kind of sets the tone as well and develops themes and develops priority that is we as a Nation really should be working on; issues such as class size reduction, one that hopefully is starting to pick up more momentum State by State, school district by school district.

Even in my own home State of Wisconsin, we have had a very successful SAGE program that has been in place for quite a few years. Last year, the University of Wisconsin at Milwaukee just did a comprehensive study and analysis of the SAGE program, which is a pilot program throughout the State, and the results were really stunning, as far as student achievement and the benefits of class size reduction.

Mr. Speaker, as we speak to the administrators and the parents and the teachers, those involved in the public education system, there are certain things that they are calling upon from the Federal Government, for State governments, even the local school boards to step in and to assist them on, one of which is providing resources needed in order to reduce class sizes so that we do have a better student-teacher ratio in the classroom, which will help with individualized attention then to students, so that the teachers can focus on a high-need students and devote the attention that they need.

But it also adds to increased discipline and safety in our schools. It should be a shared goal throughout the Nation. It should not be a partisan issue. But, unfortunately, it has not become a major part of the elementary and secondary education reauthorization bill, and I think that is a little unfortunate. But hopefully we will have a chance to correct that.

Another important piece of the ESEA reauthorization was something that was passed by the House of Representatives last year, it is still pending action in the Senate, but it was the Teacher Empowerment Act, and that is the resources that we provide back to local school districts in order to provide training and professional development to teachers so they can enhance their skills so that a new generation of teachers, who will hopefully be very well qualified and talented, will be entering the classroom.

Lord knows that we see the real challenge that lies before this Nation over the next 10 years. We are projecting about a 2.2 million teacher turnover within the next 10 years, and this presents not only a challenge but an opportunity. An opportunity to increase our involvement and effort in improving the quality of teachers, attracting young, bright, talented students into the teaching professions, asking them to meet certain certification requirements so that we are getting the best and the brightest into the classrooms dealing with our children.

Mr. Speaker, we could have a new generation of teachers stepping in who are very capable of meeting the needs of an ever-changing global marketplace and a new economy that our kids have to find themselves in. So we need to do what we can within the ESEA reauthorization to help with the teacher training and professional development programs.

There was a provision that I got included in the Teacher Empowerment Act which also provided resources for the professional development of our principals and superintendents and administrators of school districts, realizing that they play a very important role quarterbacking the school districts, setting the tone and providing the leadership of where a school district is going to go.

But I talk to a lot of teachers who feel a little bit discouraged that there are not enough resources being provided for school modernization needs, providing the infrastructure and the technology in the classrooms, making sure that our kids have access to the technology that they need, which can be an incredibly powerful new learning tool at their disposal, but making sure the classrooms are wired, that they are getting access to the software and the hardware and especially, again, that there is professional development funding so that our teachers feel competent and capable of integrating that technology right into the classroom curriculum.

In light of that, I, along with other members of the committee, offered an Ed-Tech amendment to a recent piece of the elementary and secondary education bill, one which would provide

targeted funding exactly for this technology need in the classroom and exactly for the professional development of teachers and also for the integration of the technology into the classroom instruction and curriculum.

Unfortunately, that amendment was rejected in committee. I think it is short-sighted, given the needs of the global marketplace today. In fact, just quickly, I had a very interesting lunch with Jim and Bridgette Jorgensen, who are the cofounders of the AllAdvantage.Com company. They started this company with two others, both of whom were H–1B visa students. They have created 700 jobs in this country alone, and they are expanding by leaps and bounds. But I was asking them about the issue of having to expand the H–1B visa program in the country and why it was necessary. And they said, in the short term it is necessary, because in the short term we are not getting enough of our own kids interested in math and science and engineering and computer science classes so that they can step in and meet the growth needs of a lot of these technology companies that are expanding incredibly fast, and helping to create a 3 percent unemployment level in this country.

Mr. OWENS. Mr. Speaker, will the gentleman yield?

Mr. KIND. I am glad to yield to the gentleman from New York.

Mr. OWENS. Mr. Speaker, my colleague on the Committee on Education and the Workforce made a very important point in passing. Since we are paying tribute to teachers today, I just want to make certain that that point does not get lost. That is that many teachers who are now employed as teachers, as well as many students who are considering teaching, they point to the abominable working conditions in the schools. And one of the abominable working conditions that they cite is the physical infrastructure, the fact that schools are in disrepair.

Schools have, in the case of New York, furnaces that still burn coal and, therefore, they pollute the air. Respiratory illnesses not only are there to be contracted by the children, but also by the teachers. Schools are overcrowded, and that creates an atmosphere which exacerbates the discipline problem. Schools are overcrowded, so they force the kids to eat lunch in three or four cycles, so they have to eat lunch very early.

Mr. Speaker, if we care about teachers, and I heard many protestations on the floor today as to how important teachers are and how much we care about them, if we care about teachers, then we ought to give them better working conditions and I think we should not overlook the fact that we have better working conditions in many plants and industrial offices than we have in our schools for teachers. I thank the gentleman.

Mr. KIND. Mr. Speaker, I thank the gentleman for his comments. It is a very important point. Even schools in my district in western Wisconsin, especially in rural areas, are in need of repairs, and some are emergency repairs. But the gentleman from New York (Mr. RANGEL) has offered a bit of a solution to this nationwide problem in a tax credit for bond referendums issued for the sake of school modernization and school construction needs.

I think it is a very important role the Federal Government can provide by providing tax credits to local school districts, which will save local school districts with the additional expense of having to pay interest on those bonds that are being issued today. And so again, another piece in the puzzle where the Federal Government can partner with the State and local school districts in order to make it affordable for us to be able to provide quality education facilities for our schools.

The essence of passing a budget here in Washington is also about establishing priorities. And if we want to be productive and meaningful as far as our children's future is concerned, we should be building Taj Mahals to our kids in the form of school buildings that they are going to be proud to walk in and do the work and feel proud to learn in. It would be a sure sign to our kids that the adults in their lives think enough about them and their education that we are willing to invest the resources that are needed to get this done and to get this accomplished.

Mr. Speaker, I would hope that our colleagues here in this body would support the school modernization legislation that the gentleman from New York (Mr. RANGEL) has proposed.

Let me just conclude by ending where I started and that is commending the teachers for the hard work that they put in throughout the Nation, and also commending the Vice President who had the courage to finally, at the Federal level, to speak up and say if we are going to get the teacher component of education right, we have got to talk about compensation. We cannot be afraid about talking about adequately compensating our teachers so that we can recruit the best and the brightest in the teaching profession, so that we can retain good quality teachers and not lose them to the private sector. And he has, I think, a very reasonable realistic proposal in awarding teachers who are going on and developing their professional skills with professional development classes, receiving higher degrees of education, providing bonuses to students who go into this subject area and obtaining their higher level certifications that are now being implemented on a State-by-State basis.

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This is something that, for too long, we have been afraid to talk about, yet we see the wholesale abandonment in the teaching profession by a lot of good teachers who would love nothing more than to stay in the classroom and work with our kids, but who are being enticed in the private sector with more lucrative job offers.

Again, it becomes a question of priorities with our budgets and as a Nation of whether or not we are going to do right by the teachers and award them and provide them with an adequate compensation level so that they can make a decent living and take care of their own family while doing something that they love and want to do, and that is, teach in the classroom.

It has been said that good teachers have a form of immortality. That is because their influence and radiance keeps on shining. I have had a few very, very good teachers that touched my life as a kid growing up on the north side of La Crosse, whether it was Mrs. Heillesheim or Mrs. Stoker or Mrs. Mulroy or Mr. Trumain in the elementary school at Roosevelt in La Crosse, or whether it was Mr. Knutson or Mr. Kroner, Gary Corbiser, Mrs. Bee Small in the middle school at Logan. In high school, there were so many good teachers who I had the privilege to have teach me, whether it was Ernie Eggett, who taught me advanced algebra or calculus; or Joe Thienes who made physics and chemistry interesting for this student; Mr. Anderson, Mr. Markus, and Diane Gephardt who taught me how to write; Ron Johnson who sparked my love and interest in history that I carry with me even today.

I just want to conclude by thanking them, in particular, for the role that they had in bringing me up because it did not necessarily have to end up here in the Chamber of the people's House, the House of Representatives. But for their influence and their concern about the future and my life, as well as a couple of loving parents that I had growing up under, it could have been a lot different for this kid on the north side of La Crosse.

So tonight I just want to pay special tribute to those teachers who had a major impact and influence in, and influenced my life.

Ms. MILLENDER-MCDONALD. Mr. Speaker, one can see the leadership that the gentleman from Wisconsin (Mr. KIND) shows, and he shares with us in showing how great teachers and quality teachers can bring about a quality Member of Congress.

I suppose I started also in talking about the person who was instrumental in my life, my father, because my mother died when I was 3½, and I was brought up by my father. This is why I carry the full name of JUANITA MILLENDER-MCDONALD. But he was so absolutely so strong on quality education.

This is why, Mr. Speaker, H.R. 4141 is potentially detrimental to both the Safe and Drug Free School Act and the 21st century community learning centers. Further, the national program on hate crime prevention sponsored by the Safe and Drug Free School Act could lose much-needed funds if this particular provision, that transferability

clause, passes in this ESEA reauthorization.

We can no longer, Mr. Speaker, tolerate violence, especially gun violence that affect the lives of our students. We have seen that with Columbine and the others.

So I plan to offer an amendment which repeals the transferability clause in Title I of H.R. 4141 when it comes to the floor. I believe that it is extremely harmful for the local education agencies to be able to transfer funds between educational programs thereby weakening the original mandate of those funds.

Again, Title I is for our poorest of children, the poorest of schools. I have those schools in my district of Watts and Wilmington and other places.

I say to all of us in this House, let us not forget the disadvantaged student, the one who critically needs quality education.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3709, THE INTERNET NONDISCRIMINATION ACT

Mr. LINDER (during the special order of Ms. MILLENDER-MCDONALD), from the Committee on Rules, submitted a privileged report (Rept. No. 106–611) on the resolution (H. Res. 496) providing for consideration of the bill (H.R. 3709) to make permanent the moratorium enacted by the Internet Tax Freedom Act as it applies to new, multiple and discriminatory taxes on the Internet, which was referred to the House Calender and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 701, THE CONSERVATION AND REINVESTMENT ACT OF 1999

Mr. LINDER (during the special order of Ms. MILLENDER-MCDONALD), from the Committee on Rules, submitted a privileged report (Rept. No. 106–612) on the resolution (H. Res. 497) providing for consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreational needs of the American people, and for other purposes, which was referred to the House Calender and ordered to be printed.

LAND OF MANY USES

The SPEAKER pro tempore (Mr. HAYES). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I have a very serious subject of which I want to address to my colleagues, a subject of which many of my colleagues in this room, while it is not in their district, they may not have the kind of knowledge that I hope to kind of infer into them this evening during our discussion.

What I want to visit about really is specific, as it first comes out to the State of Colorado and to the Third Congressional District. Did my colleagues know the Third Congressional District is one of the largest districts in the United States? That is the district that I represent in the United States Congress.

That District geographically is larger than the State of Florida. It is a very unique district. I will kind of point out the district here on the map to my left. It is this portion of Colorado. It consumes over 60 percent of the State of Colorado. In that area, just roughly speaking, with the exception of Pikes Peak and part of Estes Park, all the other mountains, for the most part, are contained within the Third Congressional District of Colorado.

Now, this district has some very unique features about it. First of all, the amount of Federal land ownership within the district, which exceeds 22 million acres. This district is also a district which supplies 80 percent of the water in the State of Colorado, even though 80 percent of the population lives outside the Third Congressional District.

This district is also unique. Well, in fact, the entire State of Colorado is unique in that Colorado is the only State in the whole union, the only State in the whole union where we have no free-flowing water that comes into our State for our use. In other words, all of our water flows out of the State.

Now, in this particular district, as my colleagues know, because of the amount of Federal land, we have a concept called multiple use. I want to give a brief history of multiple use. Although I have talked many times from this podium to my colleagues about multiple use, I am asking for their patience again this evening, because I want to give a little history of multiple use and why in the West we have much different circumstances or consequences of decisions in Washington, D.C. regarding land than they do in the East.

Let me put it this way, multiple use is critical for our style of life. There are many organizations that are up and down the eastern coast around in these areas that really do not understand what it is like to live surrounded by Federal lands. So it is very easy for them to criticize those of us who live in the West for our lifestyle. It is very easy for those individuals to tell us to get off the Federal lands as if we had no right to be on those Federal lands.

Well, let us start with a little history. After I go through the history, then I am going to move into the White River National Forest. It is one of the most beautiful forests in the world. It is an area which I grew up on. I was born and raised in Colorado. My family has been there for multiple generations. I can tell my colleagues that there are a lot of people that are very proud of the White River National Forest. So we will move into the White River National Forest.

But, first of all, let us start with a little history on the concept of multiple use. In the early days of this country, the United States, as a young country, wanted to expand. Obviously the only place to expand was west because our people and our country started over here on the eastern coast near the Atlantic Ocean.

But as the United States began to acquire land, for example, through purchases like the Louisiana Purchase, they needed to come out here into these new lands. Back then, having a deed for property, unlike today, today if one has a deed for property, it really means something. One can go into the courts and enforce it. In those days, in the frontier days and the early days of the settlement of the United States as we know it today, having a deed did not mean a whole lot. One had to have possession. That is where, for example, the saying possession is nine-tenths of the law. That is where that saying came from.

So the challenge that faced our government in the East was how do we encourage our citizens who have the comfort of living in the East to become frontiersmen, and I say that generically, to become frontiersmen to go West and settle the West and get possession of the lands that we want to become later States in the United States.

So the idea they came up with is, well, let us do the American dream. One of the pillars of capitalism, one of the pillars of freedom, one of the pillars of which the concept of our government was made, that is private property. Let us give them some land. I think it is every American's dream to own their own home, to own a piece of property.

It was many, many years ago, hundreds of years ago when our country was formed. So they thought, the leaders at that time, the way to get these people to move out here to the West, to settle all of this new land, let us give them land. Let us see if they go out there and they work on the land, and they show that they really care about the land and they devote themselves to the land. Let us give them the land, maybe 160 acres, maybe 320 acres. It is called the Homestead Act.

That worked pretty well, except when one got to the West, to the West right here, out here, 160 acres, for example, in Kansas or 160 acres in Nebraska or 160 acres in Ohio or 160 acres elsewhere, in Missouri or Mississippi, one could support a family, or maybe 320 acres, one could support a family off that.

But when they got into the Rocky Mountains, for example, they found out that 160 acres, it will not even feed a cow. So they went back to Washington. In Washington, they said, what do we do? We are not getting people to go out here and settle in these areas where we want them to settle.

So they thought about it. One of the thoughts, of course, was to let us give them an equivalent amount of land. Let us say to them, look, it takes 160 acres to support a family in Nebraska. Let us give them 3,000 acres in the mountains. The leaders thought about it, and they thought, politically, we cannot give that much land away because we expect a lot of people to go out there.

So then someone else came up with the idea, well, let us do this. Let us go ahead in the West. In the West, let us have the government continue to own the land as a formality, and let us let the people use the land just like they do in the East; thus, the concept of multiple use.

Now, many of my colleagues who have been in the West and have entered a national forest, they may have seen a sign that says, for example, ''Welcome to the White River National Forest,'' and underneath there hung a sign that said ''A land of many uses.'' That is what this really represented, a land of many uses.

Later in my discussions, we will talk about how a land of many uses has expanded, how it has expanded to protect the environment, how it has expanded much beyond ranching and farming and mining and things like that. It has expanded into recreation. It has expanded into multiple, multiple uses. In fact, that doctrine has grown unusually.

Let me tell my colleagues what we have right here, the map that I am showing them. This map represents here in the east where most of the white spots are, with the exception of the Appalachians here and the Everglades down in Florida, there is very little Federal land ownership out in the east. These big blops in the West, all of the colors we see, that is land owned by the government.

So at this point, what I want to stress upon my colleagues as I address them here on the floor is the difference between land ownership by the government in the east, of which it is, for all practical purposes, at a minimum, and land ownership in the West which, for all practical purposes, is almost total.

Now, understanding that, when one lives in one part of the country where the Federal Government has very little Federal ownership and really for development or planning or zoning, one can go to one's local city council or one's county governments in the East, compare that living style to, in the West where, really, when one wants to have some kind of zoning or thing like that, one has to go to the government in Washington, D.C., because one is surrounded by government lands.

Now, let me say that, in these big blops of federally government-owned land, Federally-owned land, and other government-owned land, there are communities out there. There are small towns. I will give my colleagues some examples of towns which they will recognize right away: Aspen, Colorado; Vail, Colorado; Glenwood Springs, Colorado; Meeker, Colorado.

Now, the reason I am giving my colleagues those communities is I am kind of focusing this in on the White River National Forest.

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All of the communities, in fact, all the ski resorts in Colorado, are located within the boundaries of the Third Congressional District, which I represent. Now, those communities are totally dependent on cooperation from the Federal Government. We here in Washington, D.C., dictate what those communities, and hundreds of other communities just like them, what they get to do. We dictate whether or not they get to have power lines to bring power into their communities. We dictate whether or not they get to have highways that come into their communities. We dictate their water resources.

In some cases, the Federal Government, under a new policy, is now attempting to reverse, turn on its head, or completely ignore the long-standing doctrine that recognizes State water law and go into States like Colorado and say, look, if your water, for example, is stored upon Federal land, runs across Federal land or originates on Federal land, even though you own it, we are going to confiscate a part of it and we are not going to let you have access to it any more. In other words, the government has complete control of the life-style in the West.

In the East, people are generally very free from the government. And when I say the East, let us go ahead and draw a boundary here on this map. Coming up here from the Canadian border and right down and through Colorado, actually going down I–25, half of Colorado has very little Federal land ownership in it. Coming down here, up through here, through Oklahoma and down right to the border there in Arizona, over in this area over here, everything east to the Atlantic Ocean, very little government ownership. Everything to the west almost total government ownership.

Well, that leads me into the topic that I want to visit this evening on, and that is the White River National Forest. The White River National Forest is a huge forest, about 2.7 million acres, approximately. One-third of that forest today, one-third of that forest, is held in a wilderness area.

Now, a wilderness is the most restrictive management tool that the government uses. It is the tool for management that has the least amount of flexibility. I know something about wilderness. I have sponsored and carried into law a number of wilderness bills. The White River National Forest has amongst the highest percentage of wilderness anywhere in the United States, and certainly has the highest percentage of wilderness within the State of Colorado.

Wilderness is very appropriate under very tight circumstances. And when people talk about wilderness, obviously, it is a very fuzzy word. How many of my colleagues in here do not like the word wilderness? How many people have my colleagues ever met, when asked if they like wilderness, do they like mothers, do they like ice cream, have ever heard them say no? It is kind of like finding someone that is anti-education. They are not out there. But when we take a look at the legal definition of the word wilderness as it applies, for example, to Colorado water rights, as it applies to a number of other things, we have to be very, very careful about the application of a wilderness area.

I have a bill called the Colorado Canyons Bill, which I intend to present to my colleagues here in the next couple of weeks. In that one I am proposing 72,000 acres that is in a wilderness study acre to be converted to wilderness. But I do that only after very, very careful study.

So we know now that the White River National Forest has many, many different communities contained within its boundaries, and within those particular boundaries we have one-third of the forest, or about 750,000 acres of the forest, which are in wilderness as we now speak.

Now, when we take a look at the White River National Forest, let us talk about some other issues. There are issues, like water. What is important to remember about the White River National Forest, and let me kind of show, it is very hard to define it, but it is an area about like this on the map, it would be about the size of a silver dollar here in this area, in the White River National Forest we have six rivers which start in that forest. Six rivers originate in the White River National Forest and a seventh river, the Colorado River, comes through the White River National Forest. So water is a critical issue.

Now, remember, as I spoke earlier in my comments, water in Colorado is very unique. We are the only State where our water runs out. We have no water that comes in. In the particular area of the State where the White River National Forest is, we supply 80 percent of the water for Colorado. Eighty percent of the population in Colorado resides outside the Third Congressional District, and probably, oh, 95 percent of the State's population resides outside the boundaries of the White River National Forest.

Well, what happens, in managing these forests, and now, remember, these forests across this country, it is our land, remember the song This Is My Land, This Is Your Land, it is our land and it represents ownership of all of us in this room. Some of us are obviously much more directly impacted by

that because we live there. Many of my colleagues have never set foot in it. I hope, by the way, some of my colleagues all have an opportunity to visit the White River National Forest.

By the way, if any of my colleagues have ever skied in Colorado, ever river-rafted in Colorado, ever mountain biked in Colorado, ever kayaked in Colorado, ever snow-boarded in Colorado, or ever camped in Colorado, the likelihood is very high that any of those family recreational activities that my colleagues have participated in occurred on the White River National Forest.

As I said earlier, these are our forests, they belong to us, and we have a fiduciary relationship to the people of this country to run those forests. So we have an agency that is in charge of the forests called the United States Forest Service. Now, obviously, they are subject to review and guidance by the United States Congress. So, really, the buck stops here.

To manage our forests what we have decided to do is to put out what we call a forest plan. Now, with today's technology it changes so rapidly that a long-term plan has to have flexibility built into it. In the older days, for example when the plan that this forest is now managed under was first drafted, in about 1984, we did not see that kind of rapid change so we could have a 10- or 15-year plan for the forest. Well, that plan is about ready for review. It needs to be replaced with a new plan. So the U.S. Forest Service has spent a good deal of time going out and seeking opinions on what is the best way to manage this forest, and that is what we are going to discuss tonight.

Now, I should tell my colleagues that I believe very strongly in a quote by Theodore Roosevelt when it comes to these forests, and I ask that my colleagues listen to the placement of the words, because I think it is very appropriate as it relates to what we are speaking of. By Theodore Roosevelt: ''I recognize the right and the duty of this generation to develop and use the natural resources of our land, but I do not recognize the right to waste them or to rob by wasteful use the generations that come after us.''

When the forest issued its plan, I think, frankly, they did a pretty good job in solicitation of opinions. And I can tell my colleagues that a lady by the name of Martha Kattrell, Lyle Laverty at the U.S. Forest Service, and a number of other people down there really have put some hard work in this and I wanted to recognize them this evening. That does not mean I agree with them. I will cover a number of different subjects of which I do think we have agreement on, but I will cover some subjects, specifically water, of which we have drawn the line in the sand.

Let me go back to what they have done. The Forest Service has come up with a recommended plan. When that plan came out, I objected to it quite strenuously. I objected to it on a number of different counts, the first and foremost of which is water.

Now, look, in Colorado we have to stand up strong for our water. There are a lot of my colleagues in this room that do not live within the boundaries of Colorado but who depend on Colorado water and are very anxious to get as much of that water as they can. If I lived in their States, I would want as much Colorado water as I could get too. By the way, it is the best water in the country: Rocky Mountain spring water, Coors beer, et cetera, et cetera. But I do not live in any other state, I live in the State of Colorado, and that is an asset of which Colorado has and places great value. I think my colleagues place great value on it too.

But I think we have to be very fair in how we deal with water, and the White River National Forest plan, the plan that the Forest Service has come out with, in my opinion, ignores, preempts, or bypasses Colorado water law. Now, Colorado water law is exactly the law that every other citizen in the State of Colorado must live by. There are no other citizens in Colorado that get exempted from Colorado water law. There are no kings, no queens, no special privileged class that gets to treat water as it wants without falling under Colorado water law.

Now, the Federal Government wants to come in and create a special class. The Federal Government wants to come in, and by the way this is above the level of Martha Laverty, this is from Washington, D.C., they want to come into Colorado and create a very privileged class. It is called the Federal Government. It is called the Washington, D.C. bureaucracy of the United States Government. They want to be treated differently than anybody else in the State of Colorado when it comes to water. And guess why? Because they want our water in Colorado. And, frankly, it has an impact on the water that some of my colleagues use that comes out of the State of Colorado.

So we had a disagreement on water. We will cover that even further as I go into my comments. But what did I see as another fallacy in the plan? I saw water as a fallacy. What other fallacy did I see in the plan? Really, as I said, they gathered a lot of good comments, but what I think they did in error is they took these good comments and they spread them over several different plans. They did not just pick one plan. Although they came up with a suggested plan, in their review they reviewed a number of what they call alternatives. So they had like six or seven alternatives and they came out with their recommended alternative or recommended plan.

Well, in each of these plans they put some pretty good recommendations, but they spread them out when they only got to pick one. I was critical of that. I thought we could do a better job. That is not to be adversarial to the U.S. Forest Service. Although let me make it very clear, let me make it very clear, that my position with the United States Government is adversarial when it comes to Colorado water. There should be no doubt about that. I am on one side of the line on Colorado water and the United States Government is on the other side of the line.

But that said, with the exception of water, I found my relationship, my working relationship with the U.S. Forest Service on the White River National Forest very constructive. But I was critical of the way they came out with their plan, so I decided to do what no other Congressman in the history of the United States Congress has done, what no other U.S. Senator has done in the history of the U.S. Senate, and that is, in essence, draft the U.S. Forest Service's forest plan for them.

Now, first of all, I had to figure out what was my theme. What did I really want to see in the White River National Forest. Remember that this forest has thousands, tens of thousands of direct jobs related to recreation. The world class ski resorts are located in this forest. And by the way, I do not see anything inherently evil with skiing. I do not see anything inherently evil with snow-boarding. I do not see anything inherently evil with riding a mountain bike. I do not see anything inherently evil with camping, or with kayaking, or with riding an ATV. Where the inherent evil is if we abuse the resource which we are utilizing for family recreation. There I see inherent evils, and we needed to address that in our forest plan.

So I titled my forest plan, Forest Rest and Forest Use. Again, Forest Rest and Forest Use. That was kind of the boundary within which I wanted to contain or to construct something that I think would be a positive addition to what the United States Forest Service came out with in regards to their plan. And I will give my colleagues a little bit of my own background.

I was born and raised in Glenwood Springs, Colorado. My family had been there for a long time. My family has been in the district for many generations. I had my first date on the White River National Forest. Now, do not worry, it was not that exciting. I had my first fishing trip in the White River National Forest. I have had a lot of experiences, hiking, and I have learned lots of things about the environment, about wildlife in the White River National Forest. I have a deep appreciation for that forest, and I think I know that forest as well as any layperson.

Now, my colleagues may notice that I used the word layperson, because there are people who have far more expertise on that forest than do I. And in order to draft a plan that I thought was a balanced plan, that really fell within the boundaries of giving the forest a rest and using the forest in a proper way, in order to do that, I felt I needed to have an expert on board. I was very fortunate. Without qualification, one of the top experts in the United States

of America, specifically on the White River National Forest, is a gentleman named Richard Woodrow. His nickname, by which most people know him, is Woody. Seems appropriate for this forest. Although I should tell my colleagues that this forest is not a timber forest, just so we know that up front.

□ 2045

But Woody supervised that forest. Woody drafted the last forest plan. The forest plan that we are currently under right now was drafted by Woody in 1984. Woody was the deputy secretary or the deputy assistant under the Forest Service for all wilderness and all recreation. There is no question that he is qualified.

I can tell my colleagues that some special interest groups decided they were going to criticize me before they even read what I had to say. But during all this criticism, not one of them criticized the credibility, the integrity, the knowledge, the instinct, or the hands-in-the-dirt concept of Richard Woodrow. That man is a scholar when it comes to the White River National Forest.

I went to him and I said, Woody, would you help me draft a plan for the White River National Forest which could be seen as a constructive addition to what the Forest Service is attempting to do? He said yes. But he said, yes, with some conditions. Number one, it had to be balanced. Number two, I had to be willing to stand up for forest health.

Now, it is very easy in that forest for somebody to say, no timber cutting. But if you know about management of wildlife, if you know about the health of a forest, you know that you have to harvest some timber. That is not a timber harvest forest. This is not where companies go to get timber. Companies come in there at our request to take some out. In the last 100 years, less than four percent or so of the forest has ever been timbered.

But he had said, look, there is going to be pressure on you to back down on this. You have to stand with me on forest health. You have to stand with me on balance. I said, I am in. Let us go together. Let us put together a team.

The next thing we decided we had to do, well, what should our process be? I felt very strongly that the process to construct this plan needed to be built at the local level.

We have nine counties involved in the White River National Forest. Now, these are large counties by eastern standards. But we decided that five of those counties have much more impact by the White River National Forest. So we decided that we would go to each of these counties and we wanted to build this plan from the local level up. Now, remember, I had a very short window of opportunity to do this.

This report, and this is a copy of it right here, it is about 160 pages without the maps, it is highly technical. Highly technical. I had less than 5 months to go out, do the research, visit with the people, get the input, send the input back, have it back and revise it, send it back, revise it, send it back, get it ready for final print, and meet the deadline of May 9, which is today. We had to meet today's deadline, and we did meet that deadline. But I had a very short window of opportunity, which means I had to get some volunteers out there to help me out.

Those volunteers were the counties. We went to county commissioners. We went to county planners. We went to user groups. And we went to all user groups. We went to Colorado Ski Company. We went to Fat Tire, the mountain bikers. We went to the wildlife division, natural resources. They provided our expertise for Division of Wildlife. We went for water expertise. Even though I think I have a lot of background in water, we went to the Colorado Conservation Board. We went to the Colorado River District Board.

We sat down with all of these different groups and we said, provide us with expertise on what we ought to do with the White River National Forest.

Now, I can tell my colleagues, one of the criticisms we got out there was from some of the more special interest environmental groups. And by the way, they do not own the term ''environmental.'' I think everybody in this room is environmental. Certainly the people I live around care about their environment.

But they said, look, SCOTT MCINNIS never sat down with us eye to eye. Well, that is true but it is a kind of play on words. They had submitted their own alternative.

Unfortunately, the Forest Service in doing its alternative had drafted all of their alternatives in-house except for one. They allowed one out-of-house, so to speak, alternative to be submitted for consideration of their plan. And that was drafted by groups like the Aspen Wilderness Society, Sierra Club. I think some others might have been involved in that.

That plan, by the way, was called Plan I. That plan was very well-drafted. It was well-worded. It was easy to understand. I did not agree with all of it. Although I did agree with some of it. In fact, I adopted some of it in my own alternative right here. But that document was right in front of me.

So, instead, because of the short window of opportunity I had to complete all of this work, and it really was a huge task to complete, instead of meeting with those different groups, I had their plan written. We went through their plan line by line. We went through their recommendations recommendation by recommendation. Some we rejected.

For example, when it comes to water, let me tell you, the national Sierra Club and some of these other organizations do not have Colorado's water in mind from a perspective of the need of Colorado people. So we disagreed on water. There were areas of the so-called environmental plan, Plan I, that I felt were worthy.

So we sat down and looked at that. We reached out. We reached out into the community. Because I felt that we had to go out there and figure out what uses we could manage, how could we manage those uses, what areas need special management tools, whether it is a designation of a wilderness area, whether it is an intermix area, whether it is a special interest area. But in order to do that, I felt local input was critical.

Now, some people will say, well, gosh, SCOTT never visited with me. I am a hiker. I hike up on the White River National Forest. Look, we could not meet with everybody, but we did the best we could with the resources that we had. I think we have come up with an excellent product. In fact, I think some of the critical reviews of it have been pretty good.

Let us talk a little more. That is the process. So we wanted to gather at the local level, which meant we processed it up. And then our job really was kind of like an architect or like a general contractor. We subcontracted to each county. Garfield County we kind of subcontracted. Okay, Garfield, tell us where you would like wilderness areas. Tell us what kinds of uses you think are appropriate in your county on the forest. Tell us what you are dependent upon as far as highways.

Every power line into Glenwood Springs, every natural gas line, every highway, all of their water, all of their TV towers, all of their radio towers, all of their cellular towers. In most of the communities in the forest, they are all dependent on the forest allowing them to do that.

So we went to each county like a subcontractor and we said, all right, give us a bid, so to speak. Tell us what you can do with the project as a whole. I will act, with the assistance of Richard Woodrow and a number of other people, including my staff, by the way, who, if I could pin five stars on them, I would, they did a wonderful, wonderful job in this, but I wanted to submit this; and then we, as the general contractor, would try and mold the project, try to flow chart the project so that we could come out with a plan, which we did.

That was our mission. That was the process.

Now, in doing that, we covered a number of areas. Let me say at the very beginning there was one area, I have mentioned it several times, I will mention it again, there was one area of which I said was non-negotiable, non-negotiable. I really was not interested in negotiating with anybody on that particular subject. And that is Colorado water.

The water of Colorado should be administered by the laws of Colorado. The water of Colorado belongs to all of the people of Colorado. And in order to adjudicate that water, we have laws that are time tested, court tested, and put-on-the-ground tested, so to speak.

Colorado has management of its water. We have some of the best instream water flows in the Nation. We have lots of protection for our streams. We have gone through lots and lots of controversy on our water. Our water law is true and tested and it is non-negotiable as far as allowing an exemption to it.

What the Federal Government wants is an exemption. They want to be able to come in and preempt, saying, hey, we are the Federal Government. We are bigger than you. We are from Washington, D.C. We will get our way in Colorado. We do not care what your Colorado water law says.

I reject that on its face. That was non-negotiable. But that is about the only point, my colleagues, about the only point that I started out with as non-negotiable. Everything else I felt was negotiable so that we could come up with the best plan for forest rest and forest use.

My belief is that we have a right to use it but we have no right to abuse it. How do we siphon out the abuse? How do we manage it without eliminating it?

Now let talk just for a moment about the recommendation that the Forest Service made. Their recommendation, in essence, said that the historical use of this forest, which one-third, as I told you, has been used for wilderness, two-thirds of it has been predominantly utilized for recreation, they turned that on its head. They said, from now on, we are going to give priority to biological and ecological considerations.

Well, I do not think this is a zero-sum game. I do not think it is either or. Let me tell you, that forest really is a family recreation forest. I think we can have family recreation and I think we can give priorities, customize priorities, to our biological and ecological concerns that we have out there. But I do not think that we have one at the total elimination of the other.

That is where my plan differs from the Forest Service. I have drafted a plan that protects wilderness areas. I have drafted a plan that goes in and even customizes to a greater extent what we do with our wildlife, how we protect our wildlife.

For example, from the Forest Service, they have got a lot of elk and deer habitat in the summer. In the summer in Colorado, the elk and deer have plenty to eat. It is in the winter. We have some pretty tough winters out there. We have deep snow. We shifted the elk habitat from the summer to the winter.

On recreation, we did not go in and say no more consideration for expansion or growth in ski areas. Whoever imagined, for example, snowboards 15 years ago when this plan was drafted? We went in and said, look, recreation is compatible with the management of the forest if it is correctly monitored, if it is correctly reviewed before it is allowed to be initiated on the forest, and if it is correctly managed. If it meets those terms, then recreation should have a place on that forest.

That is exactly what we did, for example, with ski areas. Now, they will make it sound like there is some outrageous thing going on with ski areas. Not at all. We do not waive one NEPA review. We do not waive any other type of environmental permit. We do not waive any type of environmental study at all. We do not waive any public meetings.

All we said is that what is allowed today for ski area expansion is too much. It needs to be reduced. But we are not going to eliminate it. We are going to allow for consideration, only for consideration. We do not automatically grant it. We do not say there is any kind of special privilege. We just say there ought to be consideration.

We went back on wildlife management and we went to our experts, like the Division of Wildlife, and we asked them for their expertise. We did a lot of things with wildlife we are proud about, including even the utilization of trails and trails that would help the management of wildlife.

Wildlife, if my colleagues could hear Woody talk about it, Richard Woodrow, if they could hear him talk about it, he talks about how certain ages of the forest are more conducive to certain wildlife. That is why in one area of the forest we may want to have a burn or we may want to do some timber for beetle kill, because elk and deer love where we have had a controlled burn. They love to come in and graze on that a year or two later. We need to know how these all connect together. We had the expertise on board with Wildlife to figure out how this connection is made.

Let me say on travel management, as I mentioned, this is a family recreation forest. And what has happened in Colorado, many of our constituents who have money have discovered Colorado and they are out there buying the land.

When I grew up, we really got permission to go really anywhere we wanted. We could walk across fields. We could go hunting and fishing and wildlife watching. There were a lot of different things we could do.

Well, today what we have seen, and I do not complain about it, I mean, they have the right to buy property, people have come in and purchased the property and they have put up ''no trespassing'' signs.

What that means is that the White River National Forest has become even more of a common-man forest. This is where the common person gets to recreate.

Now, there are a lot of elitists who have never set foot in that forest. There are a lot of elitists who do not depend on family recreation in that forest. There are a lot of elitists who go into that forest for a once-a-year recreational experience and then they are out of it.

□ 2100

This is elitists, they are saying, hey, wipe this recreation out. I have got a lot of families out there in Colorado that camp every weekend, that go fishing, that go river rafting. They are younger kids, even people my age. My knees will not hold out, but they go snowboarding. It is a common person's forest. And recreation is not inherently evil if properly managed. That is what my plan does. My plan properly manages what we call travel management. We have loop trails. We worry about people leaving the trail. In fact, what my plan calls for, for summer motorized use, for some use, you cannot leave a designated trail. Right now you can actually in a lot of different places, you start wherever you want, take any kind of apparatus you want, whether it is a motorcycle or a mountain bike or a horse, start anywhere you want and make your own path in the forest. Those days are gone. We are not going to let you make a path anywhere you want in the forest. We are going to make the paths, and you are going to follow the rules on them but those paths are going to be a great experience for you.

For example, one of the problems we have had with trails is that they go one way. When you get to the end of them, you have got to turn around and come back. People tend to get bored so they tend to leave the trail. We loop some trails. We don't build any new roads to loop the trails, by the way. We find a trail here, find a trail here, find a connection with an old mining road, we loop them so they are not coming back the same direction. So the incentive to leave the trail is not there.

We are putting in under my plan a new program called Forest Watch, kind of like Crime Watchers, kind of like Wildlife Watch. What we do is we want people to report people that are abusing the forest. If somebody is abusing the forest, get them the hell off it. Get them off that forest. Nobody in Colorado wants people that abuse the forest up there. The people of Colorado recognize the privilege, and it is a privilege, to use that forest. There are always going to be people that abuse the privileges. We have people within the great halls of Congress who abuse their privileges. Get them out. Get them off the forest. That is what our Forest Watch will do.

We will have a 1–800 number. I noticed the criticism, that it has to be within the Forest Service budget. Where else are you going to get it? We are not asking people to insert a quarter or 35 cents in the telephone. We should provide that program. We also put together what we call our Youth Conservation Corps. We have a county, Eagle County, we have had great commissioners, by the way, who have worked with this. But out of Eagle County the commissioners are saying we have got a lot of great young people in our county. They want to get involved. They are wildlife oriented. They are outdoor oriented. If we put up money to help them maintain trails, would the Federal Government match

it? We call it the Youth Conservation Corps. We get them outdoor experience at a young age and let us make that experience one where they are up maintaining trails, where they are helping to help preserve the beauty we have on the White River National Forest. That is an idea contained within my plan. It is called the Youth Conservation Corps.

Our scenic byways. We do special scenic byways. The more scenic we can make our byways, the less inclined people are to leave the byways. Think about it. When we manage people on the forest, some people, some in my opinion elitists would say get them off the forest. I take a much more moderate position. Manage the forest. The way you manage it is you try and think about it. Okay, for example, loop the trail. For example, scenic byways. The more attractive we can make the byway, the less likely somebody is going to leave it. That is a clever way of management.

We have an area called Camp Hale. Bob Dole, the dear colleague of all of ours who was in the 10th Mountain Division, you have heard a lot about that, Camp Hale is where they did their training. Right now that area is overused. Some would suggest we shut it down. Some would suggest get the people off it. Most of those suggestions, by the way, come from people outside of the area. My position is do not shut them out. Manage it. Let us put in an interest center. Let us have management of that. Let us have people come in, just like our rivers, we have to manage those. We can do that. They can come in and get information. Let us help make their experience good but let us make the experience on the forest good for the forest as well.

On wilderness, wilderness is important. We did not just go out though and paint a blanket brush of wilderness. We went to the counties and said, tell us where you think wilderness is appropriate. Just because an area is not in wilderness does not mean that it does not receive protection. There is an entire spectrum. If you were to draw a spectrum, there are all kinds of tools. You can manage a forest or government land as a park, as a monument, as a special interest area. There are 100 different tools. The most extreme management tool is wilderness. But if you do not put something in wilderness, it does not mean that it is not protected or it is not managed. In fact, there are 100 different or more tools to manage that, to help control it to protect the resource.

That is what we do. We go and say, is wilderness the most appropriate way to manage it? If it is, it is in this plan. It is in this plan. We have good wilderness designation in that plan. I have good wilderness designation on my Colorado Canyons bill.

We talk about grazing. Grazing is a privilege on the forest we want to protect. Why? Remember earlier I said that a number of our constituents are coming out to Colorado and they are buying up the land? Ranching is a tough business. What we are seeing is people are coming in and making ranching not as viable as it used to be, because they buy the land for subdivisions. They buy the land to build huge mansions on it. My point is this. Let us try and keep these ranches in business. These ranches and farms, let us keep them in business. But one of the ways we can help keep them in business is supplement their private property with grazing rights, properly managed grazing rights.

My plan goes in where there are vacant allotments and it does not automatically close all those allotments as has been recommended. My plan goes in and says, wait a minute. We sat down with the ranching community and the farm community. We say, which allotments really will you not use, let us close those, that is an easy decision. Which allotments are really necessary to keep the farm, the ranching community viable so that we do not have our ranches turning into subdivisions? We do not want them out there, those subdivisions. Obviously we all want to have a home. But you know what I am talking about. That is why grazing is important. Grazing protects open space. We want open space properly allocated. My plan does that. This plan takes care of that. It protects those grazing rights.

Recreation, I have talked about it. As I said earlier, think about it. It is not inherently evil to go out and recreate. Here in the East, do not forget in the East you can recreate, you can go out and recreate all over the place. In the West we are very limited. We have to recreate on government land. Look at Alaska. Ninety-six, 97 percent of the whole State is owned by the government. We have a right for recreation just like you do. My family did not go to the children's museum. We did not go to the zoo. I never saw a zoo until I was in my late teens. We went out into the mountains. That was our family recreation. We had that privilege. That privilege has not been abused to the extent that it should be eliminated. But it has been abused to the extent that it should be managed, and that is what we do in this plan. This McInnis plan, Mr. Speaker, manages that recreational use.

Let me just real quickly show you some quick differences between what is currently allowed. Here is a prescription, that is the use, this is the existing plan. This is how the forest is managed today. That is what is in existence right now. This is my blended alternative. That is my plan. Some people have called it the McPlan, some people have called it the McInnis plan. We call it the blended alternative. Let us talk about recommended wilderness. In today's existing plan, the plan of which the current forest is managed, it has zero acres recommended for wilderness. We come in with 16,000 acres. Those 16,000 acres are custom selected. We did not just go out and say here is a good area for wilderness, let us put one here and one there. We went out and studied it. We had the experts.

This plan does a good job. Back country recreation nonmotorized, which means you cannot use an ATV or a Jeep or four-wheel drive. Under the existing plan, they have a plan for 80,700 acres of that. We up that to 92,730 acres. Research, natural areas. They have 300 acres planned for that, where you do research on the natural area, just as the words describe it. We think that needs to be dramatically increased. We jump up 300 to 11,317. Special interest areas, from zero acres, we go 1,741. That would be an example of Camp Hale. Back country recreation year round motorized. Look at this number. They allow under today's management plan 170,000 acres. We cut it down to 30,000 acres. What the Forest Service did is cut it down to 4,000 acres, from 170,000 to 4,000. We said, look, 170,000, with today's kind of growth and use of the forest is too much. It needs a dramatic cutback. But not elimination. It needs management. We prefer management over elimination. That is why we come up with 30,357 acres.

Back country recreation, nonmotorized with winter motorized, snow machine or so on, 100,000 acres today. We reduce that by 40,000 acres, by 40 percent, is our reduction. Scenic byways, scenic areas, vistas or travel corridors, zero acres, we increase it to 20,000 acres. Forested flora and fauna habitat, they have 150,000 acres for this habitat management, 150,000. We move it to 518,000 acres. Deer and elk winter habitat, they have 134,000 acres under today's plan, we move it to 190,000 acres. Bighorn sheep habitat, 7,000 acres to 23,000 acres. We depended very heavily on our expertise from the wildlife management to help us plan that. The elk habitat, 16,000 acres, we move it to 70,000 acres, from 16,000 to 70,000. By the way, my district has the largest elk populations anywhere in the world. The intermix, which is very important, from zero acres to 12,000. And ski-based resorts, existing and potential, they have it so you could expand to 70,602 acres outside its current permit. We call for 58,198 acres, just for consideration. Remember, that is not automatic at all. That has to go through a review that is stringent, and I think it should be stringent, and it has lots of permits that are required. I agree with that.

So when we take a look at what we have done compared to what the way it is being managed today, we think it is a significant moderation. Now, there were some plans, for example, there was one plan on one end that would allow you to have a free-for-all in the forest. Come on, give me a break. Those days are gone. That forest belongs to us. We have to manage it. We intend to manage it. My blended plan does manage it. It does manage it. Let me say to you that there is a plan on the other side that says, hey, the best

way to protect the forest in essence, eliminate the recreation, let us go toward our goal of eliminating multiple use and let us really change the priorities of the forest. Instead of having the biological and ecological concerns working in concert, working together, working alongside with recreation and multiple use concepts, let us just give them the priority. Let us take the historical use and bump it down, not equal, which my plan does. It says let us give a priority over here. That is that extreme side.

So I can tell you, my plan, which is, as I said, the first in the history of Congress to be put forward by a Congressman, my plan is going to have about 15 percent, 10 percent maybe on this side that are not going to buy into it, that thinks it is outrageous, and 10 percent on the special interest environmentalist side. You can tell by the letters to the editor that that side right there, on both sides, they are angry. But in the middle, in the middle that 70 percent, those people that think that we can moderate the uses of the forest, that we can protect the forest and that we can give the forest rest and forest use.

Let me go very quickly over a couple of letters to the editor that I think are important to cover. I have got one letter from a Gay Moore. I hope to call Gay. Gay says, ''According to BEN NIGHTHORSE CAMPBELL and SCOTT MCINNIS, supporters of Alternative D are not local people but outsiders.'' Let me correct that to the writer, one of my constituents. I am talking to my colleagues but let me say to you, we did not say that anybody that disagrees with us were outsiders. We did not say that at all. We did say, however, you ought to give some weight of opinion to the people who make their living on the forest, who are surrounded by the forest, who enjoy the forest for its beauty, who wildlife manage in the forest, whose water and power comes off the forest, whose natural gas comes off the forest. The people that mountain bike, the people that raft, the people that snowboard, the people that ski, those are the people whose opinions we ought to look at. We never once said that if you objected to it, you are an outsider.

The writer goes on to say, ''I was brought up to be a responsible forest user. Pack your trash, don't drive off the road.'' You are absolutely correct. That is what we are trying to do. My plan says, let us manage it, let us not eliminate it. Let us in appropriate spots give forest rest and in appropriate spots give forest use. Let us make sure people understand they have a privilege to use the forest but they have no right to abuse the forest. Let us take the people that abuse the forest and kick them off the land. Let us do that. We agree.

''Treat the land with loving care.'' Absolutely. You are right. ''Because without it you will not survive.'' Again, you are absolutely right.

''When the forest is destroyed by unchecked use of any kind, then the jobs you all seem so worried about are also gone.'' I know that.

□ 2115

''You are right, and that is exactly what this plan takes into consideration.

''We move on from there very quickly. The McGinnis plan gives support. I am writing to voice my opinion. I am not writing on behalf of business, the motor heads or the environmental heads. I am writing because I have a passion generated by the forest.''

She talks about this person, this Dendy Heisel. She talks about those who depend on their livelihood, our recreation, promotion or recreational opportunities, yet promoting our environmental protection. This is a balanced person, this is a balanced plan. That is what this does.

Here is an article of my opinions submitted to the Glenwood Post, Blended Alternative Strikes a Balance. ''Let me say that in the final analysis, as I am writing here, my locally-driven alternative,'' this right here, ''is balanced and eminently fair. It is a plan that achieves the twin objectives of preserving the forests' natural splendor. We protect the forests' natural splendor while, at the same time, protecting the privilege of the people to enjoy it.''

I think that is very important. The White River National Forest is a diamond, but it is not a diamond that should be locked in a safe where nobody can ever see it. It is not a diamond that should never be allowed to be worn in the public, but it is a diamond that when it is worn in the public or when it is seen or observed by the public, that it deserves protection. We manage how we bring that diamond out of the safe, so that we can preserve that diamond for future generations.

Again I say, and in my concluding remarks, I say, we have put a lot of intense work into this plan. This was not just some song and dance, although there is a lot of song and dance going on out there. We had a lot of people, Richard Woodrow, lots of different people, my staff out there, even my wife, a lot of different people put time into this.

We put a good work product out. We think it is constructive, not adversarial to the Forest Service, except in the case of water, but otherwise, very constructive. We think the use of this plan and some of the recommendations should be put into the recipe so that we can take the diamond and protect it and manage it when it needs to be managed and protected; put it in a safe at night, but during the day, bring it out so somebody can see it. We can save it for the next generation, by giving it proper diamond rest or forest rest, but we can also enjoy it today by bringing it out of the safe and letting people see it, letting people touch it, letting people wear it.

The key, again, and in conclusion, the critical issue here is not elimination; the critical issue is management. We all have a right to use and enjoy the forest. We have no right to abuse the forest.

ILLEGAL NARCOTICS AND DRUG ABUSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes.

Mr. MICA. Mr. Speaker, I am pleased to come before the House again on a Tuesday night to address the topic that I normally address on Tuesday night before the House and to the American people on the subject of illegal narcotics and drug abuse and its effect upon our Nation and the responsibility of this Congress to address that terrible social problem that we face.

Tonight, I would like to provide an update. We were in recess during the spring work period, and I would like to update the House and again the American people on some of the things that have happened relating to illegal narcotics. When I make these presentations, I try to look at what has been in the recent news and highlighted, sometimes violence which is highlighted, unfortunately, in our newscasts about what is happening in our society. Again, I think there is no greater social problem facing this Nation than that of illegal narcotics. It has a dramatic impact on our communities and our children.

Before we left for recess, I addressed the House and spoke about the untold story. The untold story of a 6-year-old bringing a gun into school and shooting a 6-year-old and all of the attention focused on the gun. We did look a little bit behind the scenes and found that the 6-year-old was the victim of a crack house family that was disjointed; drugs and narcotics prevalent. I believe the father was in jail on a narcotics charge.

Again, if we look at the root problem, we see narcotics, we see again a dysfunctional family, and societal problems. The gun was the means by which this 6-year-old committed a terrible act, a murder, but the root of the problem is, I think, what this Congress and the American people must focus upon in their attention to correct the situation.

Then I think the American people were focused and the news also riveted in on a 12-year-old who brought a gun into school and had his classmates I believe at bay with a weapon, and again, if we look behind the scenes, and I related to the Congress, we found that the child, the 12-year-old had taken a gun to school and attempted to get attention and get arrested because he wanted to join his mother, who was in jail on a drug charge.

Another incident of illegal narcotics being at the root of the problem, the gun manifesting itself again is certainly a very serious problem, a problem of bringing a weapon into school,

but again, a child with many problems, illegal narcotics at the root of some of his family problems. Then, during the holidays, right at the season of Easter and Passover, I think the entire Nation and the world was focused on Washington, D.C., our Nation's Capital, which has some of the strongest gun control legislation and laws on the books of any locality in the United States. In fact, it is almost illegal to own a weapon that is unregistered and there are very tight control laws. Yet, a 16-year-old terrorized a family day at the National Zoo here in the District of Columbia. The report, of course, focused on the young teenager who was using a weapon and fired into the crowd. But the rest of the story was not told.

Let me just cite a little bit about this young man, a 16-year-old by the name of Jones who was actually the son of an enforcer in the District's biggest drug gang, his father was one of the biggest drug gang participants in the 1980s, and this young man, again, was the victim of illegal narcotics, and what it had done to his family. He was brought up as really the product of illegal narcotics and crime that emanated from illegal narcotics. His father, this article went on to say, James Antonio Jones, was already in jail, a source to the family confirmed. The elder Jones, 43, is serving a life sentence in a Federal maximum security prison in Beaumont, Texas, after a 1990 conviction for his role in the drug hierarchy run by Raphael Edmond, who was a notorious drug dealer and head of a crack cocaine gang here in the District of Columbia.

Mr. Speaker, in almost every one of these instances I have cited and others that we see on the nightly news with the attention of the media, in fact, all of these cases have illegal narcotics at the root of their problems. Some 70 to 80 percent of those in our prisons, in our jails, in our Federal penitentiaries are there because of drug-related offenses.

Many would have us believe that these folks are in prison for possessing small amounts of marijuana or some other drug. The fact is, most of these people are there for repeated felonies. Some of them, in fact, have been on drugs when they have committed these repeated crimes. Many of them have repeated their crimes time and time again, are multiple offenders. Most of the people in our prisons, in fact, have two or more felony convictions in our Federal penitentiaries and State penitentiaries, according to the studies that our staff from our Subcommittee on Criminal Justice has undertaken.

So there are a lot of myths about what is going on, there is a lot of misinformation about who is committing crime and these illegal acts. In fact, we try through these weekly presentations before the House of Representatives to get the facts to the American people and the Congress.

Again, this is the worst social problem that we face. It is a horrendous problem. The toll is not only those behind bars, but those who die annually.

The most recent statistics that we have on deaths, direct deaths from illegal narcotics are 1998 figures, and that is 15,973 Americans died. If we take all of the other deaths related to illegal narcotics, people driving under the influence of illegal narcotics, people who die as a result of illegal narcotics, not necessarily an overdose, but some other act, total, according to our National Drug Czar, Barry McCaffrey, more than 50,000, almost as many in one year as killed in some of our international conflicts.

So this, indeed, is a great problem. It is a problem that can cost our society as much as a quarter of a trillion, $250 billion a year. That is in dollars and cents, not in heartaches to mothers and fathers and sisters and brothers and parents and grandparents who have children and sons and daughters involved in illegal narcotics.

During this past recess, it was my privilege to talk to some of the local law enforcement people in my community. I have cited the impact of illegal narcotics in central Florida, and I represent probably one of the most tranquil areas in the country and in the State of Florida and on the East Coast, and that is the area between Orlando and Daytona Beach.

Central Florida has had a heroin epidemic. I have cited that before on the floor of the House. In the past several years, we have had in the neighborhood of 60 deaths from drug overdoses. We have had a record number of heroin overdoses and deaths. Unfortunately, I have had to meet with many of the parents who have lost young people to heroin overdoses, and they die a horrible death. It is none of the glamour that is portrayed by Hollywood or by films or the word of mouth that heroin is a great experience. It is a horrible experience and a horrible death, and any of these parents will testify to that. I brought before the House rather gruesome pictures of the results of overdoses of heroin and they are not pretty pictures.

□ 2130

I hate to bring them back up here again, but there is no glamor in death by heroin. The heroin that we have on the streets of the United States today is not the low purity heroin that we had in the 1980s, now some of the heroin is 80, 90 percent pure. It is as deadly as any substance can be, particularly when used with other drugs or alcohol, and first time users unfortunately do not survive.

In meeting with some of the local law enforcement people, we are matching our deaths in central Florida. Again, our deaths are record in number. Our deaths by heroin overdoses now exceed our homicides, according to the latest statistics, which is absolutely alarming. In fact, we find the situation getting worse, not only in central Florida, but across the Nation.

In meeting again with these local officials, they told me that while the deaths are equal or slightly above previous years' death count, the only reason they have not shot off the charts even at an even greater rate is the ability of our emergency medical personnel to provide better attention, quicker attention, and better medical survival equipment available to save more of these individuals.

The problem we have, though, is we are seeing more and more incidents, emergency room incidents of heroin overdoses. We are just able to save a few more folks, and the deaths continue to spiral. One of the headlines that was in the newspaper just this week in the Washington Times here, which always does such a good job in reporting, I brought a copy of this tonight, suburban teen heroin use on the increase.

This is the headline that blurted out. This is an absolutely shocking statistic that was presented, and this is part of a study that was done. I have a copy of the study here. It is an interagency domestic heroin threat assessment, and these statistics on the increase in illegal narcotics is, again, quite remarkable.

If we look at 1996, we had suburban teen heroin use, and we are looking at about a half a million young people using heroin, that figure has doubled just about to 1 million, 980,000 according to this report.

In a very brief period of time, we have had a near doubling of the number of heroin users in the United States, teenage heroin users. The rate of first use by children aged 12 to 17 increased from less than 1 in 1,000 in the 1980s to 2.7 per thousand in 1996. First time heroin users are getting younger, from an average age of 26 year olds in 1991 to an average of 17 years of age by 1997.

Again, some of the statistics from this report are startling. Again, we see teen heroin use on the increase.

What I also wanted to address tonight is the question of where this heroin is coming from and how did we get into a situation where we have a doubling of the amount of teenagers in our country on heroin. Unfortunately, the chart that I present now shows a rather sad record for the Clinton/Gore administration on the question of long-term prevalence and use of heroin. This chart was prepared by monitoring the future study at University of Michigan. It is not something I made up in a partisan fashion.

If we look at the chart for a minute, we see the percent of 12th graders, and if we look at this record here, see pretty much stable, some downturn, some slight increase and then a dramatic downturn under the Bush administration.

It is pretty level and in some cases there are reductions, some valleys, mostly leveling out and valleys from the Reagan and Bush administration. Actually heroin was not quite as much of a problem because President Reagan

had developed a methadone strategy, an interdiction strategy, source country programs, many of which were eliminated in this period from 1993 forward. In 1993, and I have not touched the chart in any way or doctored it, you can see a dramatic increase in heroin use.

We actually see some stabilization here, that stabilization and a slight decrease is right after the Republicans took over the House and Senate and began an effort to restore some of the source country programs, the interdiction programs. We have also had a tremendous problem in heroin, and I will talk about that, but part of the problem that we have is, again, a lack of attention to heroin and its production and entry into the United States.

In fact, in the same period we have since the beginning of the Clinton administration doubled the amount of money on treatment, but we have again the situation that we see here.

We know where the heroin is coming from. If we can put this chart up here, in 1998, we know today, according to this DEA, Drug Enforcement Administration chart which they have provided me, that 65 percent of the heroin that is seized in the United States comes from South America, and probably 99 percent of that comes from Colombia. We know this for a fact. They can do a chemical analysis, almost a DNA analysis, and find out almost to the field where the heroin comes from. The heroin that is seized across the country, samples are sent in to DEA and they perform this analysis, so we know pretty well the picture of where heroin is coming from. It is coming from Colombia. We also see it coming from Mexico. The bulk of it, of course, again is from Colombia.

If we had this chart for 1992, 1993, we would see almost no heroin coming from South America. In fact, heroin was not produced in Colombia until the beginning of the Clinton administration, for all intents and purposes. Heroin was probably in the single digits from Mexico. It has crept up a bit since even the last report we had in 1997. It was at 14 percent. It is now at 17 percent.

Mexico, who we have given incredible trade advantages to, this administration has certified repeatedly as far as cooperating in the drug wars, now in 1 year increased production by some 20 percent of black tar heroin. Again, we know exactly where this is coming from, according to the tests that are conducted.

This is where heroin is coming from in 1992, almost none of the heroin produced in Colombia and single digit in Mexico, and dramatic increases in both of those countries, from both of those countries.

We know the pattern of drug traffickers. Let me take this down. This is the pattern of drug traffickers. We know since 1992, 1993, with the election of the Gore and Clinton team that there was a change in strategy; that they wanted to in fact close down the Reagan and Bush programs for source countries, stopping drugs at their source, and also interdicting drugs as they came from the source, and they effectively did that. They closed down most of the international programs, slashed the budgets by some 50 percent.

We know the pattern of heroin coming out of Colombia now because we can identify it by the signature program. We also know that Colombia, which was not producing but a small, small percentage, probably again in single digits of cocaine, is now the world's major producer of cocaine. Some 80 percent of the cocaine in the world is coming out of Colombia. This is also since the inception of the Clinton-Gore policy, where they dismantled these source country programs.

During the past 4 or 5 years of the Republican administration, we have made a concerted effort to put back together some of the programs that the Clinton-Gore team and the Democrat-controlled Congress in 2 years did incredible damage to. It is a monumental effort. It took President Reagan most of his term and President Bush to get the illegal narcotics problem in the right direction, and that is on a downward trend.

Again, these are not doctored in any way. These are not partisan charts. This chart, also produced by the University of Michigan, shows the record, and it is a very clear record. I know this drives the Clinton-Gore people crazy, and it drives the people on the other side of the aisle, the liberal side, who changed policy crazy, but this shows very clearly that with President Reagan, we see the long-term trend and prevalence of drug use.

This really is the major measure of what is going on with illegal narcotics. We see it going down in a steady fashion under President Reagan. We see a dramatic drop under President Bush, an incredible job here done.

Then again, undoctored, and we do not play with any of these charts, but the facts are very clear, that again, with President Clinton, with the close-down of the interdiction programs, the source country programs, taking the military out, cutting the Coast Guard budget, all this was done in a very short period of time, but the damage has been absolutely incredible.

When the Republicans took over, having participated in this, we knew that this policy needed to be reversed. Under the leadership of the now Speaker of the House, the gentleman from Illinois (Mr. HASTERT), who chaired the subcommittee that I now chair, actually, the responsibility for drug policy, it was a different title, it is now titled the Subcommittee on Criminal Justice, Drug Policy, and Human Resources, but the gentleman from Illinois (Mr. HASTERT) was the one responsible, along with his predecessor, Mr. Zeliff, who left the Congress, in restarting the war on drugs.

This is basically the war on drugs, and we will hear people say the war on drugs was a failure. Mr. Speaker, if this is a failure, I am either reading the chart wrong, and we can bring back the heroin chart. We also have them for cocaine and other narcotics. This is pretty dramatic and pretty evident of a successful program. Again, the use of illegal narcotics is going down, down, down. This certainly has to be a patent failure with the Clinton-Gore administration, by any measure.

□ 2145

It is interesting that, if we looked at the resources that were committed, again, this chart is not doctored. It shows the exact figures in the millions of dollars for international programs. Now, when we think about drug programs, we spend billions and billions in drug program, it costs us billions and billions of dollars. Here we have a chart that starts out with about $600 million in international source country programs. These programs were started under President Reagan and President Bush to stop drugs at their source, because it really is the most cost-effective way.

Where drugs are produced by peasants in Peru, Bolivia, Colombia, these peasants get very few pesos or the equivalent of dollars for their harvest. And we know that 100 percent of the cocaine comes from Peru, Bolivia and Colombia. One hundred percent. Maybe I should say 99.99 percent. Maybe there is a little bit on the slopes of Ecuador or some other bordering country, but it all comes from that region.

We know that the programs under President Bush and President Reagan worked. We know that the programs under President Clinton have not worked in eliminating international drug programs or slashing them.

Here we can see from this chart, 1992–1993 here, and again with a Democrat-controlled Congress implementing their policy and gutting the international programs to less than half of what they were. We see increases with the advent of the Republican Majority. We are back up to, and if we take this 1999 dollars and put it into 1991 dollars, we are just about back at 1991 levels.

But this is a clear pattern. If we took this and did an overlay with the previous chart, we can see that as they cut drug use here, they had those programs in place, as they took the programs for international out of place, the drug use started to soar and that is because we had an even greater supply coming.

This chart shows Federal spending for interdiction also gutted by the Democrat-controlled Congress. Gutted here in 1993. It looks a little delayed, but we have to remember that we start a fiscal year a little bit later, like we will start the next one in October of this year. But we can see the devastation of the cuts in interdiction programs here. And we see, getting back to the equivalent of the 1991 figures, actually, if we look at this little peak that we have gotten to here, it coincides with the slight downturn that we have seen here in drug use.

Also, if I got the heroin chart out, we would see some stabilization. The problem we have in heroin is that heroin is now produced in Colombia in incredible quantities. The quantity is completely uncontained as far as coming into the United States. Because the Clinton administration has thwarted every single attempt, up to, I would say, last October when the situation in Colombia got totally out of hand.

Colombia is about to lose its country. We sent the Drug Czar down, we have sent other officials down. But the policy of the Clinton-Gore administration, the Democrat-controlled Congress, was one of one error after another in Colombia.

First, we stopped information sharing with Colombia back in 1994, which brought the outrage even from Democrat Members of the Congress. That was information sharing which we provide through interdiction. And we can see if we look at this interdiction chart, we see the gutting of the interdiction program.

Our military does not get involved in an enforcement manner in the narcotics issue. It is prohibited from actually conducting law enforcement by the Constitution. We do not want the military in law enforcement. But what the military does is surveillance in the international area outside our borders.

If we had missiles coming in that were killing 15,973 citizens in one year, 100,000 in 7 years, and 50,000 deaths related to that action, we certainly would use our national security forces. What we do is we use the military to conduct surveillance. Our planes provide that information to other countries. We, again, through the Republican new majority, started programs for source country, for interdiction, restarted them in 1996 and 1997 for Peru and for Bolivia.

Mr. Speaker, those programs have been phenomenally successful. The amount of cocaine has been cut, production in Bolivia has been cut some 55 percent. In Peru, we are up in the 65 percent, 66 percent range. The only change that we have seen is further cuts of providing this interdiction and surveillance information to Peru, and there have been some downturns in the United States providing that information. We immediately see some increase in drug trafficking or drug production. It is almost guaranteed to happen according to, again, all the research and evidence and information that we have.

So, where we let up, we in fact have illegal narcotics coming into this country. Nothing is more evident than Colombia. Again, in 1994, the administration stopped information sharing. The next thing they did was they decertified Colombia without a national interest waiver, which meant that we could not send assistance to Colombia to fight illegal narcotics.

In Colombia, illegal narcotics and the narcoterrorist activity that has caused tens of thousands of deaths and disruption of that country are synonymous. The narcoterrorists fund their terrorist activities through narcotics trafficking. That is well-known. The right and the left, extreme right and extreme left in that civil war fund their activities through narcotics trafficking, narcotics taxes and income from the production of narcotics. We know it, our Drug Czar has stated that many times.

That is why it has become in the United States' national interest to provide assistance to Colombia to stop the narcotics trafficking, stop the terrorist activities that are going on there. Not to provide any troops or any active military participation there. We have agreed to provide some training.

But year after year since 1993 with the Clinton-Gore administration, they have stopped resources getting to Colombia. The results are very evident. We have, again, production from no production in Colombia of heroin to now producing some 65 percent, probably closer to 70 percent of the heroin, where there was almost none.

Cocaine. We have some 80 percent now being produced in Colombia. Before it was being transshipped through Colombia from Peru and Bolivia. And we do know that the program instituted by the Republican Majority has worked very well in those countries to cut production.

But right now the reason we have this report on heroin flooding our streets, young people being victimized and dying at incredible numbers from heroin, is the sheer quantity, the sheer supply.

Now, it is bad enough that we have this record of all of these activities being stopped here which has allowed some of this to happen. But what is even worse is the reaction of the administration to provide assets. If we are going to fight a war on drugs, or if we are going to fight a war, we need assets and we need to have those assets committed to that war effort.

Mr. Speaker, this chart is part of a report that was prepared at my request by the General Accounting Office in December of 1999. What this chart shows is the various assets. Some of these are DOD. This is the DOD assets, which have been dedicated to the war on drugs. And we see this decline from 1993 here, this continuous decline of DOD assets to the war on drugs.

The next little triangle, the yellow triangle, the Customs Service assets declining. Some beginning of increase with the Republican Majority, and the gentleman from Illinois (Mr. HASTERT) was responsible for this. We see the beginning of the return back to this 1992 level. The Coast Guard, we see steady decline.

If we took the budgets for these various agencies, we would see them gutted by the Clinton-Gore administration and also by the Democratically controlled Congress. So if we have a war on drugs, we must commit assets.

The report that I had conducted said that flight hours have been reduced 68 percent for fiscal years 1992 to 1999. So this is flying hours dedicated to tracking suspect shipments of illegal narcotics in transit to the United States. The number declined from 46,264 to 14,770.

So I submit that the war on drugs was a success, but basically closed down by this administration and this is pretty good evidence.

The other area, if drugs are not shipped by air, they ship by sea. I also asked GAO to look at trafficking patterns and also what we were doing as far as providing assets in the war on drugs as far as maritime activities.

If we look again from some of these highs here, we see DOD in the red declining and a steady decline of ship days. If if we look at the Coast Guard, we see some slight increase. This follows the other pattern, and the total overall is still below what it was in 1992.

In fact, the report given to me indicates that assets that were used in shipping and going after illegal narcotics declined some 62 percent during this period from 1992 to 1999. So the ship days for going after illegal narcotics and those resources in a war on drugs declined dramatically during that period.

One of the other problems that we have had in the war on illegal drugs is the failure of this administration to negotiate with Panama the location and continued operation of our anti-narcotics operations centers, which were located in Panama. These are known as FOLs, forward operating locations. In order to conduct a war on illegal narcotics, we need information and surveillance from the area where illegal drugs are produced and also shipped out of that particular setting.

In May of 1999, of course, the United States was forced to stop all flights. The administration bungled the negotiations with Panama. We encouraged them to at least negotiate an arrangement where we could continue our narcotics tracking flights out of that area.

□ 2200

Since May of 1999, we have seen, not a total shutdown, but a dramatic increase, again, as documented by this GAO report. Our illegal narcotics, heroin, cocaine are coming in from Colombia in unprecedented volumes. It is absolutely mind boggling the sheer amount of heroin and cocaine that is coming in.

But one sees that we do not have the locations. Now, this chart shows coverage with potential FOLs, and this chart was given to me as showing the Congress and our committee what would be done to relocate those operations for surveillance and important interdiction information.

One of the locations proposed was in Manta, Ecuador. The other was in Curacao and Aruba. Unfortunately, the Manta location in Ecuador and also the location in Aruba Dutch Antilles took longer than anticipated to negotiate final agreements.

The cost, by the time we are through with relocating here, will be $128 million since the Manta air strip is not adequate to land the heavy planes and equipment that we have. Aruba will have to build additional facilities.

But we have dramatically cut the number of flights, the number of surveillance missions because we do not have these two locations in operation. It may be 2002 before actually both of these are up and running at full capacity. That is why we have the report of incredible amounts of heroin and still cocaine coming into the United States. We have nothing in place to stop it.

Today I met with the representatives of the Department of Defense and various agencies involved in trying to put together a program to put Humpty Dumpty back together again to try to get us back to the 1992 levels in this fight.

We now have recently signed, but not fully approved by the El Salvador legislature, a third location. This will cost us another $10 million or $15 million in addition to losing the Panama location and $5 billion worth of assets there. We will now pay to relocate these operations.

But nothing will stop narcotics quicker than either eradicating them at their source or getting them as they come from their source. It is proven effective in Peru. It is proven effective in Bolivia. It will prove effective in Colombia and the surrounding areas and stop some of the incredible supply that is driving down the price and making more of the drugs available to our young people.

Again, my colleagues saw the figures of a doubling in just several years of heroin abuse. But this is where it is coming from. Unfortunately, all of this will not be in place for several years to get us back to where we were in 1992 in our operations in the antinarcotics effort.

What is sad, too, is that this administration continues to thwart the will and recommendations of Congress. We have attempted for some 4 or 5 years, I know since we took over the majority, in every fashion, including granting appropriations, to get resources to Colombia and to the area where illegal narcotics are coming from.

But this GAO report also outlines that DoD is not providing assets that are requested. When we question the various agencies where these assets are, in fact, the assets are going to Bosnia, the assets are going to the Middle East, the assets are going to Kosovo, they are going to the record number of deployments under the Clinton-Gore administration.

This is quite telling because SouthCom, which is the Southern U.S. Command in charge of basically our war on drugs and our antinarcotics effort, has been requesting assets. These are assets, DoD assets, towards the war on drugs. This is in the blue. The red shows what they got and what was provided as far as assets in this effort. We see that this is the request, and this is what they got. In 1999, this is the request, and this is what they got.

So if my colleagues are wondering why they have heroin on their streets, if they are wondering why they have record number of teenagers using heroin and illegal drugs, this is because, even though the Congress has appropriated funds and resources, we cannot get those resources into this program.

I do not know if it is the Secretary of Defense, but I fear that it is even higher in the administration because, again, every effort to get resources to stop these drugs and the sheer incredible supply coming into our country every effort is thwarted. It has almost reached comical proportions as I cited, and it would be funny if there were not so many people dying as a result of this.

The helicopters that we requested for the Colombia National Police for some 4 or 5 years now finally got there late this past fall. Unfortunately, as we now know, the ammunition for those helicopters was delivered to the back door of the State Department in a bungled operation rather than to Colombia. It would almost be humorous to find out that those helicopters were sent to Colombia and they were not properly armored so they could not be used in the antinarcotics effort.

Finally, I believe we now have those resources in place. The administration did become aware of the destabilization of the area and what was going on in Columbia and finally asked for a supplemental package. Unfortunately, the President did not submit finally to Congress until the time of our budget, and that was several months ago, a request; and that, unfortunately, now is being handled through the regular funding process, although it is necessary to move that package forward to get these assets in place.

One of the things that does disturb me is some of the liberalizers out there and those who would legalize and propose that the solution to all this is just legalize what are now illegal narcotics, and all of our problems will be solved.

I think that an article that I read by a professor at Pepperdine University, James Q. Wilson, had some interesting information. I just wanted to cite him tonight. He said,

> Advocates of legalization think that both buyers and sellers would benefit by legalization. People who can buy drugs freely and at something like at free market prices would no longer have to steal to afford cocaine or heroin. Dealers would no longer have to use violence and corruption to maybe obtain their market share. Though drugs may harm people, reducing this harm would be a medical problem. And you always hear the legalizers say it is a medical problem, not a criminal justice one. Crime would drop sharply.

But there is an error in this calculation. Again, this is what Professor Wilson is saying.

> Legalizing drugs means letting the price fall to its competitive rate plus taxes and advertising costs. That market price would probably be somewhere between one-third and one-twentieth of the illegal price, and more than the market price would fall.

As Harvard's Mark Moore pointed out,

> The risk price, that is all the hazards associated with buying the drugs, from being arrested to being ripped off would also fall; and this decline might be more important than the lower purchase price. Under a legal regime, the consumption of low-priced low-risk drugs would increase dramatically. We do not know by how much. But the little evidence we have suggests a sharp rise.
>
> Until 1968, Britain allowed doctors to prescribe heroin. Some doctors cheated, and their medically unnecessary prescriptions helped increase the number of known heroin addicts by a factor of 40. As a result, the government abandoned the prescription policy in favor of administering heroin in clinics and later replacing heroin with methadone.
>
> When the Netherlands ceased enforcing laws against the purchase or possession of marijuana, the result was a sharp increase in its use. Cocaine and heroin create much greater dependency. So the increase in their use would probably be even greater.
>
> The average user would probably commit fewer crimes if these drugs were sold legally, but the total number of users would increase sharply.
>
> A large fraction of these new users would be unable to keep a steady job unless we were prepared to support them with welfare payments. Crime would be one of their major sources of income; that is, the number of drug-related crimes per user might fall even as the total number of drug-related crimes increased.
>
> Add to the list of harms more deaths from overdose, more babies born to addicted mothers, more accidents by drug-influenced automobile drivers, and fewer people able to hold jobs or act as competent parents.

I think that this observation by professor Wilson is quite interesting.

It is also borne by the facts where they have tried liberalized policy in the United States. I bring out the chart provided to me by DEA, our Drug Enforcement Agency, which shows that heroin addict population of Baltimore.

Now, Baltimore, until just recently, had a very liberal mayor, Mayor Schmoke. He actually turned his back on enforcement of some of the illegal narcotics trafficking and use and abuse in his community. The results were incredible. The number of deaths in 1997, 1998 were 312; 1999, when we got these figures, the end of last year, were 308. It will probably reach 312 because people die as a result of some wound inflicted on them. But the deaths are pretty much stable.

But what has happened in Baltimore with this liberal policy is absolutely astounding, and it is confirmed by what Professor Wilson had outlined in his statement of what happens. If we look at Baltimore, in the 1950s, it had almost a million population. In 1996, it was down to 675,000. We will know what the population is now, but we think it is down lower, around 600,000.

In 1996, it had 38,985 heroin addicts. Again, this is during the period of the liberal attitude towards illegal narcotics. That estimate is now, 1999, somewhere in the neighborhood of one in eight citizens. This is not something

I have made up, it is something a city council person has said, one in eight are now addicted in what is left of Baltimore.

So exactly what the experience was in England, we see an increase, dramatic increase in the addiction population. If this was multiplied across the United States and we had one in eight people in the United States addicted to heroin or illegal narcotics, we would have a disaster on our hands. This is, again, the model of a liberal approach, a liberal approach that failed, both in deaths and addiction. I do not think one can have more horrible results.

What is interesting and most people like to ignore, particularly the liberal crowd or those that want to gang up on Rudy Giuliani these days, is the tough enforcement, the zero tolerance policy. Does it work or does it not work? If my colleagues will look in the early 1990s when Rudy Giuliani took over as mayor, they see about 2,000 plus deaths from murders, the crime rate in New York City.

□ 2215

The zero tolerance has brought that down to the mid 600 range, an absolutely dramatic decrease in murders in that city. What is amazing is not only the murders have decreased but in every other major crime area, crime is down by some 50 percent to 1999 during his tenure.

And what is interesting is, I know that people pick on Mr. Giuliani and say that there is overenforcement, and our subcommittee did hearings and we updated that information. We did hearings a year ago when he was accused of some of his police force being overzealous in their enforcement and we found that there were in fact fewer incidences of police firing on individuals under Rudy Giuliani. We found there were fewer incidences of complaints against police. And, actually, that was while Mr. Giuliani had increased the police force by some 25 percent in numbers. So, actually, the number of police on duty had increased and there were far fewer complaints under Mr. Giuliani than there were under the former administrations of the city.

Again, the figures for the New York City Police Department are absolutely incredible. Zero tolerance, tough enforcement, does work. In 1993, there were 429,000 major felony crimes committed. In 1998, we have 212. An incredible record.

The liberals would have us believe that the legalization is the answer. In fact, the liberalization has almost devastated the city of Baltimore and other settings where they have attempted a liberal policy. The tough enforcement, the zero tolerance, in fact, does work and does result in dramatic decreases in crime across the board.

I am very pleased that the Republican majority has increased the source country programs that are so effective in stopping illegal narcotics at their source. We are getting them back to the 1991–92 funding levels for the programs of interdiction, of stopping drugs cost effectively as they come from those source country areas where they are produced. The Republican majority has instituted and funded through appropriations a billion dollars a national drug education program, unprecedented in the history of this country, and we have, again, dramatically increased the amount of money for treatment and other programs.

So I am proud of our record and will continue next week to cite the drug problem that we have facing this Nation.

I have run out of time, so I will yield back, Mr. Speaker, first thanking those who are working tonight for their patience.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. BROWN of Florida, for 5 minutes, today.

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

Mr. BURTON of Indiana, for 5 minutes each day, on today and May 16.

Mr. WELDON of Florida, for 5 minutes, today.

Mr. MILLER of Florida, for 5 minutes each day, on today and May 10.

Mr. HORN, for 5 minutes each day, on day and May 10.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 10, 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:

7498. A letter from the Assistant Attorney General, Department of Justice, transmitting the 1999 annual report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Banking and Financial Services.

7499. A letter from the Assistant General Counsel for Regulations, Office of Chief Procurement Officer, Department of Housing and Urban Development, transmitting the Department's final rule—HUD Acquisition Regulation; Technical Correction [Docket No. FR–4291–C–03] (RIN: 2535–AA25) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7500. A letter from the Assistant General Counsel for Regulations, Office of the Secretary, Office of Lead-Hazard Control, Department of Housing and Urban Development, transmitting the Department's final rule—Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Housing Receiving Federal Assistance and Federally Owned Residential Property Being Sold; Correction [Docket No. FR–3482–C–08] (RIN: 2501–AB57) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7501. A letter from the Assistant General Counsel for Regulations, Office of the Assistant Secretary for Public and Indian Health, Department of Housing and Urban transmitting the Department's final rule—Technical Amendment to the Section 8 Management Assessment Program (SEMAP); Correction [Docket No. FR–4498–C–03] (RIN: 2577–AC10) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7502. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Uniform Financial Reporting Standards for HUD Housing Programs; Revised Report Filing Date [Docket No. FR–4321–F–07] (RIN: 2501–AC49) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7503. A letter from the Secretary of Labor, transmitting a report covering the administration of the Employee Retirement Income Security Act (ERISA) during calendar year 1998, pursuant to 29 U.S.C. 1143(b); to the Committee on Education and the Workforce.

7504. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents; Revocation [Docket No. 95N–0253] (RIN: 0910–AA48) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7505. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 99F–0298] received March 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7506. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Offset Deformable Barrier [Docket No. NHTSA–2000–7142] (RIN: 2127–AH93) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7507. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Anthropomorphic Test Devices; 12-Month-Old Child Dummy [Docket No. NHTSA–00–7052] (RIN: 2127–AG78) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7508. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations (Ankeny and West Des Moines, Iowa) [MM Docket No. 95–108 RM–8631] received March 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7509. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (JOHNSON City, and Owega, New York) [MM Docket No. 99–245 RM–9680] received March 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7510. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 04–00 which constitutes a request for authority to conclude the third amendment to the international agreement between the Department of Defense and the Israeli Ministry of Defense for Arrow Deployability Program (ADP), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7511. A letter from the Associate Legal Adviser, Department of State, transmitting copies of English and Russian texts of the joint statements negotiated by the Joint Compliance and Inspection Commission (JCIC) and concluded during JCIC–XXI; to the Committee on International Relations.

7512. A letter from the Director, Selective Service System, transmitting the Performance Measurement Plan for FY 2001; to the Committee on Government Reform.

7513. A letter from the the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2000, through March 31, 2000 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 106–234); to the Committee on House Administration and ordered to be printed.

7514. A letter from the Chief of Staff, Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Illinois Regulatory Program [SPATS No. IL–097–FOR, Part III] received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7515. A letter from the Chief of Staff, Acting Director, Office of Surface Mining, Department of Interior, transmitting the Department's final rule—New Mexico Regulatory Program [SPATS No. NM–037–FOR] received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7516. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic MACKerel, Squid, and Butterfish Fisheries; Closure of Fishery for Loligo Squid [Docket No. 99128354–0078–02; I.D. 032100C] received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7517. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No. 000211039–01; I.D. 032700B] received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7518. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Swordfish Quota Adjustment [I.D. 102299B] received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7519. A letter from the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting the FY 1999 Annual Program Performance Report, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Resources.

7520. A letter from the Director, Policy Directives and Instructions Branch, Department of Justice, transmitting the Department's final rule—Revoking Grants of Naturalization [INS No. 1858–97] (RIN: 1115–AF63) received March 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7521. A letter from the Commissioner, Public Buildings Service, General Services Administration, transmitting a letter to advise of a decrease in scope for the new Byron G. Rogers Federal Building—Courthouse Annex; to the Committee on Transportation and Infrastructure.

7522. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill, ''To authorize the Secretary of the Interior to conduct studies of specific areas for potential inclusion in the National Park System, and for other purposes''; jointly to the Committees on Resources and Government Reform.

7523. A letter from the Acting, Assistant Secretary for Lands and Mineral Management, Department of the Interior, transmitting a draft bill which would be cited as the, ''Melrose Range and Yakima Training Center Transfer Act''; jointly to the Committees on Resources, Armed Services, and Government Reform.

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. LINDER: Committee on Rules. House Resolution 496. Resolution providing for consideration of the bill (H.R. 3709) to make permanent the moratorium enacted by the Internet Tax Freedom Act as it applies to new, multiple, and discriminatory taxes on the Internet (Rept. 106–611). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 497. Resolution providing for consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes (Rept. 106–612). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

[Omitted from the Record of May 8, 2000]

H.R. 1237. A bill to amend the Federal Water Pollution Control Act to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, to reauthorize appropriations to carry out the program, and for other purposes, with an amendment; referred to the Committee on Resources for a period ending not later than May 11, 2000, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(1), rule x.

DISCHARGE FROM THE UNION CALENDAR

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

[Omitted from the Record of May 8, 2000]

H.R. 1237. The Committee of the Whole House on the State of the Union discharged.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. NUSSLE (for himself, Mr. CARDIN, Mr. GOSS, Mr. MINGE, Mr. KASICH, Mr. STENHOLM, and Mr. DREIER):

H.R. 4397. A bill to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, 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. WHITFIELD (for himself, Mr. STRICKLAND, Mr. KANJORSKI, Mr. LUCAS of Kentucky, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. GIBBONS, Mr. BROWN of Ohio, Mr. GORDON, Mr. CLEMENT, and Mr. HALL of Ohio):

H.R. 4398. A bill to establish a compensation and health care program for employees of the Department of Energy, its contractors, subcontractors, and certain vendors, who have sustained beryllium and radiation-related injury, illness, or death due to the performance of their duties, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Ways and Means, Transportation and Infrastructure, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWN of Florida:

H.R. 4399. A bill to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy' KENNEDY Post Office Building''; to the Committee on Government Reform.

By Ms. BROWN of Florida (for herself and Mr. HASTINGS of Florida):

H.R. 4400. A bill to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office Building''; to the Committee on Government Reform.

By Mr. HORN (for himself and Mr. CALVERT):

H.R. 4401. A bill to amend title XVIII of the Social Security Act to provide for a moratorium on the mandatory delay of payment of claims submitted under part B of the Medicare Program and to establish an advanced informational infrastructure for the administration of Federal health benefits programs; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Government Reform, 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. GOODLING:

H.R. 4402. A bill to ammend the American Competetiveness and Workforce Improvement Act of 1998 to improve the use of amounts deposited into the H–1B Nonimmigrant Petitioner Account for demonstration programs and project to provide technical skills training for occupations for which there is a high demand for skilled workers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BOEHLERT (for himself and Mr. STUPAK):

H.R. 4403. A bill to establish an Office of Science and Technology in the Office of Justice Programs of the Department of Justice; to the Committee on the Judiciary.

By Mr. HANSEN:

H.R. 4404. A bill to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes; to the Committee on Resources, and in addition to the Committee on Government Reform, 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. MOORE (for himself, Mr. ARCHER, Mr. GRAHAM, Mr. MORAN of Kansas, and Mr. PAUL):

H.R. 4405. A bill to amend the Fair Labor Standards Act of 1938 to clarify the overtime exemption for emergency medicine employees; to the Committee on Education and the Workforce.

By Mr. PASTOR:

H.R. 4406. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize grants to States to encourage retention of teachers by paying bonuses to teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SALMON:

H.R. 4407. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to require that registered sexually violent offenders provide notice of any attendance at institutions of higher education, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 4408. A bill to reauthorize the Atlantic Striped Bass Conservation Act; to the Committee on Resources.

By Mr. SAXTON:

H.R. 4409. A bill to amend the National Marine Sanctuaries Act to establish the National Marine Sanctuary Foundation to accept and use donations for the benefit of the National Marine Sanctuary System, and for other purposes; to the Committee on Resources.

By Mr. SAXTON (for himself, Mr. FARR of California, and Mr. GREENWOOD):

H.R. 4410. A bill to establish a Commission on Ocean Policy, and for other purposes; to the Committee on Resources.

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. BOEHLERT, and Mr. BORSKI) (all by request):

H.R. 4411. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TIERNEY (for himself, Mr. MCDERMOTT, Mr. BONIOR, Mr. STARK, Mr. WEINER, Mr. SANDERS, Ms. RIVERS, Mr. FATTAH, Mr. DEFAZIO, Mr. CONYERS, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. OLVER, Ms. NORTON, and Mr. CAPUANO):

H.R. 4412. A bill to amend the Social Security Act to provide grants and flexibility through demonstration projects for States to provide universal, comprehensive, cost-effective systems of health care coverage, with simplified administration; to the Committee on Commerce.

By Mr. FRELINGHUYSEN (for himself, Mrs. ROUKEMA, Mr. LOBIONDO, Mr. SAXTON, Mr. FRANKS of New Jersey, Mr. HOLT, Mr. SMITH of New Jersey, Mr. ANDREWS, Mr. ROTHMAN, Mr. PASCRELL, Mr. MENENDEZ, Mr. PAYNE, and Mr. PALLONE):

H. Con. Res. 320. Concurrent resolution expressing the sense of the Congress that the Health Care Financing Administration should consider current systems that provide better, more cost-effective emergency transport before promulgating any final rule regarding the delivery of emergency medical services; to the Committee on Ways and Means, and in addition to the Committee on 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. MCCARTHY of New York (for herself, Mrs. MORELLA, Mrs. LOWEY, Mr. SHAYS, Mr. PASCRELL, Mrs. JONES of Ohio, Mr. GILCHREST, Mr. LEVIN, Mr. HORN, Mr. BLUMENAUER, Mr. BILBRAY, Mr. MORAN of Virginia, Mr. MEEHAN, Ms. DELAURO, Mrs. MALONEY of New York, Ms. WOOLSEY, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mr. BONIOR, Ms. LEE, Ms. CARSON, Mr. UDALL of Colorado, Ms. MILLENDER-MCDONALD, Mr. CONYERS, Mr. NADLER, and Ms. LOFGREN):

H. Res. 498. A resolution supporting the Million Mom March; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. Regula introduced a bill (H.R. 4413) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Skimmer*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

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

H.R. 73: Mr. SHADEGG.

H.R. 329: Ms. RIVERS and Mr. BARCIA.

H.R. 372: Mrs. THURMAN and Mr. MCINTOSH.

H.R. 483: Mr. BORSKI.

H.R. 488: Mr. MENENDEZ.

H.R. 531: Mr. MCINTYRE, Mr. CAMP, and Mr. EHRLICH.

H.R. 583: Mr. WOLF.

H.R. 608: Ms. MCKINNEY, Mr. GIBBONS, Mr. RAHALL, and Mr. NORWOOD.

H.R. 632: Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. BERMAN, and Mr. RADANOVICH.

H.R. 742: Mr. KING.

H.R. 762: Mr. SISISKY, Mr. JENKINS, Mr. DUNCAN, Mr. COOKSEY, Mr. SMITH of Washington, Mr. VISCLOSKY, and Mrs. FOWLER.

H.R. 828: Mr. SOUDER.

H.R. 1063: Ms. HOOLEY of Oregon.

H.R. 1130: Mr. BARCIA and Mr. LIPINSKI.

H.R. 1291: Mr. BARRETT of Wisconsin, Mr. EHRLICH, and Mr. MEEKS of New York.

H.R. 1450: Mr. MARKEY and Mr. TANNER.

H.R. 1577: Mr. COOK.

H.R. 1622: Mr. SAXTON.

H.R. 1798: Mr. SANDERS.

H.R. 1804: Ms. LOFGREN.

H.R. 2000: Mrs. CHRISTENSEN, Mr. LANTOS, and Mrs. LOWEY.

H.R. 2002: Mr. PASTOR.

H.R. 2120: Mr. ANDREWS and Mr. SANDLIN.

H.R. 2121: Mr. DOOLEY of California, Mr. ACKERMAN, and Mr. DOOLITTLE.

H.R. 2335: Mr. SKELTON, Mr. HERGER, Mr. SHIMKUS, Mr. PICKERING, and Mrs. EMERSON.

H.R. 2494: Mr. HOEKSTRA.

H.R. 2498: Mr. YOUNG of Florida and Mr. UPTON.

H.R. 2619: Mr. CALVERT.

H.R. 2631: Mr. BORSKI.

H.R. 2814: Ms. SANCHEZ.

H.R. 2835: Mr. TIERNEY.

H.R. 2840: Mr. KENNEDY of Rhode Island.

H.R. 2870: Mr. ANDREWS.

H.R. 2880: Mr. NEAL of Massachusetts.

H.R. 2919: Mr. SAWYER.

H.R. 2947: Ms. CARSON, Mrs. MINK of Hawaii, and Mr. CASTLE.

H.R. 3003: Mr. FROST, Mr. LAFALCE, and Ms. KAPTUR.

H.R. 3043: Mr. CRAMER.

H.R. 3091: Mr. DICKS, Mr. WEYGAND, Mr. DELAHUNT, and Mr. BACA.

H.R. 3142: Mr. BALDACCI, Mr. WAMP, and Mr. KUCINICH.

H.R. 3240: Mr. PHELPS.

H.R. 3267: Mr. METCALF.

H.R. 3301: Mr. KING, Ms. CARSON, Mr. BACA, and Mr. FATTAH.

H.R. 3375: Mr. BACA.

H.R. 3413: Mr. WAXMAN.

H.R. 3489: Mr. SWEENEY.

H.R. 3494: Mr. GUTIERREZ.

H.R. 3514: Mrs. TAUSCHER, Mr. GUTIERREZ, Mr. BORSKI, and Mr. MCNULTY.

H.R. 3518: Mr. BLAGOJEVICH.

H.R. 3544: Mr. TOOMEY, Mr. BILBRAY, Mr. BISHOP, Mr. EWING, Mr. CHABOT, Mr. LARSON, Mrs. MCCARTHY of New York, Mr. MEEHAN, Mr. MORAN of Virginia, Mr. BLAGOJEVICH, Mr. BACHUS, Mr. OWENS, Mr. SKELTON, Ms. SCHAKOWSKY, Mr. PAYNE, and Ms. SANCHEZ.

H.R. 3569: Ms. CARSON.

H.R. 3573: Mr. ROTHMAN and Mr. POMBO.

H.R. 3576: Mr. BACA.

H.R. 3578: Mr. CALVERT.

H.R. 3594: Mr. PRICE of North Carolina, Mr. HEFLEY, and Mr. CALVERT.

H.R. 3625: Mr. SHUSTER, Mrs. BONO, Mr. POMBO, Mr. SPRATT, Mr. BISHOP, Mr. ENGLISH, Mr. COOK, Mr. JENKINS, Mr. HILLIARD, Mr. BOEHNER, Mr. WHITFIELD, Mr. COLLINS, Mr. SESSIONS, Mr. PASTOR, and Mr. LATOURETTE.

H.R. 3633: Mr. TOOMEY, Mr. BILBRAY, Mr. BISHOP, Mr. EWING, Mr. LAWSON, Mr. MEEHAN, Mr. BLAGOJEVICH, Mr. KANJORSKI, and Ms. SANCHEZ.

H.R. 3634: Mr. BLAGOJEVICH.

H.R. 3669: Mr. TRAFICANT, Mr. THUNE, Mrs. ROUKEMA, Mr. LAHOOD, Mr. HILL of Montana, Mr. POMBO, Mr. BOYD, Mr. MCHUGH, Mr. NORWOOD, Mr. BEREUTER, Mr. SHOWS, and Mr. DUNCAN.

H.R. 3710: Mr. ADERHOLT, Mr. CLYBURN, Ms. VELAZQUEZ, Mr. SMITH of Washington, Mr. THOMPSON of California, and Mr. PRICE of North Carolina.

H.R. 3766: Mr. ACKERMAN, Ms. SLAUGHTER, Mr. COSTELLO, Mr. BACA, Mr. HOSTETTLER, and Mrs. CAPPS.

H.R. 3850: Mr. KIND.

H.R. 3859: Mr. SENSENBRENNER, Mr. DUNCAN, and Mrs. KELLY.

H.R. 3916: Mr. GREEN of Wisconsin and Mr. WALDEN of Oregon.

H.R. 4030: Mr. BAIRD.

H.R. 4033: Mr. UPTON, Mr. BACHUS, Mr. OSE, Mr. COBURN, and Mr. QUINN.

H.R. 4036: Mr. STUPAK.

H.R. 4048: Mrs. KELLY, Mr. ROMERO-BARCELO, Mr. DUNCAN, and Mr. HILLIARD.

H.R. 4059: Mr. BILBRAY.

H.R. 4081: Mr. MOORE, Ms. BERKLEY, Mr. MCINTYRE, and Mr. LUTHER.

H.R. 4119: Mr. STEARNS.

H.R. 4122: Mr. MINGE.

H.R. 4144: Mr. PHELPS.

H.R. 4157: Mr. OSE, Mr. DOOLITTLE, Mr. POMBO, Mr. CAMPBELL, Mr. KUYKENDALL, Mr. HORN, Mr. ROYCE, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, Mr. ROHRABACHER, Mr. PACKARD, Mr. BILBRAY, and Mr. HUNTER.

H.R. 4165: Mr. BROWN of Ohio, Mr. WHITFIELD, Mr. CALVERT, and Mr. EVANS.

H.R. 4181: Mr. CALVERT, Mr. KUCINICH, and Mr. CUMMINGS.

H.R. 4201: Mrs. WILSON and Mr. COBURN.

H.R. 4206: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. ENGEL.

H.R. 4215: Mr. BISHOP and Mr. TERRY.

H.R. 4239: Mr. MCGOVERN and Mr. PRICE of North Carolina.

H.R. 4248: Mr. DUNCAN and Mr. BARRETT of Nebraska.

H.R. 4257: Mr. RAHALL, Mr. TOOMEY, Mr. STEARNS, Mr. COOK, and Mr. METCALF.

H.R. 4274: Mr. GUTKNECHT, Mr. COX, Mr. ENGLISH, Mrs. JOHNSON of Connecticut, Mr. CANNON, Mr. BILBRAY, and Mr. HERGER.

H.R. 4277: Mr. WELDON of Florida.

H.R. 4281: Mr. GOODLING, Mr. WHITFIELD, Mr. ENGLISH, Mr. CANADY of Florida, and Mr. DOYLE.

H.R. 4286: Mr. RILEY.

H.R. 4298: Mr. WALDEN of Oregon, Mr. HANSEN, Mr. SIMPSON, and Mr. CANNON.

H.R. 4334: Mr. BACA.

H. Con. Res. 177: Mr. MATSUI.

H. Con. Res. 309: Mrs. THURMAN, Mr. FROST, and Mrs. BIGGERT.

H. Con. Res. 318: Mr. BERMAN, Mrs. THURMAN, Mr. ENGEL, Mrs. MALONEY of New York, Ms. MCKINNEY, Mr. CAPUANO, and Mr. PETERSON of Minnesota.

H. Res. 442: Mr. HINCHEY.

H. Res. 492: Mr. KUYKENDALL, Mr. GARY MILLER of California, Mr. ENGLISH, Mr. TIERNEY, and Mr. RANGEL.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3308: Mr. LARGENT.

AMENDMENTS

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

H.R. 853

OFFERED BY: MR. NUSSLE

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive Budget Process Reform Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Purpose.
Sec. 3. Effective date.
Sec. 4. Declaration of purposes for the Budget Act.

TITLE I—BUDGET WITH FORCE OF LAW

Sec. 101. Purposes.
Sec. 102. The timetable.
Sec. 103. Annual joint resolutions on the budget.
Sec. 104. Budget required before spending bills may be considered; fallback procedures if President vetoes joint budget resolution.
Sec. 105. Conforming amendments to effectuate joint resolutions on the budget.

TITLE II—RESERVE FUND FOR EMERGENCIES

Sec. 201. Purpose.
Sec. 202. Repeal of adjustments for emergencies.
Sec. 203. OMB emergency criteria.
Sec. 204. Development of guidelines for application of emergency definition.
Sec. 205. Reserve fund for emergencies in President's budget.
Sec. 206. Adjustments and reserve fund for emergencies in joint budget resolutions.
Sec. 207. Up-to-date tabulations.
Sec. 208. Prohibition on amendments to emergency reserve fund.
Sec. 209. Effective date.

TITLE III—ENFORCEMENT OF BUDGETARY DECISIONS

Sec. 301. Purposes.

Subtitle A—Application of Points of Order to Unreported Legislation

Sec. 311. Application of Budget Act points of order to unreported legislation.

Subtitle B—Compliance with Budget Resolution

Sec. 321. Budget compliance statements.

Subtitle C—Justification for Budget Act Waivers

Sec. 331. Justification for Budget Act waivers in the House of Representatives.

Subtitle D—CBO Scoring of Conference Reports

Sec. 341. CBO scoring of conference reports.

TITLE IV—ACCOUNTABILITY FOR FEDERAL SPENDING

Sec. 401. Purposes.

Subtitle A—Limitations on Direct Spending

Sec. 411. Fixed-year authorizations required for new programs.
Sec. 412. Amendments to subject new direct spending to annual appropriations.

Subtitle B—Enhanced Congressional Oversight Responsibilities

Sec. 421. Ten-year congressional review requirement of permanent budget authority.
Sec. 422. Justifications of direct spending.
Sec. 423. Survey of activity reports of House committees.
Sec. 424. Continuing study of additional budget process reforms.
Sec. 425. GAO reports.

Subtitle C—Strengthened Accountability

Sec. 431. Ten-year CBO estimates.
Sec. 432. Repeal of rule XXIII of the Rules of the House of Representatives.

TITLE V—BUDGETING FOR UNFUNDED LIABILITIES AND OTHER LONG-TERM OBLIGATIONS

Sec. 501. Purposes.

Subtitle A—Budgetary Treatment of Federal Insurance Programs

Sec. 511. Federal insurance programs.

Subtitle B—Reports on Long-Term Budgetary Trends

Sec. 521. Reports on long-term budgetary trends.

TITLE VI—BASELINE AND BYRD RULE

Sec. 601. Purpose.

Subtitle A—The Baseline

Sec. 611. The President's budget.
Sec. 612. The congressional budget.
Sec. 613. Congressional Budget Office reports to committees.
Sec. 614. Outyear assumptions for discretionary spending.

Subtitle B—The Byrd Rule

Sec. 621. Limitation on Byrd rule.

SEC. 3. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall become effective on the date of enactment of this Act and shall apply with respect to fiscal years beginning after September 30, 2001.

SEC. 4. DECLARATION OF PURPOSES FOR THE BUDGET ACT.

Paragraphs (1) and (2) of section 2 of the Congressional Budget and Impoundment Control Act of 1974 are amended to read as follows:

''(1) to assure effective control over the budgetary process;

''(2) to facilitate the determination each year of the appropriate level of Federal revenues and expenditures by the Congress and the President;''.

TITLE I—BUDGET WITH FORCE OF LAW

SEC. 101. PURPOSES.

The purposes of this title are to—

(1) focus initial budgetary deliberations on aggregate levels of Federal spending and taxation;

(2) encourage cooperation between Congress and the President in developing overall budgetary priorities; and

(3) reach budgetary decisions early in the legislative cycle.

SEC. 102. THE TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 is amended to read as follows:

''TIMETABLE

''SEC. 300. The timetable with respect to the congressional budget process for any fiscal year is as follows:

"On or before:	Action to be completed:
First Monday in February.	President submits his budget.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after President submits budget.	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports joint resolution on the budget.
April 15	Congress completes action on joint resolution on the budget.
June 10	House Appropriations Committee reports last annual appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on annual appropriation bills.
October 1	Fiscal year begins.''.

SEC. 103. ANNUAL JOINT RESOLUTIONS ON THE BUDGET.

(a) CONTENT OF ANNUAL JOINT RESOLUTIONS ON THE BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended as follows:

(1) Strike paragraph (4) and insert the following new paragraph:

''(4) subtotals of new budget authority and outlays for nondefense discretionary spending, defense discretionary spending, direct spending (excluding interest), and interest;

and for fiscal years to which the amendments made by title II of the Comprehensive Budget Process Reform Act of 2000 apply, subtotals of new budget authority and outlays for emergencies;''.

(2) Strike the last sentence of such subsection.

(b) ADDITIONAL MATTERS IN JOINT RESOLUTION.—Section 301(b) of the Congressional Budget Act of 1974 is amended as follows:

(1) Strike paragraphs (2), (4), and (6) through (9).

(2) After paragraph (1), insert the following new paragraph:

''(2) if submitted by the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate to the Committee on the Budget of that House of Congress, amend section 3101 of title 31, United States Code, to change the statutory limit on the public debt;''.

(3) After paragraph (3), insert the following new paragraph:

''(4) require such other congressional procedures, relating to the budget, as may be appropriate to carry out the purposes of this Act;''; and

(4) After paragraph (5), insert the following new paragraph:

''(6) set forth procedures in the Senate whereby committee allocations, aggregates, and other levels can be revised for legislation if that legislation would not increase the deficit, or would not increase the deficit when taken with other legislation enacted after the adoption of the resolution, for the first fiscal year or the total period of fiscal years covered by the resolution.''.

(c) REQUIRED CONTENTS OF REPORT.—Section 301(e)(2) of the Congressional Budget Act of 1974 is amended as follows:

(1) Redesignate subparagraphs (A), (B), (C), (D), (E), and (F) as subparagraphs (B), (C), (E), (F), (H), and (I), respectively.

(2) Before subparagraph (B) (as redesignated), insert the following new subparagraph:

''(A) new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to subsection (a)(1);''.

(3) In subparagraph (C) (as redesignated), strike ''mandatory'' and insert ''direct spending''.

(4) After subparagraph (C) (as redesignated), insert the following new subparagraph:

''(D) a measure, as a percentage of gross domestic product, of total outlays, total Federal revenues, the surplus or deficit, and new outlays for nondefense discretionary spending, defense spending, and direct spending as set forth in such resolution;''.

(5) After subparagraph (F) (as redesignated), insert the following new subparagraph:

''(G) if the joint resolution on the budget includes any allocation to a committee (other than the Committee on Appropriations) of levels in excess of current law levels, a justification for not subjecting any program, project, or activity (for which the allocation is made) to annual discretionary appropriations;''.

(d) ADDITIONAL CONTENTS OF REPORT.—Section 301(e)(3) of the Congressional Budget Act of 1974 is amended as follows:

(1) Redesignate subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively, strike subparagraphs (C) and (D), and redesignate subparagraph (E) as subparagraph (D).

(2) Before subparagraph (B), insert the following new subparagraph:

''(A) reconciliation directives described in section 310;''.

(e) PRESIDENT'S BUDGET SUBMISSION TO THE CONGRESS.—(1) The first two sentences of section 1105(a) of title 31, United States Code, are amended to read as follows:

''On or after the first Monday in January but not later than the first Monday in February of each year the President shall submit a budget of the United States Government for the following fiscal year which shall set forth the following levels:

''(A) totals of new budget authority and outlays;

''(B) total Federal revenues and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;

''(C) the surplus or deficit in the budget;

''(D) subtotals of new budget authority and outlays for nondefense discretionary spending, defense discretionary spending, direct spending, and interest; and for fiscal years to which the amendments made by title II of the Comprehensive Budget Process Reform Act of 2000 apply, subtotals of new budget authority and outlays for emergencies; and

''(E) the public debt.

Each budget submission shall include a budget message and summary and supporting information and, as a separately delineated statement, the levels required in the preceding sentence for at least each of the 9 ensuing fiscal years.''.

(2) The third sentence of section 1105(a) of title 31, United States Code, is amended by inserting ''submission'' after ''budget''.

(f) LIMITATION ON CONTENTS OF BUDGET RESOLUTIONS.—Section 305 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(e) LIMITATION ON CONTENTS.—(1) A joint resolution on the budget and the report accompanying it may not—

''(A) appropriate or otherwise provide, impound, or rescind any new budget authority, increase any outlay, or increase or decrease any revenue (other than through reconciliation instructions);

''(B) directly (other than through reconciliation instructions) establish or change any program, project, or activity;

''(C) establish or change any limit or control over spending, outlays, receipts, or the surplus or deficit except those that are enforced through congressional rule making; or

''(D) amend any law except as provided by section 304 (permissible revisions of joint resolutions on the budget) or enact any provision of law that contains any matter not permitted in section 301(a) or (b).

''(2) No allocation under section 302(a) shall be construed as changing such discretionary spending limit.

''(3) It shall not be in order in the House of Representatives or in the Senate to consider any joint resolution on the budget or any amendment thereto or conference report thereon that contains any matter not permitted in section 301(a) or (b).

''(4) Any joint resolution on the budget or any amendment thereto or conference report thereon that contains any matter not permitted in section 301(a) or (b) shall not be treated in the House of Representatives or the Senate as a budget resolution under subsection (a) or (b) or as a conference report on a budget resolution under subsection (c) of this section.''.

SEC. 104. BUDGET REQUIRED BEFORE SPENDING BILLS MAY BE CONSIDERED; FALLBACK PROCEDURES IF PRESIDENT VETOES JOINT BUDGET RESOLUTION.

(a) AMENDMENTS TO SECTION 302.—Section 302(a) of the Congressional Budget Act of 1974 is amended by striking paragraph (5).

(b) AMENDMENTS TO SECTION 303 AND CONFORMING AMENDMENTS.—(1) Section 303 of the Congressional Budget Act of 1974 is amended—

(A) in subsection (b), by striking paragraph (2), by inserting ''or'' at the end of paragraph (1), and by redesignating paragraph (3) as paragraph (2); and

(B) by striking its section heading and inserting the following new section heading: ''CONSIDERATION OF BUDGET-RELATED LEGISLATION BEFORE BUDGET BECOMES LAW''.

(2) Section 302(g)(1) of the Congressional Budget Act of 1974 is amended by striking ''and, after April 15, section 303(a)''.

(3)(A) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting ''303(a),'' before ''305(b)(2),''.

(B) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting ''303(a),'' before ''305(b)(2),''.

(c) EXPEDITED PROCEDURES UPON VETO OF JOINT RESOLUTION ON THE BUDGET.—(1) Title III of the Congressional Budget Act of 1974 is amended by adding after section 315 the following new section:

''EXPEDITED PROCEDURES UPON VETO OF JOINT RESOLUTION ON THE BUDGET

''SEC. 316. (a) SPECIAL RULE.—If the President vetoes a joint resolution on the budget for a fiscal year, the majority leader of the House of Representatives or Senate (or his designee) may introduce a concurrent resolution on the budget or joint resolution on the budget for such fiscal year. If the Committee on the Budget of either House fails to report such concurrent or joint resolution referred to it within five calendar days (excluding Saturdays, Sundays, or legal holidays except when that House of Congress is in session) after the date of such referral, the committee shall be automatically discharged from further consideration of such resolution and such resolution shall be placed on the appropriate calendar.

''(b) PROCEDURE IN THE HOUSE OF REPRESENTATIVES AND THE SENATE.—

''(1) Except as provided in paragraph (2), the provisions of section 305 for the consideration in the House of Representatives and in the Senate of joint resolutions on the budget and conference reports thereon shall also apply to the consideration of concurrent resolutions on the budget introduced under subsection (a) and conference reports thereon.

''(2) Debate in the Senate on any concurrent resolution on the budget or joint resolution on the budget introduced under subsection (a), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours and in the House such debate shall be limited to not more than 3 hours.

''(c) CONTENTS OF CONCURRENT RESOLUTIONS.—Any concurrent resolution on the budget introduced under subsection (a) shall be in compliance with section 301.

''(d) EFFECT OF CONCURRENT RESOLUTION ON THE BUDGET.—Notwithstanding any other provision of this title, whenever a concurrent resolution on the budget described in subsection (a) is agreed to, then the aggregates, allocations, and reconciliation directives (if any) contained in the report accompanying such concurrent resolution or in such concurrent resolution shall be considered to be the aggregates, allocations, and reconciliation directives for all purposes of sections 302, 303, and 311 for the applicable fiscal years and such concurrent resolution shall be deemed to be a joint resolution for all purposes of this title and the Rules of the House of Representatives and any reference to the date of enactment of a joint resolution on the budget shall be deemed to be a reference to the date agreed to when applied to such concurrent resolution.''.

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following new item:

''Sec. 316. Expedited procedures upon veto of joint resolution on the budget.''.

SEC. 105. CONFORMING AMENDMENTS TO EFFECTUATE JOINT RESOLUTIONS ON THE BUDGET.

(a) CONFORMING AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.—(1)(A) Sections 301, 302, 303, 305, 308, 310, 311, 312, 314, 405, and 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) are amended by striking ''concurrent'' each place it appears and by inserting ''joint''.

(B)(i) Sections 302(d), 302(g), 308(a)(1)(A), and 310(d)(1) of the Congressional Budget Act of 1974 are amended by striking ''most recently agreed to concurrent resolution on the budget'' each place it occurs and inserting ''most recently enacted joint resolution on the budget or agreed to concurrent resolution on the budget (as applicable)''.

(ii) The section heading of section 301 is amended by striking ''adoption of concurrent resolution'' and inserting ''joint resolutions'';

(iii) Section 304 of such Act is amended to read as follows:

''PERMISSIBLE REVISIONS OF BUDGET RESOLUTIONS

''SEC. 304. At any time after the joint resolution on the budget for a fiscal year has been enacted pursuant to section 301, and before the end of such fiscal year, the two Houses and the President may enact a joint resolution on the budget which revises or reaffirms the joint resolution on the budget for such fiscal year most recently enacted. If a concurrent resolution on the budget has been agreed to pursuant to section 316, then before the end of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises or reaffirms the concurrent resolution on the budget for such fiscal year most recently agreed to.''.

(C) Sections 302, 303, 310, and 311, of such Act are amended by striking ''agreed to'' each place it appears and by inserting ''enacted''.

(2)(A) Paragraph (4) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking ''concurrent'' each place it appears and by inserting ''joint''.

(B) The table of contents set forth in section 1(b) of such Act is amended—

(i) in the item relating to section 301, by striking ''adoption of concurrent resolution'' and inserting ''joint resolutions'';

(ii) by striking the item relating to section 303 and inserting the following:

''Sec. 303. Consideration of budget-related legislation before budget becomes law.'';

(iii) in the item relating to section 304, by striking ''concurrent'' and inserting ''budget'' the first place it appears and by striking ''on the budget''; and

(iv) by striking ''concurrent'' and inserting ''joint'' in the item relating to section 305.

(b) CONFORMING AMENDMENTS TO THE RULES OF THE HOUSE OF REPRESENTATIVES.—(1) Clauses 1(e)(1), 4(a)(4), 4(b)(2), 4(f)(1)(A), and 4(f)(2) of rule X, clause 10 of rule XVIII, and clause 10 of rule XX of the Rules of the House of Representatives are amended by striking ''concurrent'' each place it appears and inserting ''joint''.

(2) Clause 10 of rule XVIII of the Rules of the House of Representatives is amended—

(A) in paragraph (b)(2), by striking ''(5)'' and inserting ''(6)''; and

(B) by striking paragraph (c).

(c) CONFORMING AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—Section 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907d(b)(1)) is amended by striking ''concurrent'' and inserting ''joint''.

(d) CONFORMING AMENDMENTS TO SECTION 310 REGARDING RECONCILIATION DIRECTIVES.—(1) The side heading of section 310(a) of the Congressional Budget Act of 1974 (as amended by section 105(a)) is further amended by inserting ''JOINT EXPLANATORY STATEMENT ACCOMPANYING CONFERENCE REPORT ON'' before ''JOINT''.

(2) Section 310(a) of such Act is amended by striking ''A'' and inserting ''The joint explanatory statement accompanying the conference report on a''.

(3) The first sentence of section 310(b) of such Act is amended by striking ''If'' and inserting ''If the joint explanatory statement accompanying the conference report on''.

(4) Section 310(c)(1) of such Act is amended by inserting ''the joint explanatory statement accompanying the conference report on'' after ''pursuant to''.

(5) Subsection (g) of section 310 of such Act is repealed.

(e) CONFORMING AMENDMENTS TO SECTION 3 REGARDING DIRECT SPENDING.—Section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding at the end the following new paragraph:

''(11) The term 'direct spending' has the meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

(f) TECHNICAL AMENDMENT REGARDING REVISED SUBALLOCATIONS.—Section 314(d) of the Congressional Budget Act of 1974 is amended by—

(1) striking ''REPORTING'' in the side heading, by inserting ''the chairmen of'' before ''the Committees'', and by striking ''may report'' and inserting ''shall make and have published in the Congressional Record''; and

(2) adding at the end the following new sentence: ''For purposes of considering amendments (other than for amounts for emergencies covered by subsection (b)(1)), suballocations shall be deemed to be so adjusted.''.

TITLE II—RESERVE FUND FOR EMERGENCIES

SEC. 201. PURPOSE.

The purposes of this title are to—

(1) develop budgetary and fiscal procedures for emergencies;

(2) subject spending for emergencies to budgetary procedures and controls; and

(3) establish criteria for determining compliance with emergency requirements.

SEC. 202. REPEAL OF ADJUSTMENTS FOR EMERGENCIES.

(a) DISCRETIONARY SPENDING LIMITS.—(1) Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(2) Such section 251(b)(2) is further amended by redesignating subparagraphs (B) through (G) as subparagraphs (A) through (F).

(b) DIRECT SPENDING.—Sections 252(e) and 252(d)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 are repealed.

(c) EMERGENCY DESIGNATION.—Clause 2 of rule XXI of the Rules of the House of Representatives is amended by repealing paragraph (e) and by redesignating paragraph (f) as paragraph (e).

(d) AMOUNT OF ADJUSTMENTS.—Section 314(b) of the Congressional Budget Act of 1974 is amended by striking paragraph (1) and by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively.

SEC. 203. OMB EMERGENCY CRITERIA.

Section 3 of the Congressional Budget and Impoundment Control Act of 1974 (as amended by section 105(e)) is further amended by adding at the end the following new paragraph:

''(12)(A) The term 'emergency' means a situation that—

''(i) requires new budget authority and outlays (or new budget authority and the outlays flowing therefrom) for the prevention or mitigation of, or response to, loss of life or property, or a threat to national security; and

''(ii) is unanticipated.

''(B) As used in subparagraph (A), the term 'unanticipated' means that the situation is—

''(i) sudden, which means quickly coming into being or not building up over time;

''(ii) urgent, which means a pressing and compelling need requiring immediate action;

''(iii) unforeseen, which means not predicted or anticipated as an emerging need; and

''(iv) temporary, which means not of a permanent duration.''.

SEC. 204. DEVELOPMENT OF GUIDELINES FOR APPLICATION OF EMERGENCY DEFINITION.

Not later than 5 months after the date of enactment of this Act, the chairmen of the Committees on the Budget (in consultation with the President) shall, after consulting with the chairmen of the Committees on Appropriations and applicable authorizing committees of their respective Houses and the Directors of the Congressional Budget Office and the Office of Management and Budget, jointly publish in the Congressional Record guidelines for application of the definition of emergency set forth in section 3(12) of the Congressional Budget and Impoundment Control Act of 1974.

SEC. 205. RESERVE FUND FOR EMERGENCIES IN PRESIDENT'S BUDGET.

Section 1105 of title 31, United States Code is amended by adding at the end the following new subsections:

''(h) The budget transmitted pursuant to subsection (a) for a fiscal year shall include a reserve fund for emergencies. The amount set forth in such fund shall be calculated as provided under section 317(b) of the Congressional Budget Act of 1974.

''(i) In the case of any budget authority requested for an emergency, such submission shall include a detailed justification of the reasons that such emergency is an emergency within the meaning of section 3(12) of the Congressional Budget Act of 1974, consistent with the guidelines described in section 204 of the Comprehensive Budget Process Reform Act of 2000.''.

SEC. 206. ADJUSTMENTS AND RESERVE FUND FOR EMERGENCIES IN JOINT BUDGET RESOLUTIONS.

(a) EMERGENCIES.—Title III of the Congressional Budget Act of 1974 (as amended by section 104(c)) is further amended by adding at the end the following new section:

''EMERGENCIES

''SEC. 317. (a) ADJUSTMENTS.—

''(1) IN GENERAL.—After the reporting of a bill or joint resolution or the submission of a conference report thereon that provides budget authority for any emergency as identified pursuant to subsection (d)—

''(A) the chairman (in consultation with the ranking minority member) of the Committee on the Budget of the House of Representatives or the Senate shall determine and certify, pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000, the portion (if any) of the amount so specified that is for an emergency within the meaning of section 3(12); and

''(B) such chairman shall make the adjustment set forth in paragraph (2) for the amount of new budget authority (or outlays) in that measure and the outlays flowing from that budget authority.

''(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to the allocations made pursuant to the appropriate joint resolution on the budget pursuant to section 302(a) and shall be in an amount not to exceed the amount reserved for emergencies pursuant to the requirements of subsection (b).

''(3) PERMISSIBLE COMMITTEE VOTE ON ADJUSTMENTS.—Any adjustment made by the chairman of the Committee on the Budget of the House of Representatives or the Senate under paragraph (1) may be placed before the committee for its consideration by a majority vote of the members of the committee, a quorum being present.

''(b) RESERVE FUND FOR EMERGENCIES.—

''(1) AMOUNTS.—(A) The amount set forth in the reserve fund for emergencies for budget authority for a fiscal year pursuant to section 301(a)(4) shall equal the average of the enacted levels of budget authority for emergencies in the 5 fiscal years preceding the current year.

''(B) The amount set forth in the reserve fund for emergencies for outlays pursuant to section 301(a)(4) shall be the following:

''(i) For the budget year, the amount provided by subparagraph (C)(i).

''(ii) For the year following the budget year, the sum of the amounts provided by subparagraphs (i) and (ii).

''(iii) For the second year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), and (iii).

''(iv) For the third year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), (iii), and (iv).

''(v) For the fourth year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), (iii), (iv), and (v).

''(C) The amount used to calculate the levels of the reserve fund for emergencies for outlays shall be the—

''(i) average outlays flowing from new budget authority in the fiscal year that the budget authority was provided;

''(ii) average outlays flowing from new budget authority in the fiscal year following the fiscal year in which the budget authority was provided;

''(iii) average outlays flowing from new budget authority in the second fiscal year following the fiscal year in which the budget authority was provided;

''(iv) average outlays flowing from new budget authority in the third fiscal year following the fiscal year in which the budget authority was provided for budget authority provided; and

''(v) average outlays flowing from new budget authority in the fourth fiscal year following the fiscal year in which the budget authority was provided;

if such budget authority was provided within the period of the 5 fiscal years preceding the current year.

''(2) AVERAGE LEVELS.—For purposes of paragraph (1), the amount used for a fiscal year to calculate the average of the enacted levels when one or more of such 5 preceding fiscal years is any of fiscal years 1996 through 2000 shall be for emergencies within the definition of section 3(12)(A) as determined by the Committees on the Budget of the House of Representatives and the Senate after receipt of a report on such matter transmitted to such committees by the Director of the Congressional Budget Office 6 months after the date of enactment of this section and thereafter in February of each calendar year.

''(c) EMERGENCIES IN EXCESS OF AMOUNTS IN RESERVE FUND.—Whenever the Committee on Appropriations or any other committee reports any bill or joint resolution that provides budget authority for any emergency and the report accompanying that bill or joint resolution, pursuant to subsection (d), identifies any provision that increases outlays or provides budget authority (and the outlays flowing therefrom) for such emergency, the enactment of which would cause—

''(1) in the case of the Committee on Appropriations, the total amount of budget authority or outlays provided for emergencies for the budget year; or

''(2) in the case of any other committee, the total amount of budget authority or outlays provided for emergencies for the budget year or the total of the fiscal years;

in the joint resolution on the budget (pursuant to section 301(a)(4)) to be exceeded:

''(A) Such bill or joint resolution shall be referred to the Committee on the Budget of the House or the Senate, as the case may be, with instructions to report it without amendment, other than that specified in subparagraph (B), within 5 legislative days of the day in which it is reported from the originating committee. If the Committee on the Budget of either House fails to report a bill or joint resolution referred to it under this subparagraph within such 5-day period, the committee shall be automatically discharged from further consideration of such bill or joint resolution and such bill or joint resolution shall be placed on the appropriate calendar.

''(B) An amendment to such a bill or joint resolution referred to in this subsection shall only consist of an exemption from section 251 or 252 (as applicable) of the Balanced Budget and Emergency Deficit Control Act of 1985 of all or any part of the provisions that provide budget authority (and the outlays flowing therefrom) for such emergency if the committee determines, pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000, that such budget authority is for an emergency within the meaning of section 3(12).

''(C) If such a bill or joint resolution is reported with an amendment specified in subparagraph (B) by the Committee on the Budget of the House of Representatives or the Senate, then the budget authority and resulting outlays that are the subject of such amendment shall not be included in any determinations under section 302(f) or 311(a) for any bill, joint resolution, amendment, motion, or conference report.

''(d) COMMITTEE NOTIFICATION OF EMERGENCY LEGISLATION.—Whenever the Committee on Appropriations or any other committee of either House (including a committee of conference) reports any bill or joint resolution that provides budget authority for any emergency, the report accompanying that bill or joint resolution (or the joint explanatory statement of managers in the case of a conference report on any such bill or joint resolution) shall identify all provisions that provide budget authority and the outlays flowing therefrom for such emergency and include a statement of the reasons why such budget authority meets the definition of an emergency pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 316 the following new item:

''Sec. 317. Emergencies.''.

SEC. 207. UP-TO-DATE TABULATIONS.

Section 308(b)(2) of the Congressional Budget Act of 1974 is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting ''; and'', and by adding at the end the following new subparagraph:

''(D) shall include an up-to-date tabulation of amounts remaining in the reserve fund for emergencies.''.

SEC. 208. PROHIBITION ON AMENDMENTS TO EMERGENCY RESERVE FUND.

(a) POINT OF ORDER.—Section 305 of the Congressional Budget Act of 1974 (as amended by section 103(c)) is further amended by adding at the end the following new subsection:

''(f) POINT OF ORDER REGARDING EMERGENCY RESERVE FUND.—It shall not be in order in the House of Representatives or in the Senate to consider an amendment to a joint resolution on the budget which changes the amount of budget authority and outlays set forth in section 301(a)(4) for emergency reserve fund.''.

(b) TECHNICAL AMENDMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting ''305(e), 305(f),'' after ''305(c)(4),''.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting ''305(e), 305(f),'' after ''305(c)(4),''.

SEC. 209. EFFECTIVE DATE.

The amendments made by this title shall apply to fiscal year 2002 and subsequent fiscal years, but such amendments shall take effect only after the enactment of legislation changing or extending for any fiscal year the discretionary spending limits set forth in section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 or legislation reducing the amount of any sequestration under section 252 of such Act by the amount of any reserve for any emergencies.

TITLE III—ENFORCEMENT OF BUDGETARY DECISIONS

SEC. 301. PURPOSES.

The purposes of this title are to—

(1) close loopholes in the enforcement of budget resolutions;

(2) require committees of the House of Representatives to include budget compliance statements in reports accompanying all legislation;

(3) require committees of the House of Representatives to justify the need for waivers of the Congressional Budget Act of 1974; and

(4) provide cost estimates of conference reports.

Subtitle A—Application of Points of Order to Unreported Legislation

SEC. 311. APPLICATION OF BUDGET ACT POINTS OF ORDER TO UNREPORTED LEGISLATION.

(a) Section 315 of the Congressional Budget Act of 1974 is amended by striking ''reported'' the first place it appears.

(b) Section 303(b) of the Congressional Budget Act of 1974 (as amended by section 104(b)(1)) is further amended—

(1) in paragraph (1), by striking ''(A)'' and by redesignating subparagraph (B) as paragraph (2) and by striking the semicolon at the end of such new paragraph (2) and inserting a period; and

(2) by striking paragraph (2) (as redesignated by such section 104(b)(1)).

Subtitle B—Compliance with Budget Resolution

SEC. 321. BUDGET COMPLIANCE STATEMENTS.

Clause 3(d) of rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

''(4) A budget compliance statement prepared by the chairman of the Committee on the Budget, if timely submitted prior to the filing of the report, which shall include assessment by such chairman as to whether

the bill or joint resolution complies with the requirements of sections 302, 303, 306, 311, and 401 of the Congressional Budget Act of 1974 or any other requirements set forth in a joint resolution on the budget and may include the budgetary implications of that bill or joint resolution under section 251 or 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, as applicable.''.

Subtitle C—Justification for Budget Act Waivers

SEC. 331. JUSTIFICATION FOR BUDGET ACT WAIVERS IN THE HOUSE OF REPRESENTATIVES.

Clause 6 of rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(h) It shall not be in order to consider any resolution from the Committee on Rules for the consideration of any reported bill or joint resolution which waives section 302, 303, 311, or 401 of the Congressional Budget Act of 1974, unless the report accompanying such resolution includes a description of the provision proposed to be waived, an identification of the section being waived, the reasons why such waiver should be granted, and an estimated cost of the provisions to which the waiver applies.''.

Subtitle D—CBO Scoring of Conference Reports

SEC. 341. CBO SCORING OF CONFERENCE REPORTS.

(a) The first sentence of section 402 of the Congressional Budget Act of 1974 is amended as follows:

(1) Insert ''or conference report thereon,'' before ''and submit''.

(2) In paragraph (1), strike ''bill or resolution'' and insert ''bill, joint resolution, or conference report''.

(3) At the end of paragraph (2) strike ''and'', at the end of paragraph (3) strike the period and insert ''; and'', and after such paragraph (3) add the following new paragraph:

''(4) A determination of whether such bill, joint resolution, or conference report provides direct spending.''.

(b) The second sentence of section 402 of the Congressional Budget Act of 1974 is amended by inserting before the period the following: '', or in the case of a conference report, shall be included in the joint explanatory statement of managers accompanying such conference report if timely submitted before such report is filed''.

TITLE IV—ACCOUNTABILITY FOR FEDERAL SPENDING

SEC. 401. PURPOSES.

The purposes of this title are to—

(1) require committees to develop a schedule for reauthorizing all programs within their jurisdictions;

(2) provide an opportunity to offer amendments to subject new entitlement programs to annual discretionary appropriations;

(3) require the Committee on the Budget to justify any allocation to an authorizing committee for legislation that would not be subject to annual discretionary appropriation;

(4) provide estimates of the long-term impact of spending and tax legislation;

(5) provide a point of order for legislation creating a new direct spending program that does not expire within 10 years; and

(6) require a vote in the House of Representatives on any measure that increases the statutory limit on the public debt.

Subtitle A—Limitations on Direct Spending

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

''(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

''(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.''; and

(2) by redesignating subsection (c) as subsection (d) and by striking ''(a) and (b)'' both places it appears in such redesignated subsection (d) and inserting ''(a), (b), and (c)''.

SEC. 412. AMENDMENTS TO SUBJECT NEW DIRECT SPENDING TO ANNUAL APPROPRIATIONS.

(a) HOUSE PROCEDURES.—Clause 5 of rule XVIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(c)(1) In the Committee of the Whole, an amendment only to subject a new program which provides direct spending to discretionary appropriations, if offered by the chairman of the Committee on the Budget (or his designee) or the chairman of the Committee of Appropriations (or his designee), may be precluded from consideration only by the specific terms of a special order of the House. Any such amendment, if offered, shall be debatable for twenty minutes equally divided and controlled by the proponent of the amendment and a Member opposed and shall not be subject to amendment.

''(2) As used in subparagraph (1), the term 'direct spending' has the meaning given such term in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974, except that such term does not include direct spending described in section 401(d)(1) of such Act.''.

(b) ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS FOR DISCRETIONARY APPROPRIATIONS OFFSET BY DIRECT SPENDING SAVINGS.—

(1) PURPOSE.—The purpose of the amendments made by this subsection is to hold the discretionary spending limits and the allocations made to the Committee on Appropriations under section 302(a) of the Congressional Budget Act of 1974 harmless for legislation that offsets a new discretionary program with a designated reduction in direct spending.

(2) DESIGNATING DIRECT SPENDING SAVINGS IN AUTHORIZATION LEGISLATION FOR NEW DISCRETIONARY PROGRAMS.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202) is further amended by adding at the end the following new subsection:

''(e) OFFSETS.—If a provision of direct spending legislation is enacted that—

''(1) decreases direct spending for any fiscal year; and

''(2) is designated as an offset pursuant to this subsection and such designation specifically identifies an authorization of discretionary appropriations (contained in such legislation) for a new program,

then the reductions in new budget authority and outlays in all fiscal years resulting from that provision shall be designated as an offset in the reports required under subsection (d).''.

(3) EXEMPTING SUCH DESIGNATED DIRECT SPENDING SAVINGS FROM PAYGO SCORECARD.—Section 252(d)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202(b)) is further amended by adding at the end the following new subparagraph:

''(B) offset provisions as designated under subsection (e).''.

(4) ADJUSTMENT IN DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202(a)(2)) is further amended by adding at the end the following new subparagraph:

''(G) DISCRETIONARY AUTHORIZATION OFFSETS.—If an Act other than an appropriation Act includes any provision reducing direct spending and specifically identifies any such provision as an offset pursuant to section 252(e), the adjustments shall be an increase in the discretionary spending limits for budget authority and outlays in each fiscal year equal to the amount of the budget authority and outlay reductions, respectively, achieved by the specified offset in that fiscal year, except that the adjustments for the budget year in which the offsetting provision takes effect shall not exceed the amount of discretionary new budget authority provided for the new program (authorized in that Act) in an Act making discretionary appropriations and the outlays flowing therefrom.''.

(5) ADJUSTMENT IN APPROPRIATION COMMITTEE'S ALLOCATIONS.—Section 314(b) of the Congressional Budget Act of 1974 (as amended by section 202(d)) is further amended by striking ''; or'' at the end of paragraph (4), by striking the period and inserting ''; or'' at the end of paragraph (5), and by adding at the end the following new paragraph:

''(6) the amount provided in an Act making discretionary appropriations for the program for which an offset was designated pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 and any outlays flowing therefrom, but not to exceed the amount of the designated decrease in direct spending for that year for that program in a prior law.''.

(6) ADJUSTMENT IN AUTHORIZING COMMITTEE'S ALLOCATIONS.—Section 314 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(f) ADJUSTMENT IN AUTHORIZING COMMITTEE'S ALLOCATIONS BY AMOUNT OF DIRECT SPENDING OFFSET.—After the reporting of a bill or joint resolution (by a committee other than the Committee on Appropriations), or the offering of an amendment thereto or the submission of a conference report thereon, that contains a provision that decreases direct spending for any fiscal year and that is designated as an offset pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the chairman of the Committee on the Budget shall reduce the allocations of new budget authority and outlays made to such committee under section 302(a)(1) by the amount so designated.''.

Subtitle B—Enhanced Congressional Oversight Responsibilities

SEC. 421. TEN-YEAR CONGRESSIONAL REVIEW REQUIREMENT OF PERMANENT BUDGET AUTHORITY.

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivision:

''(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years.''.

(b) REVIEW OF PERMANENT BUDGET AUTHORITY BY THE COMMITTEE ON APPROPRIATIONS.—Clause 4(a) of rule X of the Rules of the House of Representatives is amended—

(1) by striking subparagraph (2); and

(2) by redesignating subparagraphs (3) and (4) as subparagraphs (2) and (3) and by striking ''from time to time'' and inserting ''at least once each Congress'' in subparagraph (2) (as redesignated).

(c) CONFORMING AMENDMENT.—Clause 4(e)(2) of rule X of the Rules of the House of Representatives is amended by striking ''from time to time'' and inserting ''at least once every ten years''.

SEC. 422. JUSTIFICATIONS OF DIRECT SPENDING.

(a) SECTION 302 ALLOCATIONS.—Section 302(a) of the Congressional Budget Act of 1974 (as amended by section 104(a)) is further amended by adding at the end the following new paragraph:

''(5) JUSTIFICATION OF CERTAIN SPENDING ALLOCATIONS.—The joint explanatory statement accompanying a conference report on a joint resolution on the budget that includes any allocation to a committee (other than the Committee on Appropriations) of levels in excess of current law levels shall set forth a justification (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit) for not subjecting any program, project, or activity (for which the allocation is made) to annual discretionary appropriation.''.

(b) PRESIDENTS' BUDGET SUBMISSIONS.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

''(33) a justification for not subjecting each proposed new direct spending program, project, or activity to discretionary appropriations (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit).''.

(c) COMMITTEE JUSTIFICATION FOR DIRECT SPENDING.—Clause 4(e)(2) of rule X of the Rules of the House of Representatives is amended by inserting before the period the following: '', and will provide specific information in any report accompanying such bills and joint resolutions to the greatest extent practicable to justify the reasons that the programs, projects, and activities involved would not be subject to annual appropriation (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit)''.

SEC. 423. SURVEY OF ACTIVITY REPORTS OF HOUSE COMMITTEES.

Clause 1(d) of rule XI of the Rules of the House of Representatives is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) Such report shall include a summary of and justifications for all bills and joint resolutions reported by such committee that—

''(A) were considered before the adoption of the appropriate budget resolution and did not fall within an exception set forth in section 303(b) of the Congressional Budget Act of 1974;

''(B) exceeded its allocation under section 302(a) of such Act or breached an aggregate level in violation of section 311 of such Act; or

''(C) contained provisions in violation of section 401 of such Act.

Such report shall also specify the total amount by which legislation reported by that committee exceeded its allocation under section 302(a) or breached the revenue floor under section 311(a) of such Act for each fiscal year during that Congress.''.

SEC. 424. CONTINUING STUDY OF ADDITIONAL BUDGET PROCESS REFORMS.

Section 703 of the Congressional Budget Act of 1974 is amended as follows:

(1) In subsection (a), strike ''and'' at the end of paragraph (3), strike the period at the end of paragraph (4) and insert ''; and'', and at the end add the following new paragraph:

''(5) evaluating whether existing programs, projects, and activities should be subject to discretionary appropriations and establishing guidelines for subjecting new or expanded programs, projects, and activities to annual appropriation and recommend any necessary changes in statutory enforcement mechanisms and scoring conventions to effectuate such changes. These guidelines are only for advisory purposes.''.

(2) In subsection (b), strike ''from time to time'' and insert ''during the One Hundred Seventh Congress''.

SEC. 425. GAO REPORTS.

The last sentence of section 404 of the Congressional Budget Act of 1974 is amended to read as follows: ''Such report shall be revised at least once every five years and shall be transmitted to the chairman and ranking minority member of each committee of the House of Representatives and the Senate.''.

Subtitle C—Strengthened Accountability

SEC. 431. TEN-YEAR CBO ESTIMATES.

(a) CBO REPORTS ON LEGISLATION.—Section 308(a)(1)(B) of the Congressional Budget Act of 1974 is amended by striking ''four'' and inserting ''nine''.

(b) ANALYSIS BY CBO.—Section 402(1) of the Congressional Budget Act of 1974 is amended by striking ''4'' and inserting ''nine''.

(c) COST ESTIMATES.—Clause 3(d)(2)(A) of rule XIII of the Rules of the House of Representatives is amended by striking ''five'' each place it appears and inserting ''10''.

SEC. 432. REPEAL OF RULE XXIII OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

Rule XXIII of the Rules of the House of Representatives (relating to the establishment of the statutory limit on the public debt) is repealed.

TITLE V—BUDGETING FOR UNFUNDED LIABILITIES AND OTHER LONG-TERM OBLIGATIONS

SEC. 501. PURPOSES.

The purposes of this title are to—

(1) budget for the long-term costs of Federal insurance programs;

(2) improve congressional control of those costs; and

(3) periodically report on long-term budgetary trends.

Subtitle A—Budgetary Treatment of Federal Insurance Programs

SEC. 511. FEDERAL INSURANCE PROGRAMS.

(a) IN GENERAL.—The Congressional Budget Act of 1974 is amended by adding after title V the following new title:

''TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

''SEC. 601. SHORT TITLE.

''This title may be cited as the 'Federal Insurance Budgeting Act of 2000'.

''SEC. 602. BUDGETARY TREATMENT.

''(a) PRESIDENT'S BUDGET.—Beginning with fiscal year 2007, the budget of the Government pursuant to section 1105(a) of title 31, United States Code, shall be based on the risk-assumed cost of Federal insurance programs.

''(b) BUDGET ACCOUNTING.—For any Federal insurance program—

''(1) the program account shall—

''(A) pay the risk-assumed cost borne by the taxpayer to the financing account, and

''(B) pay actual insurance program administrative costs;

''(2) the financing account shall—

''(A) receive premiums and other income,

''(B) pay all claims for insurance and receive all recoveries,

''(C) transfer to the program account on not less than an annual basis amounts necessary to pay insurance program administrative costs;

''(3) a negative risk-assumed cost shall be transferred from the financing account to the program account, and shall be transferred from the program account to the general fund; and

''(4) all payments by or receipts of the financing accounts shall be treated in the budget as a means of financing.

''(c) APPROPRIATIONS REQUIRED.—(1) Notwithstanding any other provision of law, insurance commitments may be made for fiscal year 2007 and thereafter only to the extent that new budget authority to cover their risk-assumed cost is provided in advance in an appropriation Act.

''(2) An outstanding insurance commitment shall not be modified in a manner that increases its risk-assumed cost unless budget authority for the additional cost has been provided in advance.

''(3) Paragraph (1) shall not apply to Federal insurance programs that constitute entitlements.

''(d) REESTIMATES.—The risk-assumed cost for a fiscal year shall be reestimated in each subsequent year. Such reestimate can equal zero. In the case of a positive reestimate, the amount of the reestimate shall be paid from the program account to the financing account. In the case of a negative reestimate, the amount of the reestimate shall be paid from the financing account to the program account, and shall be transferred from the program account to the general fund. Reestimates shall be displayed as a distinct and separately identified subaccount in the program account.

''(e) ADMINISTRATIVE EXPENSES.—All funding for an agency's administration of a Federal insurance program shall be displayed as a distinct and separately identified subaccount in the program account.

''SEC. 603. TIMETABLE FOR IMPLEMENTATION OF ACCRUAL BUDGETING FOR FEDERAL INSURANCE PROGRAMS.

''(a) AGENCY REQUIREMENTS.—Agencies with responsibility for Federal insurance programs shall develop models to estimate their risk-assumed cost by year through the budget horizon and shall submit those models, all relevant data, a justification for critical assumptions, and the annual projected risk-assumed costs to OMB with their budget requests each year starting with the request for fiscal year 2003. Agencies will likewise provide OMB with annual estimates of modifications, if any, and reestimates of program costs. Nothing in this subsection shall be construed to require an agency, which is subject to statutory requirements, to maintain a risk-based assessment system with a minimum level of reserves against loss and to assess insured entities for risk-based premiums, to provide models, critical assumptions, or other data that would, as determined by such agency, affect financial markets or the viability of insured entities.

''(b) DISCLOSURE.—When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2003, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch

entities would use to estimate the risk-assumed cost of Federal insurance programs and giving such persons an opportunity to submit comments. At the same time, the chairman of the Committee on the Budget shall publish a notice for CBO in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it would use to estimate the risk-assumed cost of Federal insurance programs and giving such interested persons an opportunity to submit comments.

''(c) REVISION.—(1) After consideration of comments pursuant to subsection (b), and in consultation with the Committees on the Budget of the House of Representatives and the Senate, OMB and CBO shall revise the models, data, and major assumptions they would use to estimate the risk-assumed cost of Federal insurance programs. Except as provided by the next sentence, this paragraph shall not apply to an agency that is subject to statutory requirements to maintain a risk-based assessment system with a minimum level of reserves against loss and to assess insured entities for risk-based premiums. However, such agency shall consult with the aforementioned entities.

''(2) When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2004, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities used to estimate the risk-assumed cost of Federal insurance programs.

''(d) DISPLAY.—

''(1) IN GENERAL.—For fiscal years 2004, 2005, and 2006 the budget submissions of the President pursuant to section 1105(a) of title 31, United States Code, and CBO's reports on the economic and budget outlook pursuant to section 202(e)(1) and the President's budgets, shall for display purposes only, estimate the risk-assumed cost of existing or proposed Federal insurance programs.

''(2) OMB.—The display in the budget submissions of the President for fiscal years 2004, 2005, and 2006 shall include—

''(A) a presentation for each Federal insurance program in budget-account level detail of estimates of risk-assumed cost;

''(B) a summary table of the risk-assumed costs of Federal insurance programs; and

''(C) an alternate summary table of budget functions and aggregates using risk-assumed rather than cash-based cost estimates for Federal insurance programs.

''(3) CBO.—In the 108th Congress and the first session of the 109th Congress, CBO shall include in its estimates under section 308, for display purposes only, the risk-assumed cost of existing Federal insurance programs, or legislation that CBO, in consultation with the Committees on the Budget of the House of Representatives and the Senate, determines would create a new Federal insurance program.

''(e) OMB, CBO, AND GAO EVALUATIONS.—(1) Not later than 6 months after the budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2006, OMB, CBO, and GAO shall each submit to the Committees on the Budget of the House of Representatives and the Senate a report that evaluates the advisability and appropriate implementation of this title.

''(2) Each report made pursuant to paragraph (1) shall address the following:

''(A) The adequacy of risk-assumed estimation models used and alternative modeling methods.

''(B) The availability and reliability of data or information necessary to carry out this title.

''(C) The appropriateness of the explicit or implicit discount rate used in the various risk-assumed estimation models.

''(D) The advisability of specifying a statutory discount rate (such as the Treasury rate) for use in risk-assumed estimation models.

''(E) The ability of OMB, CBO, or GAO, as applicable, to secure any data or information directly from any Federal agency necessary to enable it to carry out this title.

''(F) The relationship between risk-assumed accrual budgeting for Federal insurance programs and the specific requirements of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(G) Whether Federal budgeting is improved by the inclusion of risk-assumed cost estimates for Federal insurance programs.

''(H) The advisability of including each of the programs currently estimated on a risk-assumed cost basis in the Federal budget on that basis.

"SEC. 604. DEFINITIONS.

''For purposes of this title:

''(1) The term 'Federal insurance program' means a program that makes insurance commitments and includes the list of such programs included in the joint explanatory statement of managers accompanying the conference report on the Comprehensive Budget Process Reform Act of 2000.

''(2) The term 'insurance commitment' means an agreement in advance by a Federal agency to indemnify a nonfederal entity against specified losses. This term does not include loan guarantees as defined in title V or benefit programs such as social security, medicare, and similar existing social insurance programs.

''(3)(A) The term 'risk-assumed cost' means the net present value of the estimated cash flows to and from the Government resulting from an insurance commitment or modification thereof.

''(B) The cash flows associated with an insurance commitment include—

''(i) expected claims payments inherent in the Government's commitment;

''(ii) net premiums (expected premium collections received from or on behalf of the insured less expected administrative expenses);

''(iii) expected recoveries; and

''(iv) expected changes in claims, premiums, or recoveries resulting from the exercise by the insured of any option included in the insurance commitment.

''(C) The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment, and the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment as modified.

''(D) The cost of a reestimate is the difference between the net present value of the amount currently required by the financing account to pay estimated claims and other expenditures and the amount currently available in the financing account. The cost of a reestimate shall be accounted for in the current year in the budget of the Government pursuant to section 1105(a) of title 31, United States Code.

''(E) For purposes of this definition, expected administrative expenses shall be construed as the amount estimated to be necessary for the proper administration of the insurance program. This amount may differ from amounts actually appropriated or otherwise made available for the administration of the program.

''(4) The term 'program account' means the budget account for the risk-assumed cost, and for paying all costs of administering the insurance program, and is the account from which the risk-assumed cost is disbursed to the financing account.

''(5) The term 'financing account' means the nonbudget account that is associated with each program account which receives payments from or makes payments to the program account, receives premiums and other payments from the public, pays insurance claims, and holds balances.

''(6) The term 'modification' means any Government action that alters the risk-assumed cost of an existing insurance commitment from the current estimate of cash flows. This includes any action resulting from new legislation, or from the exercise of administrative discretion under existing law, that directly or indirectly alters the estimated cost of existing insurance commitments.

''(7) The term 'model' means any actuarial, financial, econometric, probabilistic, or other methodology used to estimate the expected frequency and magnitude of loss-producing events, expected premiums or collections from or on behalf of the insured, expected recoveries, and administrative expenses.

''(8) The term 'current' has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(9) The term 'OMB' means the Director of the Office of Management and Budget.

''(10) The term 'CBO' means the Director of the Congressional Budget Office.

''(11) The term 'GAO' means the Comptroller General of the United States.

"SEC. 605. AUTHORIZATIONS TO ENTER INTO CONTRACTS; ACTUARIAL COST ACCOUNT.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $600,000 for each of fiscal years 2001 through 2006 to the Director of the Office of Management and Budget and each agency responsible for administering a Federal program to carry out this title.

''(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay the insurance financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above. The authorities described above shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate an insurance program. All the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds, and the Secretary of the Treasury shall pay interest on these funds.

''(c) APPROPRIATION OF AMOUNT NECESSARY TO COVER RISK-ASSUMED COST OF INSURANCE COMMITMENTS AT TRANSITION DATE.—(1) A financing account is established on September 30, 2006, for each Federal insurance program.

''(2) There is appropriated to each financing account the amount of the risk-assumed cost of Federal insurance commitments outstanding for that program as of the close of September 30, 2006.

''(3) These financing accounts shall be used in implementing the budget accounting required by this title.

"SEC. 606. EFFECTIVE DATE.

''(a) IN GENERAL.—This title shall take effect immediately and shall expire on September 30, 2008.

''(b) SPECIAL RULE.—If this title is not reauthorized by September 30, 2008, then the accounting structure and budgetary treatment of Federal insurance programs shall revert to the accounting structure and budgetary treatment in effect immediately before the date of enactment of this title.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 507 the following new items:

''TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

''Sec. 601. Short title.
''Sec. 602. Budgetary treatment.
''Sec. 603. Timetable for implementation of accrual budgeting for Federal insurance programs.
''Sec. 604. Definitions.
''Sec. 605. Authorizations to enter into contracts; actuarial cost account.
''Sec. 606. Effective date.''.

Subtitle B—Reports on Long-Term Budgetary Trends

SEC. 521. REPORTS ON LONG-TERM BUDGETARY TRENDS.

(a) THE PRESIDENT'S BUDGET.—Section 1105(a) of title 31, United States Code (as amended by section 404), is further amended by adding at the end the following new paragraph:

''(34) an analysis based upon current law and an analysis based upon the policy assumptions underlying the budget submission for every fifth year of the period of 75 fiscal years beginning with such fiscal year, of the estimated levels of total new budget authority and total budget outlays, estimated revenues, estimated surpluses and deficits, and, for social security, medicare, medicaid, and all other direct spending, estimated levels of total new budget authority and total budget outlays; and a specification of its underlying assumptions and a sensitivity analysis of factors that have a significant effect on the projections made in each analysis; and a comparison of the effects of each of the two analyses on the economy, including such factors as inflation, foreign investment, interest rates, and economic growth.''.

(b) CBO REPORTS.—Section 202(e)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentences: ''Such report shall also include an analysis based upon current law for every fifth year of the period of 75 fiscal years beginning with such fiscal year, of the estimated levels of total new budget authority and total budget outlays, estimated revenues, estimated surpluses and deficits, and, for social security, medicare, medicaid, and all other direct spending, estimated levels of total new budget authority and total budget outlays. The report described in the preceding sentence shall also specify its underlying assumptions and set forth a sensitivity analysis of factors that have a significant effect on the projections made in the report.''.

TITLE VI—BASELINES AND BYRD RULE

SEC. 601. PURPOSE.

The purposes of this title are to—

(1) require budgetary comparisons to prior year levels; and

(2) restrict the application of the Byrd rule to measures other than conference reports.

Subtitle A—The Baseline

SEC. 611. THE PRESIDENT'S BUDGET.

(a) Paragraph (5) of section 1105(a) of title 31, United States Code, is amended to read as follows:

''(5) except as provided in subsection (b) of this section, estimated expenditures and appropriations for the current year and estimated expenditures and proposed appropriations the President decides are necessary to support the Government in the fiscal year for which the budget is submitted and the 4 fiscal years following that year, and, except for detailed budget estimates, the percentage change from the current year to the fiscal year for which the budget is submitted for estimated expenditures and for appropriations.''.

(b) Section 1105(a)(6) of title 31, United States Code, is amended to read as follows:

''(6) estimated receipts of the Government in the current year and the fiscal year for which the budget is submitted and the 4 fiscal years after that year under—

''(A) laws in effect when the budget is submitted; and

''(B) proposals in the budget to increase revenues,

and the percentage change (in the case of each category referred to in subparagraphs (A) and (B)) between the current year and the fiscal year for which the budget is submitted and between the current year and each of the 9 fiscal years after the fiscal year for which the budget is submitted.''.

(c) Section 1105(a)(12) of title 31, United States Code, is amended to read as follows:

''(12) for each proposal in the budget for legislation that would establish or expand a Government activity or function, a table showing—

''(A) the amount proposed in the budget for appropriation and for expenditure because of the proposal in the fiscal year for which the budget is submitted;

''(B) the estimated appropriation required because of the proposal for each of the 4 fiscal years after that year that the proposal will be in effect; and

''(C) the estimated amount for the same activity or function, if any, in the current fiscal year,

and, except for detailed budget estimates, the percentage change (in the case of each category referred to in subparagraphs (A), (B), and (C)) between the current year and the fiscal year for which the budget is submitted.''.

(d) Section 1105(a)(18) of title 31, United States Code, is amended by inserting ''new budget authority and'' before ''budget outlays''.

(e) Section 1105(a) of title 31, United States Code, (as amended by sections 412(b) and 521(a)) is further amended by adding at the end the following new paragraphs:

''(35) a comparison of levels of estimated expenditures and proposed appropriations for each function and subfunction in the current fiscal year and the fiscal year for which the budget is submitted, along with the proposed increase or decrease of spending in percentage terms for each function and subfunction.

''(36) a table on sources of growth in total direct spending under current law and as proposed in this budget submission for the budget year and the ensuing 9 fiscal years, which shall include changes in outlays attributable to the following: cost-of-living adjustments; changes in the number of program recipients; increases in medical care prices, utilization and intensity of medical care; and residual factors.

''(37) a comparison of the estimated level of obligation limitations, budget authority, and outlays for highways subject to the discretionary spending limits for highways (if any) set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the fiscal year for which the budget is submitted and the corresponding levels for such year under current law as adjusted pursuant to section 251(b)(1)(D) of such Act.''.

(f) Section 1109(a) of title 31, United States Code, is amended by inserting after the first sentence the following new sentence: ''For discretionary spending, these estimates shall assume the levels set forth in the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as adjusted, for the appropriate fiscal years (and if no such limits are in effect, these estimates shall assume the adjusted levels for the most recent fiscal year for which such levels were in effect).''.

SEC. 612. THE CONGRESSIONAL BUDGET.

Section 301(e) of the Congressional Budget Act of 1974 (as amended by section 103) is further amended—

(1) in paragraph (1), by inserting at the end the following: ''The basis of deliberations in developing such joint resolution shall be the estimated budgetary levels for the preceding fiscal year. Any budgetary levels pending before the committee and the text of the joint resolution shall be accompanied by a document comparing such levels or such text to the estimated levels of the prior fiscal year. Any amendment offered in the committee that changes a budgetary level and is based upon a specific policy assumption for a program, project, or activity shall be accompanied by a document indicating the estimated amount for such program, project, or activity in the current year.''; and

(2) in paragraph (2), by striking ''and'' at the end of subparagraph (H) (as redesignated), by striking the period and inserting a semicolon at the end of subparagraph (I) (as redesignated), and by adding at the end the following new subparagraphs:

''(J) a comparison of levels for the current fiscal year with proposed spending and revenue levels for the subsequent fiscal years along with the proposed increase or decrease of spending in percentage terms for each function; and

''(K) a comparison of the proposed levels of new budget authority and outlays for the highway category (if any) (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) for the budget year with the corresponding levels under current law as adjusted consistent with the anticipated revenue alignment adjustments to be made pursuant to section 251(b)(1)(D) of such Act.''.

SEC. 613. CONGRESSIONAL BUDGET OFFICE REPORTS TO COMMITTEES.

(a) The first sentence of section 202(e)(1) of the Congressional Budget Act of 1974 is amended by inserting ''compared to comparable levels for the current year'' before the comma at the end of subparagraph (A) and before the comma at the end of subparagraph (B).

(b) Section 202(e)(1) of the Congressional Budget Act of 1974 is amended by inserting after the first sentence the following new sentence: ''Such report shall also include a table on sources of spending growth in total direct spending for the budget year and the ensuing 9 fiscal years, which shall include changes in outlays attributable to the following: cost-of-living adjustments; changes in the number of program recipients; increases in medical care prices, utilization and intensity of medical care; and residual factors.''.

(c) Section 308(a)(1)(B) of the Congressional Budget Act of 1974 is amended by inserting ''and shall include a comparison of those levels to comparable levels for the current fiscal year'' before ''if timely submitted''.

SEC. 614. OUTYEAR ASSUMPTIONS FOR DISCRETIONARY SPENDING.

For purposes of chapter 11 of title 31 of the United States Code, or the Congressional

Budget Act of 1974, unless otherwise expressly provided, in making budgetary projections for years for which there are no discretionary spending limits, the Director of the Office of Management and Budget and the Director of the Congressional Budget Office shall assume discretionary spending levels at the levels for the last fiscal year for which such levels were in effect.

Subtitle B—The Byrd Rule

SEC. 621. LIMITATION ON BYRD RULE.

(a) PROTECTION OF CONFERENCE REPORTS.—Section 313 of the Congressional Budget Act of 1974 is amended—

(1) in subsection (c), by striking ''and again upon the submission of a conference report on such a reconciliation bill or resolution,'';

(2) by striking subsection (d);

(3) by redesignating subsection (e) as subsection (d); and

(4) in subsection (e), as redesignated—

(A) by striking '', motion, or conference report'' the first place it appears and inserting '', or motion''; and

(B) by striking '', motion, or conference report'' the second and third places it appears and inserting ''or motion''.

(b) CONFORMING AMENDMENT.—The first sentence of section 312(e) of the Congressional Budget Act of 1974 is amended by inserting '', except for section 313,'' after ''Act''.

H.R. 853

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 2: Subtitle B of title IV is amended by adding at the end the following new section:

SEC. 426. COMMITTEE ON APPROPRIATIONS REPORTS.

Clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives is amended to read as follows:

''(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law along with the last year for which the expenditures were authorized, the level of expenditures authorized that year, the actual level of expenditures that year, and the level of expenditures contained in the bill (except classified intelligence or national security programs, projects, or activities).''.

H.R. 3709

OFFERED BY: MR. CHABOT

AMENDMENT NO. 1: Strike section 2 and insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 2. COMPREHENSIVE AND PERMANENT MORATORIUM ON STATE AND LOCAL TAXES ON THE INTERNET.

(a) COMPREHENSIVE AND PERMANENT MORATORIUM.—Section 1101 of title XI of division C of Public Law 105–277 (112 Stat. 2681–719; 47 U.S.C. 151 note) is amended—

(1) in subsection (a)—

(A) by striking ''during the period beginning on October 1, 1998, and ending 3 years after the date of the enactment of this Act'' and inserting ''on or after October 1, 1998'', and

(B) in paragraph (1) by striking '', unless'' and all that follows through ''1998'',

(2) by striking subsection (d), and

(3) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(b) TECHNICAL AMENDMENT.—Section 1104(10) of title XI of division C of Public Law 105–277 (112 Stat. 2681–719; 47 U.S.C. 151 note) is amended by striking ''unless'' and all that follows through ''1998''.

H.R. 3709

OFFERED BY: MR. DELAHUNT

AMENDMENT NO. 2: Strike sections 2 and 3, and insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 2. 2-YEAR EXTENSION OF MORATORIUM ON STATE AND LOCAL TAXES ON THE INTERNET.

Section 1101(a) of title XI of division C of Public Law 105–277 (112 Stat. 2681–719; 47 U.S.C. 151 note) is amended by striking ''3 years after the date of the enactment of this Act'' and inserting ''October 21, 2003''.

H.R. 3709

OFFERED BY: MR. ISTOOK

AMENDMENT NO. 3: Page 2, line 15, strike ''**5-YEAR**'' and insert ''**2-YEAR**''.

Page 2. line 23, strike ''2006'' and insert ''2003''.

H.R. 3709

OFFERED BY: MR. ISTOOK

AMENDMENT NO. 4:

Sec. 4. STREAMLINED NON-MULTIPLE AND NON-DISCRIMINATORY TAX SYSTEMS.

(a) DEVELOPMENT OF A STREAMLINED NON-MULTIPLE AND NON-DISCRIMINATORY TAX SYSTEM.—It is the sense of the Congress that states and localities should work together to develop a non-multiple and non-discriminatory tax system on electronic commerce that addresses the following:

(1) a centralized, one-stop, multi-state registration system for sellers;

(2) uniform definitions for goods or services that might be included in the tax base;

(3) uniform and simple rules for attributing transactions to particular taxing jurisdictions;

(4) uniform rules for the designation and identification of purchasers exempt from the Non-Multiple and Non-Discriminatory tax system, including a database of all exempt entities and a rule ensuring that reliance on such database shall immunize sellers from liability;

(5) uniform procedures for the certification of software that sellers rely on to determine Non-Multiple and Non-Discriminatory taxes and taxability;

(6) uniform bad debt rules;

(7) uniform tax returns and remittance forms;

(8) consistent electronic filing and remittance methods;

(9) state administration of all Non-Multiple and Non-Discriminatory taxes;

(10) uniform audit procedures;

(11) reasonable compensation for tax collection that reflects the complexity of an individual state's tax structure, including the structure of its local taxes;

(12) exemption from use tax collection requirements for remote sellers falling below a specified de minimis threshold;

(13) appropriate protections for consumer privacy; and

(14) such other features that the member states deem warranted to remote simplicity, uniformity, neutrality, efficiency, and fairness.

(b) NO UNDUE BURDEN.—Congress finds that if states adopt the streamlined system described in subsection (a), such a system does not place an undue burden on interstate commerce or burden the growth of electronic commerce and related technologies in any material way.

H.R. 3709

OFFERED BY: MR. THUNE

AMENDMENT NO. 5: Strike sections 2 and 3, and insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 2. 5-YEAR EXTENSION OF MORATORIUM ON STATE AND LOCAL TAXES ON THE INTERNET.

Section 1101(a) of title XI of division C of Public Law 105–277 (112 Stat. 2681–719; 47 U.S.C. 151 note) is amended by striking ''3 years after the date of the enactment of this Act'' and inserting ''October 21, 2006''.