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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 8, 2000.

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

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

PRAYER

The Reverend Father James Scherer, St. Paul the Apostle Church, Greensboro, North Carolina, offered the following prayer:

''To do work carefully and well, with love and respect for the nature of our task and with due attention to its purpose, is to unite ourselves to God's will in our work.'' Thomas Merton.

Lord, we have no idea where we are going. We do not even see the road ahead. We cannot know for certain where it will end. The fact that we think that we are following Your will does not necessarily mean that we are. We believe, however, the desire to please You does, in fact, please You. We hope we will never do anything apart from that desire. We know You will lead us by the right road. Therefore, we trust You always that You may lead us and we may not be lost. We will not fear, for You are ever with us, and You will never leave us to face our perils alone. 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.

Mr. FOLEY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FOLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. PHELPS 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.

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 bill of the House of the following title:

H.R. 4542. An act to designate the Washington Opera in Washington, D.C., as the National Opera.

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

S. 2625. An act to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations.

The message also announced that pursuant to Public Law 105–389, the Chair, on behalf of the Majority Leader, in consultation with the Democratic Leader, announces the appointment of Robert R. Ferguson III of North Carolina, to serve as a member of the First Flight Centennial Federal Advisory Board.

WELCOMING FATHER JIM SCHERER

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

Mr. COBLE. Mr. Speaker, I am pleased to welcome Father Jim Scherer from Greensboro, North Carolina as our guest chaplain today, although I did not sponsor Father Jim. Father Jim was sponsored by the gentleman from Pennsylvania (Mr. WELDON) who this session has, in turn, sponsored Father Jim's nephew. I am delighted to welcome Father Jim Scherer to the House today.

Father Jim serves 3 parishes back in the 6th district of North Carolina. Our Lady of Grace where he conducts weekday mass; and Father Jim, I had the pleasure of addressing the student body at Our Lady of Grace last year; St. Paul the Apostle, and St. Pios for Sunday masses. In addition to that, Father Jim also served as a marriage and family therapist in private practice in Greensboro.

Mr. Speaker, I know my colleagues will join me in extending a warm welcome to Father Jim Scherer as our guest chaplain today.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending

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business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BRYANT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 363, nays 45, answered ''present'' 5, not voting 21, as follows:

[Roll No. 246]

YEAS—363

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Coyne
Cramer
Crowley
Cubin
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
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
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—45

Aderholt
Baird
Baldwin
Bilbray
Borski
Brady (PA)
Costello
Crane
DeFazio
Dickey
English
Fattah
Filner
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hefley
Hill (MT)
Hilleary
Hilliard
Kucinich
Lewis (GA)
LoBiondo
McDermott
Oberstar
Peterson (MN)
Pickett
Pomeroy
Ramstad
Sabo
Slaughter
Stark
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Udall (NM)
Visclosky
Waters
Weller
Wicker
Wu

ANSWERED ''PRESENT''—5

Barrett (NE)
Carson
Conyers
Levin
Tancredo

NOT VOTING—21

Clay
Cummings
Danner
Fossella
Gejdenson
Greenwood
Hinojosa
Houghton
Jefferson
Klink
Manzullo
Markey
McIntosh
Obey
Peterson (PA)
Radanovich
Rangel
Rohrabacher
Smith (MI)
Tierney
Vento

1025

Mr. TAYLOR of Mississippi changed his vote from ''present'' to ''nay.''

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to House Resolution 407, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as these preparations are complete, the House will immediately resume its actual session for the taking of the photograph.

About 15 minutes after that, the House will proceed with the business of the House. The 1-minutes will be at the end of the legislative session today.

For the information of the Members, when the Chair says, the House will be in order, we are ready to take our picture. That will be in just a few minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10:30 a.m.

Accordingly (at 10 o'clock and 29 minutes a.m.), the House stood in recess until 10:30 a.m.

1030

AFTER RECESS

The recess having expired, the House was called to order at 10 o'clock and 30 minutes a.m.

(Thereupon the Members sat for the official photograph of the House of Representatives for the 106th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 10:50 a.m.

Accordingly (at 10 o'clock and 33 minutes a.m.), the House stood in recess until approximately 10:50 a.m.

1052

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 10 o'clock and 52 minutes a.m.

PROVIDING FOR CONSIDERATION OF H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 518 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 518

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4577) making appropriations for the Departments of Labor,

Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ''*Provided*'' on page 44, line 4, through ''as amended'' on line 14. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendment printed in part B of the report of the Committee on Rules may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part B of the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may : (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 515 is laid on the table.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentlewoman from New York (Ms. SLAUGHTER); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 518 is an open rule to provide for consideration of the Labor, Health and Human Services, Education Appropriations bill for fiscal year 2001. Traditionally, this bill has proven quite controversial, and this year is no exception. However, this rule should not be controversial as it provides for an open and fair debate of the many issues at hand.

Under the rule, there will be an hour of general debate divided between the chairman and ranking member of the Committee on Appropriations. The amendments printed in part A of the Committee on Rules report will be considered as adopted, along with the rule.

I want to make a few facts clear about these amendments before the rhetoric starts flying. Under the first amendment, the maximum Pell Grant, which will reach the highest level in history under this bill, will not be reduced. The second amendment provides a mechanism to ensure that the House complies with the fiscal restraints dictated in the budget resolution.

Now, specifically, the amendment provides an incentive for the House to remain within the advanced appropriations cap set in the budget resolution. While the amendment does use the child care and development block grant to create this incentive, it also ensures that the child care block grant will not be reduced beyond a certain level, a level that provides for an increase above last year's spending.

After general debate, the bill will be open for amendment under the 5-minute rule, except that the amendment printed in part B of the Committee on Rules report, to be offered by the gentlewoman from New Mexico (Mrs. WILSON), will be debatable for 10 minutes. Members who have preprinted their amendments in the CONGRESSIONAL RECORD will receive priority recognition. The rule also waives clause 2(e) of rule XXI to protect Members' ability to offer certain amendments.

During consideration of the rule, the Chair will have the flexibility to postpone votes and reduce voting time as a way to expedite consideration of the bill and give due consideration to Members' schedules.

Finally, the minority will have another opportunity to alter the bill through the customary motion to recommit with or without instructions.

Mr. Speaker, before my good friends and colleagues on the other side of the aisle begin their expected protest of this legislation, I would like to point out some facts as well as the merits of this bill.

1100

We will hear my Democratic colleagues claim that there is not adequate funding in this measure, but the bill actually spends $4 billion more than last year.

I think in most people's mind, $4 billion is nothing to sneeze at, and this funding will allow many worthwhile programs to see increased spending under this legislation. This bill balances fiscal responsibility and Government accountability with social responsibility.

Making tough spending decisions and setting priorities is a part of responsible governing that respects the trust and hard-earned dollars of the taxpayer. This bill focuses on our priorities, including education.

I am pleased that this legislation will provide almost $43 billion for education programs, which is an added investment of $2 billion over last year. This funding will assist students from preschool age through college. Head Start will receive a $400 million increase. Elementary and secondary education programs will receive $576 million more than last year. And the maximum Pell Grant for college students will be raised to $3,500, the highest level in history.

In addition, the bill addresses the educational needs of the disabled. By injecting an extra $500 million in State special education grants, this bill keeps our commitment to children with disabilities.

The Federal Government mandates that States provide a free public education to disabled children, but we have not kept up our end of the bargain in terms of sharing in the cost. This bill moves us one step closer to keeping our promise.

By fulfilling this commitment, we will free up State and local resources, which can then be devoted to education priorities set by the State and local school districts who are closest to the children we are trying to help.

This legislation further meets the needs of today's classrooms and students by preparing them for jobs in a high-tech economy through an increase in the Technology for Education program, bringing total funding to more than $900 million.

Even more important than providing for an educated citizenry is ensuring their good health. That is why this legislation invests an additional $2.7 billion in discretionary health care spending. These added resources will be pumped into community health centers that have done such yeoman's work serving the poor and uninsured in our communities.

The Ryan White AIDS Care Act programs will also see an increase over last year's level and above the President's request. Perhaps most importantly, this legislation gives hope to those who suffer from incurable or untreatable diseases by making a significant investment of almost $19 billion in biomedical research through the National Institutes of Health, with a commitment to do more in the future.

I would like to commend the gentleman from Illinois (Chairman PORTER) for his dedication to the goal of doubling funding for the NIH over 5 years. The chairman understands the great promise that this research holds for saving lives and conquering diseases such as cancer, heart disease, diabetes, Parkinson's, and many others.

I am also encouraged by the progress made in the last couple of years in the area of pediatric research through an appropriation for the graduate medical education provided in children's hospitals. While the $800 million this bill provides falls short of the full authorization, it does represent progress, since it doubles last year's funding.

I hope to work with the chairman through the end of the process to find a way to fully fund children's GME at a level of $285 million and put freestanding children's hospitals on par with other teaching institutions.

It is critical that we recognize the differences between adult and child medicine and provide this support to those whom we trust with caring for our most precious resources.

Mr. Speaker, I think the dedication this bill demonstrates towards these priorities within the constraints dictated by fiscal responsibility is to be congratulated.

The subcommittee did not face a simple task in crafting this bill, but I believe it is a responsible approach; and I am proud of their willingness to make tough decisions to keep our fiscal house in order while making wise investments in the areas of greatest need.

Still, I am sure if each of my colleagues legislated alone, they would look at the many worthwhile programs in this bill and prioritize spending in 435 different ways. In recognition of the different views among us, this legislation is being considered under an open process which will allow every Member an opportunity to rework this legislation to their will. So there is really no reason that every single one of my colleagues should not support this rule.

Mr. Speaker, I encourage all of my colleagues to vote yes on the rule, as well as the subcommittee's balanced approach to this legislation.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague from Ohio (Ms. PRYCE) for yielding me the customary half hour.

Mr. Speaker, this annual appropriations dance is growing staler than the Macarena. Year after year, this leadership attempts to gut programs critical to working families, and year after year they are publicly shamed into finally passing adequate spending levels. Fiscal year 2001 is gearing up to be no different.

The rule for this underlying bill is a sham and deserves to be defeated. In the dead of night, the Committee on Rules has rewritten the underlying bill in the hopes it might survive a floor vote. No one in this body has had an opportunity to adequately review this new version, but I can share with my colleagues at least one little gem.

According to the new rule, any programs that are forward-funded in the bill will trigger an automatic rescission. And did the majority pick on someone their own size in choosing the program to target for this rescission? Not in the least. The automatic rescission will cut funds from the Child Care Development Block Grant, which funds child care for the poorest children in our Nation.

Passing annual appropriations bills remains the most basic and critical function that we perform in this body. This particular spending bill funds some of our most essential programs, those that keep Americans healthy, educate our children, and protect our workers. But once again, the current leadership has skirted this responsibility and is pushing a bill that it knows will be vetoed in its current form.

The original bill was narrowly adopted in the Committee on Appropriations on a party-line vote 29–22, with every Democrat opposed. Moreover, the committee version of the bill would delay any new worker safety provisions, particularly those designed to protect workers from repetitive motion injuries.

My colleagues and I have often marveled at the short-sighted vision the current leadership holds for the Nation, and this year's Labor HHS appears to be no exception.

The bill cuts education funding at a time when school enrollment is exploding and education is at the top of our Nation's list of priorities. Education is cut $3.5 billion below the President's request, including the repeal of last year's bipartisan commitment to hire 100,000 new teachers, to reduce class size and turning that initiative into a block grant; denial of $1.3 billion to renovate 5,000 schools for urgently needed safety repairs; $1 billion cut from teacher quality initiatives for recruitment and training; $400 million cut from after-school care serving 1.6 million children; $416 million cut from title I assistance, affecting up to 650,000 low-income children; $600 million cut from Head Start, denying early education to 53,000 children, elimination of funding for elementary school counselors.

The leadership's bill cuts funding to train and protect America's workforce and contains a controversial rider which once again blocks OSHA's regulation on ergonomics for the sixth consecutive year.

The bill cuts millions from worker protection initiatives, including efforts to make the workplace safer, to promote equal pay, to protect pensions, and to crack down on sweatshops.

The ergonomics rider prohibits the issuance of a new OSHA rule that would prevent 300,000 debilitating ergonomics injuries per year. In addition, the bill cuts over $1 billion for the training of adult and dislocated workers and summer jobs for 72,000 at-risk youth.

Moreover, the underlying bill cuts funding to protect elderly Americans. The bill eliminates family care support for 250,000 Americans with long-term care needs; cuts funds to enforce quality nursing and family care for 1.6 million elderly and disabled people; cuts mental health for seniors; cuts funds to eliminate Medicare waste, fraud, and abuse.

In addition, the bill cuts funding for the battered women's shelters, for family planning, and for health coverage for uninsured workers.

Mr. Speaker, earlier this week the Committee on Rules had an opportunity to correct these cuts by allowing full consideration of amendments offered by my colleagues. We offered amendments to increase funding for education and research. We offered amendments to protect senior citizens and attack weak labor standards. All of these efforts were defeated on a party-line vote.

Thusly, Mr. Speaker, I urge the defeat of this ill-conceived rule.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. PORTER), the chairman of the subcommittee, who crafted this very difficult legislation in a very fine manner.

Mr. PORTER. Mr. Speaker, I thank the gentlewoman from Ohio (Ms. PRYCE) for yielding me the time.

Mr. Speaker, I would say to my friend and colleague, the gentlewoman from New York (Ms. SLAUGHTER), that the cuts she has described, are not cuts. They are cuts from the President's budget. And the President's budget, this President, has been particularly adept at drawing a political document. All Presidents draw a political document, but this President has taken it to an art form; and it is, basically, a document that is not responsible.

Let us start the debate today by being very, very clear. When the other side talks about cuts, they are talking about cuts from an irresponsible President's budget. If we look at the Department of Education, there are no cuts in programs. There is a $2.4 billion increase in spending in this bill over last year in discretionary programs.

If we look at the Department of Health and Human Services, there is a $2.2 billion increase over last year.

There are cuts in some programs in the Department of Labor. But this is an economy that is growing so fast, where we have almost full employment, that the need for job training is less than in the past. Such growth justifies a slowdown in spending.

So I would say to the gentlewoman, let us talk not about cuts. There are not cuts except in certain areas where they are justified. There are increases. They simply are not increases of the magnitude that the President has suggested because the President's budget is not responsible, I believe; and because we have a limited allocation.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member on the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, I thank my great colleague, my dear friend, the gentlewoman from New York (Ms. SLAUGHTER), for yielding me the time.

Mr. Speaker, do my colleagues know where their Committee on Rules was last night around midnight at the witching hour? When everybody else was nestled all snug in bed, the Committee on Rules was at work, under the cover of darkness, rewriting the rule for the Labor, Health and Human Services appropriations bill, where they once again put children's programs on the chopping block.

Mr. Speaker, picking on children is becoming the pattern in the Committee on Rules. Two weeks ago, the Committee on Rules killed an amendment that would have sent American medicine and American food to sick and starving children in North Korea and Sudan.

Then my Republican colleagues took money from the Women, Infants' and Children's Nutrition Program, the WIC program, and handed it over to the apple and potato growers.

Today, Mr. Speaker, they will put child care block grants at risk, and all to please the Republican conservatives who fear using next year's money to pay this year's bill because they themselves have imposed impossible budget caps.

Mr. Speaker, children should not be the scapegoats of Republican budget cuts just because they cannot fight back. And people will find out what my Republican colleagues did even though it was late at night.

If my Republican colleagues really need to come up with some more money, I think they should stop picking on children, pick on someone their own size.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. DREIER), the very distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of the rule. I thank my friend from Columbus, Ohio, for yielding me the time.

Mr. Speaker, I would like to say that we are proud to have a hard-working Committee on Rules. I am glad that the gentleman from Massachusetts (Mr. MOAKLEY) was able to join us last night.

One of the challenges of dealing with a very recalcitrant minority that wants to obstruct any kind of progress here in this House is that we have to try to fashion rules that will get the majority to provide full support; and, unfortunately, we have a difficult time working in a bipartisan way.

We try our best to do it. We try to reach out to the other side. But when we hear rhetoric like that that my friend, the gentleman from Massachusetts, just provided, it makes it really tough for us. Because, in fact, in the area of child care development, we have a 33 percent increase over last year.

1115

Now, one of the things that I was proud to have worked on earlier this year, that unfortunately I fell short by eight votes of getting the support on, was something called biennial budgeting. I know that while one member of the Committee on Rules in the minority joined us in support of this, my friend from Massachusetts opposed it.

We are talking here about all kinds of scenarios that are down the road and that, frankly, future Congresses will be addressing. As we look at this question of advance appropriations and forward funding, it seems to me that if we were able to have a biennial budget process, which it seems my friend is advocating here, it sounds like he is an advocate of the biennial budgeting process, he should have joined with us and voted in favor of that so we could have addressed this question in what I believe would be a really more responsible way than going through the annual process. But we have to deal with it as it is right now.

I want to say that I believe that this is a very, very responsible measure. My friend from Illinois (Mr. PORTER), who is going to be presiding over the last labor, health and human services appropriations bill before his retirement, is to be commended for his hard work. I think that his words just a few moments ago put it right on target when he said that all kinds of rhetoric is going to be out there trying to claim that cuts are being made when, in fact, we are bringing about responsible increases to address these issues. I commend him for his very fine work.

There are a number of very important issues that are being addressed in this measure. I want to particularly compliment him for the $900 million that is for technology, for education programs which will help today's students have the potential to be competitive when it comes to dealing with our global economy. We have a responsibility to ensure that we pursue that. I think we have been right on target in doing that.

There are a wide range of very good measures in this bill. What we need to do is recognize that we are complying with the budget resolution that passed, not, as the gentleman from Illinois said, the very irresponsible budget package that was put forward by the President of the United States. That is not what is providing us with direction here. We are following the budget resolution that passed. We are increasing responsibly in areas where need is taking place.

Mr. Speaker, we continue to hear the other side of the aisle talk about Draconian cuts. We went through this in the middle part of the last decade right after we won the majority and they tried to claim that we were cutting the school lunch program when we were increasing it, they tried to claim that we were cutting programs for seniors. They were trying to describe us as being somehow inhumane. Nothing could be further from the truth. We are, in fact, responsibly dealing with societal needs while at the same time dealing with the fiscal constraints that are imposed with the budget process that we have.

I strongly support this rule. I urge my colleagues to support it and the very important appropriations bill that we will be moving ahead with.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Democrat leader.

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

Mr. GEPHARDT. Mr. Speaker, I urge Members to vote no on this rule and if it does pass, to vote no on this bill. Everyone in America knows that the most important issue in front of us is education and training children, the way we raise children. Go into any business in America today and they will tell you they need trained people. They do not have enough trained people to fill the jobs. We constantly are asked by businesspeople for legitimate reasons to open up immigration rolls to bring in trained people to fill the jobs that Americans are not available to fill today.

Every family knows that raising a child today is more difficult in a very busy and different world that we live in. Parents have less time with children by about a third than they did 15 or 20 years ago. This bill walks away from all of those concerns. There is not enough money in it for the teachers that we need to teach our children in elementary and secondary schools across the country. It zeros out the funds that are supposed to be there for the 100,000 teachers that we should be trying to help the local districts with. It provides no funds for the effort to try to repair and rehabilitate and expand school building structures, so we can get smaller class sizes to go with the teachers that are all designed to get smaller class size. It guts the President's proposal to improve teacher quality and insist on teacher recruitment and school accountability.

Denying all of this funding is frankly inexcusable and unnecessary. Part of the reason, I guess, that we are not able to put enough money into these efforts is that tomorrow we have a bill to wipe out the estate tax entirely. Everything that we do here is a choice. We have a choice. We can wipe out the estate tax entirely or we can simply modify it and make it more reasonable, thereby not spending as much money on that effort and using those moneys that we do not use on that effort to

deal with schools and children and teachers and standards in public schools.

We are making a choice this week that we want the top 10 percent of the top 1 percent of Americans to get an incredible tax cut rather than spending the money on our children, on our future, on our ability to keep this economy which is white hot going in the right direction. That is the choice we face today.

I urge Members to vote against this rule, to vote against this bill so that we can make the right choice for America's most precious resource which are our children.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. I thank the gentlewoman for yielding me this time.

Mr. Speaker, in about 6 months from now, I will be back in my medical practice in Oklahoma. The one thing I will not miss is a lack of integrity and straightforwardness about when we discuss these issues.

Everybody in this House knows that the funding in Labor-HHS bills have climbed faster than in any other thing that we have funded in this House under Republican control. We are $40 billion more under this appropriation bill than we were in 1995. There is $14.3 billion more for children, for health, for education to be available, to be spent in 2001 than was available last year. And for anyone to come to the House floor and to say that there is a cut in programs, it is not only untrue but it smirches the integrity of this entire House.

We have a bill that spends much more than I want to spend on many of these programs because the accountability is not there, but we are going to spend the money to fulfill the needs even though the accountability is not there. It is important for us to make sure when we talk about priorities that what we are really talking about is a difference in the amount of increase in spending in priorities, not in cutting any major program. My heart aches for my grandchildren, because if we progress in this House with statements of untruth for political demagoguery purposes, we do neither party any positive benefit and we undermine the very value of this institution.

So I would beg that as we debate this bill the next 16 hours, to tell the Members of the House and tell the people in the country the same thing you would tell your grandchildren. Would you lie to your grandchildren? Would you be untruthful about what is really going on? We can have an honest debate about the differences in priorities. But I beg you, do not undermine the integrity of this House by baseless claims of cuts in spending.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, we have heard a lot of talk here today from people who understand the cost of everything and the value of nothing. When someone says that we do not have cuts in this bill for education and health care and job training, what they ignore is what happens to real people.

This budget is not the last budget for the Clinton administration. This budget is the first budget for the next decade. We do not have a society or a country frozen in time. We have a growing population. They have growing needs. We are going to have over a million additional students in college needing Pell grants, needing Work Study. We are going to have about a million and a half additional students in high school, needing title I and all the rest. We are going to have more people needing medical services, because our population is growing larger and it is aging. We are going to have about 25 million more people in the coming decade. It would be kind of nice if the people's bill, which this bill is, responds to those growing needs. But it does not. That is why it cuts the President's educational request by $3 billion. It cuts worker training and other worker protection programs by $1.7 billion. It cuts health care by $1 billion from the President's request.

Why does it do that? Because we are moving into a new era. We have been in an era of huge deficits. We are now moving into an era of large surpluses. We have some choices. The choices are whether you use those surpluses to cut taxes or to buy down debt or to invest in national security, education, health care, science and the like or whether you do a reasonable combination of all of them. What we are doing in this bill today is making these cuts because the Republican majority in this House has decided that rather than provide a prescription drug benefit under Medicare, rather than invest larger amounts in teacher quality, rather than investing larger amounts in smaller class size, rather than strengthening job training, they want to provide $90 billion in tax relief to people who make over $300,000 a year. That is why these cuts are being made. I think that is wrong.

I have no objection to legitimate tax cuts aimed at farmers who are on the edge or aimed at trying to help small businessmen provide health care for their employees. But when those tax cuts are so large that they prevent us from eliminating the debt and prevent us from making needed additional investments in child care, in health care, in after-school centers and in enforcement of international child labor standards, then this bill is misguided and misbegotten.

This rule denies us the opportunity to offer 11 amendments to add funding to restore teacher quality, school facility repair, early childhood education, child care, after-school initiatives, better nursing home care and all the items that I just mentioned. It tries to hide it, but when you adopt this rule, you are also voting to cut by over $800 million the child care block grant. You can deny it, but that is the fact. All of the amendments we want to be made in order could be financed by simply having the Republican majority in this House cut back their planned tax cuts by 20 percent and you would have enough to do all of the things we think that are necessary to move this society into the 21st century and to respond to the growing population and the growing need that accompanies that growing population.

This vote more than any other vote defines the differences between the two parties. It tells us what your values are. It tells us whose side you are really on. In our view, the majority party ought to scale back its tax promises so that we can meet the education and health care and job training responsibilities of this society.

1130

We did not get to have the greatest economy in the world by nickel-nursing on these needed training programs.

Mr. Speaker, we are going to have 35 million more people knocking on the doors of national parks over the next 10 years, we are going to have 40 percent more commercial airline flights, we are going to have millions of more kids in school. We need to respond to that. If we do not provide these increases, then on a per-person basis and on a per-family basis, we are cutting back the amount of help we are giving to working families trying to share in the American dream.

This is the bill more than any other in the Congress that attempts to do that. It is a sad commentary on the priorities of this place that we are denied the opportunity to even offer the amendments, to even offer the amendments. They provided protection in the rule for all kinds of unauthorized programs that are in the bill itself, but they will not provide that same protection under the rule for the amendments we seek to offer. It is an unbalanced rule; it is an unfair bill. It should be defeated.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. PORTER), the distinguished chairman of the subcommittee.

Mr. PORTER. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I would say to the gentleman from Wisconsin, my friend and colleague, that he is going to offer all 11 amendments as we have agreed, and the reason that the rule denies him the right to offer them is because none of them have any offsets. They contain $10 billion of additional spending that would, obviously, breach our allocation and therefore violate the budget that was adopted by the majority of this House. The amendments are irresponsible.

Sure, we would like to add $10 billion of spending to this bill. It has very important priorities. But somebody has to be responsible for the bottom line

and put some restraint on adding spending at any level to our bill or any other bill. So it seems to me that the gentleman is going to have an adequate opportunity to offer the amendments. We will make a point of order because they do not have offsets as our rules require. This does define the difference between the two parties. We are responsible for the bottom line.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would simply say in response that yes, we can offer the amendments, we just cannot get votes on them. That does not help a whole lot.

Secondly, they are offset. We suggest that we pay for them by cutting back tax plans by 20 percent. If we cut the outlays on the tax plans by $2.4 billion, we can pay for every single one of the amendments we would like to have votes on.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the distinguished chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, I am very proud to be in the well supporting the gentleman from Illinois (Mr. PORTER). I am very proud to be here supporting him for the last 4 years. I will tell the minority leader why you are going to bring in 200,000 people from other countries. For 20 years I sat here in the minority, and the only thing I ever heard from the majority was quantity, quantity. No quality. No quality. The only thing they ever talked about was quantity. If we can just cover more children, if we can just have more programs, if we just spend more money. Nobody ever went out to see whether they were doing any good, so we spent $140 billion in title I.

So what do we have now? Do you close the achievement gap? No, Mr. Minority Leader, you did not close the achievement gap one bit. In fact, it has increased. So for the first time in the last 4 or 5 years we have been talking about quality, not quantity. We have been talking about results, not process. Every time they would come and say we need more money, and I would say, for what, they would say, to cover more children, and I say, with what, mediocrity? You are not helping them.

So yes, now we have the highest Pell grants; and yes, now we have the lowest interest rates. Yes, now we have more money for college work study, all of these things. We also took 166 job-training programs spread out over every agency doing nothing to prepare our people, because there was so little money and so many programs. But again, it was the same mindset: more programs, more programs, and somehow or other, all of our problems will go away.

Well, we have changed this. We are now moving toward quality, not quantity. We are now moving toward results, not process; and we are going to see a big difference.

So again, I am proud to be here supporting the gentleman from Illinois (Mr. PORTER) in this effort. We want to close that achievement gap. More money for Even Start, more money for Head Start; but we reformed Head Start. For 10 years we heard, more money for Head Start, more money, but nobody said, are we accomplishing anything? Lo and behold, we discovered all over this country we were accomplishing very little to get them reading-ready to go to school. Now we have changed that, and so the word is quality. The word is also family literacy. For the first time we are now talking about if we are going to break the cycle, we deal with the entire family.

So again, we are on the right road, and thanks to the gentleman from Illinois (Mr. PORTER) for the last several years we have been moving in the right direction. The whole emphasis is on quality, not quantity; results, not process.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Mr. Speaker, we should reject this appropriations bill which turns its back on our children and our veterans. It demonstrates a lack of commitment to our Nation's veterans which we should not stand for, but maybe even more troubling is the degree to which this grossly underfunds Federal education programs.

The Republican bill is a giant step backward for American education. It eliminates funding for two programs that are critical for giving students the tools they need to flourish: the class size reduction initiative and the Elementary School Counselors Demonstration Act. Over the next 10 years, we will need 2.2 million new teachers nationwide to keep pace with enrollment. The Republicans want to play politics with children and slash the Democratic initiative to hire 100,000 additional teachers. This will jeopardize more than 1,000 teachers already hired in my home State of Illinois; it will leave kids packed in overcrowded classrooms.

The elimination of the Elementary School Counseling Demonstration program will deny counseling services to more than 100,000 elementary students. These essential services help troubled students overcome problems, promoting the mental health of our students and the safety of our schools. In April, I was joined by over 80 Members in calling for the funding of the school counselor program at $100 million in fiscal year 2001. In addition, the bipartisan Working Group on Youth Violence recommended that we fund school counselor programs to help reduce school violence. Despite the support and to the detriment of the school safety and our children's well-being, no funding was provided for this initiative.

Mr. Speaker, at this time I will include the Working Group's report and the letter to the appropriators for the RECORD.

BIPARTISAN WORKING GROUP ON YOUTH VIOLENCE—FINAL REPORT—NOVEMBER 17, 1999

Members of the Bi-Partisan Working Group on Youth Violence:

Republicans: Jennifer Dunn, Chair, Zach Wamp, Vice-Chair, Heather Wilson, Jim Greenwood, Mark Souder, Sue Kelly, Marge Roukema, Judy Biggert, Buck McKeon, Bob Barr, Tom Tancredo, and Rob Portman.

Democrats: Martin Frost, Co-Chair, Robert Menendez, Vice-Chair, Bud Cramer, William Delahunt, Sander Levin, Bobby Scott, Bart Stupak, Bob Etheridge, Ruben Hinojosa, Patsy Mink, Tim Roemer, and Sheila Jackson-Lee.

V. SCHOOLS.

Findings

C. Often one adult can make a difference by taking an interest in a child and nurturing him or her. This might be a teacher, an administrator, a counselor, or others.

Students with behavior disorders account for a majority of problems encountered in schools today. Additional resource staff in our schools, such as counselors, school psychologists, and social workers are needed, not only to help identify these troubled youth, but to work on development skill building. (Emphasis added.)

There is no real infrastructure of support for our kids when it comes to mental health services in our schools and no national models for how best to structure school community mental health programs. Currently, there are only 90,000 school counselors for approximately 41.4 million students in our public schools—roughly 1 counselor for every 513 students. In California, there is only one counselor for more than 1,000 students. That is simply not enough. As Mr. Porter stated during this presentation, current school counselors are unable to address students' mental health needs since they are responsible for such large numbers of students. Instead, their role is relegated to administrative, scheduling, and career counseling

Additional resource staff is needed to address specifically the personal, family, peer level, emotional, and developmental needs of students. By focusing on these mental health needs, these staff members will pick up early warning signs of troubled youth and improve student interaction and school safety.

The resource staff can also provide consultation with teachers and parents about student learning, behavior and emotional problems. They can develop and implement prevention programs, deal with substance abuse, set up peer mediation, and enhance problem-solving skills in schools. In short, resource staff can provide important support services to students, parents, and teachers.

There are a number of different ways to enhance the availability of emotional support and mental health services in schools. Schools can partner with community-based mental health organizations or enhance staff training by providing more opportunities at school for the development of informal adult-child mentoring relationships. We expect that there are a number of models that may vary in effectiveness at different schools and age levels. The federal government should initially support the development of research-based models for school mental health programs that could then be built upon.

Furthermore, schools and communities should incorporate programs that encourage parents to become involved in their child's educaiton. Improving parenting skills through federally-funded programs like WAC, TANF, Food Stamps, Medicaid, public health clinics, teen parenting, child welfare, juvenile delinquency and homeless programs may be an effective way to reduce juvenile violence in the long term.

Finally, teacher quality has been shown to have a profound impact on the success of a

child. Because teachers are on the front line, there is a great need to help them understand how to identify and intervene in the life of a troubled child. Studies indicate that by the school year 2008–2009, we will need an additional two million teachers in our schools. We can ensure that we have quality teachers in the future by creating incentives for educators to continue teaching and by encouraging people to begin teaching after careers in other professions through such programs which help mid-career professionals become teachers.

Recommendations:

Congress should provide grants to States and local educational agencies to recruit, train, and hire school-based resource staff, such as school counselors, school psychologists, and social workers. (Emphasis added.)

Congress should authorize the Department of Health and Human Services to work with schools and the mental health community in developing models that enhance the availability of mental health services in schools. (Emphasis added.)

Congress should encourage local educational agencies to implement professional development activities designed to assist teachers in identifying and assisting at-risk youths. (Emphasis added.)

Congress should authorize the Departments of Health and Human Services and Education to develop a public awareness campaign aimed toward parental involvement in schools.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 18, 2000.

Hon. JOHN PORTER,
Chairman, Subcommittee on Labor, Health and Human Services and Education, Appropriations Committee, Washington, DC.

Hon. DAVID OBEY,
Ranking Member, Subcommittee on Labor, Health and Human Services and Education, Appropriations Committee, Washington, DC.

DEAR CHAIRMAN PORTER AND CONGRESSMAN OBEY: We write to request funding for the Elementary School Counseling Demonstration Act (ESCDA) under Title X of the Elementary and Secondary Education Act at $100 million in FY 2001.

At a time when our communities are experiencing surges in school violence, we have an obligation to do all that we can to provide communities with the resources they need to keep their schools and students safe. School counselors are an integral part of this effort.

School counselors, school psychologists, and school social workers provide some of the most effective prevention and guidance services available to our nation's children. These highly trained professionals help improve students' academic achievement, provide students with essential mental health services and intervention, and help students cope with the stresses of youth.

Across the country, school counseling professionals are stretched thin and students are not getting the help they desperately need. Studies indicate that, although 7.5 million children under the age of 18 require mental health services, only 20 percent receive necessary counseling. This lack of access to counseling services is having detrimental effects on both the students and the community. Of those students who most need, but do not receive, mental health services, 48 percent drop out of school. Of those who drop out of school, 73 percent are arrested within five years of leaving school.

America's schools are in desperate need of qualified school counselors. The current national average student-to-counselor ratio in our elementary and secondary schools is 561 students to every school counselor. According to the American Counseling Association and the American School Health Association, the maximum recommended ratio is 250:1. Every state in the nation exceeds this recommended student-to-counselor ratio.

Congress can ease the pressing shortage of school counselors by investing in this important initiative. The Elementary School Counseling Demonstration Act (ESCDA)—expected to soon be expanded to the Elementary and Secondary School Counseling Program—enhances schools' ability to provide much needed counseling and mental health services. ESCDA is a small program that awards funds through a competitive grant process to only those schools most in need of counseling services.

And the best news yet—this worthy initiative gets results. Under the model ESCDA program, Smoother Sailing, counseling services have proven to decrease the use of force, weapons, and threats against others; decrease school suspensions; decrease the number of referrals to the principal's office by nearly half; and make students feel safer. Further, school counseling and mental health services improve students' academic achievement and reduce classroom disturbances. Studies on the effects of small group counseling for failing elementary school students found that 83 percent of participating students showed improved grades.

In FY 2000, ESCDA was funded at $20 million. This funding will only provide grants to approximately 60 of our nation's 14,000 public school districts. We believe that we must do better and increase funding for elementary and secondary school counseling services under ESCDA to $100 million for fiscal year 2001.

We understand that you are under considerable pressure to manage requests for the FY 2001 Education Appropriations. However, we urge you to give serious consideration to this important request.

Sincerely,

Lane Evans; Nancy Pelosi; Lynn Woolsey; Nancy L. Johnson; Connie Morella; Bernard Sanders; Lois Capps; Sherrod Brown; Debbie Stabenow; Harold Ford, Jr.; Steve Rothman; Elijah E. Cummings; Nick Rahall; Carolyn B. Maloney; Patrick J. Kennedy; Dennis J. Kucinich; John Spratt; Eliot L. Engel; Diana DeGette; Edolphus Towns; Adam Smith; Stephanie Tubbs Jones; Anthony Weiner; Earl Pomeroy; Melvin L. Watt; John D. Dingell; Corrine Brown; David Wu; Earl Blumenauer; Carlos Romero-Barcelo; Grace F. Napolitano; John Conyers; James McGovern; Marcy Kaptur; Tom Lantos; David Price; John E. Baldacci; Ike Skelton; George Miller; Cynthia McKinney; Jerry Costello; Michael Doyle; Robert T. Matsui; Julia Carson; Bennie Thompson; James L. Oberstar; Alcee L. Hastings; Jerrold Nadler; Barbara Lee; Jan Schakowsky; Donald M. Payne; Michael E. Capuano; James H. Maloney; Karen L. Thurman; Danny K. Davis; Gene Green; Eleanor Holmes Norton; Sam Gejdenson; Henry A. Waxman; Joseph Crowley; Robert Wise; Dale E. Kildee; Sheila Jackson-Lee; Martin Frost; Thomas Allen; Bob Clement; Leonard L. Boswell; Mark Udall; Chaka Fattah; Fortney Pete Stark; Collin C. Peterson; Bruce R. Vento; Joe Baca; Brian Baird; Tom Sawyer; Robert Menendez; Juanita Millender-McDonald; Jim Davis; Ted Strickland; John Larson; Ciro D. Rodriguez; Peter Deutsch.

Mr. Speaker, all in all, this bill fails our students and does not reflect the priorities that Americans place on investing in quality education. I urge my colleagues to oppose this bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, as I am listening to the other side talking about cuts in this bill, it is really very hard for me to fathom this. This is like hearing that black is white, that up is down. I think George Orwell would find this rhetoric very, very familiar.

I would suggest that my colleagues turn to page 277 of the committee report. It simply says, it shows quite clearly that in fiscal year 2001 the program administrators, the people actually spending this money, are going to have $12.3 billion more money to spend than they had in fiscal year 2000; $12.3 billion. That is an increase. The 2001 number is bigger than the 2000 number. It is not just a little bit bigger. It is 14.5 percent bigger. That is three times the rate at which the economy is growing. It is about five times the rate of inflation. But what we are hearing from the other side is that even that increase is not enough. Frankly, I think it is too high, but it is consistent with the budget resolution that we passed in this Chamber and in the other Chamber, and I am going to support it. But to hear the other side complaining about cuts is shocking to me.

Now, if the other side really finds programs that they feel need more funding, which no doubt they do, they are free to offer amendments to reshuffle this money around, to transfer from one account to another; but they cannot do that to their satisfaction, even with a 14.5 percent increase in the money that is available.

I think what is clear here, the difference between the two parties is that there is no amount of money that is enough. We have a record high level of spending, record high discretionary spending. This bill is at a record high level, and we have record high taxes. Despite that, they want more money and more spending.

Mr. Speaker, I urge my colleagues to vote yes on this rule, which simply keeps the bill consistent with the budget resolution and then vote yes on final passage.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule.

This bill cuts the heart out of opportunities for education, for health, and for the well-being of our families in order to be able to provide for, in the long run, a tax cut for the wealthiest people in this Nation.

Let me give my colleagues one example of one area of cuts. It dramatically will cut the Child Care Development Block Grant. It specifically singles out child care funding to be the first on the chopping block. Our Nation's children on the chopping block.

Not long ago, a group of Members, 120, wrote to the committee urging an

increase of funding for this critical program. They were a bipartisan group of Members, I might add. Now we have to stand here today, and we have to stand and oppose a proposed cut in funding. How can this be? The Child Care Development Block Grant provides access to quality child care to thousands of working families. It allows parents and in many cases single working mothers as they leave home each day to be able to support their families, to be able to make sure that their children have child care.

Mr. Speaker, we cannot allow working families, but most importantly, the children of these families, to fall through the cracks. Even the current funding levels serving only one in 10 eligible children are completely inadequate. Studies show that serious problems with child care quality persists, leaving children at risk of important development and school failure.

Mr. Speaker, children are our Nation's most precious resource; they are our future. In these times of great economic prosperity, how can we leave these youngsters behind? Where is our commitment to child care in our country if we ignore the needs of children zero to 3, we ignore the needs of children 3 to 5, we ignore the needs of working families in this bill? Let me just tell my colleagues that budgets, in fact, are not just numbers on a piece of paper. Budgets are a reflection of our values and our priorities as a Nation. Defeat this rule and defeat this bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. It is amazing, Mr. Speaker, how the people on the other side of the aisle can continue to come forth with such statements that Republicans are cruel to children. Most of these education programs are actually being increased in spending, so I do not understand where the rhetoric is coming from.

The reason I am here today is to advise that last April I invited the OSHA administrator to visit Zenith Cutter in my district. Zenith Cutter is a small manufacturer of industrial knives and has about 175 employees. Mr. Jeffress saw firsthand, with Cedric Blazer, the owners, what industry is already doing in the area of ergonomics without any government mandates. It makes no sense to finalize the ergonomics rule by the end of this year, because nobody at OSHA understands the rule.

In fact, we held a hearing in our congressional district the day after a blizzard. Over 100 people showed up from small to large industries. The OSHA people came in from Chicago, and as well-intentioned and as kind as they were, they could not adequately describe exactly what these ergonomic rules are or the standards that would be promulgated with the resulting rules.

So I therefore support the decision of the Committee on Appropriations to hold off any action on the proposed ergonomic rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

1145

Mr. DOGGETT. Mr. Speaker, in Austin, Texas, working families of over 2,000 children rely on Federal assistance to cover part of the cost of their child care. Unfortunately, almost as many families cannot get child care assistance and are on a waiting list. Countless others never apply because they know the wait is so long. For those working families, this vote does not represent a tough choice; it is the wrong choice. It says these families will have to wait a little longer.

Child care that is safe, affordable, and of high quality is essential for our families, and it is essential for our Nation. This bill makes the wrong choice on this vital need.

For older children, working parents know that the period after school and before they return home from work is a critical time. It is prime time for juvenile crime, and a top need for constructive, after-school care. The cuts in this bill to after-school care are not a tough choice, they are the wrong choice for those students as well as their neighbors.

For students who advance all the way through school and who deserve to be able to get all of the educational opportunity for which they are willing to work, college student financial assistance in the form of Pell grants is essential. The cuts to Pell grants in this bill are not a tough choice, they are a wrong choice for our students and their hope for the future.

Let me say, Mr. Speaker, that these wrong choices being forced on the House today are not by accident; they are directly related to the next bill that this House will take up. That is a bill to cut the taxes for poor old Steve Forbes, for poor old Ross Perot. Seventy-three percent of this huge, Republican-proposed tax cut would go to the wealthiest 17 percent of taxpayers. In order to give this huge tax cut to the very richest people in this country, they propose their so-called tough choice, which is the wrong choice on child care, the wrong choice for after-school care, and the wrong choice on grants for college education.

The two bills are closely intertwined. And they are wrong on both. We ought not to cut Ross Perot and Steve Forbes' taxes in order to inflict so many cuts on the working families of this country.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I rise in opposition to this rule and to this bill. The committee unfortunately included a prohibition on the Occupational Safety and Health Administration, this is hard to believe, to stop OSHA from implementing protections against repetitive stress disorder, carpal tunnel syndrome, and the litany of physical injuries workers sustain every day because of the dangerous design of their jobs and workplace.

Many of these workers are women. They are our mothers, our aunts, our sisters, and our daughters. Each year, according to the AFL-CIO, 400,000 women workers suffer injuries from dangerously designed jobs. Sixty-nine percent of all workers who suffer from carpal tunnel syndrome, and I think everyone knows this, are women.

The bill therefore represents a betrayal of promises made to the women of America. In fiscal year 1998, the Committee on Appropriations report stated that ''the committee will refrain from any further restrictions with regard to the development, promulgation, or issuance of an ergonomic standard following the fiscal year 1998.''

In the following year, Chairman Livingston and the gentleman from Wisconsin (Mr. OBEY) signed and sent a letter reiterating Congress' promise. The letter stated, ''It is in no way our intent to block or delay issuance by OSHA of a proposed rule on ergonomics.''

So why does the bill before us prohibit OSHA from protecting women workers who are hurting and being crippled by dangerous workplace? A promise was broken, and Congress is on the verge of leaving America's working people, the vast majority of our citizens, unprotected from dangerous workplaces.

I urge my colleagues to vote no on the rule and no on this bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise today in opposition to the rule, and I am also in strong opposition to the provision in this bill which would bar OSHA from implementing its ergonomic standard. This standard would protect hundreds of thousands of American workers suffering from musculoskeletal disorders every year. As a public health nurse, I know the debilitating effects these disorders can have. They are the most prevalent, expensive, and preventable workplace injuries, accounting for more than one-third of all occupational injuries and illnesses serious enough to result in days away from work, affecting more than a half a million workers each year, and costing businesses over $15 billion.

Congress has prevented OSHA from issuing an ergonomic standard since 1995. So many medical and professional organizations have strongly encouraged OSHA to act without further delay on this ergonomics rule.

Medical and professional organizations have strongly encouraged OSHA to act without further delay on this ergonomics rule. These groups include: The American College of Occupational and Environmental Medicine, the American Academy of Orthopedic Surgeons, the American Association of Occupational Health Nurses, the American Occupational

Therapy Association, the American Nurses Association, the American Public Health Association, and the AFL–CIO and all of their affiliated unions.

Mr. Speaker, I am disappointed that this appropriations process has once again become the means by which we leave our workers without the safety protections they deserve. I believe it is irresponsible to prohibit OSHA from acting in the best interests of American workers. I object to the rider on the Labor-HHS appropriations bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, this is a wasted opportunity. H.R. 4577 is a bad bill, and we should have a rule that would include an amendment to guarantee every one of our students and all of their schools the resources and the assistance they need to perform at the very, very highest standards.

Instead, we have a bill that repeals last year's bipartisan agreement to hire 100,000 new teachers. This bill rejects the funds needed to make urgent safety and health repairs to 5,000 schools. It denies after-school services to more than 1 million students, and actually eliminates Head Start for 53,000 children.

The one amendment that does bring funding to education does it by taking funds now used to keep American workers safe on their jobs.

I strongly urge my colleagues to vote against this rule, and insist on a new rule that allows the House to vote for education funds so that our students and schools will not be left behind.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I stand here today and see a bill that would do little for the educational system of our country. This is a result of the budget that the Republican majority has given us. It emphasizes cutting taxes, but it hurts the future of our Nation.

This bill does not provide for the President's plan for school modernization, and ensures our children will continue to suffer from substandard school facilities.

In my home State of Texas, where my wife teaches high school algebra, we have 4 million students in almost 7,000 schools. Of these schools, 76 percent need repairs or upgrades to reach good condition; 46 percent need repairs in building features such as plumbing, electrical, heating, or cooling; 60 percent have at least one environmental problem, air quality, ventilation, or lighting; and the student ratio to computers stands at 11 to 1.

Over the next decade it will get worse, not only in Texas but across the country. Over the next decade, the number of Texas students in elementary and secondary schools will increase by 8 percent.

What we need to do is not underfund $1 billion in teacher quality improvement and recruiting, as this bill does, cut 40 percent of after-school programs, underfund Head Start. We need to provide for the future of our Nation.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to my distinguished colleague, the gentleman from Mississippi (Mr. WICKER), a member of the subcommittee.

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

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

Mr. Speaker, yesterday we talked about national defense, and it is an issue on which we can be a little more bipartisan. But, unfortunately, today is a day when we have to put on our partisan hats. My friends from both sides of the aisle have seen this happen already today.

Let me just take this time, as a member of the subcommittee, to thank someone, my subcommittee chairman, the gentleman from Illinois (Mr. PORTER), and also the full authorizing committee chairman, the gentleman from Pennsylvania (Mr. GOODLING), two people who are retiring this year, for working and trying to work on a bipartisan basis for education and for health care over the last 5 years. We have a good record to show. We have a record of a 46 percent increase over 5 years in education.

We will today put on our partisan hats and define the differences in the parties. We have had references to the American dream, and certainly the American dream is embodied in this very fine piece of legislation today. The American dream includes a good education. I mentioned the 46 percent increase that we have had over the last 5 years of Republican governance in this House of Representatives.

The American dream means good health care. The American dream means good jobs and good job training. I am proud of everything we have done in that respect.

The American dream, Mr. Speaker, also means a sound economy. It means being fiscally responsible and living within our budget, and giving the people of America back just a little bit of their hard-earned income in the form of a tax cut.

Mr. Speaker, we have heard about the President's budget being slashed. It is easy for the President of the United States to float a figure out there when he knows that this House of Representatives and this Congress has got to live within a budget, and at the end of the day we are going to live within the bottom line.

It is easy to say, yes, the President had a budget and we have cut numbers from the budget, but look what the President did and his party did when they had it all to themselves. This is spending for special education, cumulative growth in funding. Look what happened in 1993, 1994, in fiscal year 1995, when the President and his party had it all to themselves. Then look at the increase in special education, cumulative growth funding since Republicans have been in office and in the majority in this House. We have a record. These are real figures for real people. I am proud of our record in special education growth.

With regard to Job Corps funding, again part of the American dream, the figures are right here for us. Look at the increases that the Democrats had when they were in control, when they ran the Committee on Rules, when they had vast majorities in this House of Representatives. These were the small increases in Job Corps training. This is what a Republican Congress has done on the other side of the page. The numbers speak for themselves.

Vote for the rule. Vote for fiscal responsibility and vote for a continuation of the American dream.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, two exemplary students apply to the school of their dreams. Both are accepted. Both are overjoyed. But one will not be attending this institution of higher learning for one reason and one reason only: He or she did not receive enough financial aid.

Who is going to tell this well-deserving student, I am sorry but the money just is not available, even though we now live in the greatest fiscal times in our history?

I will vote against this rule, and one of the reasons is because of the example of the reduction of Pell grant money by $48 million. Do we even know how many children's lives this would affect? We are cutting funding to students who otherwise would not be able to go to college, many of whom are our summer interns.

This grant provides an opportunity. It provides for a future for students who otherwise would not have the resources to attend college. We tell our children that education is a means of success and a better way of life. If we take away the funding that Pell grants provide, we are taking away students' chances for a better life. We should increase these opportunities, not take them away.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. PORTER), chairman of the subcommittee.

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

I just want to tell the gentleman who just spoke that Pell grants in the bill are increased by $200 to the requested level, and the only reason that there is an adjustment in the amount of money spent for the Pell grants is that there is estimated to be less demand for them in the next fiscal year.

There is increase in the Pell grants. We are not cutting them, we are increasing them, exactly as the President put in his budget.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, all of us say we have education as a priority, and we understand education is a priority of the American citizens, but when we come to appropriations, it does not seem that way. Maybe it is just in North Carolina. My State tells me we will lose almost $92 million. Please, Mr. Speaker, I beg for people to correct me, to say that this is not true. I want to make sure that that is not true.

They say we will lose $1.4 million in adult training; in youth training, again, $1.2 million; in disabled workers, again we will lose; just down the line; Head Start, $11 million; development block grants, another $11 million plus; and Title I, Title I, even there, it is $39,000; ESEA Title I migrant programs, more than $1 million; again, the Eisenhower/Teach to High Standards grant, $15 million; class size reduction, and we all know smaller classes mean indeed that we are able to teach better, $36 million.

I must vote against this rule, and I urge my colleagues, please allocate those resources for those children we say we love.

Mr. Speaker, I am sure that as you visited local schools, and talked to teachers, students and school administrators during our most recent recess, you heard their cry for additional teachers, more training and smaller class sizes. They shared with you the challenges they face daily to accommodate the ever increasing enrollments.

We must provide adequate funding to hire 100,000 new teachers to meet the enrollment needs. This is especially important for our nation's poor, minority and rural community children.

I don't know if you had an opportunity to analyze the effects of this bill on your state.

Our state would be facing devastating reductions in:

	Dollars
Adult Training	−1,401,000
Youth Training	−1,298,000
Dislocated Workers	−4,134,000
Re-employment Services	−1,557,000
Unemployment Insurance	−1,967,000
Head Start	−11,935,503
Child Care and Development Block Grant	−11,439,157
ESEA Title I LEA Grants	39,586
ESEA Title I Migrant Grants	−1,030,448
Eisenhower/Teach to High Standards Grants	−15,225,126
Class Size Reduction	−36,217,944
Vocational Education Tech-Prep Grants	−5,771,250
Leveraging Educational Assistance (LEAP)	−868,140
Preparing Teachers to Use Technology	?
21st Century Community Learning Center	?

Passing this bill in its current state could be devastating to the state of North Carolina, netting more than a $92,000,000 loss for the state. North Carolina would receive no support under this bill. It doesn't assist the state improve its dilapidated schools or poor performing schools.

Ninety-two million dollars is a lot of money and could make a major difference in improving education in our state.

This bill seems to me to say, it's okay if we continue to ignore the needs of our children.

My colleagues, I urge you to fully fund the President's proposal.

Because of the tremendous lack of support and vision for education and health of children and teachers, I must vote ''no'' on this bill.

1200

Ms. PRYCE of Ohio. Mr. Speaker, I reserve my time to close.

Ms. SLAUGHTER. Mr. Speaker, I yield the remaining 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, over the last 2 weeks, we have seen a systematic attack by this House on public investments that make this economy the flourishing growing economy that it is today. Just yesterday in the committee, we put together a bill which cut deeply into the President's request for National Science Foundation funding. That is the basic scientific research that underlies all the advances we eventually make in health care through the National Institutes of Health, in developing new technologies, such as the Internet, which was developed through an investment by the Defense Department and the National Science Foundation.

This bill itself says that it wants to have a 15 percent increase in the National Institutes of Health, but then it has a language provision in the bill which prevents that money from actually being spent. This bill ignores the fact that we have growing school populations and growing senior populations who need added services, not less.

This bill denies us the opportunity to support the President's program to strengthen teacher training. The gentleman from Pennsylvania (Mr. GOODLING) for years has said do not just put money into class size, put money into quality teachers. The gentleman is right, and that is why we have tried to do both in the amendments that we wanted to offer but are being denied the opportunity to get a vote on in the rule today.

So I would suggest there are all kinds of reasons why, if you care about the future economic strength of this country, if you care about equal educational opportunity, if you think people ought to get health care without begging for it, there are all kinds of reasons to vote against this bill.

This bill makes all of these reductions in order to finance your huge tax cuts for the wealthiest people in this country; 73 percent of the benefits go to the wealthiest 1 percent. That is a high price to pay to give those folks a bonus.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, let me remind my colleagues again that this is an open rule. The bill before us will be debated under an open process that will allow Members who disagree with the bill's priorities to change them. Also, despite my colleagues warnings of dire consequences, this bill actually increases spending to the tune of $4 billion over last year.

The extra investment will allow for increases, not cuts, but increases in many priority programs including National Institutes for Health, Job Corps, Community Health Centers, Ryan White AIDS Care programs, the Centers for Disease Control, the Substance Abuse and Mental Health programs, Services Administration, Low Income Home Energy Assistance, Childcare and Development Block Grant, Head Start, the Technology for Education Program, Special Education, Impact Aid and Student Financial Assistance, and that is just to name a few.

Mr. Speaker, at the same time, this bill is responsible, balancing the need to fund worthwhile programs while keeping our budget balanced. It is this kind of responsible governing, where priorities are set, waste is eliminated, and fiscal prudence is maintained that will keep our Nation's economy on track.

I urge my colleagues to support this fair and open rule as well as the underlying legislation.

Mrs. MEEK of Florida. Mr. Speaker, I rise to speak against the rule because it is a stealth attempt to reduce funding for Pell Grants for education by $48 million. This is ridiculous, particularly at a time when our nation and our world is moving at warp speed with new technologies, globalization, and innovations and change. Changes which affect how we live, how we work, how we learn.

It is a quality education that has allowed America to master these rapid changes and move forward in this new economy.

Education has helped us move forward from the days of the horse and buggy to the information superhighway.

It is education that has allowed us to move from horse stables into stable careers and success in the new economy. And, for millions of Americans the Pell Grant has made education possible.

We know that our continued economic prosperity depends on two things—businesses getting the skilled workers they need for our growing economy, and workers getting the skills and training they need to keep working smarter. If this backwards rule passes, we will have turned our backs on both the American public and American businesses who depend upon a highly trained, well educated workforce.

By voting to slash Pell Grants, Congress will be saying ''no'' to millions of students trying to gain the skills necessary to move forward, and compete in the 21st century. And, ''no'' to the businesses that tell us everyday how desperate they are for a highly skilled and well educated workers.

During this period of economic prosperity and budget surplus, we should be seizing the opportunity to advance the well being of our citizens by training and educating our students and workers instead of shortchanging them.

Let's not say ''no'' to the 67 percent of our high school graduates who are now going on to college, and struggling to pay college tuition.

Vote against this rule (bill) and in favor of needy students across this country, and in favor of American businesses who desperately need a well educated workforce. Let's keep our American economy growing.

Mr. GILMAN. Mr. Speaker, I rise to speak on this rule for H.R. 4577, the FY 2001 Department of Labor, HHS and Education Appropriations Act, to offer my strong objection and concern with the addition of another amendment to part A of the Rules Committee report, providing for a rescission from the child care and development block grant (CCDBG) of any funds appropriated in excess of the $23.5 billion advanced appropriation cap contained in the FY 2001 concurrent budget resolution.

The child care development block grant (CCDBG) is a major source of child care assistance for low and moderate working families. Usually out of necessity, not choice, mothers are working outside the home in greater numbers than ever before. Moreover, with many employers having difficulty finding the workers they need, due to a 30-year low in unemployment; and the continued demand generated by welfare reform. It is imperative now more than ever that the availability of affordable and quality child care services exist.

Accordingly, now is not the time from Congress to limit the amount of funding available for CCDBG.

Regretably, as I read the language found in the Rules Committee report it is essentially placing a marker which states that the House of Representatives does not support the need for this important program.

While, I will vote for the rule as I believe it is important that the House have the opportunity to debate the important provisions in the Labor, HHS appropriations bill, I strongly oppose the Rules Committee report language on the CCDBG. And I intend to work for additional funding for this necessary, beneficial program.

Ms. PRYCE of Ohio. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PEASE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 218, nays 204, not voting 13, as follows:

[Roll No. 247]

YEAS—218

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—204

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—13

Clay
Danner
Fossella
Franks (NJ)
Gejdenson
Greenwood
Houghton
Klink
Markey
Meeks (NY)
Myrick
Smith (MI)
Vento

1224

Mr. PALLONE and Mr. MOLLOHAN changed their vote from ''yea'' to ''nay''.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBER TO BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore (Mr. SHIMKUS). Without objection, and pursuant to 10 U.S.C. 4355(a), the Chair announces the Speaker's appointment of the following Member of the House to the Board of Visitors to the United States Military Academy:

Mr. RODRIGUEZ of Texas.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

REPORT OF NATIONAL SCIENCE BOARD ENTITLED ''SCIENCE AND ENGINEERING INDICATORS, 2000''—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

As required by 42 U.S.C. 1863(j)(1), I am pleased to submit to the Congress a report of the National Science Board entitled, ''Science and Engineering Indicators—2000.'' This report represents the fourteenth in a series examining key aspects of the status of American science and engineering in a global environment.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *June 8, 2000.*

GENERAL LEAVE

Mr. PORTER. 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. 4577, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 518 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4577.

The Chair designates the gentleman from Nebraska (Mr. BEREUTER) as chairman of the Committee of the Whole, and requests the gentleman from Indiana (Mr. PEASE) to assume the chair temporarily.

1228

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Service, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. PORTER).

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before I begin the general debate, I want to acknowledge the wonderful work of our staff on our subcommittee. Tony McCann, the clerk and chief of staff has done a magnificent job for this subcommittee for the entire 6 years that I have been privileged to chair it; and he has been very ably assisted by a wonderful staff: Carol Murphy, Susan Firth, Geoff Kenyon, Tom Kelly, and Francine Salvador on our side and Mark Mioduski and Cheryl Smith on the minority side.

1230

Every one of them is an expert. We rely greatly upon their counsel and advice, and we are fortunate to have professionals of this standard as our staff.

I also want to thank the associate staff of the subcommittee. They work very hard for each of the Members; and I want to thank my staff, particularly Katharine Fisher, my administrative assistant, and Spencer Perlman, my legislative director.

Let me add that it has been a tremendous privilege for me to serve for the last 21 years on the Committee on Appropriations and on this subcommittee, and it has been wonderful to be able to serve as one of the subcommittee chairmen under our full committee chairman, the gentleman from Florida (Mr. YOUNG). He does a magnificent job for our country, for this House of Representatives, and for our committee; and it has been an absolute joy to be a subcommittee chairman under his leadership.

Let me also say that it has been a great privilege for me to serve with my colleague, the gentleman from Wisconsin (Mr. OBEY). We work very well and closely together. People may not believe that after the debate we will probably have today; but we do. And I have learned a great deal from him. He is a very senior Member of the House, has been on this committee, interestingly enough, many years longer than I have; and I think our relationship is a very solid and good one. Both of us realize that, in the end, the process leads us to finding common ground and to making the right decisions for our country and for the programs that are under the jurisdiction of the subcommittee.

Each of the subcommittee members, the gentleman from Texas (Mr. BONILLA), the gentleman from Oklahoma (Mr. ISTOOK), the gentleman from Florida (Mr. MILLER), the gentleman from Arkansas (Mr. DICKEY), the gentleman from Mississippi (Mr. WICKER), the gentlewoman from Kentucky (Mrs. NORTHUP), and the gentleman from California (Mr. CUNNINGHAM), on our side; the gentleman from Wisconsin (Mr. OBEY), of course; the gentleman from Maryland (Mr. HOYER); the gentlewoman from California (Ms. PELOSI); the gentlewoman from New York (Mrs. LOWEY); the gentlewoman from Connecticut (Ms. DELAURO); and the gentleman from Illinois (Mr. JACKSON) on the minority side, they spend countless hours in hearings that last far longer than any other subcommittee. They are all very, very dedicated and hard-working Members that give a great deal of their time and effort to this process; and I want to thank each one of them. It has been for me a great privilege to have Members like this serving on this subcommittee, and I know that they will provide the institutional knowledge that will carry it forward long after I have departed.

Let me also add that we work very, very closely with the gentleman from Pennsylvania (Mr. GOODLING). He has provided the kind of leadership in the authorization of many of the programs that our subcommittee funds, and he has been the kind of authorizing chairman that appropriators salute because he has taken on the job of reauthorizing almost all of the education and some of the labor law that needs reauthorizing. He has not shirked one bit from that responsibility and has done a terrific job of reflecting the kind of philosophy that we believe gets results for people.

That is, after all, what this bill and what all of our bills are all about, getting results for the American people. The entire tenor of Congress during the last 5 or 6 or 8 years has changed, as we look very hard at every single program to see whether it really works to changes people's lives and to do the right thing in terms of the expenditure of money and getting results.

Now, Mr. Chairman, the committee bill, despite what we may hear from now on, increases discretionary spending by $2.4 billion over last year. It contains a few cuts. A number of programs are level funded, but many are increased. The bill provides increased spending of $2.4 billion to 98.6 billion and a total of $342 billion overall.

The President, of course, requested $106.2 billion. That is easy to do when he is not responsible for the bottom line. With the extra funds, the President proposed dozens of new programs, many of them duplicative; hastily conceived, in our judgment; and aimed more at constituencies than at true national policy.

Within our funding level, determined by a budget resolution adopted by the majority of both Houses of the Congress and that we have to live by, I have attempted to support high-priority programs while restraining the growth of other lower-priority programs. We did not fund any of the dozens of new small untested programs proposed by the President, almost all of which were unauthorized.

We did fund the Job Corps at $1.4 billion, $7 million above the President's request. We did fund community health centers at $1.1 billion, $31 million above the President's request. We funded graduate medical education payments to Children's Hospitals at $80 million, the request level.

We funded Ricky Ray Hemophilia Relief at $100 million. Ryan White, under our bill, is increased by $130 million to $1.725 billion, $5.5 million above the President's request.

TRIO was increased by $115 million, a very important program serving minority youngsters in our society. It is increased by $115 to $760 million, $35 million above the President's request.

Overall, the Centers for Disease Control and Prevention is funded at $368

million above last year's level and $189 million above the President's request. This level includes both the regular account and the Public Health Emergency Fund. I have specifically included $145 million, $8 million above the President's request, for the critical infrastructure needs of the CDC.

Mr. Chairman, I funded the National Institutes of Health at the request level, $1 billion above last year. I believe this level is not sufficient, but it is all I could manage within our allocation. The bill has been written to assure that a 15 percent increase is part of the conference's consideration.

For child care, the mark includes $2 billion for fiscal year 2002 for this normally advanced funded program, although there is a sequester in place should we breach the budget resolution. And for fiscal 2001, the mark provides an additional $400 million as a ramp up to the larger amount for fiscal year 2002. Child care is not shirked. We wish there were more funds; we are doing the best we can within the allocation.

Head Start is funded at $5.7 billion, a 7.5 percent increase. Education Technology is funded at $905 million, $2 million above the President's request and $139 million above last year. After School centers are increased by almost $150 million and over a 30 percent increase to $600 million.

The mark fully funds Impact Aid at $985 million, a $75 million increase and $215 million above the President's request. Special education is increased by $500 million to $6.25 billion. Pell Grants are increased by $200 and SEOG's and work studies are funded at the requested level.

Because of the importance of the Administrative Account for the delivery of Social Security benefits, I have increased this account by almost $400 million. Most other programs are funded at last year's level.

The bill includes the same language provisions as were included in previous years, including the Hyde language on abortions. It includes prohibition on needle exchange programs, national testing and embryo research, the same as last year. It includes the same language as last year on Title X, Family Planning, compliance with State laws and family involvement.

It includes new language requiring filters on computers purchased with Federal funds to assure they cannot be used to access child pornography, obscene material, and other material harmful to children on the Internet.

For 4 of the last 5 years this bill has been enacted without a normal conference because it failed to pass either the House or the Senate. Mr. Chairman, this is a failure of democracy which we should never allow to happen. This bill should be shaped by the entire body on the House floor. I am very pleased that this year the bill is coming to the floor early; that the body will have a chance to shape the bill in the way they wish to see it leave this body. I believe that we should never again allow the enactment of this or any other bill shaped in the normal process by the Members in open debate on the House floor under an open rule.

I believe this bill does a very good job of funding high priorities for this country. Yes, we do not have an allocation as large as we might like, but we are operating under a budget resolution adopted by the majority of this House. And we are doing the best that we can to provide for the high-priority programs to serve people most at risk, to serve our children, to serve our elderly populations; and I believe that we have done the best we possibly can with the money that we have available.

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

Mr. OBEY. Mr. Chairman, I yield myself 9 minutes.

Mr. Chairman, before I begin, I would like to make a few comments on the stewardship of the gentleman from Illinois (Mr. PORTER).

As he has indicated, he has served this House and his district and this country ably and with great distinction and great honor in all of the years that I have known him. He is truly a quality person, he is truly a quality legislator, he is infinitely fair, and I think he has more integrity than 90 percent of the Members I have ever served with.

I would say that in a legislative body I understand that political conflict and intellectual conflict can be pretty intense. When we engage in that conflict, we take a good measure of both our allies and our adversaries. I am proud of the relationship that I have had with a variety of subcommittee chairs, full committee chairs, and ranking minority members in the years I have been in this place.

I treasure the relationship that I had with Mickey Edwards when he ran the Republican side on the Subcommittee on Foreign Operations, Export Financing and Related Programs; and I chaired it. I treasure the relationship I had with Bob Livingston, both when he served as chairman of the committee and as my ranking member on foreign operations. I cherish the relationship I have with the gentleman from Florida (Mr. YOUNG), the chairman of the committee, and I especially cherish the relationship that I have with the gentleman from Illinois. He is one of those persons of unquestioned integrity who always, in my view, does what he believes is the right thing for the country; and I do not think there is any higher compliment that can be paid any Member. We are all going to miss him, and I think the majority party has been well served, as has the country, by his stewardship.

What I say about this bill has nothing whatsoever to do with my respect and affection for the gentleman from Illinois. What I say about this bill is required because of my love of this country and my passion for what I believe this country ought to do to expand opportunities for all people in this society, not just the fortunate.

This chart shows what is at the guts of the problem with this bill today because the majority party, in its budget resolution, has determined that it is going to, in piecemeal fashion, push through this House tax bill after tax bill which, when they are all added up together, will wind up, over a 10-year period, costing us over $700 billion in lost revenue. Seventy-three percent of the tax cuts will go to that 1 percent that represents the wealthiest 1 percent of people in this society. Seventy-three percent will go to that one person. Twenty-seven percent will be to the other 99 percent.

1245

That is not my idea of a square deal.

They will bring to the floor tomorrow a bill which, when fully operative, will provide tax cuts of $50 billion a year; and that will occur by relieving the estate tax on the wealthiest 2 percent of people in this society who are left to pay that tax. For that $50 billion going to the fat cats in this country, we could provide health care for every single uninsured American.

So that is one option. Do you want to put the $50 billion in Mr. Moneybag's pocket, or do you want to put it in the pocket of every American unserved by health care? That is one choice.

Another choice you could make is to respond to the fact that our high school enrollment is going to be going up between this year and the end of the decade. Between this year and the end of the decade, we are going to be adding about a million and a half more students in high school. We are not doing enough to respond to that challenge.

Another thing we could do is to recognize that our higher education enrollment will be going up by almost 1.5 million people over the same 10 years. And we are not doing enough to deal with that.

Pell Grants. Pell Grants used to make up almost two-thirds of the cost of going to college in a public 4-year institution. Today they make up about a third. We could be doing something about that. But, instead, the money is going to be committed for these very large tax cuts.

Now, I have no problem with tax cuts targeted to small farmers who need them, small businessmen who need them, middle-class taxpayers. But this bill, in the end, cuts 36 education programs below the President's request. It cuts 24 programs to protect workers and train workers below the President's request. It cuts 18 health programs below the President's request.

Now, they will say, oh, these are not cuts, they are increases from the base. The fact is, this bill is frozen in time because it does not respond to the growing costs, growing pressures in our society, even though we have moved from an era of large deficits to large surpluses. And so it is simply a question of where you think we ought to

put our resources, and it is an honest difference of opinion.

The folks on this side of the aisle put as their first priority providing over $700 billion in tax cuts. We have put as our first priority investing that money in Social Security and Medicare and education, in health care, in job training, in basic science to keep this economy going and to build opportunity.

As great as this country is, it can be better. But to be better, we have to continue to make the right kind of public investments that have gotten us this glorious economic recovery.

We are not going to do it under this bill. We are not going to do it under the science bill that came out of committee yesterday. We not going to do it out of the agriculture bill. At least not now.

We will do it eventually. We will do it in September, because in September we will get to the get-real time part of this session, and that is when the majority will finally face up to the fact that this bill and most of the others are not going to be signed by the President of the United States unless additional resources are put in it. And if you say, ''Oh, they are not offset, you are just trying to spend money,'' every single one of the amendments that we want the committee to adopt can be paid for if the majority simply cuts back on the size of its tax package by about 20 percent.

That is all it would take. It would still leave you room for significant tax cuts, and we will have one on the floor tomorrow that will demonstrate that, but it will not provide tax cuts that are so large that you get in the way of either deficit reduction or making the needed investments we need to make on our people.

So that is what is at stake on this bill. I would urge Members at the end of the day to vote no because it simply does not measure up to what America is all about.

Mr. PORTER. Mr. Chairman, may I inquire of the Chair how much time remains on each side.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Illinois (Mr. PORTER) has 18½ minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 21 minutes remaining.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER).

(Ms. GRANGER asked for and was given permission to revise and extend her remarks.)

Ms. GRANGER. Mr. Chairman, I rise today in strong support of the Labor, Health and Human Services, and Education Appropriations bill. This legislation includes substantial increases for many important health, education, and job training programs.

I also want to commend the gentleman from Illinois (Chairman PORTER) for the work he has done. I want to especially thank him for his commitment to increased funding for the National Institutes of Health. I am proud to be a member of the Committee on Appropriations and a Congress that have made quality health care a priority.

From 1995 to 2001, Republicans have increased NIH funding by an average of 11 percent per year, 15 percent per year in the last 3 years.

I am also pleased to say we have provided a 33 percent increase in the amount of awards. This funding boosts hope and opportunity for patients across this Nation. With this money, we will continue to lead the world in our quest for cures for Alzheimer's, Parkinson's, diabetes, cancer, and other diseases that wreck families and cause loss of quality of life for our citizens.

Mr. Chairman, as a woman, a mother, and a member of the Committee on Appropriations, I am pleased to be a part of this historic NIH increase. I think this is an important day for patients and, also, quality of care.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Chairman, at a time over the last few days when we have listened to such prominent leaders in our business community like Bill Gates at Microsoft and Andrew Groves at Intel and Carly Feorina at Hewlett-Packard say that we need to do more in terms of quality in education, we need to do more in terms of new ideas, we need to do more in terms of technology, we need to do more in terms of training our teachers to learn how to use the technology. This bill does less.

At a time when we are facing a new economy with new challenges in the digital divide with some of our students, if they are black or Hispanic, not having equal access with this digital divide to the latest technology, we are doing less at a time when, according to the Wall Street Journal a few weeks ago, schools are turning to temp agencies for substitute teachers, and it quotes the Kelly Services going out into the community to put substitute teachers into our schools.

Now, I think the quality of teaching is the single biggest need in this country because we will need 2 million new teachers, but we have to make sure the current teachers can teach with the challenges of the technology that are before them. Temp agencies might be able to do some good things, but I am not sure that one of their strengths is putting qualified teachers in our schools.

So what I would hope in this bill that I would recommend at this point a no vote on is that it falls short, particularly in the Title I area, where I offered an amendment on the authorization process to increase Title I by $1.5 billion, 39 Republicans voted with that amendment. This bill does not reflect that increase to $9.8 billion for Title I kids.

So the Title I program does not come up to the funding that we even authorized with bipartisan support for some of the poorest of the poor children in some of the poorest school districts in the country.

The second major reason to vote against this bill is the lack of professional development. Now, with the Teacher Empowerment Act not being authorized and with the Eisenhower Program not being funded in this bill, we have a huge gaping hole on one of the biggest needs in America today, and that is making sure we have quality teachers who can work with the technology, work with overcrowded schools, work in overcrowded classrooms, and teach effectively to 20 or 25 or 28 or 30 kids.

So Title I is underfunded for the poorest schools. Professional development, there is a huge gaping hole in this bill without an authorization process taking place. When we need to do more, we are doing less in education. I would encourage a no vote.

Mr. PORTER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Kansas (Mr. TIAHRT), a member of the full Committee on Appropriations.

Mr. TIAHRT. Mr. Chairman, I want to thank the gentleman from Illinois (Chairman PORTER) for the opportunity to speak in favor of this bill.

Mr. Chairman, the gentleman from Wisconsin (Mr. OBEY) said earlier that we have this tax cut and if we did not have this tax cut we could spend more money on education.

Well, there is a difference in philosophy here. We have overpaid the cost of government. I do believe that the taxpayers deserve a break. We could spend more, but let us look at what is included in this bill.

In this bill, we have an overall increase of 7.6 percent. That exceeds inflation. But a portion of this is mandatory, and we have to increase it a certain amount. But if we look at the discretionary portion that we have the opportunity to either increase or decrease, the discretionary portion is increasing nearly 15 percent.

Pell Grants, for example, are going from $2,300 in 1994 to $3,500 in this bill. It is over a 50-percent increase since 1994.

We are doing some wonderful things in this bill. I think the body ought to take that into consideration. The priorities may be different, but it is a good bill and I urge its passage.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this bill, but I do so with great sadness because I have such great respect for my friend, the gentleman from Illinois (Mr. PORTER), our chairman, who has been such an extraordinary leader in this House from his commitment and his passion to the NIH budget, to his initiative to produce better health outcomes for our kids, to

increasing resources for the world-class CDC.

The gentleman from Illinois (Mr. PORTER) represents the very best of this institution. His integrity, his commitment, his passion to do the right thing is an example for this institution and for this great Nation of ours. Without him, we will be a lesser House. But I have such great confidence that the gentleman will continue to make a major contribution in the field of his choice and to this great Nation. We are really going to miss him. He is a friend. He is a great colleague. I have the greatest respect for him.

1300

I also wish, quite frankly, that our colleagues had seen their way to giving him a more fitting allocation in his final year. I serve on this subcommittee with such pride. It was the committee I chose. I wanted it so badly because of all the good things that this committee does. I believe so strongly that the Federal Government must be a partner in meeting the need to educate, keep healthy, protect the safety of our children, our workers, and our families. The chairman has made it very clear that he is not satisfied with the allocation our subcommittee has received, and I am ready to work with him and my colleagues to improve this bill so that at the end of the process we can pass a bill that we can be very, very proud of.

But I also stand with the gentleman from Wisconsin (Mr. OBEY) who has passionately and consistently made the case for a true appropriations process and for a real Labor-HHS bill. Americans deserve that and so does this House. This is the first time that I can recall that we have had a debate on a Labor-HHS bill since 1997. Unfortunately, we have not made much progress by bringing the bill to the floor. Members on both sides of the aisle have already conceded that the House bill is going nowhere. It is almost $3 billion below the President's request for the Department of Education, $1.7 billion below the President's request for the Department of Labor, $1.1 billion below the President's request for the Department of Health and Human Services. The bill did not even make it out of subcommittee without the White House issuing a veto threat.

The bill contains major reductions in the President's budget for education, health care, and worker safety and training. It sidesteps once again our national crisis in school modernization. In the end, the bill before us is about $6 billion below the President's request and close to $8 billion below the Senate's level. Our Nation is growing. We have pressing needs in education, health, and training. Yet there are no funds provided to continue the class size reduction that the President has requested that will place 100,000 new teachers in our schools. There are, as I said, no funds to renovate the schools so they can perform urgently needed safety and health repairs.

$1 billion is cut from teacher quality improvement and recruiting efforts. There are no funds to increase our effort to keep women safe during pregnancy, despite the terrible rate of maternal mortality and morbidity in this country. It level funds our critical domestic violence shelters program and the Hotline service. Compared to the President's request, the bill is a 40% cut in after-school programs, one of my top priorities, and a $600 million cut in Head Start. Despite the troubling trends of violence and alienation among our young people, no funds are provided for elementary school counselors.

We have the resources now to address the changing needs of our workers, in the Internet economy, and of our students—many of whom are adults trying to build up their skills. We have the resources now to prepare a secure and healthier retirement for our seniors, and fund the world-class health prevention research that the United States is known for—but this bill does not take advantage of the extraordinary opportunity this tremendous economy has provided us. That's why I oppose this bill, and why I urge my colleagues to defeat it.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MILLER), a member of the subcommittee who does a wonderful job for his constituents in Florida.

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman for yielding me this time. It has indeed been a pleasure for the past 6 years to serve with such a distinguished Member who, unfortunately, is leaving us. One thing I do agree with my colleagues on the other side of the aisle, that we all feel very strong about the wonderful job and the leadership he has provided this committee over the years. It has been a real special honor for me to have that opportunity.

Mr. Chairman, I rise in support of this year's bill. One of the things I am most proud of in my service here is we have finally reached a day of having a balanced budget and a surplus. It is hard work to have a surplus in government. We have to have some real goals and be committed to a balanced budget concept. But now that we have a surplus, it seems so easy to say, let's spend more money, let's spend more money.

Yes, there are some good things that we spend money on. A few decades ago, Everett Dirksen used to say, ''A billion here, a billion there, we're talking about real money pretty soon.'' This bill is $2.4 billion more in discretionary spending than last year. That is real money. There is an increase in spending in this bill. To say, oh, my gosh, the sky is falling, all these Chicken Little stories that things are falling apart. Hey, there is more money in this bill. We are funding the highest priority programs.

One of the programs that I think, as the gentleman from Illinois (Mr. PORTER) does, too, the crown jewel of the government is the National Institutes of Health, cancer research, Alzheimer's research, diabetes research, AIDS research; and thank goodness, under the gentleman from Illinois' leadership we have had a great increase in that spending.

Look at this chart. Look at how it has grown back from when the Democrats controlled Congress. Now under Republican leadership, look at the rate of growth. Look at that growth rating that has been going on since the Republicans took over. We need to be proud of that, because that is a high priority. As a fiscal conservative and one that has a good record of saying we have got to restrain spending, I believe basic research is one area we should put our resources in and can be proud of that because that is something we should continue to support. This is a good bill. I urge my colleagues to support it.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished ranking member for yielding me this time and for his extraordinary leadership on establishing budget priorities for our country which are in keeping with our national values.

Mr. Chairman, in reviewing this bill that is before us today, I am reminded of the story of someone who said how come so many good mathaticians come out of MIT, and the answer is, because so many good mathematicians go into MIT. Why is this a very bad bill? Because very bad budget considerations went into this bill.

This is a bad bill. Compared to the President's budget, it would cut $2.9 billion from education services, cut $1.7 billion from labor with cuts to workforce development and safety investments, and cut more than $1 billion from critical health programs. This is a bad bill also because it eliminates and cuts services for America's senior citizens and their families.

And why? Why are we forced to vote on this bad bill? We are forced to vote on this bad bill because Republican House leadership passed a bad budget resolution that puts tax cuts for the wealthiest Americans above investments to promote America's education, workforce and health services. Their $175 billion tax cut exceeds the projected budget surplus and requires deep cuts in nondefense discretionary appropriations. The result was a Republican-designed budget resolution that was so bad that even the Republican chairman of this subcommittee opposed it.

And soon we will be voting on a measure to repeal the estate tax. Within 24 hours, we will be cutting education and we will be repealing the estate tax. How could that be a proper statement of our national priorities? Repealing the estate tax will provide over $50 billion to the wealthiest 2 percent of taxpayers. How much is enough? When will Republicans be satisfied with the amount of money they have given to the wealthy and turn their attention to the majority of

Americans who want a good education, a strong workforce, and a healthy future?

I do not know if we will have an opportunity to offer amendments today. That is why I had hoped that the rule would go down because it did not protect the rights of the minority to offer amendments to this bill. One that I had in the full committee which failed would have added $1.7 billion to the National Institutes of Health which we cannot afford because the Republicans insist on giving a tax cut to 2 percent of the wealthiest Americans.

I urge my colleagues to vote no on this bill.

Mr. PORTER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Oklahoma (Mr. ISTOOK), a member of our subcommittee.

Mr. ISTOOK. Mr. Chairman, I appreciate the time from the gentleman from Illinois. The gentleman from Illinois has done great, thankless work for so many years in trying to craft together one of the most controversial bills that comes before us each and every year. You could not find a finer gentleman whether you agree or disagree with him on different issues. He has handled himself very well and deserves our appreciation for that.

Mr. Chairman, this bill at the same time represents some of the best things and some of the worst things in this Congress. I appreciate the bipartisan cooperation working with the gentleman from Wisconsin (Mr. OBEY) and the gentlewoman from New York (Mrs. LOWEY) on a couple of things that are in this bill. To say that when the Federal Government is purchasing computers that go in public schools and we are spending hundreds of millions of dollars for that, that we want to make sure that filters are on that so that they are not being exposed to Internet pornography through a computer paid for by taxpayers, that is a bipartisan effort. That is in here. That is good.

We also have in here an expansion of the Federal programs trying to promote abstinence among teenagers. If you want to reduce out-of-wedlock pregnancies and births, tell kids that they ought to be waiting until marriage. We have had hundreds of millions of dollars, billions of dollars in Federal money teaching a so-called safe sex message. It is about time we start promoting a message that promotes our values and the right decisions. That is in here, thanks to bipartisan support.

Yet we hear people say, well, this bill is not spending enough. This bill is spending $12 billion more in optional spending than last year. I heard one speaker talk about a figure of a 15 percent increase. Yet some people say, oh, you're cutting this and you're cutting that, you're cutting things. Come on. Get real. If you want to say it is below the President's request, that is fine. That is honest. But to say that it is cutting, no, that is not.

Mr. Chairman, this bill deserves our support. It spends more than many of us want to spend but for goodness sakes, do not claim it spends less.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, this Republican bill puts irresponsible tax breaks before critical funding for education. We need to invest in our schools so that our children receive the best education in the world and are prepared for working in a 21st century economy. We must expect the best from our schools, then give them the tools that they need to succeed. Smaller classes help students to get individualized attention, discipline, and the instruction that they need. But the Republican bill repeals efforts to hire new teachers to reduce those class sizes and will not make classrooms the places where our students can learn and our teachers can teach.

The most important thing that we can do for our children's education is to make sure that teachers are highly qualified in their subjects and well trained in new technology. Yet this Republican bill cuts teacher training and recruitment by $1 billion. The bill cuts reading instruction and tutoring for 100,000 children and math improvement programs for another 650,000 youngsters. It cuts after-school programs by 40 percent; programs that serve 1.6 million children in more than 3,000 schools across this country.

By denying a $1.3 billion in funding for local school districts to make urgent and needed repairs to school buildings, this bill denies 5,000 school districts the leverage that they need to fix leaky roofs, upgrade plumbing and bring schools into compliance with local safety codes. It cuts Head Start funding by $400 million, denying more than 50,000 low-income children critical Head Start funding. And it eliminates college preparation for more than 640,000 high school seniors.

Budgets are not numbers on a page. We bring to life our values and our priorities through our budgets and the bills that we pass in this people's House. This Republican leadership bill denies the opportunity to make sure our youngsters get the very, very best start in life. It does not reflect our values. It does not reflect our priorities as a Nation. It does not give education the proper place that it deserves in our society, that is, as a great equalizer to make sure that youngsters no matter where they come from, no matter what their background is, no matter what their gender is, be able to achieve according to the talents that they have been given by God in this country.

It is a bad bill. We ought to turn it down.

Mr. PORTER. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP), a valued member of our subcommittee.

Mrs. NORTHUP. Mr. Chairman, first of all, I want to say that as a mother of six children, the issues of health and education are near and dear to all of our hearts, especially as we look at our children and the challenges they face. I want to thank the chairman for the leadership of this committee that addresses what the needs are of children and educational systems and health across this country. He has been supportive, he has been encouraging, and his manner of balancing the differing opinions have been really very inspirational.

1315

Mr. Chairman, I think of the story of the child who had a $5 allowance and came in to see his dad and said, Dad, I really need a raise in my allowance. Can I have $10? The father said no, but I will give you a $7 allowance. He said, well, why are you cutting my allowance?

This is what we see on the other side. People who think an increase is a decrease. When they talk about the quality of schools, I can tell my colleagues that there must have been a few classrooms across this country that they attended where the difference between addition and subtraction was not made clear.

In this bill, we are adding money to education. But really, the bill and the debate here is very much at the crux of the difference between the minority party and the majority party. The fact is, we are listening to our schools. Our schools reflect what the challenges are that each school faces.

It is no wonder that some people come to this Congress and say, we need to build more school buildings. Others say we need more teachers. Other say we need to be able to raise our teachers' salaries so that we attract more quality students into our classrooms. Other people come to Congress and say, no, we need to invest in technology. Because in every community, the challenges are different, what States have invested in already are different. Some States have made a tremendous investment in school buildings. But they are eager to raise the salary of their teachers so that they attract high-quality teachers.

Mr. Chairman, we believe that the money should go back to the schools, back to the communities where they decide what the critical needs are. I thank the Chairman for a bill that reflects their needs.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding me this time.

I too congratulate the gentleman from Illinois (Mr. PORTER) for his leadership of this committee, but this bill does not represent the gentleman's leadership; and it ought not to be hung around his neck, because if he were in charge, this would not be his bill. These would not be his figures. This would not represent the depth of his

priorities. So let us not delude ourselves, I say to my friends.

Newt Gingrich stood on this floor, and he talked to the perfectionist caucus on the Republican side of the aisle; and he pointed out that the American public sent a President, House Members, and Senate Members, and the real problem with why we have gridlock in Washington and why we have the absurd charade through which we are now going, and undercutting the American people's priorities, not just our priorities, is because there is one group that does not agree with most of the other groups; and it is, I say to my friends, the Republican Conference within the House of Representatives.

Mr. Chairman, we have had a number of people stand up here and say oh, what you Democrats want to do. Do you not want the American public to know that what we want to do, our colleagues in the United States Senate have already done in their committee? Their figures are more than our figures, I say to my colleagues, not less. They too believe that our Republican colleagues are undercutting America's children and America's families and America's health; they too, our Republican colleagues in the Senate, not just those on this side of the aisle that you would like to say oh, look at how awful they are, and then show your charts about your spending. It is interesting, the red lines they put up showing more spending. What a different story you tell at home about how you are cutting spending. My colleagues cannot have it both ways. But they try; but they try.

For instance, the gentleman from Oklahoma (Mr. COBURN) got up here and said this is a 14.6 percent increase. Hooey, hooey. It is a 3.8 percent increase. Why? Because last year, my Republican colleagues played games and they pretended the 302(b) numbers were at $84 million, their figures. But guess what? They then added on a lot of money after that so the real spending was $96 billion. But it did not count on the 302(b)s.

Now, why are we here? The American public must wonder, why are we having this debate? Because we are discussing priorities.

I am going to offer an amendment and talk about how many children and families are adversely affected by this bill as opposed to the priorities we are offering and the priorities they put forward across the Capitol in the United States Senate. But we are here because we are deciding between those large tax cuts that my colleagues do not like us to talk about. They lament and say, oh, these numbers are not good; but we had to do this because the budget makes us do it.

However, nobody made us adopt the budget. Nobody made us adopt the large tax cuts for the wealthiest Americans that are going to shortchange children and families. I tell my friend from North Carolina, nobody made us do that. We did it ourselves. Not with my vote, but it was done. And as a result, we are going to talk about the number of children and families that will not be served, but that the Senate wants to serve on both sides of the aisle and that we want to serve. I hope my Republican colleagues will support my amendment.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PEASE). Members are reminded that they are to refrain from characterizing positions taken by Members in the other body.

Mr. PORTER. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. BONILLA), a senior member of the subcommittee.

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

Mr. BONILLA. Mr. Chairman, first, for a moment, a word about the gentleman from Illinois (Mr. PORTER), a member of this body who has the unmatched sense of caring, fairness and wisdom that will, when he is gone, be very difficult shoes to fill. He set an example here that I think has been respected for many years; and I think it is difficult for those who are trying to be critical of what this bill is representing this time to be critical of the gentleman from Illinois and his subcommittee. Because we all know, everybody in this body understands, on both the Democrat and Republican side, that he is truly a man who comes to work every day with a sense of caring for the people of this country and tries to do the right thing day in and day out without any political factors included.

I say to the gentleman that he is a person who all of us respect tremendously in this body; and he will be sorely missed, and we will work hard to pass this last and final bill that he has put out of the subcommittee of which I have been a part of for my eighth year now and have learned so much under the gentleman's leadership; and I look forward to carrying on its legacies at some time in the future as a continuing member of this subcommittee.

It is very difficult, I am sure, for a lot of the critics to step up here and say this is a bad bill and act like Chicken Little as though the sky is falling for supporting such a bill, because this is the People's bill. We have more money in this bill for such programs as education programs like TRIO, increasing that program by $115 million, $35 million more than the President requested; community health centers increased by $81 million, which is even $31 million more than the President requested; health professions up by $69 million, $113 million more than the President requested; biomedical research dollars, also a tremendous increase to 6 percent, we are trying to get it even higher, but on track. We are doubling the biomedical research funds for over a period of 5 years.

Mr. Chairman, this is a good bill. This is a bill that provides a lot of services for a lot of people out there. Anyone who stands up and tries to oppose this bill should understand they are opposing people programs, education, biomedical research, all of these good programs that make a true difference in the community. We will also hear more today about a provision in this bill that saves the private sector from an onerous OSHA regulation involving ergonomics.

Mr. Chairman, I strongly urge all of my colleagues to support this bill.

Mr. Chairman, I rise today in support of H.R. 4577, the Departments of Labor, Health and Human Services and Education Appropriations Act.

It seems that year after year, this bill attracts more and more rhetoric about how it will devastate American families, American workers, the elderly. . . . you name it. The truth is this bill is the People's bill and it will help the American people.

This bill provides vital funding for important labor, health and education programs while maintaining the fiscal responsibility that the American people demand of us. We have made some tough decisions and have funded high priorities.

The other side claims that we have cut health care, cut education, cut job training. Since when is a $4 billion increase a cut? Let me set the record straight.

The bill increases funding for the community health centers program by $81 million, $31 million more than the President requested. This means that more uninsured Americans will have access to high quality health care in their communities.

The bill increases funding for the health professions programs by $69 million, $113 million more than the President requested. These programs provide vital training for health care professionals, many of whom go on to provide care to patients in medically underserved areas. The President's budget zeroed out funding for primary care physicians, dentists and gerontologists—denying opportunities to those students and denying health care to patients.

The bill increases funding for the TRIO programs by $115 million, $35 million more than the President requested. The TRIO program works to help low-income complete high school and go on to college.

These are just a few examples of the priorities placed in this bill. As the American people watch this debate, I trust that they will listen to the sincerity of our efforts to try to help Americans in every neighborhood, in every city, in every state.

I urge my colleagues to stop the rhetoric and pass this bill.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Illinois (Mr. JACKSON).

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, I want to start by saying that I appreciate the hard work that the distinguished chairman, ranking member, and other members of the subcommittee and subcommittee staff have done to get us here today.

The Labor-H mark is woefully inadequate to address the profound needs of

the country, because this bill's allocation is economically short-sighted. For some in America, the economy is booming and unemployment is at its lowest rate in the last 30 years; yet the economy is not booming for all Americans. In the Chicago metropolitan area, congressional districts on the North side of Chicago like the chairman's have more jobs than people. In my district, there are more people than jobs. Hence, the chairman and his political party who are Republicans want less government and less taxes.

I am a Democrat who is progressive and, in the absence of a private sector in my congressional district, I need more government services; my constituents need them, to make a difference in the shortfalls in their lives. For example, in the last several years, the number of people in this country who are uninsured and underinsured has increased by several million in the Chicago metropolitan area that primarily finds itself on the South Side and the south suburbs that I represent. This bill could have provided an opportunity for us to leverage the benefits of this booming economy so that no American is left behind.

I appreciate all of the competing interests that must be balanced in this bill. Unfortunately, the mark has been dealt by the chairman a bad hand and he has been given an allocation that cannot adequately improve the lives of all Americans.

In title I of this bill, this mark cuts $322 million of the President's request for youth programs serving 72,000 fewer at-risk youth, compared to the fiscal year 2000 level when the House cut $75 million, serving 34,000 fewer youth. As a result, efforts to ensure that today's youth have 21st century skills for 21st century jobs and can compete successfully in the growing economy will be thwarted, hurting not only young people, but also employers and the economy.

The funding of four programs that are of particular interest to me are grossly underfunded. The mark slashes the youth opportunities initiative grants by over 50 percent. The mark cuts summer jobs and year-round job training for 12,575 disadvantaged youth. Over half of these jobs go to 15- and 14-year-olds who generally are not employed by the private sector.

This mark cuts funding for the President's proposed reintegration of services for 15,300 young offenders. With approximately 500,000 people leaving prison each year, the Nation needs to provide positive alternatives and opportunities for unemployment to these individuals.

The mark rejects expansion of the safe schools, healthy schools initiative. These programs, Mr. Chairman, are in serious trouble. At the very least, this bill should work to protect the most vulnerable in our society.

REJECTS EXPANSION OF THE SAFE SCHOOLS/HEALTHY STUDENTS INITIATIVE

The House zeros out the President's request to provide $40 million to enable DOL to join the existing DOJ, ED, HHS partnership in supporting community-wide programs to prevent youth violence and drug abuse, and to expand the effort to address out-of-school youth. Without these funds, no new communities can join this very successful effort.

These programs are in serious trouble. At the very least this bill should work to protect the most vulnerable in our society. The cuts to these programs below the President's recommended budget and the FY 2000 levels will produce tragic results for this nation's most vulnerable youth.

This bill could have provided an opportunity for us to leverage the benefits of this booming economy so that no American is left behind. I appreciate all of the competing interests that must be balanced in this bill. Unfortunately the Chairman has been dealt a bad hand and he has been given an allocation that cannot adequately improve the lives of all Americans.

In Title I of this bill, this mark cuts $322 million out of the President's request for youth programs, serving 72,000 fewer at-risk youth. Compared to the FY 2000 level, the House cuts $75 million, serving 34,000 fewer youth. As a result, efforts to insure that today's youth have 21st century skills for 21st century jobs and can compete successfully in the growing economy will be thwarted, hurting not only young people, but also employers and the economy. The funding for four programs of particular interest to me are grossly underfunded.

SLASHES THE YOUTH OPPORTUNITIES INITIATIVES BY OVER 50 PERCENT

Congress provided funds for the first 2 years of a 5 year commitment by the President to increase the long-term employment and educational attainment of youth living in 36 of the Nation's poorest urban neighborhoods and rural areas. The House mark cuts $200 million out of the President's $375 million request, eliminating the proposed expansion to 20 new communities and potentially reducing third year grants to the existing 36 communities. This will deny 40,000 of some of the most disadvantaged youth a bridge to the skills and opportunities of our strong economy and alternatives to welfare and crime—including 15,000 youth in the existing projects. The demand for these funds is high—over 160 communities sought these limited resources and developed the broad partnerships and comprehensive plans as part of last year's grant process. These deserving communities and their young people will not get a second chance.

CUTS SUMMER JOBS AND YEAR-ROUND TRAINING FOR 12,575 DISADVANTAGED YOUTH

For Youth Activities (the program that combines Summer Jobs and Year-Round Youth), the House mark provides only $1.001 billion, a decrease of $21 million, or 2% below the President's request level. This action reduces the estimated number of low income youth for FY 2001 in this program by 12,575 below the request. These cuts will compound the difficulties communities are experiencing this summer due to the structural changes in the program required by the Workforce Investment Act. This important program provides the first work experience for many at-risk youth, offering an important first step that can lead to a life of self-sufficiency and independence. Over half of these jobs go to 14–15 year olds who generally are not employed by the private sector.

CUTS FUNDING FOR THE PRESIDENT'S PROPOSED REINTEGRATION SERVICES FOR 15,300 YOUNG OFFENDERS

The House mark rejects the President's $61 million increase for a $75 million initiative to bring young offenders into the workplace through job training, placement, and support services, and by creating new partnerships between the criminal justice system and the WIA workforce development system. With the approximately 500,000 people leaving prison each year, the Nation needs to provide positive alternatives and opportunities for employment of these individuals, which will also strengthen the future of our communities. With the strong economy, this is an excellent time to address their re-entry into the job market. Raising their employment rates can decrease recidivism, reduce long-term costs to society, and increase the pool of available workers.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise to announce my intent to vote for this bill and to thank the chairman for including report language encouraging the National Institutes of Health to fund appropriate research to further explore the findings of Dr. Wakefield at the Royal Free Hospital in London on the safety and possible side effects of the MMR vaccine.

As a physician myself, I consider maintaining the safety and public confidence in our vaccine program to be of vital importance to the health of America's children; and I applaud the chairman, the gentleman from Illinois (Mr. PORTER), for his interest in this area. I am looking forward to working with him in the months ahead on this issue, and I too congratulate him on his years of service to his constituents and this body.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

1330

Mr. HAYES. Mr. Chairman, I thank the gentleman for yielding time to me. I thank the chairman for all his efforts and for a great bill.

Mr. Chairman, we are going to spend over $342 billion on this bill. That is a lot of money in anybody's circles. I particularly appreciate the increase in impact aid for our school system, in Fayetteville and Cumberland County, North Carolina.

It is very simple, the issue is trust. Mr. Chairman, I would say to my friends on the other side and my chairman, do we trust our parents and our citizens to spend their money more wisely, or do we trust government to take the money from our hard-working citizens and then let government make the decisions on how that money is going to be spent?

I think our parents, our teachers, and our local citizens can do a better job using their money to make the choices on how to raise, educate, and empower their children.

Again, I support the bill.

Mr. PORTER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Nebraska. Mr. Chairman, I rise today to discuss a program that has been left out of the Labor-HHS-Education bill as it is currently drafted, the Rural Education Initiative Act, which I introduced and which the House passed as part of H.R. 2 last October.

The Rural Education Initiative Act provides small rural school districts with additional funds and flexibility to help meet their unique challenges posed by the most current Federal formula grant programs. It would affect about 39 States, has wide bipartisan support, and it has been endorsed by over 80 education organizations.

I am fully aware that enacting the Initiative Act would require authorizing on an appropriations bill, and I hope the ESEA will be reauthorized and we will not have to ask the appropriators for their support. If ESEA is not reauthorized, there are a lot of small rural schools out there that cannot wait another year for Congress to act. They need the flexibility and they need the assistance now.

Although I choose not to offer an amendment at this time, Mr. Chairman, I hope that as we continue through the process Members would consider adding the provisions of the Act to the bill.

Mr. PORTER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to praise the increased funding for the Individuals with Disabilities Education Act, IDEA. This bill provides over $6 billion in funding for IDEA for fiscal year 2012. This is a $500 million increase in funding from last year, $210 million more than the President requested.

Congress finally comes one step closer to honoring the commitment made to the States and local school districts 24 years ago. In 1975, Congress promised to contribute 40 percent of the average per pupil cost to assist States and local schools. This chart shows the funding first by the Democrats, very slowly, and later by the Republicans, and we can see we are trying, so $500 million is a good beginning.

Mr. PORTER. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I want to thank the gentleman from Illinois (Chairman PORTER) for all the work he has done on this bill with the types of constraints we have this year. I think it is a shame that in his last year here in Congress we could not have made it easier for him, but I think he has worked real hard to fund important programs to improve the education, health, and well-being of all Americans.

I commend him very much for the hard work that he has done to double NIH over the 5 years, increase funding for graduate medical education for children's hospitals, and in strengthening our Nation's community health centers.

From one who represents a very poor area, a very rural area, the fact that he has been able to increase our community health centers by $81.3 million is a huge boost to those people who are underserved in my area, who do not have access to affordable health care, and every dollar that we spend on community health centers will help the insured have much more health care than they presently have.

I also want to just mention quickly the $200 million increase for impact aid funding. These help reimburse our localities for revenues lost. I can tell the Members, with so much public land in my district, this is going to be a very big boost.

I would ask my colleagues to support this bill.

Mr. PORTER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida (Mr. SHAW).

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

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding time to me. I, too, want to congratulate the chairman on a very fine bill.

As the chairman of the Subcommittee on Social Security, I would like to discuss the provisions of H.R. 4577 that fund the social security programs.

Social security touches nearly every American family. In 1999, the Social Security Administration paid social security and SSI benefits to more than 50 million beneficiaries. Without a doubt, continuing to provide timely, accurate benefits and world class service will remain Social Security's number one mission in the years ahead.

This mission will become more complicated as the huge Baby Boom generation enters its peak disability years and then reaches retirement age starting in 2008. By 2010 Social Security retirement benefit claims are expected to rise by 16 percent and disability claims by 47 percent. For an agency facing a wave of retirements by its own workers and high expectations from customers, that's a great challenge.

This is no idle concern. Although Social Security is widely regarded as among the best-administered federal programs, the need to improve public service was highlighted in a recent report by the bipartisan Social Security Advisory Board.

This report concluded ''there is a significant gap between the level of services that the public needs and that which the Agency is providing. Moreover, this gap could grow to far larger proportions in the long term if it is not adequately addressed.''

That's why I'm pleased that the amount of funding provided for the Social Security Administration is very close to the Administration's request. The Commissioner requested, and was denied, a further $200 million increase by the President.

Through this bill, the Social Security Administration's funding has increased by nearly half a billion dollars compared to last year. That's a 7 percent increase, substantial by most standards as we try to adhere to our overall spending blueprint.

I, for one, am quite willing to add resources to the Social Security Administration to provide better service, increase productivity, combat waste, fraud, and abuse, and further modernize technology at the agency. House floor action is just the first step. The Senate expects to approve funding at a level slightly higher but close to ours. We will then have the opportunity to work with the Administration to arrive at agreeable funding levels.

Unfortunately, this agency finds itself in the midst of a very unusual set of budgetary rules. Its administrative expenses paid directly from payroll tax receipts, all benefits are considered mandatory expenses, yet due to complex and unclear scoring rules the costs to run this agency are counted as part of the discretionary spending cap.

With budget surpluses both in the Social Security and non-Social Security categories, it is time for Congress to clarify these antiquated and haphazardly drawn budget rules so the Social Security Administration can effectively prepare for the service delivery challenges of the baby boom retirement. Workers who finance this vital program with their hard-earned wages will expect nothing less.

In the coming days, I will introduce legislation which frees the Social Security Administration from these outdated scorekeeping rules to ensure workers and their families receive the public service they paid for and so well deserve.

Earlier this year, I had the opportunity to testify before the Labor-HHS Subcommittee regarding to show my commitment to the goal of doubling funding for the National Institutes of Health. The breath-taking pace of NIH-sponsored research being conducted by scientists nationwide is only dwarfed by the tremendous amount of very promising research that is not yet funded.

I strongly support the $20.8B in funding for NIH, a $2.7B increase over the current year.

I would also like to briefly highlight my support for several specific areas of NIH research funded in this bill for Alzheimer's Disease, Cancer, Alpha 1 (alpha-1-proteinase inhibitor deficiency) and Polycystic Kidney Disease (PKD).

I also support H.R. 4577 because it contains $70.4B in funding for Medicare and $93.5B for the federal share of Medicaid. Make no mistake about it—this Congress is keeping our promise to provide health care to the most vulnerable Americans—seniors, women and children.

And speaking of our children, there is no more important issue than education. I am proud that H.R. 4577 contains an increase of $1.65B for education programs. Roughly $40B will dedicated to the education of our children next year and this education funding deserves our strong support. Let me say that I believe we all wish that we could provide a larger increase for education programs, however, we also have a fiduciary responsibility to our children and grandchildren, and this bill does a good job of balancing each of these important priorities.

In closing, I urge my colleagues to support H.R. 4577. It is a good bill put together by an excellent Chairman, Mr. PORTER. I thank Mr. PORTER for his exemplary tenure, and wish him the best in his retirement.

Mr. Chairman, we plan to offer some legislation in the next few days which will help us as the baby boomers get into this very important retirement program.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Wisconsin (Mr. OBEY) is recognized for 3½ minutes.

Mr. OBEY. Mr. Chairman, I just want to use this time to respond to a couple of claims made by our friends on the other side.

One of the speakers said they have had a big increase in the National Institutes of Health budget. What they are trying to do is have it both ways. This bill pretends that it is appropriating $2.7 billion in additional money for the National Institutes of Health, but it has language tucked into the bill which says that only $1 billion of that can be spent. I do not regard that as real money.

The gentleman from Oklahoma (Mr. ISTOOK) indicated that this bill is $12 billion above last year. That is because they are pretending that last year's bill cost $85 billion, when in fact it cost $96 billion. They hid billions of dollars in spending last year. In fact, when we take a look at all appropriation bills last year, they hid more than $45 billion, so they are pretending that we are above a let's-pretend level of last year, which is $45 billion higher than they are continuing to admit.

On Pell grants, they brag about what they are doing for Pell grants. What a double game their party has played on that issue. Last year they passed an authorizing bill telling the country they were going to raise Pell grants by $400 for the maximum grant. They then proceeded to cut that back to $175 in the appropriation bill they passed just 2 months later.

Their presidential candidate came to my State. I want to read from this quote. The headline says, ''Bush averse to more college grant funding.'' Here is what it says from the Eau Claire Leader Telegram:

> Texas Governor George W. Bush gave strong indications Thursday he is not inclined to increase Federal spending to give more grants for students to go to college. Bush, who attended both Yale and Harvard, conceded that some people have complained that those loans carry a repayment burden. ''Too bad,'' he said. ''That is what a loan is.'' Then he went on to say, ''There is a lot of money available to students and families who are willing to go out and look for it. Some of you are just going to have to pay it back. That is just the way it is.''

That attitude just does not reveal what he thinks about student aid. It shows that we have Richie Rich not understanding how the other half lives and not bothering to find out. I would suggest that we can do a little better than this bill is doing on Pell grants.

Then we are told what a wonderful deal this bill is on special education for disabled children. I want to point out, this bar graph shows that just 36 days ago this House passed legislation, the IDEA Full Funding Act, which said we were going to put $7 billion into that program. What are they putting in? $5.5 billion. I do not regard that as full funding, and I do not regard that as fulfilling their promise.

I guess the only points we are making is that when we get down to the bottom line, there are three basic differences between them and us. They think we ought to spend $3 billion less on education than we do, they think we ought to spend $1.7 billion less on worker protection and $1 billion less on health care.

We respectfully disagree. That is why we are going to vote no.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 2 minutes.

Mr. PORTER. Mr. Chairman, for 40 years the minority party controlled the House of Representatives, and most of that time the Senate as well. For all of those years, for 30 of those years, at least, they ran one deficit after another, some of them approaching $300 billion a year.

In the 5 years that the majority party has controlled the House of Representatives and the Senate, we have reduced the deficits to zero. We now run surpluses, and we are engaged in arguments as to how that money should best be spent.

I believe very strongly we should commit to doubling the funding for the National Institutes of Health over 5 years, and we have provided 15 percent for the last 2 years. We intend and will do our best to provide an additional 15 percent this year to get us to that ultimate doubling in the 5-year period on a compounding basis.

It is fascinating to me that the minority wants to make an issue of that. We agree on it. The only difference is we are having to operate within the constraints of a budget resolution, and it is very easy to criticize when there are no constraints whatsoever.

Special education is a great case in point. When they controlled the Chamber, they got it up to 6 percent. In the last 5 years, we have it up to 13 percent. We have increased funding for special education by $3 billion over that time period, and are doing a much better job toward getting us towards that goal of 40 percent, where we ought to be, than has ever been done before. Yet, no credit is given by our colleagues on the other side of the aisle.

I believe within the constraints of fiscal responsibility we are doing the best that we can to address the needs of people of this country. I recommend Members to support this bill very strongly.

Mr. MOORE. Mr. Chairman, tomorrow, the leadership of this House will ask us to support an estate tax cut that benefits fewer than two percent of Americans. You might ask—how much will it cost to give a tax break to this tiny fraction of Americans? The answer is $104 billion over ten years, and an explosion of $50 billion per year after that.

Today, the leadership of this House gives us the choice between special education children and our neediest children receiving Title I assistance, the children of the armed services, families who need child care and college students who need Pell Grants.

Why must we rob Peter to pay Paul? Why do we have to choose today between our children with special needs and Ryan White AIDS funding? Or the Centers for Disease Control? Or mental health block grants? Or after-school funding?

Because the leadership of this House would prefer to spend $104 billion giving tax cuts to the estates of the wealthiest one of every 1,000 people who die.

But what about special education? The bill in front of us includes $6.6 billion in funding for special education, $514 million over last year's funding but far short of the $16 billion-plus we need to fulfill the longstanding federal commitment to our most vulnerable children.

This $104 billion tax cut could fully fund the federal government's share of special education costs for six and a half years. This seems strange, because today we in the House will vote again and again to add needed money to special education, but our only choice is to divert it from other programs that benefit people who don't have K Street lobbyists—our kids.

Mr. Chairman, I unequivocally support increasing funding for special education—I have supported it again and again on the floor of this House. In fact, I cosponsored my colleague Mr. VITTER's bill that would fully fund special education in two years.

But it is clear to me, as it should be clear to the American people, that funding special education is unfortunately not the real priority of the leadership of this House.

Mr. BLUMENAUER. Mr. Chairman, my goal in Congress is the promotion of livable communities; communities that are safe, healthy and economically secure. By definition, livable communities must have a top-notch school system and must protect the physical and mental well-being of children, adults and seniors. The annual Labor, Health and Human Services and Education Appropriations bills form the primary Federal contribution to meet these critical needs.

Unfortunately, this year's Labor, Health and Education bill (H.R. 4577) falls short and I must oppose it. H.R. 4577 cuts from the President's budget $1 billion in teacher quality and improvement programs and $38 million that would have ensured 1.6 million elderly and disabled Americans receive quality nursing care. The bill also leaves out $1.5 billion in payments for the education of disabled children, money that the House of Representatives has indicated, by vote, should be provided to local school districts. The list goes on.

I am extremely discouraged that H.R. 4577 underfunds health and education programs

while at the same time Congress is setting a course for a broken budget. Overall FY 2001 spending will certainly mark an increase over FY 2000 spending. With a $21 billion increase in defense spending for FY 2001, it is not hard to guess the priorities of this Congress. We are preparing to spend $60 billion over the next 15 years on a national missile defense system that will not work, but spending little in today's bill to ensure our children will grow up prepared to work.

Tomorrow, the House takes up an estate bill that offers enormous benefits to a few hundred of the wealthiest people in America, whose billions in unrealized capital gains will pass to their heirs without ever having been taxed. When fully realized, these estate tax changes will drain $50 billion a year from the Treasury. I am a champion of providing targeted estate tax relief to family farms and businesses, which we can do for relatively few dollars. But instead of a targeted estate tax bill, one that would leave enough revenue to insure the 11 million American children who go without health coverage or help seniors buy prescription drugs, Congress is racing to pass a fiscally irresponsible tax cut for those who need it least.

Mr. Chairman, I realize that H.R. 4577 is, and should be, a work in progress. Unfortunately, not enough progress has been made. I am voting ''no'' with the knowledge that H.R. 4577 will be back in the House at a later date and call on my colleagues to rethink our funding priorities.

Mrs. MALONEY of New York. Mr. Chairman, I rise today to speak against this ill-conceived legislation that hurts working American families.

This legislation will prevent the Department of Labor from issuing common-sense, scientifically-based workplace safety standards.

These reasonable standards will ensure that workplace safety guidelines are in place to prevent increasingly common workplace injuries.

More than 647,000 Americans suffer serious injuries and illnesses due to musculo-skeletal disorders each year.

There injuries are currently costing businesses $15 to $20 billion annually in workers' compensation costs.

Tragically, these injuries disproportionately affect women workers.

Although women make up 46 percent of the workforce and 33 percent of those injured, 63 percent of repetitive motion injuries happen to women.

Women experience 70 percent of carpal tunnel syndrome injuries that result in lost work time.

This is unacceptable and we must act now to prevent these injuries.

Americans who are willing to work hard each day to support themselves and their families deserve reasonable standards to prevent workplace injuries.

Many of the workers who will be covered by these common sense guidelines often work more than one job just to make ends meet.

They work long hours loading trucks, moving boxes, and delivering packages.

Their jobs aren't easy, but they are willing to show up every day and do their best.

The last thing these hard-working Americans want is to get hurt. These sensible standards will keep them on the job and prevent costly workplace injuries.

Opponents of these common-sense guidelines claim that they will ''regulate every ache and pain in the workplace''.

This is simply not true. These standards will only ensure that companies make someone responsible for ergonomic standards and that employees are not afraid to report these injuries. This is hardly an overwhelming request. Lets eliminate this language today and give hard-working Americans the chance to avoid these career threatening injuries.

I would also like to register my support for the additional resources requested by the Administration for the National Labor Relations Board and OSHA.

These agencies are doing everything possible to improve the health and safety of the workplace. We should support their efforts.

I urge all of my colleagues to stand with hard-working Americans and to oppose this harmful legislation.

Mr. REYES. Mr. Chairman. I stand in strong opposition to the passage of the 2001 Labor, HHS, and Education Appropriations bill because it severely cuts programs that are extremely important to the education of our children and because it hurts displaced workers. I urge my colleagues to oppose it.

The first problem with this GOP bill is that it severely shortchanges education—by $3.5 BILLION. This bill would end our commitment to hire 100,000 new teachers and to reduce class sizes. I am concerned by the fact that this bill would eliminate Head Start for some 53,000 children and cut $1.3 BILLION for urgent repairs to schools across the country. These are critical issues for my district and for many districts across the country. This bill will also eliminate school counselors serving 100,000 children. This action will deprive schools of the professionals they need to identify and help troubled children.

This bill also does considerable injustice to Bilingual and Immigrant Education. The amount included in the bill for programs addressing these issues is $54 million below the budget request. The professional development of our bilingual education teachers is critically important. The Labor, HHS, and Education bill in its current form provides an amount that is $28.5 million below the budget request for the important programs of Bilingual Education Professional Development. The grants that are provided for the development of our teachers in bilingual education are needed to increase the pool of trained teachers and strengthen the skills of teachers who provide instruction to students who have limited English proficiency. These funds support the training and retraining of bilingual teachers. The disparities in minority education will be increased if this bill is passed.

Secondly, this bill severely shortchanges programs that assist displaced workers. This is a major issue for my constituents in El Paso, as I know that it is for many of you in your home districts.

In El Paso and in other areas along the U.S./Mexico border, NAFTA has created many displaced workers, and this bill does an injustice to programs that could help them. For example, the bill cuts assistance to over 215,000 dislocated workers and it cuts the dislocated worker program by $207 million below the 2000 level. These cuts will make it more difficult for these workers to find jobs. This bill also cuts adult job training for almost 40,000 adults. The cuts in adult training programs equal $93 million or 10 percent below the request and 2000 levels.

Finally, this bill provides only $9.6 million for employment assistance to another class of displaced workers: Our homeless veterans. There are over a quarter million homeless veterans in this country, and the provisions in this bill will deny employment assistance to thousands of these Americans who have faithfully served their country. This is unacceptable.

The root of these problems is that in order to pay for the proposed Republican trillion-dollar tax breaks for the wealthiest Americans, we are attacking programs that are needed to educate our children and to assist displaced workers. Again, I stand in strong opposition to passage, and I urge my colleagues to oppose this bill.

Ms. SANCHEZ. Mr. Chairman, I rise today in opposition to this bill.

The bill before the House is very damaging to our nation's schools.

It is simply unconscionable to cut education funding at a time when school enrollment is exploding. In my own district, in Orange County, I have seen the effect that the years and overcrowding have taken on our schools and the safety of those within them.

I remind my colleagues that Americans have told us—time and time again—that education should be at the top of our nation's list of priorities. No education matter can be more important than keeping our schools safe.

This bill backs down on our promise to hire new teachers to keep classes small. When classes are too large, teachers can't watch for the warning signs of impending trouble.

This bill refuses to help schools with emergency safety repairs to their buildings. School officials can't focus on safety when they're worried about leaking roofs and rotting pipes.

And I remind my colleagues that this bill even cuts school counselors serving 100,000 children. We know we need trained professionals to help keep our schools safe, yet this legislation cuts funding for school counselors.

With this bill, we'll lose after-school care, teacher training, assistance for low-income communities, and Head Start programs. It endangers our communities and our schools, rather than improve them or make them safer.

I will vote against this bill, because I believe that failing to invest in our children is not in our nation's best interests.

I urge my colleagues to oppose the Labor, Health and Human Services and Education appropriations bill.

Mr. GEKAS. Mr. Chairman, thanks to research done through the National Institutes of Health, the United States is the world leader in biomedical research. I wish to express my support for funding of the NIH in this Labor, Health & Human Services and Education Appropriation bill. As we all know we are working towards doubling the NIH budget in five years. Although funding in this bill is not sufficient to continue that effort, but I know Chairman YOUNG and subcommittee Chairman PORTER will be working towards that goal as they work to finalize this bill, so I will be voting for the bill.

The benefits derived from biomedical research have led to medical breakthroughs that not only save lives, but have dramatically increased the quality of life for disease sufferers by decreasing levels of disability and reducing pain and suffering. We have proven that diseases can be detected, managed, eliminated

and prevented more effectively through new medical procedures and therapies. Nearly completed research on the deciphering the human genome will literally transform the practice of medicine.

Despite these extraordinary advances that have made to fight disease over the past century, serious health challenges still exist. Chronic diseases such as diabetes, Parkinson's, Alzheimer's, heart disease, cancer and stroke still pose enormous social and economic burdens to families throughout the world. Researchers in the United States, working through the NIH, are on the verge of finding cures for many diseases that still affect millions of people, but the key is funding to unlock the knowledge we need to find these cures.

The economic costs of illness in the United States alone are approximately three trillion dollars annually. This represents 31% of the nation's Gross Domestic Product. While this research has spawned the biotechnology revolution, the future of that industry is dependent upon the continued advances in biomedical research by the NIH. It is estimated that an investment of one billion dollars in NIH research saves approximately forty billion dollars in future health care costs. One single breakthrough can lead to spectacular financial savings for American families who face the burden of increasing health care costs.

While past accomplishments are helping to find cures for the major illnesses of today, we must also look to the future challenges and benefits that increased funding for biomedical research will provide. It is estimated that by 2025, one out of every five Americans will be over the age of 65. Because most of the chronic diseases and disabilities we face are associated with aging, it is vital that we double our research efforts. We must make the investment in research now to plan for the anticipated increase in the population of older Americans and to contain health care costs. In addition, the cost of illness threatens to rise because these diseases are constantly evolving to combat our own advances. Dangerous bacteria are growing more resistant to every new round of antibiotics that our researchers can discover. We must keep increasing funding for NIH to keep pace with the evolving face of disease.

Medical research represents the single most effective weapon we have to combat healthcare challenges today and in the future. We must build on the tremendous advances we have made in conquering and preventing disease by accelerating the momentum behind our medical research efforts. Therefore, increasing the funding for the National Institutes of Health should remain a top Congressional priority.

Two years ago, Congress pledged to double the NIH budget over a five year period. Since then, Congress has increased the NIH budget by 15% each of the last two years. It is now time for Congress to take the third step by providing another 15% increase, continuing us on that path. This requires a $2.7 billion increase, which would bring the NIH budget to $20.5 billion in FY 2001. We must stay on track to double the NIH budget by 2003. This is an investment that will dramatically improve the lives of countless Americans now and for years to come.

Through this third down payment towards doubling the NIH budget, we look forward to enhanced research in some of the areas that have been presented at briefings to the Congressional Biomedical Research Caucus, which I co-chair. In fact, the increased investments that have recently been made are already leading to fundamental breakthroughs in the fight against disease. One exciting illustration of the results of this new research comes from recent progress on the development of new ''gene-chip'' technologies, which can be used to generate genetic fingerprints that measure what genes are turned on or turned off in certain types of cancers. In the past year, American scientists have used gene chip technology to discover that several cancers that were once indistinguishable with standard diagnostic methods can now be distinguished by their genetic fingerprints. In one striking case, a type of cancer with highly variable outcomes has suddenly been recognized to be two different diseases. One type is aggressive and quickly fatal, the other is slower with a likelihood of longer survival. Thus, it may now be possible to identify patients with these two types of cancer and treat them differently with more appropriate therapies.

Similarly, substantial new investments in biological computing and a new area called bioinformatics are catalyzing the fusion of clinical medicine, genetics, and information science. This important work will help us understand how each of our unique genetic constitutions predisposes us to different diseases and clinical outcomes.

A final example comes from new investment in bioengineering. Important new understanding of organ physiology, and cell growth is emerging rapidly. In the coming years, we expect that new research in these areas, stimulated by increased funding, will lead to the construction of new heart, liver, and pancreatic tissue for those who wait for transplants or tissue-based therapy.

I will support this bill with the knowledge that this Congress will do everything in its power to continue the effort to double the investment in the NIH over the next five years.

Mr. LEVIN. Mr. Chairman, they say that in politics, where you stand depends on where you sit. But the Labor-HHS-Education Appropriations bill the Republican leadership has brought to the floor looks bad from every seat in the House.

The bill fails our kids. It would undo the progress we've made toward improving the quality of education for every child by eliminating funding for the President's plan to hire 100,000 teachers, a plan we made a bipartisan down payment on last year. It would also force our children and teachers to continue working in overcrowded schools with leaky roofs and crumbling buildings, because this bill provides no funding for the President's school construction initiative. Finally, it provides ten percent less funding than the President requested for Head Start, guaranteeing that we will not be able to provide preschool education to all children who need it.

The bill fails families. The Baby Boomers are often called the ''sandwich generation'' because they often have to care for their children and their elderly parents. This bill fails those caregivers at both ends. It denies funding for the Family Caregiver Program, which provides support for 250,000 Americans who care for elderly or disabled relatives at home. It also cuts in half the President's increase in funding for child care, which will prevent 80,000 eligible families from getting help with child care.

The bill fails senior citizens. This bill shortchanges important senior programs like Meals-on-Wheels. It also shows the Republican Party's true colors on Medicare and Social Security by slashing funding for the Social Security Administration and the Health Care Financing Administration. Those agencies make sure seniors get their Social Security checks on time and receive the health care they're entitled to. Cutting the budgets of agencies that do this important work puts all seniors at risk.

The bill fails workers. This bill would, for the sixth year in a row, delay a Department of Labor regulation which would help to prevent 300,000 workers from being injured at work. Neither does it provide enough funding to operate the Unemployment Insurance program, which protects workers who lose their jobs. It cuts funding for worker training programs that help people get better-paying jobs with benefits.

The bill fails millions of Americans who suffer from deadly diseases. Over the past 3 years, Congress has made three installments on a bipartisan promise to double funding for the National Institutes of Health (NIH), the primary source of medical research in the United States. This year's increase is only six percent, far less than the fifteen percent increase needed to reach our goal in five years.

Finally, the bill fails the taxpayers. Over the past few years, the Department of Health and Human Services had dramatically reduced fraud and waste in the Medicare program. This bill slashes funding for HHS' anti-fraud activities.

The supreme irony here is that while the Republican Party is denying necessary funding for education, medical research and seniors, they plan to bring a tax bill to the Floor tomorrow that showers hundreds of billions of dollars in tax cuts on the very richest people in America. What does this say about the Majority's priorities.

This bill fails kids, families, seniors, workers, and taxpayers. It does not deserve the support of the House, and I urge its defeat.

Mr. CLAY. Mr. Chairman, the Republican leadership has once again succeeded in bringing to the floor a Labor, Health and Education Appropriations bill designed to please only themselves and their right-wing friends. H.R. 4577 fails to make needed investments in public education and the domestic workforce, and, as the result, would undermine American competitiveness in the 21st century. This bill has already received what has now become its customary and well-deserved veto threat from the Clinton administration. It is clearly going nowhere, and should be soundly defeated.

This bill was doomed from its inception, because the economic premise upon which it is based is flawed. Earlier this year, before the appropriations process began, the Republican leadership decided to resume its efforts to push for big tax cuts for the rich. They attached hundreds of billions of dollars of these tax cuts to the minimum wage bill and the budget resolution. This decision to squander the surplus, rather than invest it, severely reduced the funds available to meet many of our Nation's critical needs.

Overall, the bill provides $2.9 billion less than the President request for the Department of Education, and $1.7 billion less for the Department of Labor. As the result, education,

job training, workplace safety, and other programs are either frozen or cut, significantly reducing the level of services that can be provided.

For example, the bill would slash Title I funding, forcing school districts to cut back on assistance to disadvantaged students. The Clinton/Clay class size reduction initiative is gutted, leaving school districts without the resources to hire and train 20,000 more top-quality teachers. Adequate funding is denied for after-school and summer programs intended to improve student achievement and reduce juvenile crime. And no funds are provided to renovate crumbling and unsafe schools.

At the same time efforts are ongoing in the Congress to erase limits on the immigration of foreign workers to fill high-tech jobs, this bill would make steep cuts in the funding of training programs aimed at helping domestic workers fill them and other positions. Dislocated workers and at-risk youth are particularly hard hit by these cuts, even though they are the ones most in need of skills training. By failing to adequately invest in our own workforce, the Republican leadership is jeopardizing American competitiveness and prosperity.

This bill also jeopardizes worker health and safety by shortchanging OSHA and blocking issuance of the ergonomics rule intended to prevent about 300,000 workplace injuries a year. The Wilson amendment would add insult to injury by cutting $25 million more from OSHA.

Mr. Chairman, this appropriation bill is a disaster. It fails to adequately invest in education, and in the development and security of the Nation's workforce. I urge a no vote on H.R. 4577.

The CHAIRMAN pro tempore. All time has expired. Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments printed in Part A of House Report 106–657 are adopted.

The amendment printed in Part B of the report may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment, and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 4577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Investment Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; the Women in Apprenticeship and Nontraditional Occupations Act; and the National Skill Standards Act of 1994; $2,552,495,000 plus reimbursements, of which $1,340,155,000 is available for obligation for the period July 1, 2001 through June 30, 2002; of which $1,175,965,000 is available for obligation for the period April 1, 2001 through June 30, 2002, including $1,000,965,000 to carry out chapter 4 of the Workforce Investment Act and $175,000,000 to carry out section 169 of such Act; and of which $20,375,000 is available for the period July 1, 2001 through June 30, 2004 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers: *Provided,* That $9,098,000 shall be for carrying out section 172 of the Workforce Investment Act, and $3,500,000 shall be for carrying out the National Skills Standards Act of 1994: *Provided further,* That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

AMENDMENT OFFERED BY MR. JACKSON OF ILLINOIS

Mr. JACKSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACKSON of Illinois:

Page 2, line 13, after the dollar amount, insert the following: ''(increased by $1,026,078,000)''.

Page 2, line 14, after the dollar amount, insert the following: ''(increased by $572,578,000)''.

Page 2, line 16, after the dollar amount, insert the following: ''(increased by $453,500,000)''.

Page 2, line 18, after the dollar amount, insert the following: ''(increased by $253,500,000)''.

Page 2, line 19, after the dollar amount, insert the following: ''(increased by $200,000,000)''.

Page 3, line 4, insert before the period the following:

: *Provided further,* That funds provided to carry out section 171(d) of the Workforce Investment Act may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers

Page 4, line 16, after the first dollar amount, insert the following: ''(increased by $154,000,000)''.

Page 4, line 16, after the second dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 5, line 9, after the dollar amount, insert the following: ''(increased by $154,000,000)''.

Page 5, line 10, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 16, beginning on line 21, strike ''up to $7,241,000 for the President's Committee on Employment of People With Disabilities, and including''.

Page 16, line 24, after the dollar amount, insert the following: ''(increased by $14,361,000)''.

Page 18, line 14, after the first dollar amount, insert the following: ''(increased by $5,364,000)''.

Mr. JACKSON of Illinois (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

Mr. JACKSON of Illinois. Mr. Chairman, I have a sound and sensible amendment that adds $1.25 billion to skills programs at the Department of Labor.

Specifically, this amendment adds $93 million to restore the President's request for adult skills training.

It adds $389 million to restore the President's request for dislocated worker assistance.

It adds $200 million to restore the President's request for youth opportunity grants.

It adds $254 million to restore cuts in the summer jobs program resulting from the implementation of the Workforce Investment Act.

It adds $61 million to restore the President's request for reintegration of youth.

It adds $30 million to restore the President's request for incumbent workers, $50 million to restore the President's request for employment services, $154 million to restore the President's request for one-stop career centers.

It adds $5 million to restore the President's request for homeless veterans, and it adds an additional $14 million to restore the President's request for disability initiatives.

At the dawn of a new century, Mr. Chairman, America must close the skill gaps and open the doors of opportunity.

1345

This amendment invests in skills training that America's workers need to compete and succeed in the new economy. Some have argued that since the economy is so strong, we can afford not to invest in skills training programs.

I would argue that we cannot afford not to invest in skills training programs. An essential ingredient to sustaining the strong economy is to provide the skilled workers that businesses need. As Robert Kuttner, the BusinessWeek economist stated in his May 15, 2000 column, ''what's holding back even faster economic growth is the low skill levels of millions of potential workers.''

This strong economy gives us the rare opportunity to bring skills and jobs to individuals and communities that have for too long been left behind.

The demand for skilled workers means that the 13 million Americans in the untapped pools of potential, young people, displaced workers, individuals with disabilities, veterans and people who want to get off of welfare, have a chance to get and keep good, family-supporting jobs.

Since January 1993, the unemployment rate has fallen 7.3 percent to 3.9 percent, its lowest level in 30 years. Over 21 million new jobs have been created. Employment-population rates are at record highs.

Yet, all have not prospered. Many Americans are being left behind. Pockets of extremely high unemployment, pools of untapped, underutilized workers exist; and the risk of becoming a dislocated worker remains high.

In April 2000, there existed 13 million untapped and underutilized Americans: 5.2 million who are unemployed, 4.4 million who are out of the labor force but want to work, and 3.0 million who work part time but want to work full time.

The booming economy has led employers to say that their growing inability to find skilled workers that they need has generated upward pressure on wages, translating into higher consumer prices.

Concern is mounting that the broad-based skills shortages are putting our boom in jeopardy. Furthermore, it is inconsistent for Congress to disinvest in American workers at the very same time that we are debating the expansion of the H1–B visa program to offer job opportunities to foreign workers.

The workers we need to keep our economy growing are right here. They are in our cities and in our rural areas. They simply need us to invest more in skills training, as the President proposed, not less, as the House bill proposes.

This Congress passed bipartisan legislation in 1998, the Workforce Investment Act, to establish a workforce system, with One-Stop Career Centers as its cornerstone, that would provide employers with skilled workers they need and provide information and assistance for jobs and people seeking those jobs.

This is the first year of implementation of the new system and the House bill will gut the investments critical to implementation of WINA as envisioned by Congress and the administration.

This amendment, Mr. Chairman, very specifically places top priority on developing the skills of American workers, raising the participation of people with disabilities, strengthening the skills of youth and former welfare recipients, providing income support and training for dislocated workers, reintegrating ex offenders into the mainstream, and removing barriers, for example, childcare, that make it difficult to hold a job.

The bill before us today puts our expansion in jeopardy and will prevent unprecedented prosperity from being even more broadly shared.

Mr. Chairman, I strongly urge my colleagues to support this amendment. We have never been at a more crucial time for investing in the skills of all Americans. If we do not take advantage of the opportunities this economy is providing right now, not next week, but right now, then we will, indeed, undermine our own potential as a Nation.

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois insist on his point of order?

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN pro tempore. The gentleman continues to reserve his point of order.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the minority has talked about cuts in many places in the bill. Where there is cuts is in the Department of Labor and several of the programs are actual cuts from the previous year. For example, in adult job training there is a cut from $950 million to $857 million. For dislocated worker assistance, there is a cut from $1.58 billion to $1.382 billion. For youth opportunity grants, there is a grant from $250 million to $175 million. Those are the major accounts that are cut in the Department of Labor appropriation.

If I understand correctly, the gentleman from Illinois (Mr. JACKSON) is offering amendments to add $1.25 billion back to the bill. The gentleman does not offer any offset and it's simply an addition of funds that would put his amendment beyond the budget resolution.

The subcommittee, in recommending funding for adult training, youth training now including summer jobs and for dislocated workers, we recommended $3.2 billion in the bill. That is a reduction, as I say, of $300 million for these programs.

In addition, we recommended funding for youth opportunities grants $75 million less than the year 2000, as I have stated, and less than the President's request.

These levels are recommended because of limited budget resources and, particularly, Mr. Chairman, because of the state of the economy.

According to the Department of Labor, in their 1999 annual report, unemployment averaged 4.2 percent in 1999, the lowest rate since 1969, the lowest rate in 20 years. A greater percentage of the population aged 16 and over is employed now than at any other time in U.S. history.

Minorities are making significant gains in employment, with unemployment among African Americans falling to 7.6 percent in May 1999, the lowest rate ever recorded. Hispanic unemployment reaching a record low of 5.9 percent in March of 1999.

The poverty rate has fallen to 12.7 percent in 1999, the lowest rate since 1979. The unemployment rate has been below 4.2 percent since October of 1999, and payroll employment has grown by 2.3 persons since that time.

In other words, our economy is doing better than ever before, because there are more jobs than ever before. There is less unemployment than ever before. There is less unemployment among minorities in our country than ever before.

The money for job training, for adult job training, for dislocated workers, for youth opportunities, that is important money, but there are fewer people that need to be served in this astounding economy than there have been previously. We believe that there is sufficient money to serve the people that need the funding to provide opportunities for them, and we believe that the cuts therefore, are justified.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman from Illinois for yielding, and I want to just say at the very outset that I agree with the gentleman from Maryland (Mr. HOYER) when he says that our chairman, the gentleman from Illinois (Chairman PORTER), if he had been dealt a different hand in the budget debate, in the budget resolution, that we might indeed be looking at stronger investments in this area.

Mr. Chairman, our concern today is something that is consistent with what something the Chairman of the Federal Reserve said, that our ability to sustain the current period of economic growth hinges on continued investment in the skills of American workers.

But the gentleman rightfully acknowledged in title I there are significant cuts; is there anything we might be able to do to improve upon those cuts?

Mr. PORTER. Mr. Chairman, reclaiming my time, obviously, moving the bill at this point is part of a longer process. We will sit down with the Senate that marked up a bill at $5.5 billion higher than our allocation and perhaps there will be.

But, again, I believe that this is an area, while it is of great importance and is needed, the demand for these funds is lower because of a high employment rate, a very low unemployment rate and even so among minorities.

I certainly intend to do my very best within the funds that we have available ultimately to address these needs, as well as others. I think we have done a proper job in putting this at a fairly low priority because of the strength of our economy in this bill.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) continue to reserve his point of order?

Mr. PORTER. Mr. Chairman, I continue to reserve a point of order.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words,

and I rise in support of the amendment of the gentleman from Illinois (Mr. JACKSON).

It is absolutely true that we have the lowest unemployment rate in generations. It is absolutely true that we have more jobs than ever in this economy, but you have heard the joke where a fellow is watching the politician on the television screen talking about all of the new jobs created, and he turns to his wife and says a lot of jobs are created, and I have got three of them.

There are lots of people who are working at low-paid jobs. Just a couple of months ago I ran into a single mother in Rhinelander, Wisconsin. Her husband had walked out on her, working like crazy at three different jobs trying to keep her head above water and support a child.

With all of the golden glow that we have on our economy, there is not yet enough to reach that woman, and hundreds of thousands just like her all over the country.

Chairman Greenspan of the Federal Reserve said this ''the rapidity of innovation and the unpredictability of the directions it may take imply a need for a considerable investment in human capital. Workers in many occupations are being asked to strengthen their cognitive skills, basic credentials by themselves are simply not enough to ensure success in the workplace. Workers must be equipped not simply with technical know-how but also with the ability to create, analyze and transform information and to interact effectively with others. Moreover, that learning will increasingly be a lifelong activity. And it is not enough to create a job market that has enabled those with few skills to finally be able to grasp the first rung of the ladder of achievement.

''More generally, we must ensure that our whole population receives an education that will allow full and continuing participation in this dynamic period of the American economy.''

That was said by one of those well-known fiscally irresponsible left-wing radical's, Alan Greenspan.

If you take a look at what this amendment is trying to do, I defy you to tell me it is not needed. This bill eliminates all funding for one stop career centers, America's labor market information system that the administration is trying to promote. It cuts assistance to $215,000 dislocated workers. It eliminates assistance from 220,000 unemployment insurance claimants. It cuts adult job training for 37,000 adults. It eliminates the President's proposal to assist 80,000 noncustodial parents and low-income parents. It cuts employment assistance to 3,100 homeless veterans, on and on and on and on.

You can use any justification you want to explain the fact that this Congress apparently thinks more of providing tax cuts for the wealthiest 1 percent of people in this country than it does in providing a help up the job ladder for the poorest folks in our society or the least lucky in our society. But those are not our set of values on this side of the aisle, and I think the amendment offered by the gentleman demonstrates clearly what a preferable set of values would be.

It just seems to me that if we can afford tomorrow to say to someone who is unfortunate enough to inherit $5 million, if we can afford to bleed all over the floor for that person, say, oh, you have such a burden, we are going to eliminate your taxes, then it seems to me we ought to be able to provide a few more nickels for people who need to upgrade their job skills.

This bill is clearly not adequate on that score, and I recognize that we are in a Wizard of Oz situation here, an Alice in Wonderland situation, because we may be able to offer an occasional amendment but we will not be able to get a vote on it because the rules preclude us from getting a vote.

This is the only way we have to try to identify what we think are the inadequacies of this bill. And it is the simple question, do you think the economy is going to be helped more by adequately equipping every single American worker or by giving those who already have so much some more? I think the answer to that ought to be obvious.

1400

The CHAIRMAN. Does the gentleman from Illinois (Mr. PORTER) continue to reserve his point of order?

Mr. PORTER. Yes, Mr. Chairman, I continue to reserve the point of order.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Again, I would like to remind Congress, for the 20 years I sat here in the minority, we saw job-training programs being proliferated one after another until we got to 166 job-training programs. All of them so small that they were worthless, spread out over every agency downtown, 30 agencies as a matter of fact.

It was not until 1998, as a matter of fact, when we finally got people to stop that nonsense and said, what one has to do now is combine these programs, eliminate the bad programs, keep the good programs, combine them, get them back to the local area where the people know better what jobs are available and what jobs will be available in the future.

I would remind my colleagues that it is not until July 1 of this year when every State must have their workforce boards in place in order to meet the requirements of the Workforce Development Act, too early to call how well we have done because the real blow comes on July 1 when every workforce development board must be in place by those States.

So, again, for all those years, we had a golden opportunity to provide quality job-training programs. But we chose not to think about quality, only about quantity.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I am happy to yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I was hoping the distinguished gentleman from Pennsylvania (Chairman GOODLING) would be able to respond a little more specifically to the amendment and the request that we have in this amendment to add $93 million to the adult skills training program.

If the gentleman from Pennsylvania would be kind enough to respond to our very simple question to increase the spending in this bill for $93 million for just one of the programs that I outlined in the title 1 of the bill.

Our goal, Mr. Chairman, is to increase, in light of what Chairman Alan Greenspan indicated that we need to invest more money in underskilled, underutilized workers. I understand the comments of the gentleman from Pennsylvania a few moments ago, but I was hoping that he would respond more specifically to the thrust of this amendment.

Mr. GOODLING. Mr. Chairman, again, if I had all the money in the world, and I were in charge, my goal would be to take the quality programs, make them better, and spend as much money as you must spend in order then to make sure that we close that achievement gap, to make in order that we have improved the life of each American.

But that is not what happened. For all of those years, we spent the money. Title I is a good example, $140 billion. It did not close the achievement gap one little iota. In fact, it may have even gotten worse, because no one cared whether it was a quality program. They only said more money will do the job. We will cover more children. Again, the disadvantaged suffered.

For all of these years, the only argument I have ever heard on this floor, and will hear it a million times again today, the only argument to conceal the failure of well-meaning programs that no one would allow us to make them work is, oh, a tax cut for the rich. I have heard that over and over and over again.

The problem is we have got to admit, as I told my committee over and over again, we have got to first admit the programs did not work. Then we have to be creative enough to make them work. That is what we have been trying to do in our committee.

I think we are going to have some success. I will not be here to see the success, but I think we have made the progress.

Mr. Chairman, I yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I just want the gentleman from Pennsylvania (Mr. GOODLING) to know there are many of us on this side of the aisle who, for years,

shared his concern. But the issue, in my judgment, is how did we legislate excellence. The gentleman and I know it is very difficult. The challenge is, of course, to fund the programs that do work.

I would like to say, as I will speak later on my own time, that I join with the gentleman in wanting to support these good programs that do work; and I would be delighted to work with him and his successors in figuring out, as I ask every time in every hearing, how do we legislate excellence.

But the answer is not to cut back when there is so many people who need the education, they need the retraining, because not everyone is benefiting from this great economy.

So I am sure my colleagues on this side of the aisle would be delighted to work with the gentleman's successors to make sure that these programs are delivering. That is the challenge to all of us. We do not want to fund everything.

The CHAIRMAN. Does the gentleman from Illinois (Mr. PORTER) wish to continue to reserve the point of order?

Mr. PORTER. Yes, Mr. Chairman, I continue to reserve my point of order.

Mrs. THURMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, maybe to add to this debate a little bit, particularly when it was brought up to the issue of local groups that are using these programs and find them to be important in delivery of employment, I just would like to add into this.

I have a letter here from a mayor, Paula DeLaney out of Gainesville. And she writes to me, ''Dear Representative Thurman: We have just learned that severe cuts in the Department of Labor's FY 2001 appropriations are under consideration by both the House and Senate, and that these may eliminate or severely reduce funding for One-Stop Career Centers, Adult Employment and Training, Dislocated Workers Programs, and the Youth Opportunities Program. I am writing to tell you of the crucial importance of these threatened programs to Gainesville and to request your help in obtaining the resources needed to sustain our community's workforce investment system.'' Work force investment system.

She goes on to say, ''The impact on Gainesville would include the following should these threatened cuts occur: To eliminate or reduce the One Stop Center Program would deny our local employers a single point of contact to list openings and find skilled workers.

''To cut Adult Employment and Training would deny many of our citizens the ability to obtain skills training needed for today's workplace.

''To reduce the Dislocated Workers Program would cause hardship to those citizens who, through no fault of their own, find themselves unemployed.

''To reduce the Youth Opportunities Program would create the most severe impact of all. While the national unemployment rate has remained low, teenagers still face very high unemployment. Even more significant would be the impact on the future of our African American youth, already documented as disadvantaged in the competition for employment.

''All of these programs are now used to train our workforce and to provide local employers with a pool of skilled workers. I urge you to see that funding for an employment training program is restored. These programs are essential to local governments and to the citizens they serve. Thank you for your consideration.

Sincerely, Paula M. DeLaney, Mayor.''

But even on another note, let me just say, we have had businesses in our offices for the last 6 months telling us they do not have enough workers. The unemployment is so low we do not have workers out there. We are all scrambling up here. How are we going to get high-tech workers? So we have the H1B program so we can bring over 200,000 people.

But you are cutting out of this bill an opportunity for hundreds of thousands of people to have an opportunity to participate. That is just flat wrong. Not to mention what about the nurses, teachers, the shortages that we have all been talking about. Every State legislature in this country is grappling with getting good teachers, nurse shortages, all of these areas that are critical to quality of life of our communities.

Let us not shut down these issues for our communities to succeed and, most importantly, to have a skilled workforce that is desperately needed in a time of low unemployment. I commend the gentleman for bringing this to our attention.

Mr. OBEY. Mr. Chairman, would the gentlewoman yield?

Mrs. THURMAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would like to say, look what this Congress did just a few weeks ago in taking the lid off of Social Security income because employers all over the country were telling us there are not enough skilled workers. Look at what we are doing with additional visas to bring these foreign workers into this country because employers are telling us they cannot find enough skilled workers. All you have to do to understand why this amendment is necessary is open your eyes, open your ears, and read your mail.

Mrs. THURMAN. Mr. Chairman, reclaiming my time, we have given hope to employers by having skilled workers. We all will hear from our communities about how important these issues are. Let us not shut out the very same people that you talked about giving these programs to now have gotten them developed, have done a good job, and then pull the rug out from underneath them.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number words.

Mr. Chairman, I want to just talk a little bit about some of the priorities that we have put in this bill that are very good that address the very needs that my friends on the other side of the aisle are bringing up.

But first I want to remind this body that, for nearly a generation under Democrats' control, this Congress continued to overspend the amount of money that was coming into the Federal Government. They continued to spend every penny of the Social Security surplus. They continued to spend every penny of the Medicare surplus.

What was the money spent on? It was spent on too many programs that were too inefficient. Instead of stopping and looking at what we were doing to find out what works, what is the best investment in our dollars, we just continued to blindly throw money at the program, at different programs.

I see this continuing now in some of the proposals. I have a chart here that talks about one of the high priorities in this bill. It is a program that works, and it works for the people who are in need of finding good programs or good jobs and in need of getting good skills, and that is the disadvantaged youth in America.

This chart shows that, from fiscal year 1992 through fiscal year 1995, a slight increase in the job corps funding. But under Republican control, we put a priority in job corps funding because it works. It is a substantial investment in this job corps program.

Now, this funding is part of the Federal effort to provide employment assistance to the disadvantaged youths between ages 16 and 24, those people who are just trying to develop their skills, trying to find their place in life. It is accomplished through programs that have a proven track record. Since 1995, over $300 million has been added to the job corps program, a nearly 30 percent increase over that time.

Now, the investment in the job corps is an investment in a program that has been proven to work for specifically disadvantaged youths. I want to emphasize that point. A recent independent evaluation program found that job corps participation led to an increase in one full school year of time spent in education and training, training that focused on vocational skills.

There was a substantial increase in student attainment of GED and vocational certification, an 11 percent earnings gain for job corps participants, and a reduction of 20 percent in arrests, convictions, and incarcerations of job corps participants.

Under the appropriation, since 1995, 11 job corps centers have been added, including the fiscal year 2001 request before the House. From 1989 to 1995, this period here on the left side of the chart, under the Democratic-controlled House, only four job corps centers were added in the national total.

Now, some of the excuses for this blind deluge of more money into this

bill I think comes from the argument they say that there is this tax cut that has been threatened by the Republicans. Well, we have overpaid the cost of government, and we do want to return that change. When one goes to McDonald's and one orders $4.50 worth of food, one expects 50 cents of change back.

When one has the price of government being overfunded, the change ought to go back to the taxpayers, those people who work so hard.

Well, we have overpaid the cost of government. There is room for tax relief. Still we are protecting every penny of Social Security surplus, every penny of Medicare surplus. This money that was in the past spent on programs that did not work, we have dedicated this money to Social Security, the surplus from Social Security, dedicated the surplus from Medicare to Medicare. Still there remains money coming in that is over and above the cost of government.

So when we do look at what programs that we are going to fund, we ought to fund those that have a proven track record, eliminate those that are not very efficient and continue.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I am glad to yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman for yielding.

Maybe there is a little misunderstanding of my amendment because it keeps getting couched in Democratic and Republican terms, who controls the House, who does not control the House. I know the gentleman's strong advocacy for youth.

My amendment specifically adds $200 million to restore the President's request for youth opportunity grants, and it adds an additional $61 million to restore the President's request for the reintegration of youth into the economic mainstream.

Would the gentleman from Kansas (Mr. TIAHRT) please comment on whether or not he supports that idea in his advocacy for the youth and whether or not he supports my amendment.

Mr. TIAHRT. Mr. Chairman, if the gentleman would like to listen, I do support advocating for youth, especially disadvantaged youth, and I think we do so through this bill and the priorities that we have established through the job corps and other areas.

I think the reason that we have brought in other issues is to respond to what has been brought up by the gentleman from Wisconsin (Mr. OBEY) and others.

The CHAIRMAN. The time of the gentleman from Kansas (Mr. TIAHRT) has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. TIAHRT was allowed to proceed for 1 additional minute.)

1415

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to welcome the gentleman aboard. I know it has been a long road on the road to Damascus, but I have been here long enough to remember when the majority party was singing hosannas because Ronald Reagan was trying to zero out the Job Corps and David Stockman said that it did not work, despite the fact that three studies from his own shop showed that it did. I also recall that just 3 short years ago the majority party tried to cut $100 million out of the President's request for Job Corps.

So I welcome the conversion. I wish it had come sooner, but Allah be praised; hosanna; thank God; alleluia; welcome aboard.

Mr. TIAHRT. Reclaiming my time. Mr. Chairman, I guess we can expect the gentleman's support for this bill on final passage, now that we have agreed together that we have an emphasis on Job Corps. I thank the gentleman for his vote on this bill.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment of the gentleman from Illinois (Mr. JACKSON). He has put forth a number of propositions. Those propositions are that we have an outstanding economy; we have a surplus.

Our colleagues differ on the reason for that. My view is that because of 1990's bill, which they largely voted against, and the 1993 economic program, which every one of them voted against, we have this economy and we have these surpluses. As a matter of fact, as they, I am sure, know, their own CBO just 2 years ago said that the reason we have the surplus is because of the 1993–94 Congress, which, of course, the Democrats controlled. And in the two Congresses subsequent to that, the Republicans added $12 billion to the debt, while we reduced it $142 billion. So that is what the Republicans' CBO says.

But that aside, this is a substantive important debate. It is about priorities. And I want to say to my friend, the chairman of the subcommittee, for whom I have, as he knows, unbridled respect and affection, he got up initially in opposition to the amendment of the gentleman from Illinois and said, look, we have the best economy that we have had in a very long period of time. We have 3.9 percent unemployment. And as a result of that, people are employed, people are working, and, therefore, they do not need the services and, therefore, we can cut, as he said, in real terms these programs.

Now, I hope the chairman will listen to me, because while his general proposition may be true, it is not true for one of the specific cuts that I am going to speak on. This bill adds $14 million back into the bill through this amendment for those with disabilities.

In 1990, in a very bipartisan way, we passed the Americans with Disabilities Act. George Bush signed that act on July 26, 1990. One of the titles in that bill was to get those with disabilities into the job force so that they could work, so that they could support themselves, so that they would have a substantial measure of self-respect.

As the chairman well knows, there are only 29 percent of those with disabilities who are working in America today. Only 29 percent. Now, that means, without much math, that 71 percent of those with disabilities are not working. It is not 3.9 percent, 14 percent, 18 percent, or 25 percent. It is 71 percent of those with disabilities who are not working. So Secretary Herman suggested to the President that we add some money into this bill, approximately $21 million, for the purposes of establishing an office that would reach out to those with disabilities, reach out to employers and bring them together so that they could be employed and have, as Mr. Gingrich so often referred to, an opportunity society. Well, it meant, as George Bush said, an opportunity society for those with disabilities.

What the gentleman from Illinois (Mr. JACKSON) is trying to do is to say that Secretary Herman and President Clinton were correct; that we need to make this effort, we need to make sure those with disabilities are brought into the workforce. And I would say to my friend that over three-quarters of those who are not working want to work. They want to work. What this initiative of the President, which the gentleman has cut out of his bill, is trying to do is to help those people work.

We passed a welfare bill. It was controversial, but its premise was that in America if an individual can work, they should work to support themselves and to have a sense of self-worth and good feeling about themselves. We know that that expands the ability of human beings to feel good about themselves and be healthy.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Illinois.

Mr. PORTER. We are trying to figure out exactly what the gentleman is referring to when he is talking about the disabled in the bill.

Mr. HOYER. The Office on Disabilities is cut $14 million in the chairman's bill from the President's request of $21 million or $23 million.

Mr. PORTER. From the President's request. I see.

Mr. HOYER. Reclaiming my time, Mr. Chairman, I would say to the gentleman that it is flat funded at $9 million. But this is a new initiative. So the entire thing is cut. This is a new initiative to switch from the commission into an office. And the premise of Secretary Herman was that we were not succeeding.

The gentleman from Pennsylvania (Mr. GOODLING) said, well, if we are succeeding, do away with the program. If we are not succeeding, do away with the program.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 1 additional minute.)

Mr. HOYER. So the Secretary's premise, Mr. Chairman, was to add this money, which the President included in his bill, $14 million, to reach out to those with disabilities.

When George Bush, Republican President of the United States, signed the disabilities act on July 26, 1990, he said to all those with disabilities in America, 43 million people then, over 50 million now, he said to all those folks that we want to include them in; we want to give them the opportunity to work. But we have not succeeded. Why? Because we have not made the effort.

We passed the bill. Very nice. As the American public knows, to say in a statute rhetoric that they are free or they can work or they are going to be educated is fine, but if we do not work to make that happen and it is not reality, our country loses, and those with disabilities lose.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I just wanted to say to my colleague that, obviously, part of our problem is the allocation that we had to work under. We do consider this to be an important priority; and, of course, we will do our best when we go to conference to try to address this issue.

Mr. HOYER. Reclaiming my time, Mr. Chairman, I would hope we would, therefore, adopt the gentleman's amendment.

Mr. ISTOOK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the concern of the gentleman from Illinois (Mr. JACKSON) with employment of people, and I find it interesting to hear some descriptions, because I keep hearing from the White House and from the administration talk about the booming American economy. I know we had new figures in Oklahoma that show we have the lowest unemployment, which means the best employment, in decades; under 3 percent.

It may be different in the gentleman's district or in the gentleman's State, but right now businesses all over the country are saying that we have got to give them more visas to bring immigrants in from other countries to do the jobs because there are so many jobs available in the United States of America. And yet it sounds like the gentleman is saying, gosh, we have to help people find work.

If we look at these programs, because I know some are like summer jobs initiatives, hundreds of millions of dollars proposed so that mayors in cities all over the country can put on these seminars and say, oh, this is the mayor's summer job fair for youth. And it happens in most every city in the country. How many people know that that is coming out of the Federal Treasury, so mayors all over the country can claim responsibility for kids working? Except a lot of those are, frankly, make work jobs. They are not really working. Some of them are sitting around listening to music but being paid for it.

I realize that is not always the case, and I know that is not what the gentleman from Illinois intends. But when employment is up and unemployment is down, they say, well, the answer is we have to spend more on Federal job programs. And, of course, if employment is down and unemployment is up, they say, oh, that is another sign we need to spend more money on Federal job programs. Whether times are good, times are bad, times are indifferent there is only one answer we hear; we have to spend more. Why? Not because there is a real need. The need, as people see it, is political. They want to tell people if they want to work, they are going to be beholden to a politician, because we want their first, their first effort to be to turn to some sort of Federal job program so that a Congressman or a mayor or somebody else in politics can claim credit for getting them work.

Well, let me tell my colleagues, the economy does not boom because government is out there with make-work programs or Federal work programs. It booms when we enable businesses, private individuals, to flourish and hire people. And believe me, there are tons of jobs out there for kids this summer and for adults as well. That is what we want. But is there not ever a moment of relief when we say we have had some success with getting the American economy going so there are opportunities for people if they are just willing to take them? We say, oh, no, no, we cannot do that. We have to have more Federal money instead.

Why not relieve the tax burden on people, not have so many Federal programs, not teach them that they should be beholden to somebody in politics for the right to work? Teach them self-accountability, teach them the free enterprise system. We have tons of Federal job programs already, billions of dollars each year, and I do not think it is justified to say we should quit paying down the national debt so that, instead, we can add another $200 million to these spending programs. I do not think that is the way to go.

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise first of all in strong support of the Jackson amendment. But before I get to why this amendment is so crucially important in our new economy, where we are involved in trade and worker dislocation and underskilled and unskilled workers, I want to join in the chorus of accolades for the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER).

There are a lot of great things we can say about the gentleman from Illinois (Mr. PORTER) and his devotion to education and his hard work in his district, in his independence in his voting record, fighting for what he believes in, but I want to state in one area of this bill, where he has fought to increase the National Institutes of Health spending, where I have children and young people in my district that get on a plane, oftentimes once a month to go from Indiana to Washington, DC., to get help at that National Institutes of Health, that that funding increase is saving lives all over the third district of Indiana, the State of Indiana, and the world, literally, and we thank the gentleman for his efforts in that area.

On this Jackson amendment, I want to state my unequivocal support. The chairman knows that we are in a new world, with new challenges, and a new economy. And in this new world we have challenges, such as how do we help our workers get cradle-to-grave training in unskilled and underskilled areas?

In my district, in the third district of Indiana, in the Midwest, the heart and soul of manufacturing in this country, we have many of our workers that are currently trying to move from the tool box to new technology and training. They are trying to move from how to work with a power drill and a hammer and a screwdriver to a robotic arm and a computer. This Jackson amendment helps the unskilled worker and the underskilled worker get those skills to move from the tool box to the technology of the future.

The second reason I support the Jackson amendment is because it deals with dislocated workers. Now, we just had 237 people vote for the China trade bill, and we are going to have some dislocation in trade in the world. New Democrats, for one, believe that we need to follow up on our trade votes with investing in the workers of this country and making sure that they can survive in this new economy; that we can export products into China, not jobs into China.

1430

So we need to make sure this dislocated worker that was in a foundry gets the new skill to go work in a chip manufacturing plant.

So, Mr. Chairman, this Jackson amendment realizes the importance of investing in underskilled, investing in unskilled workers. This Jackson amendment understands the new economy and the challenges of trade. This Jackson amendment understands that we need, with our business community and our unions, one of the biggest challenges, new workers and more skilled and more productive workers. That is what we are investing in with the Jackson amendment, to make sure that skilled workers are a premium and that we do not just address the challenges of this economy by bringing in H–1B visa personnel from India and

China but we invest in our workers here in America.

The CHAIRMAN. The time of the gentleman from Indiana (Mr. ROEMER) has expired.

(By unanimous consent, Mr. ROEMER was allowed to proceed for 30 additional seconds.)

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, our amendment is very, very specific. The activities covered for youth in this House bill is 599,400 youth will be covered under this bill. Our amendment moves that number to 739,000 youth. For youth opportunities, the House bill covers 40,700 Americans. Our bill moves that number to 84,600 Americans.

For young offenders, it moves the House bill from 3,500 youth under the bill to 18,800 youth under the bill; adult activities from 342,800 to 380,000.

I want it thank the gentleman from Indiana (Mr. ROEMER) for his strong support of this amendment. This is a pro-American amendment, not a Democratic amendment, particularly at a time, as the gentleman pointed out, that our economy is doing so well. Let us spread the wealth.

Mr. ROEMER. Mr. Chairman, reclaiming my time, this is a pro-American amendment, it is a pro-worker amendment, and it is a pro-business amendment.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Jackson amendment and with great respect for our distinguished Chair, because I am sure that he would be willing to work with us to sit down and figure out a plan so we can help strengthen our workers and make sure that all of our citizens have the opportunity to succeed.

This amendment invests in the adult, youth, and dislocated worker training that Americans need to compete and succeed in the new economy. Investing in training is not only good sense, it is good business. An essential ingredient to sustaining a strong economy is to ensure that we are training the skilled workers that this economy needs.

Since January 1993, the unemployment rate has fallen, we have heard, from 7.3 percent to 3.9 percent, its lowest level in 30 years. And that is great. Over 21 million new jobs have been created. Employment population rates are at a record high. That is great news.

But, unfortunately, many Americans have not shared in these benefits. They may live in areas of extremely high unemployment, areas where the industries are changing, workers are underutilized, where the risk of becoming a dislocated worker remains high. Americans are worried. In fact, last year 33 percent of workers surveyed said they were frequently concerned about being laid off. This figure exceeds, much to my surprise, comparable figures of 17 percent and 21 percent in 1979 and 1989 at similar points in the business cycle and even exceeds the rate during the 1981–1982 recession.

We cannot completely protect American industry and workers from the vast changes in our economy, but we can do something to address their concerns and their needs for retraining.

To keep the good economy going, we need to intensify, not reduce, our efforts to increase access to broad-based skills training. Now is the time. The unprecedented strength of this economy gives us the rare opportunity to bring skills and jobs to individuals and communities that have for too long been left behind.

There are approximately 13 million Americans, men and women, moving from welfare to work, young people who have dropped out of school, displaced workers, individuals with disabilities and veterans who need the training and the opportunity to get and keep good family-supporting jobs.

I do not see my colleague, the gentleman from Oklahoma Mr. ISTOOK), on the floor, but I did want to address some of his comments. I agree with my colleagues who understand that we have to invest in the programs that do work and discontinue the programs that do not work. But there is a difference. Maybe there is a distinction between our sides of the aisle.

I believe that we need better evaluation of programs that are not working. We have to make sure they are really training our young people for the jobs that exist, not cut them out.

Now, there are some who would say, and I think the gentleman from Oklahoma (Mr. ISTOOK) was saying that before, that if a program is not working, get rid of it. I see too many young people who need the training to get the new jobs. And as we were talking before, no matter which side they are on the recent trade debate, we are here asking for more visas to bring people in from India and China, more skilled workers in.

There are too many people in our country who need that training to be part of the new economy. Therefore, I strongly support the amendment of my colleague, the gentleman from Illinois (Mr. JACKSON).

We have a responsibility at this time of prosperity to make sure that we are reaching out and giving every young person that opportunity to get the training so that they can succeed, and I think that is what this is all about.

So I want to applaud the gentleman and support him. I know that our chairman will be happy to work with us later on in the process, and I hope we can continue to invest in these programs so we can train our workers that are being displaced.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order, and I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. The gentleman continues to reserve his point of order; and, without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. PORTER. Mr. Chairman, I would say to the gentlewoman from New York (Mrs. LOWEY), who was not here when the chairman of the full committee spoke, that we have, as the gentlewoman knows, recently eliminated over 150 job-training programs and consolidated those into a much, much smaller number. And, as he mentioned, evaluations are being conducted today to determine whether they are providing the kind of results we are looking for, for people or not. We do not yet have that data, but we believe that they are undoubtedly doing a much better job than all the little programs did in terms of getting results for people.

I would also say to the gentlewoman that, since most of these programs are administered through the States where there are pockets of unemployment that are higher than in other areas, the States can direct their money to where it is most needed. So there is a flexibility enough in the programs to address needs that are particular at any one place.

I think the gentleman from Indiana (Mr. ROEMER) has left the floor, but he mentioned the need for support for workers that are displaced by trade. That is a mandatory program in the Department of Labor. It is funded at $94 million, and funds there should be ample to take care of people that might be displaced by reason of trade rather than for other reasons.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I thank my distinguished colleague for his comments. I appreciate his efforts to provide for evaluation dollars to make sure these programs are effective.

I would just say that where there may be some disagreement, and I am hoping that we can work together as we move towards the final product, that as we reevaluate the needs, the needs for the H–1B visas, that we can take this dollar amount into consideration; and there may be more need, as we are saying there is, for more investment in particular areas.

That does not mean that what we are doing is not trying to establish the best programs and evaluate them and make sure they are succeeding. But I think we disagree, and we believe that there has to be even more investment because it is so critical at this time of displacement as a result of trade and other areas.

Mr. PORTER. Mr. Chairman, reclaiming my time, there is certainly no difference between us in terms of our intent to provide the best possible opportunities for people who are outside

the workforce to be trained for jobs that can provide them a higher standard of living and to provide those protections for individuals that are needed in a very dynamic economy.

We simply feel that by reason of the economy growing so fast and unemployment being so low and employment being so high that there is simply less demand than there is where the economy is not performing that way as it has sometimes in the past.

So I do not think there is any real disagreement among us except that we feel that these are lower priorities than others in the bill given our need to choose priorities given this very, very strong economy.

Mr. Chairman, I continue to reserve my point of order.

Mr. STRICKLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, sometimes I think that those of us who serve in this Chamber need a reality check. I serve a county where the unemployment rate is 17.1 percent. I serve multiple counties that have double digit unemployment. That is why I rise today in strong support of the Jackson amendment to restore funding for programs that help jobless Americans.

I guess some people think that things are so good that we do not have any dislocated workers to worry about. I would invite the gentleman from Oklahoma (Mr. ISTOOK) and others to come to my district in southern Ohio and see the conditions there, come and talk with one of the 800 coal miners who are about to lose their jobs in a region that suffers 10.5 percent unemployment, miners who are awaiting word today on a job-training grant they view as their best hope for future employment.

I would like for them to come and talk to one of the 550 union workers from the Goodyear plant who lost their jobs last summer and are now back in school thanks to a Federal dislocated workers grant. Without further education, how can they ever expect to land a job in a county with an unemployment rate over 11 percent?

I would like for my colleagues here to come to southern Ohio and talk to some of the 619 union workers from Ironton Iron who lost their jobs in March and who just recently received word that there would be trade adjustment assistance for them.

This community of just over 12,000 people has lost over 1,200 jobs in the last year and a half. Ten percent of the entire population is jobless. Tell them they do not deserve a second chance.

I would like for my colleagues to come to southern Ohio and visit the Piketon uranium enrichment facility and talk to the enrichment workers who will lose their jobs next month because this Government chose to privatize their industry. Go tell them they are not a priority.

Mr. Speaker, this Nation may be doing well; but there are people, and many of them are in my district, who are being left behind. This Congress should not be funding tax cuts for the wealthy and at the same time cutting funds for training jobless workers. It is unconscionable.

For these reasons, I urge my colleagues to support the Jackson amendment.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. STRICKLAND. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am really excited that the gentleman from southern Ohio (Mr. STRICKLAND) came to the floor today to make the case for support of this amendment.

Under the House bill, 215,800 fewer of the 3.3 million workers who lose their jobs through no fault of their own each year will be served under the President's request of $389 million for dislocated worker assistance, which my amendment, Mr. Chairman, restores to the Labor, HHS mark.

Mr. Chairman, every time I come to this House floor and offer an amendment of the magnitude that we are talking about, someone inevitably says, minorities are doing better. I mean, here comes the gentleman from Illinois (Mr. JACKSON) to the House floor. He has got to be talking about minorities.

The gentleman does not represent a district primarily of minorities, but he talked about counties where unemployment in his congressional district are as high as 17 percent.

1445

I was hoping that the gentleman would please expound upon what the implications of this increase would do for his congressional district.

Mr. STRICKLAND. My people who have lost their jobs through no fault of their own, these are salt of the earth people, people who want to work, who want to enjoy the American life as we enjoy it here in this Chamber. Yet they are being deprived oftentimes of getting the skills they need to enable them to go out and to compete. These are folks who have worked at steel foundries, they have worked at heavy manufacturing jobs. Those jobs are disappearing from my district. They need to go back; they need to learn how to become computer literate. They need new technological skills. Without them, they are destined to be jobless. We just simply cannot forget those people. I applaud the fact that we have a booming economy. I applaud the fact that in Redmond, Washington, I have heard some of the average salaries are at six figures. But I have got people who are struggling to survive. This Congress cannot forget those Americans. If we do, we are being negligent and we are failing. We are failing not only our individual constituents, but we are failing this country.

Mr. JACKSON of Illinois. I thank the gentleman for his support of my amendment.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Jackson amendment to restore $1.25 billion for skill training programs at the Department of Labor. Last week, I joined over 200 young people from a coalition of Alternative Schools Network, CCA Academy, the Latino Alternative School, 200 young people who were marching and protesting. They were marching and protesting the reductions of millions of Federal dollars allocated to skilled training programs for at-risk youth. I, along with the 200 people there, tossed peanuts around to symbolize the small amount of money being allocated to skill training programs and the Labor-HHS appropriations bill.

If this budget appropriations process was a poker game, we would have to say that Labor-HHS was dealt a weak hand but still had to play. Therefore, I believe that the gentleman from Illinois (Mr. PORTER) has done what he could with a faulty deck stacked against him.

Mr. Chairman, these people were not protesting for the things that normal teenagers are often concerned about. Rather, these teenagers were protesting for the opportunity to learn. They were protesting for the opportunity to become well-trained workers and the opportunity to make contributions to this Nation. They were protesting so that we will not have to import workers from foreign countries to take care of skilled job opportunities that are needed.

If we truly want to improve the environment of those less fortunate in this society, what we really need to do is provide the necessary funding this amendment calls for. We need to show our communities that we believe that education and job training are essential tools for success. We need to show that we understand what it means to a community when the businesses are downsizing, privatizing, and moving out of the community and in many instances out of the country, obviously displacing workers and increasing the need for training so that they can survive and participate.

Therefore, Mr. Chairman, I urge a vote in support of the Jackson amendment. If we had an adequately funded skill training program as well as an adequately funded Labor-HHS appropriations bill, we could truly fulfill our duty to help build a society where no sick person would go unattended, no hungry person would go unfed, no able-bodied person would go without adequate employment. Mr. Chairman, we need to ante up. We need to live up to our promise, live up to our duty, live up to our responsibility and vote yes to the Jackson amendment.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when Congress passed the Workforce Investment Act, we believed that we were making a statement about the importance of investing in the American worker. Because by investing in the American worker, we are investing in the future of America. We are investing in developing skills for American workers. We are investing in the hopes and dreams of American workers. We are investing in the hopes and dreams of those who are dislocated, those who are disabled, those who are young, those who are ex offenders, to those who want to fully participate in what we call the American dream. We are investing in assisting American business in helping to provide American business with a well-trained workforce. We are investing in the jobs of tomorrow.

We all know that unemployment is low, but unemployment is low among trained workers. Everyone knows that. But unemployment remains a crisis among teenagers, minorities, and dislocated workers. I represent the State of Ohio and the City of Cleveland. Our manufacturing economy is in transition. Over the last year, we have seen representatives from the State of Ohio, from the State of Michigan, the State of Indiana, the State of Pennsylvania take to the floor of this House to talk about the impact of our trade policies on the steel industry.

We sought protection for our steel industry because tens of thousands of jobs have been at risk because of dumping. But in some cases, the job loss was felt, and in manufacturing industry after manufacturing industry, we have seen a dislocated workforce with people hungry for retraining. We saw over 400,000 American jobs lost in NAFTA. We will see hundreds of thousands of jobs lost in our trade deal with China, where we have a $70 billion trade deficit. That job loss will not only be in manufacturing where we need people retrained, but that job loss will be in high-tech industries where people who are currently working in high-tech industries will need to be retrained.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Illinois.

Mr. PORTER. I would simply say to the gentleman that trade adjustment assistance is a mandatory account and it is fully funded obviously in the bill. So that part, no cuts have been made obviously.

Mr. KUCINICH. I thank the gentleman. The point being that not only have we a challenge with respect to the existing workforce but the workforce of tomorrow is going to be severely impacted by policies which do not take a strong stand for worker retraining. The Workforce Investment Act called for one-stop shopping, for helping people make applications, getting them into a program, getting them into retraining. So we go from a one-stop system to a full-stop system.

The legislation which we will be voting on absent the Jackson amendment cuts $21 million from job opportunities for young people. Now, I know there have been people on this floor talking about the summer jobs program just being some kind of a slush fund. How dare this House of Representatives attack opportunities for young people who otherwise would not have a job. It is the moral obligation of government to stand as a guarantor of employment for our young people if the private sector does not or cannot provide the jobs. It is our moral obligation. We need to show our young people that it pays to work. We need to develop in our young people the work ethic. We need to stand strong and to say that wherever we can provide more opportunities for our young, that we provide those opportunities. We need to make sure that we look at the implications of welfare reform here. We are taking people off welfare, and we are cutting job training programs. There is something wrong with this picture.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. KUCINICH) has expired.

(On request of Mr. FORD, and by unanimous consent, Mr. KUCINICH was allowed to proceed for 1 additional minute.)

Mr. KUCINICH. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. PORTER. I would say the rhetoric is soaring here. If this is that high a priority, what is wrong with offering an amendment to move some funds out of another account of lower priority to this priority? This amendment is out of order because the gentleman has not sought any offsets. He just adds spending without any responsibility. If it is that high a priority, I would say to the gentleman from Ohio, offer an amendment to move money from a low priority account and let us consider it.

Mr. KUCINICH. Reclaiming my time, this is the tax break issue. We are going to get into that. Yes, there is no offset, but there are some who are being very insistent on passing tax cuts for the wealthy. If there was not this insistence, there would be money in the budget to invest in working families. We are told a rising tide lifts all boats. But what if people are not in the boat? What if they do not know how to swim?

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. FORD. Mr. Chairman, I move to strike the requisite number of words.

I thank the gentleman from Illinois (Mr. JACKSON) for his leadership and thank all of my colleagues on this side of the aisle for theirs as well on this important issue.

We have heard it mentioned over and over again. We are indeed, I say to the gentleman from Illinois (Mr. PORTER) and the gentleman from Pennsylvania (Mr. GOODLING), the chairman of my full committee, at the zenith of our prosperity as a Nation. It is amazing. We have heard those in this Congress criticize this administration. We have heard those in this Congress try to take credit for the amazing growth that has taken place over the last 8 years.

It is difficult, it is hard to imagine that we have come so far and that we have accomplished so much considering the rhetoric that goes back and forth. Eight years ago the Dow was at 3500. Today it is three times that. Eight years ago the unemployment rate was hovering at about 8 percent. Now it is around 4 percent. Eight years ago there were only 50 worldwide Web sites. Today there are more than 50 million.

We are only at the beginning of this amazing revolution. Many of our companies, American companies are producing more wealth than many countries around the world. But in many communities, including my home of Memphis, talk about the growth of the Dow and even the NASDAQ is almost as foreign as international monetary policy.

A few of us on this side had the opportunity, Mr. Chairman, to visit some of our high-tech leaders out in Silicon Valley over the recent break. We can read about it and listen to those talk about the amazing and wonderful things happening out there, but until you actually witness it, it is difficult to grasp, to see young people really at the start of a revolution helping to transform our entire economy and really everything that we enjoy and do in life really to produce a positive benefit.

We had an opportunity to meet those who are sequencing the human genome. It is amazing in a few years we might be able to attack breast cancer and prostate cancer and catch those cells early on. I thank the gentleman from Illinois for all his work with the National Institutes of Health. But the common denominator in all that these leaders out there talked about was the need to close the skills deficit that is plaguing our domestic workforce.

We will vote in a few weeks, perhaps in a few days on whether or not to raise the quota, and ''quota'' on that side of the aisle is often a profane word, but to raise the quota for H1–B visas to bring in workers to fill jobs here in America because we have not stepped up to the plate to train a new generation of workers.

The one issue that came out of all the sessions that we had, Mr. Chairman, the one thing that could jeopardize our prosperity and continued growth is the lack of an investment in a qualified workforce for the future.

1500

I support raising this quota in the short term, but it is foolish to believe for one moment that we are going to solve our domestic workforce challenges and problems by bringing in foreigners every year to fill the jobs which we should be training people to do here.

With this vote on the Jackson amendment, we make this choice, I say to all of my colleagues: do we wish to continue to be a Nation of entrepreneurs and innovators and workers, or do we want to banish ourselves to a country of temporary workers and low-wage workers? My Republican colleagues have asked for offsets. I suggest that they cut their tax break, make some investments in children and young people throughout this Nation, not just for these young people, but for all of those leaders in industry. I am sure we could go home, and this is not a partisan issue back home, Republican businessmen, Democratic businessmen and business women all say the same thing, and that is that they are looking for more qualified workers.

Mr. Chairman, I would close on this note, and perhaps I think the most exciting thing about what the gentleman from Illinois (Mr. JACKSON) is doing, restoring the money for youth opportunity grants and summers jobs programs for kids. The main reason I support summer jobs for kids is because I want your wallets to stay in your back pockets, I want your hub caps to stay on your cars, I want women's pocketbooks to stay on their shoulders.

When we teach and train young people and expose them to the rigors and habits of work, good things happen, Mr. Chairman, good things happen, I say to Members on both sides of the aisle. Last week the application period for the Memphis summer jobs program closed, and 800 teens will have jobs for the summer. That is wonderful. That is the good news. But the bad news, Mr. Chairman, is that 3,000 go home without jobs. We will find a way to arrest them if they do something wrong during the summer; we will find a way to process them; we will find a way to prosecute them; we will find a way to house them for a few days or a few weeks. But we cannot find the capacity, we cannot find the wherewithal, we cannot find a solution amidst all the rhetoric, to just give them a summer job, give them an opportunity.

I am a little offended when I hear some of my colleagues brag about the job core center; I brag about it too, but they are two totally different programs we are talking about here. Sensible Members on that side understand that; sensible Members on this side understand that. Let us discontinue the name calling and the game playing. Instead of arresting these kids, let us give them a job and an opportunity and in the meantime help prepare them for the demands of this new marketplace.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. BLAGOJEVICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me talk a little bit about summer jobs. I want to associate myself with the previous speaker. I think it certainly makes perfectly good sense to do what we can to make sure that the kids have a chance to work as opposed to giving them a chance to hang around a street corner. There is no question about it, if the kids are employed, working on and pursuing something tangible and something productive keeps them away from the street corners, keeps them away from the bad influences that could cause them to, frankly, at a turning point in their lives, either move towards a productive life or go down the other route.

I believe that a short-term investment in summer jobs programs for kids, for teenage kids in disadvantaged communities is a long-term investment, not only in the next generation of Americans, but also in terms of protecting the taxpayers' pocketbook. Because if we put our money into the kids early enough and give them a chance to learn the habits of work, we are probably, in all likelihood, creating a workforce and a next generation of Americans that are going to value work and not hang around the street corner, not get arrested and not cost the taxpayers dollars that they ultimately pay to incarcerate them because at a turning point in their lives they have taken the wrong path.

Mr. Chairman, studies show, studies show that early work experience increases somebody's earning potential by 10 to 12 percent. One year on a job during a summer means 2 years in college in terms of earning potential for the future. If we are going to be about pursuing the American dream and if we are going to be about building a better future for America, I can think of few things more important than $254 million in a multitrillion-dollar budget to restore the summer jobs programs to give disadvantaged teenagers a chance to not only get a job early, but also learn what it is like to work and develop the habits of work, because one does not just grow up being able to work; one learns those habits. One is not born as a worker; one is taught to work by the habits and the values that are instilled in us.

One of the previous speakers on the other side suggested that the summer jobs programs are make-work programs. One of the previous speakers suggested that what we ought to do he said was, and if I am not quoting, I am paraphrasing, we ought to teach them accountability and teach them the free market. But in so many communities in our country, disadvantaged communities, be it in the inner cities or the poor rural areas, those kids do not know free enterprise; those kids do not know what it is like to be accountable. They learn that early in life. A summer jobs program gives them a chance to do that.

The summer jobs programs we are talking about impacting kids at 14 and 15 and 16. These are kids in areas that do not have access to the jobs that are available in this burgeoning economy that we live in in America today. For those kids the American dream is not a dream. For those kids, the American dream does not even exist. They live in an environment of hopelessness. We need to give them a chance to learn the habits of work early in life, and a $254 million investment to help fund those programs I think goes a long way in the long run to give them a better future and save taxpayer dollars in the long run.

There has been discussion about the job core program. The job core program is a good program. We have funded that program. But one of the unintended consequences of that program is that it is taking money away from the summer jobs program; and in some cases, with the job core program, a kid can be in high school and we are rewarding a kid who drops out of high school and giving that kid a job; but we are doing nothing about a kid who is in school and needs to do something during the summer months when all of the opportunities to be mischievous and others are available.

So I hope that we recognize the need to fund the summer jobs program and recognize the job core program does good things, but has, in some cases, hurt the summer jobs program.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. BLAGOJEVICH. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, the job core program has proven over and over again a very effective program. Many of us think of our summer youth programs as the way they are in our cities, but there is clear evaluation that the summer youth program does nothing to increase job skills and provide greater access to the job market. It may keep kids out of trouble, but it does not do what the gentleman has been alluding to it is doing. In many cases, it is a make-work program that is a disgrace. In other cases, like our own area, it is a well-run program and does have benefits. But one of them is not obtaining job skills and getting greater access to a job or to the job market.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. BLAGOJEVICH. I yield to the gentleman from Tennessee.

Mr. FORD. Mr. Chairman, I am an exception to that. I had a summer jobs program, and I graduated from law school and my voters elected me to Congress. I would just submit to the gentleman that there are those of us who never attended the job core program, but had a few summer jobs here on the Hill and other places and moved right into the workforce. My voters think I am doing a good job, perhaps some here may not.

Mr. PORTER. Mr. Chairman, if the gentleman would continue to yield, I would say again the job core program is very effective. Some summer youth jobs programs are good; others are not good.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. BLAGOJEVICH) has expired.

(By unanimous consent, Mr. BLAGOJEVICH was allowed to proceed for 1 additional minute.)

Mr. BLAGOJEVICH. Mr. Chairman, let me simply say that if some are good and some are not good, I think it is well worth the investment to make sure that we make those that are good the rule and not the exception, and make the other ones that are not as good, make them work. But the principle still applies: providing opportunities for kids early on at 14, 15 and 16 is a good idea. It keeps them off the street; that is a good thing. And, secondly, it gives them a chance to learn work. If we can make those programs better, that is fine.

Where I come from in Chicago, I have seen examples of how that works. There is a young man from the Robert Taylor Home named Paris Thompson who was 14 years old when he first had his chance to work under the Met program in Chicago. Today he is 27 years old, and today he is lobbying Congress. He began his early experience at the Robert Taylor Home learning the value of work in an environment where there are kids like him who did not have that experience, who are not doing the things that they ought to be doing, and in many cases are in the penitentiary.

With that, I would simply say, let us take action on Jackson and support the Jackson amendment.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Ms. DeLAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me just say one word about summer jobs. I held recently in my community with about 140 young people, the issue was not summer jobs, but it was a youth violence conference to talk to young people about their own responsibility with regard to youth violence. Some of the kids came up to me afterward and they said to me, what is going on with this summer job effort? We were relying on that. Our families were relying on that. We want to try to participate. Can you help us try to get the resources that we need in order to be able to have summer jobs? They saw this as a part, again, of the responsibility in the context of youth violence.

If we have young people who are working and who are off the streets and at the same time gathering some skills and in many instances, these young people are trying to provide their own families with some assistance, economic assistance at the same time. It is a very, very worthwhile investment.

Mr. Chairman, I rise in support of the amendment by the gentleman from Illinois (Mr. JACKSON), my colleague and friend. The Department of Labor's request essentially was designed to ensure the success of America's workforce investment system and its programs, trying to serve American workers and their employers. The point of our speaking up here today and the point of this amendment by the gentleman from Illinois (Mr. JACKSON) is that the bill that we have up on the floor here today seriously jeopardizes this goal. We have seen the employment rate in this Nation fall since January of 1993 from 7.3 percent to 3.9 percent. It has risen a little bit in the last month or so, but the long and the short of it is it is at its lowest level in 30 years. We have seen 21 million new jobs that have been created, and employment population rates are at record highs. We understand that, and we are happy about that. But the fact of the matter is that not all have prospered.

Earlier, a colleague on the floor said that we have all of these industries and businesses which have all of these jobs that are available and they do not have people to fill them. Well, they just proved the point of the Jackson amendment by saying that in fact what we do need to do is to train folks for those jobs, and we have the capacity to do it. But not all have responded because of this economic environment that we are in. So many Americans are being left behind. We have pockets of high unemployment, pools of untapped, underutilized workers who exist out there and who are at risk; and there are dislocated workers.

I cite my own third district of the State of Connecticut, a State, I might add, that has been heavily dependent on defense and one that has been dependent on the insurance industry. Insurance in my State has downsized, dislocating a lot of workers. The defense industry has downsized, dislocating a tremendous amount of workers. Those workers wanted to continue at Sakorsky and at Pratt & Whitney and at the Stratford Army Engine plant, but they have nowhere to go today. These are people who have kids in college, who have mortgages to pay, and who are fighting for their lives in order to be able to meet their responsibilities and their obligations as parents and as breadwinners for their families.

Mr. Chairman, we are leaving them high and dry, without the opportunity to get further skills training, to get the kind of training that they need to put them back into the economic mainstream once again. We have 90 million adult Americans who perform at low levels of literacy. These are individuals who are not well equipped to meet the challenges of the new economy. Yet, this bill slashes the kinds of programs that provide hard-working Americans with the skills that they need to compete in today's economy. That is the issue my friend, the gentleman from Illinois (Mr. JACKSON), is making. That is the one that we are trying to impress on people here today.

Mr. Chairman, we want people to be able to realize their dreams in this country. That is why we deal with school-to-work programs, that is why we encourage people to work and to take on that responsibility. That is what this country is all about. That is a very deep-seated value in the United States.

Mr. Chairman, in April of 2000 there were 13 million untapped and underutilized Americans, 5.2 million who were unemployed, 4.4 million who were out of the labor force but wanted to work, and 3 million who worked part-time, but wanted full-time work. In March of 2000 there were 22 metropolitan areas with unemployment rates in excess of 7 percent. The low skills of many of the poorest Americans reflect accumulated disadvantage. Poor families and neighborhoods in which they grow up and live, underfinanced, often ineffective schools that they attended, lack the access to jobs that provide meaningful training and opportunities for advancement. Any attempt, any attempt to improve their schools has got to address the barriers that they face.

Mr. Chairman, we cannot leave people behind in this country. That is not what this Nation is founded on. It is founded on responsibility, hard work. Let us train people to do it. Let us vote for the Jackson amendment.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order, and I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PORTER. Mr. Chairman, I would like to emphasize something about the amendment that bears on all of this discussion. The reason this amendment is out of order is because the gentleman from Illinois has no offsets.

Now, the majority, in accordance with a budget resolution adopted by the majority of both Houses of the Congress, has to live within its allocation.

1515

It is easy to offer an amendment simply adding back money. That does not take any responsibility.

The gentleman could have offered an amendment with offsets. The difficulty is that his side of the aisle it seems to me is unwilling to provide cuts anywhere; is always willing to add money, but unwilling to take the responsibility to say, this is a higher priority, this is a higher priority.

We have to do that. We have to do that. That is our job. We have to be responsible for the bottom line.

POINT OF ORDER

Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974.

The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 7, 2000. That is House Report 106–656. This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the Act.

Mr. Chairman, I ask for a ruling of the Chair.

The CHAIRMAN. The Chair understands the gentleman from Illinois has yielded back his pro forma amendment.

Does the gentleman from Illinois (Mr. JACKSON) wish to be heard on the point of order?

Mr. JACKSON of Illinois. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained.

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHUGH) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

1530

RECESS

The SPEAKER pro tempore (Mr. MCHUGH). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 3:45 p.m.

Accordingly (at 3 o'clock and 30 minutes p.m.), the House stood in recess until 3:45 p.m.

1545

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCHUGH) at 3 o'clock and 45 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 8, DEATH TAX ELIMINATION ACT of 2000

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 519 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 519

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, which may be offered only by a Member designated in the report, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. REYNOLDS. Mr. Speaker, the legislation before us today provides for the consideration of H.R. 8, the Death Tax Elimination Act of 2000. Mr. Speaker, House Resolution 519 is a modified closed rule which is a standard rule for all revenue measures.

The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Additionally, the rule waives all points of order against the bill.

The rule further provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted.

The rule also provides for consideration of the amendment in the nature of a substitute printed in the report if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be separately debatable for 1 hour, equally divided between the proponent and an opponent.

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, Benjamin Franklin once noted that ''in this world, nothing can be said to be certain except death and taxes.'' But while death may be certain, taxes are immortal. That is because our current tax system plays a cruel joke on farmers and small business owners.

After years of hard work and sacrifice, building their farm, ranch or business, working Americans hoping to pass on their legacy to their children and grandchildren often find their life's work will instead be passed on to the Federal Government.

The death tax is turning the American dream into The Nightmare on Elm Street.

The death tax is arguably the biggest threat to the future viability of small businesses, family farms, and ranches. It creates a disincentive to expand and create jobs. It often literally taxes family businesses right out of the family.

According to the National Federation of Independent Businesses, nearly 60 percent of business owners say they would add more jobs over the coming years if death taxes were eliminated.

The death tax has turned Uncle Sam into the Grim Reaper, destroying family-owned farms and ranches with penalties reaching as high as 55 percent and forcing farmers and ranchers to sell off land, buildings, or equipment otherwise needed to operate their businesses.

When those farms and ranches disappear, the rural communities and businesses they support also suffer. A piece of community and family history is lost forever. The death tax impact on family farms is so devastating that the Farm Bureau has listed elimination as their number one priority.

Think about that. An industry association concerned with all aspects of farming and ranching lists the death tax as the number one threat to the viability of family farming. That is how repressive this tax is.

Now, many opponents of eliminating the death tax argue that estate planning is a viable alternative to changing our tax laws. Their theory that our farmers and ranchers should be huddled with accountants rather than growing food for America is both misguided and wrong.

They fail to take into account the high cost of estate planning tools, both the time spent away from their businesses and the high price tag that includes attorneys fees, life insurance premiums, and internal labor costs. Would not we rather have small business owners and farmers using their resources to operate and expand their businesses and to create jobs?

Too often there is a simplistic approach that we should soak the rich. The problem with that theory, as Ronald Reagan once said, is that everybody gets wet in the process. Nowhere is that more profound than in the death tax; for it is hard working middle American families who are most hurt.

But that is not all. The death tax actually raises relatively little revenue for the Federal Government. Some studies have found that it may cost the Government and taxpayers more in administrative and compliance fees than it raises in revenue.

Last year, the Public Policy Institute of New York State conducted a survey on the impact of the Federal estate tax on upstate New York. The findings were alarming. The study found that, in the past 5 years, family-owned and operated businesses on average spent nearly $125,000 per company just on tax planning alone. These are costs incurred prior to any actual payment of Federal estate taxes.

The study found that an estimated 14 jobs per business have already been lost as a result of the Federal estate tax planning. For just the 365 businesses surveyed, the total number of jobs already lost due to the Federal estate tax is over 5,100.

Mr. Speaker, a clear majority of participants in this survey indicate that the death of an owner would put their

businesses at grave risk because they would be forced to take the purely tax-motivated steps of obtaining loans to redeem the owners stock or using the stock as collateral in order to meet their Federal estate tax obligations.

Simply put, death tax stifles growth, discourages savings, stymies job creation, drains resources, and ruins family businesses. It is time we phase out this unfair tax and allow the American dream to be passed on to our children and our future generations.

In conclusion, I would like to commend the gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means, and the gentlewoman from Washington (Ms. DUNN) and the gentleman from Tennessee (Mr. TANNER), the bill's sponsors, for bringing this measure before the House today.

Mr. Speaker, I urge my colleagues to support this rule and the underlying measure.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Those in the gallery are reminded that demonstrations of support or opposition are not allowed under the rules of the House. The Chair appreciate your cooperation.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS), my dear friend, for yielding me the customary half hour.

Mr. Speaker, once again, my Republican colleagues are doing their level best to help the rich get richer. Today's Republican bill will gradually repeal estate tax which affects the richest 2 percent of Americans. By repealing it gradually, my Republican colleagues will ensure that only the descendants of the very rich people who hold out 10 years before dying will benefit.

People who are not very rich or who die within the next 10 years do not get any benefit out of this bill.

So, Mr. Speaker, the result of the Republican bill will be to benefit a few very rich people. For a little while, it will cost the Government $50 billion every year in lost revenue, and do nothing whatsoever to make sure baby boomers have Social Security and Medicare when they retire.

Mr. Speaker, as nearly everyone knows, Social Security and Medicare are headed for some very serious problems. When the baby boomers retire and we do not do something to shore it up now, there will be big problems later.

Thanks to this rule, Mr. Speaker, there is hope. This rule makes in order a Democratic substitute that will help people pass on their estates and still retain hope of fixing Medicare and Social Security.

The Democratic bill takes effect now so people who want to pass things along will not have to hold out for 10 years.

The Democratic bill says, if one's farm or business is worth up to $4 million, then one can pass it on immediately, without any estate tax whatsoever.

Furthermore, Mr. Speaker, the Democratic substitute will cost the Federal government much less in lost revenue. We will still be able to hold out hope of saving Medicare. We will still be able to hold out hope of saving Social Security, and not to mention the possibility of enacting a prescription drug program.

Now, the Democratic motion to recommit goes even further, Mr. Speaker. It makes in order the Doggett amendment to let the sunshine into political committees. My Republican colleagues, twice in the Committee on Ways and Means and once on the House floor, have decided to keep political committees secret. My Republican colleagues want to continue to allow political committees to raise and spend as much money as they want in complete secret, Mr. Speaker.

But the amendment of the gentleman from Texas (Mr. DOGGETT) says it is time to lift up the shades and let the sunshine in. One cannot have the gift tax if one does not disclose one's contributors.

So I urge my colleagues to oppose the previous question. If the previous question is defeated, I will offer the Sherman-Stenholm amendment which will make the repeal of the estate tax contingent upon the President certifying that we are on the path to reduce the debt, protect Social Security and Medicare.

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

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Speaker, I rise in support of this rule and the underlying legislation.

Mr. Speaker, when our time on Earth is done, we want to know that our families and loved ones have been provided for and protected; we want to know that our hard work and diligence over the years will continue to positively affect those that we really care about.

Those who live the American dream, are successful in their profession, and have the ability to save a little money want to pass along the fruits of their labors on to their survivors. In Kansas and throughout the country, our farmers and business owners are being punished by the current tax system by following that dream.

The current death tax is in fact killing our family farms and businesses. Less and less farmland and fewer and fewer businesses are being passed along to our children and grandchildren due to this unnecessary and unjust tax.

It has been said that the deterioration of every government begins with the decay of the principles on which it was founded. If we look back at history, we are reminded that the unfair taxation triggered the revolution of 1776. We fought a war for freedom from such taxes. Mr. Speaker, we must cast a vote to end this oppressive taxation that falls heaviest on those who can least afford to pay it.

Mr. Speaker, I urge my colleagues to join me to vote yes on the rule and vote yes on H.R. 8.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SHERMAN), who is the co-author of the Sherman-Stenholm amendment.

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

Mr. SHERMAN. Mr. Speaker, let us put this in context. This bill would actually cut roughly $50 billion from Federal revenues once it is fully phased in. It affects only 2 percent of the richest American families, most of the taxes collected from those who have over $10 million in assets. This bill provides not 1 penny in tax relief for those who make $10 an hour, but total tax relief for those with assets of over $10 million.

We went to the Committee on Rules with the Sherman-Stenholm amendment to say at least let us make this bill dependent upon the country being on the right fiscal track. At least do not give up the $50 billion unless Social Security and Medicare are secure, unless we are going to pay down the debt by 2013, and unless we have eliminated deficits.

1600

And the Committee on Rules said no.

What is particularly severe is that just a few weeks ago this House considered the Miller-Young bill, which would protect the legacy of all Americans by providing roughly $1 billion, one-fiftieth of the cost of this bill, $1 billion, to acquire the lands that are environmentally sensitive and pristine and need to be protected for prosperity. And the Shadegg amendment was allowed by the Committee on Rules, requiring that protecting the legacy of all Americans to our great outdoors be contingent upon these same certifications, namely that the debt would be paid off by 2013 and Medicare and Medicaid would be secure.

So what we have here is a Committee on Rules that says, when we are trying to protect the legacy of all Americans, they will allow an amendment that limits that bill's effectiveness to only if certain fiscal certifications can be made. But when we are talking about the legacy of multimillionaires, literally heirs to multi-million dollar fortunes, then fiscal responsibility is not even an issue that this House can discuss on the floor.

I will point out that this bill will assure a dramatic cut in major contributions to universities and hospitals. Those institutions will be here asking for Federal help. We will not be able to give it to them because $50 billion will be taken out every year of the funds available to the Federal Government.

And, finally, this bill means higher taxes for widows and widowers. Under the present law, widows and widowers pay no estate tax and get a full step up in bases of the assets they acquire for income tax purposes. Under this bill that step up in bases is severely limited. So if my colleagues want to deprive the country of $50 billion and raise taxes for widows that is what this bill and this rule would do.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I rise in support of the rule and the death tax repeal.

Small farmers that lose their farms or are challenged after they die to pass it on to their children are giving them up.

My colleagues on the other side cannot stand any kind of tax cut whatsoever. Their mantra is tax breaks for the rich. Well, in 1993, when they had the White House, the House and the Senate, they had the highest tax increase in history, they raised the tax on Social Security, and they raised the tax on the middle class. They could not help themselves, because they wanted to spend. They even stole every dime out of the Social Security Trust Fund to put up here for extra spending.

Any time we want to take away that right or that control, they fight it. They fought a balanced budget because it limited their spending. They fought welfare reform because it limited their spending. They fought the Social Security lockbox because they used that money for socialized spending. And now the mantra is tax breaks for the rich.

Well, the small farmers in my district in California are not the rich.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

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

Mr. CAPUANO. Mr. Speaker, I could speak all day long on why this particular bill is a bad one and why this particular rule is a bad one, but I think we will hear lots of debate on it. No one will come to this well on either side asking that small businesses and small farmers be overtaxed. I think everyone here would be happy to work on those two issues. That is not the point, and everybody here knows it is not the point.

This bill goes way beyond that. On top of that, it does an additional thing no one seems to want to talk about. Many States in this country raise lots of money through the estate tax. That is their choice. Nobody makes them do it. Of our 50 States, 34 of them, plus the District of Columbia, raise estate tax money solely on the Federal income tax credit that is allowed for estate tax deductions. The maximum amount allowed. That is all they raise their money on. The taxpayer would have to pay the same amount of money no matter what, it is just a matter of who they cut the check to.

Of those 35 States, right now approximately $4 billion a year are raised out of that money; $1 billion in New York, $730 million in California, $480 million in Florida, $180 million in Massachusetts, $200 in Illinois, $200 million in Texas, $130 million in Arkansas, et cetera. If this bill is passed, these States will lose that money.

Now, I understand fully well that there are philosophical differences, but I ask the people that propose this bill to then turn around and tell these States what they are going to do, how they are going to help them to educate their children, to put police on the street, and to do all the other things that States do. Because this bill, the way it is written, will take that money out of those State coffers.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I thank the gentleman for yielding me this time, and I would say to my colleagues that there has never been a tax cut that we have discussed on the floor of this body where my friends from the Democratic side of the aisle have not gotten up here and talked about the revenue that we would lose and the parades of horribles that would happen if we cut taxes on the American people.

The fact is we cut taxes in 1997, and revenues have increased $200 billion per year each year since then over and above what was projected by the Congressional Budget Office. And I predict that if this goes through, and it eventually will go through, we will see the economic return; and, actually, we will have more revenue.

But I am up here to talk, Mr. Speaker, about a friend of mine from Mississippi. He is not a small businessman, he is not a small farmer, he is an agent of the Internal Revenue Service. I had a conversation with him a while back, and he said, ''Congressman, I have been doing this for a long time. You folks ought to go back up to Washington and abolish the death tax.'' He said, ''I have had to be the one to go and enforce the law of the land and tell a small farmer or a small businessman that he has got to come up with this much money to pay the inheritance tax on his parents' farm or his parents' business. And I have seen that farm have to be sold and that small business have to go out of business because of what the estate tax does.'' And he said, ''Congressman, it is wrong, and it does not make us that much money. When you add up all the compliance costs and all the nuisance costs and all of the heartache it causes families and to the economy, it is not worth it.''

And besides that, Mr. Speaker, it is wrong in this country to tax the event of death. I commend the authors of this bill. I urge a vote ''yes'' in favor of the rule and for the underlying bill. Let us abolish the tax on death.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise against this rule on H.R. 8, the Estate Tax Bill. And once again I call on Congress to tackle the issue of section 527s. These so-called 527 groups are tax exempt political organizations which try to influence elections. They can spend millions of dollars on negative ads, direct mail campaigns, and phone banks.

I want to read to my colleagues directly from the Web page of a 527 loophole from my home State of California. This Web page tells a potential donor that they can make contributions in unlimited amounts. These can be from any source and they are not ever going to be a matter of public record.

These 527s pose a grave threat, I believe, to our current democratic process. Unfortunately, our House leadership will not give us a vote on this important issue. It is my hope that the next time I come to the House floor to discuss these 527s it will be to pass the bill authored by the gentleman from Texas (Mr. DOGGETT). Surely, in the House of Representatives, we can do something to close this loophole and to clean up our election laws, and we should do it now.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ISAKSON).

Mr. ISAKSON. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

I was not going to speak until I heard a speech a minute ago from the other side, and I just wanted to make a point as simply as I could as to why this is such an important law for all Americans.

There was a comment made about this bill being a legacy for the rich. Let me just, by using this piece of paper, give my colleagues an example. When a first generation American small business owner or family farmer passes to the second generation what he has, the United States gets this, and the family gets this. When the second generation dies, to pass to the third, this is what the government gets, and this is what the family has.

If we do the math, we expect an American family who works and toils and hires and pays taxes to grow a business eight times its original worth on the death of the first owner in order for the third family generation, 40 years later, to have the same thing, while the United States Government has received 150 percent of the production of that business.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time. I do not think 2 minutes is going to capture the frustration I feel in rising today to speak about this rule.

There is not one of us on this floor or in this House that does not recognize the value of giving relief to small business owners and family farms. I do know however, that the Democratic substitute that hopefully will be offered does address those family farmers and small businesses, by providing real estate tax relief, without the $50 billion cost of the Republican proposal.

My frustration arises, because in the middle of a debate on Labor-HHS, we stop it to debate this, when $1.25 billion has been taken out of the workers' programs to exclude help for homeless reform and help for incumbent workers along with youth summer jobs. We stop that debate to debate the rule on the estate tax. And then this rule does not include the amendment of the gentleman from Texas (Mr. DOGGETT) on 527s, that deals with exposing which donors donate to groups organized around advocating for certain issues yet can use the funds for any campaign use without real limits. Why can't we debate frankly and fairly an amendment that will tell the American people who is contributing to what group for what political purpose—let's not hide behind the 1st amendment to avoid simple disclosure.

If we are not trying to take dollars from family farms and small businesses, why are we relying on big bloated individuals to fund these unknown entities with 527 funds, and we cannot even say who is it that is giving money.

I am frustrated because I think the debate on Labor-HHS should have continued. We should have been able to discuss youth opportunity grants, we should have been able to discuss training of incumbent workers. The Nabisco plant that was closed in my district had workers that should have the funds to benefit from worker training dollars that are now cut from the Labor-HHS appropriation bill. Such dollars could help these individuals to be trained for possible jobs in the technology industry. Homeless veterans should have been able to get the dollars that were needed, yet we stopped the debate on Labor-HHS to debate an estate tax provision that costs $50 billion at the same time we will need the money to fund Social Security.

Mr. Speaker, the rule is unfair in several respects, one, that the Doggett amendment on 527 groups was not allowed under this rule; two, that we are debating this estate tax legislation with its 50 billion dollar price tag instead of proceeding with the Labor-HHS legislation; and then, thirdly, we have on the floor a $50 billion bill that could have been done in a bipartisan manner at less costs that would have truly given estate tax relief to small businesses and family farmers.

Mr. REYNOLDS. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I appreciate the conversation today, and it is interesting that we are talking about giving estate tax relief for American families yet my colleagues on the other side of the aisle are changing the subject to campaign finance reform. It is interesting today that DNC, the Democratic National Committee, begins airing soft money ads for AL GORE, but nonetheless we are still talking, as the majority party, about giving tax relief to families.

The premise was launched today about the rich getting a benefit under the bill. Well, let me tell my colleagues that the estates did not just materialize. The people who have created the businesses and the wealth in America paid excise taxes, paid property taxes, paid sales taxes, paid income taxes. And the wealthy that my colleagues are speaking of with such affection know how to avoid estate taxes. They buy high-dollar denomination insurance policies. But the small family business cannot afford them because they are paying ever larger taxes.

1615

I understand there is a substitute being offered by the minority. And it is interesting, they have had 40 years to eliminate seniors earning test, they have had 40 years to do something about estate relief tax, they have had 40 years to change the Tax Code. But know we are here today to try to rectify what is an egregious violation of hard work and equity on the American taxpayer.

Let us remember, my colleagues, that small businesses grew through hard work, entrepreneuralism, and strength of families; and, lo and behold, when the person who created the business and prayed to God that all that hard work would some day benefit their children, in steps the Government, their new partner. They were not there to assist them through the growing formative years. But, lo and behold, they are here today to take out not only their fair share but an excessive share.

Then we hear the hew and the cry from the other side about the diminution of revenue to the States. Well, let us cry for that today. Because the families who work their entire life have their businesses decimated, destroyed, subdivided, and sold off in pieces at auction to pay the Government's need for revenue. They are addicted to cash in the States and the Federal Treasury. We should do something today for the American families.

I always learned growing up, my parents told me to work hard, strive for success, reach for excellence, build equity, make a life for yourself, be independent. Under the assumption today, we are passing a bill that furthers that independence and creates self-worth and dignity. Under their approach, let me take it out of their pocket. I do not care how hard they work. It is my money, and I will spend their money as I see fit.

My colleagues, let us focus on estate taxes. Let us focus on families. We will deal with 527 corporations. But let us not change the subject. Pull the ads on the air by the DNC, and then we will talk about 527s.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DAVIS).

(Mr. DAVIS of Florida asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Florida. Mr. Speaker, we are going to debate and adopt some form of estate tax relief today, as we should, as was pointed out by the previous speaker. But we also have an obligation to deal with an immediate problem that has developed in our campaign finance reform system which, we have to admit, is rancid. And that immediate problem is a gaping loophole that has developed that is referred to as the section 527 committee, a committee that solicits funds that are intended to be used to influence the outcome of an election and there is absolutely no disclosure whatsoever.

As has been alluded to, this is not just a Republican problem. It has started off that way. I am terribly concerned the Democrats will succumb to the temptation to engage in this abuse. We need to stop that before it happens.

What is at stake here? What is at stake here is that, when people go out to vote in elections this fall, they have the right to know who is talking to them. People should put their names on their ads if they are attempting to influence the outcome of an election.

What is the only substantive argument against this? There are groups that have said that if their names have to go on some of the ads they want to run, they will not run those ads. If they are not willing to put their name on a message that they are sending to the voters, they should not have a right in this country to be engaging in anonymous political advertising.

We can put a stop to that today. We can repeal the gift law exemption. With respect to these 527 acts, we can do that. And we can do estate tax relief. Let us do the right thing. Let us defeat the rule, and let us bring it back at the right time, and let us stop this abuse before it gets worse.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LINDER).

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

Mr. Speaker, I have got to comment on the fact that the Democrats seem to rather talk about campaign finance reform on this than relieving America from an insidious tax, an immoral tax, a tax on what they accumulated through their lifetime and want to pass on to their children. Next to the gift tax, it is the least moral tax. But they would rather talk about 527 organizations that are used in campaigns.

Their indignation, while seeming real, seems also very selective. Where were they when the peace action 527 was hammering Republicans? Ben and

Jerry's has a 527 trying to cut the Pentagon budget. I did not hear them talk about them. The AFL/CIO has been using them for years, and the Sierra Club spent millions on issue ads in 1996 through their 527. I did not hear anybody up here hollering about them.

But guess what? The Republicans copied their practice, formed a 527, and all of a sudden it is a threat to democracy. It is a threat to democracy.

This indignation is too selective to be seen as real. Let us pass this rule and move on with doing the right thing for the American people.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN).

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

Mr. Speaker, I am rising in strong opposition to the rule, primarily because it has denied the gentleman from Texas (Mr. STENHOLM) the opportunity to offer an amendment that I believe was meant to protect Social Security, Medicare, and debt reduction. In fact, this was the same amendment that was offered on the CARIB bill that was just for $3 billion on May 10.

Now, we could accept it on that one. Today we are looking at a bill that is going to cost us $50 billion and for about 45,000 people.

Mr. SUNUNU. Mr. Speaker, will the gentlewoman yield?

Mrs. THURMAN. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Speaker, I ask the gentlewoman, how did she vote on the Shadegg amendment?

Mrs. THURMAN. Mr. Speaker, reclaiming my time, I voted ''yes.''

And I am certainly glad the gentleman did point that out because, yes, I did. And then, of course, we revoted that vote, with every Democrat and Republican on this floor except for three voting to protect Medicare and Social Security. And if the gentleman remembers, that was $3 billion.

Today they want to spend $50 billion. So today we are going to spend $50 billion, and we are not going to be given the same opportunity to offer this amendment again.

The amendment basically says, and I will read it directly from the CONGRESSIONAL RECORD.

By the gentleman from Arizona (Mr. SHADEGG):

''Mr. Chairman, I yield myself 5 minutes.

''The American people have spoken. They agree that conservation funding is important. I commend the sponsors of this bill on that point. But there is a very important condition. They do not agree that we should raid the Social Security Trust Fund. They have made that position extremely clear last year and the year before. They want 100 percent of the surplus set aside. They also want to know that Medicare is funded and solvent. They have made that very clear. They want to know that it is there for their health care as seniors. And they want to know that the public debt will be paid off by the deadline of 2013.''

Why can we not have this amendment? I do not understand that. I think we should vote against this rule and allow the gentleman from Texas (Mr. STENHOLM) to have his day.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER).

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

Mr. BUYER. Mr. Speaker, I almost have to say that demagoguery is a serious ailment, an illness, to a democratic form of government. It is unfortunate that we cannot have serious dialogue and debate about the issue that we have. This is about a rule on the repeal of the death tax. It is not about campaign finance reform.

I served here under the minority in the 39th and 40th year of Democrat rule when this House was a sea of red ink, the debt exploding, deficits as far as the eye could see. Now they are trying to claim that they are the protectorates of the treasury, that they somehow are the protectorates of Social Security when they took the Social Security Trust Fund monies to grow Government? That is absurd.

What we have here today is to repeal the death tax. This is long overdue. This tax hits individuals who have worked hard all their lives, who have worked and saved in their efforts to fulfill the American dream.

My constituent from Marion, Indiana, wrote to me about her parents: ''My parents were frugal and saved any large sum of money they ever got their hands on. My mother taught school. My father was a master pattern maker. They will were products of the Depression. They purchased land in Arkansas. And now their estate looks to total over $1 million. Now this estate is forced with a 39-percent estate tax. What a disgrace. Surely we do not have to take from those of whom were frugal, made sure that they paid their way, and are now dead.''

This tax hits the small business owner and the family farmer the hardest. These are the individuals who sacrifice, who invest their time and money in the family business and their farm, and they want to leave this world comforted with the knowledge that their children and grandchildren can also continue their labor and hard work.

The death tax collects for the Federal Government merely 1 percent of the revenues. Do my colleagues realize that if we cleaned up the fraud on the earned income tax credit we could more than offset this tax?

Yet compliance costs are nearly as much as the revenue collected. And the time a small business owner or farmer spends to plan for the inevitable coming of death, is time and energy and money that is not spent on growing the business. A dollar that goes to the accountant or lawyer is a dollar that does not go to new equipment or expansion.

This is a tax on the very behavior the government should be encouraging . . . Hard Work.

Only one-third of family-owned businesses survive into the next generation. All too often a family business or farm has to be liquidated so the heirs can pay the death tax. When a family has to sell the family farm to pay taxes, it can mean that open space, fields and forests, are lost to development. There is an indirect adverse impact to our environment from this tax.

The death tax is unnecessary, unfair and against the virtue of hard work. It is wrong to confiscate the savings of people who work hard all their lives.

I urge the adoption of the rule and support the repeal of the death tax.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I hope during the course of this debate someone will explain to me how a Nation that is $5.7 trillion in debt; a Nation that squanders $1 billion a day in interest on that debt; a Congress that during their lifetimes saw the debt rise by $4.7 trillion; a Congress that is delaying the pay of the troops in the military from September 29 to October 1 in a budget game to move that $2.5 billion expense to the next fiscal year, no big deal for a Congressman, big deal for an E2 or an E3 when they do not have money for diapers or formula that weekend; a Congress that will not vote on the Shows bill to help our Nation's veterans and military retirees because they say we do not have the $5 billion, but this same Congress is now saying we are going to ignore the fact that we owe the Social Security Trust Fund $800 billion, we are going to ignore the $1 billion a day we are paying in interest on that debt, and we are going to give the wealthiest two percent of all Americans a tax break.

If they earn $650,000, they pay taxes on it. But they can inherit $650,000 and pay nothing. That is the present law. So we are really talking about things above that. And if it happens to be a couple, then it is $1.3 million.

Yes, there are some farmers who are the unfortunate victims of the inflation value of their acreage. Yes, there are some small business owners. Let us gear this bill to take care of them instead of helping the folks who have the most, who, in all probability, benefit when we borrow money because they sell us the T bills, and they are already getting the interest on that debt and all we are going to do is pass this generation's bills on to our children.

I will not do that as an individual. I will not do that as a Congressman.

Mr. REYNOLDS. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. GILMAN).

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

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

Mr. Speaker, I rise today in strong support of H.R. 8, the Death Tax Elimination Act of 2000. I urge my colleagues to lend this bill their full support.

The estate tax is an outmoded policy that has long outlived its usefulness. Alternatively known as the death tax, this tax was instituted back in the early 1900s, about 1960, to prevent too much wealth from congregating from the wealthy capitalist families in early 20th century America.

Regrettably, the law failed in its original purpose, as the truly wealthy are always able to shelter their income with the help of tax attorneys that the middle class cannot afford.

In recent years, the estate has tax has been responsible for the death of 85 percent of America's small businesses by the third generation. Furthermore, countless number of farms have had to be sold in order to pay an outrageously high estate tax ranging as high as 55 percent of the farm's assessed value.

By forcing the sale of such farmland to outside buyers, often commercial developers, the estate tax has been a large contributor to suburban sprawl and unchecked growth in my congressional district in southern New York State.

The most indefensible point about the estate tax, however, is the cost associated with enforcing and collecting it. Recent estimates have placed the cost of collecting at 65 cents out of every dollar taken in.

Given this excessive cost, as well as the fact that the assets taxed under the estate tax have often already been taxed several times, it makes no sense for us to continue this nonsensical practice. Family-owned small businesses certainly will do better without the taxes, as would family farms that still operate from generation to generation.

Accordingly, I urge my colleagues to join in supporting this worthy legislation.

1630

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM), the cosponsor of the amendment.

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

Mr. STENHOLM. Mr. Speaker, let me first say what I am for and what I will vote for tomorrow, and that is eliminating the death tax on every estate of $4 million and less. I could be persuaded in the kind of debate that I would hope we would have to repeal the entire death tax if it was done in the context of total tax reform. But in the context of which we will discuss it today and tomorrow and in this rule, I oppose strongly this rule because it prevents the gentleman from California (Mr. SHERMAN) and I from offering an amendment to ensure that the estate tax repeal does not threaten Social Security and undermine the fiscal discipline that has produced our strong economy.

During the debate on the Conservation and Reinvestment Act, I joined with the gentleman from Arizona (Mr. SHADEGG) to offer an amendment that made the new spending for conservation programs contingent upon certification that we were on a path to eliminate the debt by 2013 and protecting the integrity of the Social Security and Medicare funds. The gentleman from California (Mr. SHERMAN) and I submitted an amendment applying this principle to phase-in of the estate tax repeal in H.R. 8. Our amendment is a very straightforward proposal which would simply require that this tax cut fit within the context of a fiscally responsible budget and maintain our commitment to eliminating the publicly held debt as quickly as possible.

Since the Shadegg amendment passed with strong bipartisan support, I would have hoped that my friends on the other side of the aisle who supported this principle when it applied to spending would support our effort to provide the same safeguards for tax cuts consuming the projected surplus.

Mr. Speaker, not only did I vote with the gentleman from New Hampshire (Mr. SUNUNU) and others, I enthusiastically supported them, and I will be very disappointed if not any of them today support a similar type of an amendment.

I do not understand how we can have this rhetoric going back and forth between the sides blaming us on this side when some of us are asking consistency and when most of us who are concerned about paying down the debt and protecting Social Security on both sides of the aisle agree that an H.R. 8 that is backend loaded that will provide a $50 billion hole in the budget in 2010 is not the kind of fiscal responsibility that we stand up and talk about day after day. I do not understand how we can have such a dual purpose. When we can have bipartisan support for the Shadegg amendment but when we offer the same amendment or we ask under the rule to be allowed to have the same amendment voted on, you say no.

Mr. Speaker, I would yield any time to anyone on this side of the aisle right now to explain to me why they would not allow a simple up-and-down vote to say yes, we will have this repeal of the death tax if it does not materially affect the survival of Social Security beginning in 2010. I will be happy to yield to any Member right now to give me a reason why they would not allow the gentleman from California (Mr. SHERMAN) and I to offer this same amendment on this bill.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Speaker, there is a lot of rhetoric on the floor here today, but this is an important and a substantive issue. I believe firmly it is not a question about rich and poor, it is really a question of right and wrong. It is a question of fundamental fairness. Is it right to tax an estate, a family, simply because the owner of that estate happens to pass away? Is it right to take up to half of what that family owns?

My colleagues here today are talking about their interest in protecting a small business. What does that really mean? Let us take a closer look. That means if your estate, your home, your business, your farm is only worth $650,000 or $1 million, and you die, well, they agree that should not be taxed. But if you are successful, if you are too successful in their eyes, and your business or farm is worth $5 million or $10 million or $20 million, then the Federal Government should be able to take half, 55 percent of everything you own. The Federal Government is given a presumptive claim to all of it. Is that right? Never. It is wrong if your estate is worth $50,000, it is wrong if your estate is worth $50 million. It is wrong if you are Bill Gates and your estate is worth $50 billion for the Federal Government to step in and say we get 55 percent of everything you have.

I think that cuts to the core of what this debate is all about. It is morally wrong to have written into the Tax Code that kind of power to confiscate any individual's property, rich, poor, farmer, small businessman, individual, or family.

I ask my colleagues to support the entire elimination of the death tax here on the floor tomorrow, not because of dollars and cents but because of right and wrong.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Maine (Mr. BALDACCI).

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

Mr. Speaker, the Joint Tax Committee estimates that only 2 percent of all estates will pay estate taxes. Only 3 percent of that 2 percent are estates where family-owned businesses and farms make up more than half the value of the estate. To put this in further perspective, in 1998, the Department of Treasury estimates that only 776 family businesses and 642 family farms were subject to the estate tax. As a small businessperson, I am very much aware of the burden under which many entrepreneurs and working families must operate.

My family has a family business, and I understand the concerns of those who want to pass their business on to the next generation. We have passed legislation in this Chamber which has exempted 98 percent of the family-owned family businesses and family farms. Still we are going to do more, and I support doing more. The plan that is before us today even in the 10-year period is $50 billion a year, but really what we are talking about is over $500 billion from 2011 to 2020, $500 billion when the baby boomers are coming of age for Social Security, for Medicare, and Medicaid and talking about a prescription drug program.

I think that the lockbox that everybody promoted earlier and all of us

have supported, the lockbox will be empty when it is opened up and it is already going to be taken out for less than 2 percent of the estates in the entire country who are going to have those resources available to them. The substitute plan which we are supporting which is a common sense approach to continuing to reduce the burden on family businesses and family farms is a 20 percent reduction across the board in raising the level, further reinforcing tax relief for these families and to make sure that they have an opportunity to pass it on from one generation to the next.

It is something that is very important to me. We have reached across the aisle and tried to work bipartisanly, but the plan that the majority is supporting is going to break the bank and not going to leave any resources for any relief for any Americans.

I think one thing that I hear from my business friends which I would like to bring up here today is that if we could work on reducing the interest rates and reducing the debt and deficit, that there would be a lot more economic activity and a lot more purchases of homes, lower student loan interest rates, lower car loans and increasing economic activity throughout America. That is what we ought to be doing, is looking to reducing the debt and the deficit and not squandering it for a very few families who are very, very wealthy and taking up all of what is left for Social Security, Medicare, and a prescription drug program.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. COX).

Mr. COX. Mr. Speaker, let us remind ourselves how we got here. When, in 1993, I introduced the first bill in the history of the income tax to repeal the death tax, we had just a few sponsors. By the 106th Congress, I had over 200 sponsors on my legislation to repeal the death tax. And last year the House and the Senate agreed on legislation that we sent to President Clinton to completely repeal the death tax. In September 1999, Bill Clinton vetoed death tax relief.

Now we are back here to do it again for one simple reason. The gathering momentum behind repeal of the death tax is a result of the increasing realization of where the burden of this tax falls. It does not fall on the dead rich person. That is the one person who does not care. It does not even fall on the wealthy people in the family of the rich person. They might have to pay 55 percent or 60 percent because of a 5 percent surtax that kicks in, but the real burden of this falls on the low-wage worker who pays a tax rate of 100 percent when he or she loses a job because that medium-sized business or small business that is not publicly owned has to be liquidated in whole or in part to pay the tax man.

That is why when in California we put this to an initiative of the people, even though the Los Angeles Times repeatedly said it is a tax break for the rich, almost two-thirds of voters agreed we should completely repeal California's death tax. Larry Summers, now the Secretary of the Treasury, when he was an economist at Harvard just a few years ago told us that we probably lose money on this tax, that we may not even make a penny even though it seems to raise 1 percent of our revenues because of all the tax avoidance schemes that people use to not pay it, such as lifetime gifts. That takes away from income tax they pay this year.

It is time for the death tax to die. I am thrilled we are bringing it to the floor again. Let us send it to the President again and this time ask him not to veto it, Mr. President, but to sign it.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

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

Mr. Speaker, I rise in opposition to the rule and also in opposition to the majority estate tax repeal bill that will be debated on the floor here tomorrow and in support of the Democratic substitute. I do not understand why the rule did not make in order the Stenholm amendment which merely demands some accountability to ensure that a $500 billion 10-year tax cut that is going to benefit the wealthiest 2 percent individuals in our country does not jeopardize our chances for meaningful national debt reduction and the long-term solvency of the Social Security program. It is something that was demanded during the CARA bill just a couple of weeks ago when it came to conservation and environmental programs that will benefit the entire Nation and it should apply as equally well to a large tax cut bill which is going to be a boom to the wealthiest Americans in this Nation. The Democratic substitute on the other hand, will take care of the family farmers and small business owners but in a fiscally responsible manner.

I want to, however, take a few moments to also speak about the latest scourge in the campaign finance system and that is the creation of the 527 corporations that we are seeing in modern American politics. These are the unregulated, unlimited, unaccountable corporations that are being formed for the sole purpose of influencing the outcome of campaigns.

They are unaccountable in the fact that no one knows where these large contributions are coming from. In fact, they could be coming from foreign sources and it would be legal for foreign contributors make contributions to the 527s in order to influence the American political process. And that is wrong and it should be changed. For too long in this Chamber, the opponents of finance reform have always claimed that the only thing we need to demand is more disclosure in the system.

The Moore-Doggett bill does exactly that. All it requires is accountability through disclosure to apply to 527s so we have an idea of where all this money is coming from. It is an outrage what is going on. It is unacceptable. If we are to live up to the words and the rhetoric that has been permeating these halls for too long, we should at least take this very sensible and practical approach. If we cannot pass comprehensive finance reform or even incremental reform with Shays-Meehan or the McCain-Feingold bill in the Senate, let us at least do the right thing and demand disclosure in the 527s.

Mr. REYNOLDS. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. BLUNT).

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

Mr. Speaker, I want to say that it is amazing to me that so much of the debate against this bill has been about campaign finance. I am for the rule, I am for the bill. If I was on the other side of it, I might be trying to talk about something else as well. Two weeks ago, we repealed a tax that we had put on the books in 1898 to fight the Spanish American War. This tax was put on the books in 1916 to fight World War I. It is time to get rid of these 100-year-old special purpose taxes and even the 86-year-old special purpose taxes. People do not have anything at their death that they have not paid taxes on many times. Death should not be a taxable event. You should not have to see the IRS agent and the undertaker the same week or you should not have to see the IRS agent because you saw the undertaker.

We need to eliminate this tax. We can do this. The American people know it is unfair. Let me make one final point. In terms of spending like we were talking about in the CARA bill and so often the gentleman from Texas (Mr. STENHOLM) and I are on the same side, we are talking about spending on Federal land or for more Federal land. If a family budget goes in the red, they cut their spending. They do not get a new source of income. There is nothing wrong with cutting taxes and giving the American family the tax break they need. If we have a shortfall, we ought to find that shortfall in spending just like we said on the CARA bill we were prepared to do.

1645

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, the problem with the underlying bill that repeals the estate tax is that it is backloaded. It provides the relief in the outyears and explodes in costs and is fiscally irresponsible. The substitute provides relief now and does it in a fiscally responsible way.

Let me just give my colleagues one example. Under current law, if one has a net estate of $1 million, one pays $125,000 in estate tax. Under the underlying bill, if one dies in 2001, it will be reduced to $93,000. Under the Democratic substitute, one would pay zero

estate taxes in 2001. If one's estate is $1.5 million under current law one would pay $335,000 in taxes. Under the underlying bill, the repeal bill, one would still pay $277,000, a 17 percent reduction. But under the Democratic substitute, one would only pay $135,000, or a 60 percent reduction.

The problem is that we are trying to deal with family-owned businesses and family farms, which represents 3 percent of the 2 percent of the estates that are subject to the estate tax, .06 percent of the estates. We spend a lot of money to do it. The substitute deals with it directly by raising that to $4 million before it is subject to estate tax.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, thanks to this full, wholesome, and hard-hitting debate, one might conclude that this is a partisan issue when, in fact, it is very bipartisan. There are 46 Democrats who have joined with the gentlewoman from Washington (Ms. DUNN) as cosponsors of this very important legislation.

As has been pointed out several times, death should, in fact, not trigger a tax; and it is very, very unfortunate that there are many people who, upon facing death, family members have to, along with visiting the undertaker, visit the IRS agent, visit the tax lawyer, visit their accountant, and that is wrong. We want to end that.

There are many people here who have been arguing that this is somehow going to create a drain on the flow of revenues to the Federal Treasury. That is clearly wrong. Empirical evidence has shown that if we would have repealed the death tax back in 1971, by 1991, the gross domestic product growth would have been 1 percentage point higher, obviously generating an increase in the flow of revenues to the Federal Treasury.

As we look at a study that recently came out, it showed that 75 percent of successful businesses failed after the death of the owner, and lack of capital has been the reason that 70 percent of those businesses reported that they failed and obviously, the death tax, which has created real uncertainty and great problems and a drain, have played a role in jeopardizing economic growth.

So it seems to me that we have a very important obligation to realize that this is the responsible thing to do; the American people want us to do this. Double taxation is wrong, and this is a first step towards repealing that. This is a fair rule. We have turned ourselves inside out to make sure that we provided for a substitute that is going to be offered by the ranking minority member of the Committee on Ways and Means, and we also suspect that there may be a motion to recommit. It is a tax bill. We do not open up the Tax Code. The Democrats never did it, we are not doing that, and yet we have provided 2 bites at the apple for Members of the minority; so it is a very fair measure, and I urge my colleagues to support the rule and to support the bill itself.

Mr. MOAKLEY. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, the gentleman from California and the other Republican members of the Committee on Rules have now joined their Republican colleagues on the Committee on Ways and Means, who have twice voted, on a strictly partisan basis, to ensure that this House does nothing to clean up the mess in our political system.

My amendment that they rejected is to the gift tax, a critical part of this estate and gift tax bill. I believe that it is time for taxpayers to stop subsidizing those, who make unlimited, secret contributions to section 527 political organizations.

What is a 527? Not some new kind of aircraft. A 527 political organization, quite simply, is a political hit squad. It relies on contributors who are hidden: they can be foreign, they can be Iraqi, Cuban, Chinese, whatever, or just home-grown special interest corporate treasury money. Its operations are secret, and its mission is character assassination. These are the groups that pollute the airwaves and fill our mailboxes with hate ads attacking one side or the other.

Last week, before we recessed for Memorial Day, 201 Democrats and 6 Republicans stood on this floor and said, enough of that nonsense. They voted to clean up this mess, and at least get disclosure, nonpartisan disclosure. This amendment applies to everyone, regardless of political philosophy or association or allies, to see that all of them meet the simple, narrow requirement of merely answering: ''who gave you the money'' and ''what did you spend it on.''

Today, as we speak on this floor, on the other side of this Capitol, Republican Senators are rising to say they cannot do anything about cleaning up 527 political organizations because it is a tax measure, the very reason I offer the amendment here, and that the House must act first. So we have on one side, the Republican leadership saying the House must act first, while the House leadership hammers into submission the members of its caucus to keep them from doing what they know is right. Our Republican colleagues know that their leadership, and some have said this, they know their leadership's position is absolutely indefensible, that one cannot defend relying on secret, hidden money to produce these hate ads, and yet that is what the leadership insists that they do.

Those who say that the Republicans, as some reports have suggested, now have a proposal to deal with this problem are wrong. They do not have a bill, they do not have a hearing, they do not have a proposal for which they will even provide an outline. All that they are doing is trying to provide their caucus some cover, because they also do not have any good excuse for not resolving this problem. As Senator JOHN MCCAIN has said, this is ''the latest manifestation of corruption in American politics,'' and we can do something about it with this bill.

Tomorrow, there is going to be a moment of truth, a motion to recommit and an opportunity to vote up or down to stand and show whether we are in favor of more deceit, of more character assassinations on the television airwaves paid for with hidden money, or whether we are in favor of cleaning up this corruption of the American political system.

The Washington Post said it best today in its editorial, ''In Love With the Dark'': ''It is hard to believe that a majority of the House, including the leadership, cannot be shamed into voting at least for sunlight. Why would they prefer the dark?''

Mr. Speaker, I would challenge my Republican colleagues to answer that question.

Mr. REYNOLDS. Mr. Speaker, I have enjoyed the special orders during the rule that we are now debating.

I yield 1½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I say to the gentleman, I would be pleased to set the record straight on his comments. The gentleman has raised a very substantial, interesting, and I think important issue in his proposal to require disclosure by 527 groups, and I believe the gentleman is aware that the Subcommittee on Oversight and Investigation of the Committee on Ways and Means is, as we speak—and has been back only 2 days since this was discussed at the Committee on Ways and Means full committee meeting—is preparing a proposal that goes beyond the gentleman's proposal in a very important way. It goes beyond the gentleman's proposal by treating all tax-exempt entities that are allowed under the law to engage in political activity the same way.

I agree with the gentleman's proposal. I just do not believe that it is evenhanded tax law, because it does not treat in an evenhanded, equitable, fair way all entities that are tax-subsidized, that is, citizen-subsidized, but allowed to engage in political activity the same way.

So we are going to do a very good job on this, in my estimation. Sunshine is important. Entities that engage in political activity with taxpayer subsidies should be required, in my estimation, to report their contributors and their expenditures; and I believe that we will have the opportunity in committee and on this floor, to pass legislation that

builds on the gentleman's proposal, and does what is necessary, and that is, treats 501(c)(3)s, 4s and 5s and 6s the same way.

So I urge support for the rule and opposition to the previous question motion.

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

Mr. Speaker, if the previous question is defeated, I will offer an amendment to the rule. My amendment will make in order the Sherman-Stenholm fiscal responsibility amendment. The fiscal responsibility amendment requires that the estate tax relief will not take effect until, one, the OMB certifies that the public debt will be retired by the year 2013; and, two, that the trustees certify that plans are in place to keep solvent the Social Security and the Medicare trust funds. Mr. Speaker, I urge a ''no'' vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of my amendment be printed in the RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore (Mr. MCHUGH). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

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

Mr. REYNOLDS. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from New York for yielding, and I thank the gentlewoman from Washington (Ms. DUNN) for bringing this bill to the floor, and I support the rule.

The story of Alvin Conklin and his idea of opening up a small lumber shop on Staten Island represents one man's hope of securing the American dream for himself and his family. Established in 1888, Farrell Lumber remains a family-owned and family-operated business in its truest sense. For 112 years, Alvin Conklin and then Harry Farrell and his wife, and today, their children, Bob and Don, and grandchildren all helped make Farrell Lumber a thriving small business with an impeccable reputation for quality and service. They are a proud member of the Staten Island community.

However, the estate tax threatens their small business much like it threatens so many small businesses in America today. For the Farrells, the estate tax could potentially confiscate the valuable family business and, worse, strip the Farrells of their dream to pass it on to their children and grandchildren. It is evident that the death tax discourages savings and investment and entrepreneurship and punishes families like the Farrells who work 7 days a week, 15-hour days to grow and expand their business.

Repealing the estate tax would ensure economic fairness for all Americans, while encouraging expanded growth and prosperity for our country as a whole. Let us not forget the 35 people who work for the Farrells. Those are the guys who load the truck with lumber, who drop it off at your house, or the lady who helps you select a door. If the Farrells are forced to close their doors, those 35 people will be out of work.

There is a story like that across America. Let us end it and make it a good one for the Farrells.

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

The death tax stifles growth, discourages savings, stymies job creation, drains resources, and ruins family businesses and farms. It is time we phase out this unfair tax and allow the American dream to be passed on to our children and future generations.

Mr. MOAKLEY. Mr. Speaker, I include for the RECORD the material previously referred to.

PREVIOUS QUESTION VOTE TO MAKE IN ORDER THE SHERMAN-STENHOLM FISCAL RESPONSIBILITY AMENDMENT

On page 2, line 13, strike ''and'' the second place it occurs and after ''(3)'' insert the following:

''The further amendment printed in section 2 of this resolution, which may be offered only by Representative Sherman of California or Representative Stenholm of Texas, or their designee, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and by an opponent; and (4)''

At the end of the resolution, add the following:

''Section 2. Amendment to be Offered by Representative Sherman of California or Representative Stenholm of Texas, or their designee:

At the end of the bill (page , after line), add the following new title:

TITLE VI—ENSURING DEBT RETIREMENT AND INTEGRITY OF THE SOCIAL SECURITY AND MEDICARE TRUST FUND SURPLUSES

SEC. 601. ENSURING DEBT RETIREMENT AND INTEGRITY OF THE SOCIAL SECURITY AND MEDICARE TRUST FUND SURPLUSES.

(a) IN GENERAL.—Notwithstanding any other provision of this Act or of an amendment made by this Act, a reduction in the rate of tax (including the repeal thereof) under section 2001(c), and an increase in the exemption amount under section 2001(b), of the Internal Revenue Code of 1986 which is scheduled to take effect in a calendar year shall not take effect unless the certifications specified by subsection (b) for the fiscal year in which such calendar year begins are made before the beginning of such fiscal year.

(b) CERTIFICATIONS SPECIFIED.—The certifications specified in this subsection are the following:

(1) The Director of Office of Management and Budget has certified that a law has been enacted which—

(A) ensures that a sufficient portion of the on-budget surplus is reserved for debt retirement to put the Government on a path to eliminate the publicly held debt by fiscal year 2013 under current economic and technical projections, and

(B) ensures that, under current economic and technical projections, the unified budget surplus for the fiscal year in which such calendar year begins shall not be less than the surplus of the Federal Old-Age and Survivors Insurance Trust Fund and Federal Hospital Insurance Trust Fund for such fiscal year.

(2) The Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund has certified either—

(A) that outlays from such trust funds are not anticipated to exceed the revenues to such trust funds during such fiscal year and any of the next 5 fiscal years, or

(B) that legislation has been enacted extending the solvency of such trust funds for 75 years.

(3) The Board of Trustees of the Federal Hospital Insurance Trust Fund has certified either—

(A) that the outlays from such trust fund are not anticipated to exceed the revenues to such trust fund during such fiscal year and any of the next 5 fiscal years, or

(B) that legislation has been enacted extending the solvency of such trust fund for 25 years.

(c) CONTINUATION OF PRIOR RATE OF TAX.—If a reduction in the rate of tax (including the repeal thereof), or an increase in the exemption amount, under section 2001 of such Code does not take effect for a calendar year by reason of subsection (a), the rate of tax and exemption amount under such section in effect immediately before the beginning of such calendar year shall continue in effect.

Mr. RAMSTAD. Mr. Speaker, I rise as a cosponsor and strong supporter of the measure before us to eliminate the unfair Death Tax.

The Death Tax destroys a fundamental American dream—being able to pass on the success we have earned to our children. Currently, more than 70 percent of family businesses do not survive to the second generation, and 87 percent do not make it to the third. My own family worked to build a family-owned car dealership, and we felt the punitive blow of the Death Tax.

How can we continue to impose a tax that forces the sale of family businesses and throws Americans out of work? How can we continue to tax the very values we should be encouraging—work and saving for our families?

Mr. Speaker, the American people understand that this tax is unfair and should be eliminated. The Death Tax forces families to expend resources on burdensome estate planning.

Small businesses understand that it forces them to cut back operations, sell income-producing assets, lay off workers and sometimes liquidate the business.

Conservation groups understand that the Death Tax damages the environment by forcing families to sell land to developers to pay the onerous tax.

Mr. Speaker, the Death Tax deserves to die. This bill will kill the anti-family, anti-job and anti-environmental tax, and I urge my colleagues to support it.

Mr. REYNOLDS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 225, nays 199, not voting 10, as follows:

[Roll No. 248]

YEAS—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—10

Clay
Danner
Greenwood
Houghton
Istook
Klink
Markey
Smith (MI)
Vento
Watkins

1718

Messrs. HALL of Texas, DICKS, ROTHMAN, BLAGOJEVICH, SANDLIN and FORD and Ms. KAPTUR changed their vote from ''yea'' to ''nay.''

Mr. GILLMOR and Mr. LAZIO changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCHUGH). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MOAKLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 180, not voting 12, as follows:

[Roll No. 249]

AYES—242

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOES—180

Abercrombie	Hill (IN)	Neal
Ackerman	Hilliard	Oberstar
Allen	Hinchey	Obey
Andrews	Hinojosa	Olver
Baca	Hoeffel	Ortiz
Baird	Holden	Owens
Baldacci	Holt	Pallone
Baldwin	Hooley	Pascrell
Barrett (WI)	Hoyer	Pastor
Becerra	Inslee	Payne
Bentsen	Jackson (IL)	Pelosi
Berman	Jackson-Lee (TX)	Peterson (MN)
Berry	Jefferson	Phelps
Blumenauer	John	Pickett
Bonior	Johnson, E. B.	Pomeroy
Borski	Jones (OH)	Price (NC)
Boswell	Kanjorski	Reyes
Boyd	Kaptur	Rivers
Brady (PA)	Kennedy	Rodriguez
Brown (FL)	Kildee	Roemer
Brown (OH)	Kilpatrick	Rothman
Capps	Kind (WI)	Roybal-Allard
Capuano	Kleczka	Rush
Cardin	Kucinich	Sabo
Carson	LaFalce	Sanchez
Clayton	Lampson	Sanders
Clyburn	Lantos	Sawyer
Condit	Larson	Schakowsky
Conyers	Lee	Scott
Costello	Levin	Serrano
Coyne	Lewis (GA)	Sherman
Crowley	Lipinski	Shows
Cummings	Lowey	Sisisky
Davis (IL)	Luther	Slaughter
DeFazio	Maloney (CT)	Snyder
DeGette	Maloney (NY)	Spratt
Delahunt	Mascara	Stabenow
DeLauro	Matsui	Stenholm
Deutsch	McCarthy (MO)	Strickland
Dingell	McCarthy (NY)	Stupak
Dixon	McDermott	Taylor (MS)
Doggett	McGovern	Thompson (CA)
Doyle	McKinney	Thompson (MS)
Edwards	McNulty	Thurman
Engel	Meehan	Tierney
Etheridge	Meek (FL)	Towns
Evans	Meeks (NY)	Turner
Farr	Menendez	Udall (CO)
Fattah	Millender-McDonald	Udall (NM)
Filner	Miller, George	Velazquez
Ford	Minge	Visclosky
Frank (MA)	Mink	Waters
Frost	Moakley	Watt (NC)
Gejdenson	Mollohan	Waxman
Gephardt	Moore	Weiner
Gonzalez	Moran (VA)	Wexler
Green (TX)	Murtha	Weygand
Gutierrez	Nadler	Woolsey
Hall (OH)	Napolitano	Wu
Hall (TX)		Wynn
Hastings (FL)		

NOT VOTING—12

Clay	Houghton	Smith (MI)
Danner	Istook	Stark
Green (WI)	Klink	Vento
Greenwood	Markey	Watkins

1730

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GREEN of Wisconsin. Mr. Speaker, on rollcall No. 249, had I been present, I would have voted "aye."

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore (Mr. MCHUGH). Pursuant to House Resolution 518 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4577.

1735

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentleman from Illinois (Mr. JACKSON) had been disposed of and the bill was open for amendment from page 2, line 3 to page 3, line 4.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding to me. Mr. Chairman, I rise to ask the gentleman from Illinois (Chairman PORTER) if he would yield to me for the purpose of engaging in a brief colloquy.

Mr. PORTER. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, on April 12, 2000, I testified in the subcommittee chaired by the gentleman from Illinois (Mr. PORTER) with a group representing the bipartisan Congressional Women's Caucus about a problem that affects women slightly more than men but has become a major national health problem across the entire population for children and for men and women of every age group and background.

Alarming increases in overweight and obesity increasingly have become a major American health problem. More than 50 percent of Americans are overweight or obese.

Surgeon General David Satcher says that overweight and obesity are major contributors to many preventable diseases and causes of death, including cardiovascular diseases, stroke, high blood pressure, high cholesterol, Type II diabetes, arthritis, gallbladder disease, asthma, and some cancers, including breast, endometrial, prostate, and colon cancers. The incidence of overweight and obesity is the worst in our history.

Obesity trends are particularly serious among the youngest Americans. Almost 25 percent of young people ages 6 to 17 are overweight, and the percentage who are seriously overweight has doubled in the last 30 years. The responsibility of lifestyle for this troubling trend, especially fast food and lack of exercise, is very clear.

I want to thank the gentleman from Illinois (Chairman PORTER) for including $125 million in this Labor, HHS appropriations bill that will allow the Centers for Disease Control to begin a more aggressive national effort against overweight and obesity.

I want to especially thank the gentleman from Illinois (Chairman PORTER) for his support of the bill I introduced, the Lifelong Improvements in Food and Exercise Act, building on the work his subcommittee has already done in making grants to the CDC. I am also pleased that the CDC supports my bill.

As the gentleman knows, Mr. Chairman, the LIFE bill authorizes the CDC to address overweight, obesity, and sedentary lifestyles in three ways: by training health professionals to recognize the signs of obesity and to recommend prevention activities and several other ways.

Would the gentleman from Illinois (Chairman PORTER) agree that some of the $125 million in this Labor HHS bill be spent on the activities specified in the LIFE legislation?

Mr. PORTER. Mr. Chairman, I am pleased to support the LIFE bill, and I believe that the goals of the national campaign to change children's health behaviors will address the initiatives in the LIFE legislation.

Ms. NORTON. Mr. Chairman, if the gentleman will further yield, toward that end, will the gentleman join me in requesting the gentleman from Virginia (Chairman BLILEY) and the gentleman from Michigan (Mr. DINGELL), ranking member of the authorizing committee of jurisdiction, the House Committee on Commerce, to support inclusion of the LIFE bill in the conference agreement on this bill?

Mr. PORTER. Mr. Chairman, I would be happy to do so.

Ms. NORTON. Mr. Chairman, I want to thank the gentleman from Illinois (Chairman PORTER) for his support and for the leadership on this vital health issue he has shown throughout his career here in the House.

The CHAIRMAN. Are there further amendments to this portion of the bill?

AMENDMENT NO. 6 OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. BASS:

Page 2, line 13, after the dollar amount, insert the following: ''(reduced by $42,000,000)''.

Page 2, line 14, after the dollar amount, insert the following: ''(reduced by $42,000,000)''.

Page 20, line 11, after the first dollar amount, insert the following: ''(reduced by $134,000,000)''.

Page 22, line 7, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

Page 24, line 7, after the first dollar amount, insert the following: ''(reduced by $130,000,000)''.

Page 31, line 23, after the dollar amount, insert the following: ''(reduced by $75,000,000)''.

Page 51, line 21, after each dollar amount, insert the following: ''(reduced by $78,000,000)''.

Page 52, line 12, after each dollar amount, insert the following: ''(reduced by $480,000,000)''.

Page 52, line 18, after the dollar amount, insert the following: ''(reduced by $450,000,000)''.

Page 53, line 5, after the dollar amount, insert the following: ''(reduced by $30,000,000)''.

Page 53, line 17, after the first dollar amount, insert the following: ''(increased by $1,011,000,000)''.

Page 53, line 17, after the second dollar amount, insert the following: ''(increased by $1,001,000,000)''.

Page 53, line 20, after the dollar amount, insert the following: ''(increased by $10,000,000)''.

Page 55, line 2, after the dollar amount, insert the following: ''(reduced by $3,000,000)''.

Page 55, line 10, after the first dollar amount, insert the following: ''(reduced by $22,000,000)''.

Page 55, line 11, after the dollar amount, insert the following: ''(reduced by $22,000,000)''.

Page 58, line 3, after the dollar amount, insert the following: ''(reduced by $7,000,000)''.

Mr. BASS. Mr. Chairman, I would like to start by thanking the gentleman from Illinois (Mr. PORTER), chairman of the subcommittee, for his attention and his patience and, frankly, his extraordinary wisdom concerning the issues that all of us are concerned about here, most notably with this amendment, the issue of special education IDEA funding.

Now, this is the first of two amendments I plan to offer during the course of debate on this appropriation. Now, the bill before my colleagues, as we have previously discussed, raises special ed funding by $500 million from $5 billion to $5.5 billion a year. This amendment that I offer here now will increase that funding further by $1 billion for a total increase of $1.5 billion in the next fiscal year.

Now, at a subsequent time later on this evening, I intend to offer another amendment that will increase special education funding by an additional $200 million. It is my understanding that the gentleman from Wisconsin, (Mr. RYAN) plans to offer another amendment that will further increase this program by an additional $300 million, bringing the total funding for special education up to $2 billion, which is the amount that we agreed to try to attain in the resolution that we passed a couple of weeks ago.

The net effect of this amendment will be to bring the total funding for special education up to $6.9 billion. This amendment increases funding for this critical program to $6.5 billion, which would be a 16.5 percent total of the total cost of the program.

Now, I am not going to spend more than 30 seconds reviewing the need for this important program. All of us in this body share the need to adequately address the issues of IDEA and education for those who are less fortunate than all of us here in this body this evening.

As one who has been committed to attaining as much funding for this program as possible, I would like to see full funding of special education, the full amount, $15 billion a year. But I also understand the limitations under which we operate in this body, and I want to support this appropriation; but I want to support it with the maximum amount of funding that I can possibly find for this important program.

Now, there are 14 other programs that my amendment targets for reallocation in order to increase funding for special education. Not one of these programs, not one of these programs that I ever targeted for reductions would be reduced below the spending level for the fiscal year we are in today.

1745

Some of them would still have significant increases.

I want to see us reach our goal of full funding of special education. I am proud of the fact that since I have been in Congress we have increased special education funding from about $2.3 billion, and, hopefully, after this amendment passes, up to $6.5 billion, or 16.5 percent of the total amount we need to provide in this body.

I just want to urge my colleagues to join me in passing this amendment, understanding that these funds will free up money on the local level for other programs, for property tax relief, for classroom construction, for hiring of teachers. It is a good amendment, its time has come, and I urge the Congress to adopt it.

Mr. PORTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I know how strongly the gentleman from New Hampshire feels about the importance of the IDEA program, and I share those feelings. But in order to increase IDEA State grants by over $1 billion dollars, it would cut Job Corps $42 million, health professions $69 million, Ryan White $65 million, abstinence education $10 million, CDC by $130 million, SAMSHA by $60 million, mental health by $15 million, Impact Aid by $78 million, the Teacher Empowerment Act by $450 million, charter schools by $30 million, Indian education by $30 million, Gallaudet University by $3 million, vocational ed by $22 million, and Howard University by $7 million.

Now, Mr. Chairman, the reason these programs are funded above the budget request or above last year's level in the bill is that these programs are doing a good job of meeting the needs of people. We have increased funding for IDEA at a very, very fast rate. It has been a high priority for us. We have added $2.7 billion of new funding to IDEA during our tenure; and we have brought the additional per pupil percentage costs to serve disabled children up to 13 percent. It was at 9 percent in 1995. Other Federal funding brings it to 18 percent. We have put this particular account, IDEA, at a very, very high priority.

We have added a $500 million to the bill already. We would like to, and hope that in some time in the course of the process of considering this bill in conference with the Senate and in negotiation with the White House, we can add more. At this time, I think that the cuts that would be made in very important programs would be very severe and would not serve the interests of the persons served by those programs at all well. These are needed monies in every case.

For that reason, while I respect the gentleman's concern about IDEA, I believe that this amendment should not be adopted.

Mr. BASS. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from New Hampshire.

Mr. BASS. I respect the gentleman's concern about this, and I would only point out that we have time and time again in this body said that special education is, if not our very highest priority, it is certainly at the very top of the list. And I would only point out that at least five of these programs that the gentleman mentioned still have increases in them, and not one of them, not one of them is cut from the level of spending from last year.

I agree with the gentleman, it is not an easy job to propose an amendment like this, but I think special education is important enough to me that it deserves to be funded at a $2 billion increase.

Mr. GOODLING. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

As the leader of trying to get the Congress to put its money where its mouth has been for 20 years in the minority, and now 6 years in the majority, I have to rise to oppose this very effort for several reasons.

First of all, this takes money from the Teacher Empowerment Act. The whole purpose of the Teacher Empowerment Act is to get quality teachers in the classroom so that, as a matter of fact, we do not keep increasing the number of young people who get placed into a special needs class.

Charter schools. They are working, and they are working to make sure that we do not increase the number of children who end up in a special needs program.

Job Corps. Last chance for these young people. And let me tell my colleagues, if we do not succeed on that last chance, the cost of taking care of those people will even be far greater than the cost of meeting special needs.

Impact Aid. We take it from them one place and give it back to them in another. So I think this is positively the wrong way to go if we really want to reduce the number of special needs children.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I very much respect the gentleman from New Hampshire, and I respect his concern for special education. I have a special interest in special education which I have to confess. I have a nephew who is a Down syndrome child, and I know many other good friends who have children in need of the same kind of services. But

there is a way to do something and a way not to do something.

This chart shows, as the gentleman indicated, that just 36 days ago this House promised that it was going to spend $7 billion on special education. This bill contains $5.5 billion for special education. We were trying to offer an amendment to add $1.5 billion to special education, not by cutting all of the programs that the gentleman from Illinois has just listed but by changing this equation.

We wanted the majority party to take 20 percent of the tax cuts which they are voting through this place this year, eliminate 20 percent of those tax cuts so that we could fully fund not only education for the handicapped but so that we could fully fund other education and health and worker training programs. We could have funded all of those amendments by simply scaling back the size of the tax cut by 20 percent. And before anybody has a heart attack, 73 percent of the benefits from those tax cuts are scheduled to go to the richest 1 percent of people in the country. The other 99 out of 100 are only scheduled to get 27 percent.

Now, that is a better way to finance this amendment than the way that the gentleman is proposing. A couple of hours ago, when the gentleman from Kansas (Mr. TIAHRT) was on the floor, he presented the House with a chart and he was bragging about how much the majority party has increased funding for the Job Corps. And I stood up and I said, hooray, Allah be praised, hallelujah, everything else I could think of, welcome to the club, because I remember fighting on this floor in 1981 when Ronald Reagan was trying to zero out the Job Corps. So I welcomed the gentleman and I welcomed the conversion of the majority party to support for Job Corps. This amendment, 3 hours later, would cut Job Corps by $42 million.

Job Corps has only a 50 percent success rate, but we are starting out in Job Corps with kids who have been losers 100 percent of the time. So a 50 percent rate of saving kids who otherwise are on a short route to nowhere is a whole lot better batting average than Babe Ruth ever had.

But this would cut Job Corps. It would cut nurses training. It would cut community health funding. That is where poor people go to get their health care because they often cannot go to a normal middle-class hospital and get that health care without begging. It would cut that back. It would cut back the abstinence aid that the gentleman from Oklahoma is so interested in. It would cut back public health funding in the Center for Disease Control. It would cut back funding to fight drug abuse. It would cut back Impact Aid. It would make a $450 million cut in the class size block grant.

The majority has asked us on this side of the aisle why we do not block grant this money instead of requiring that money be spent to reduce class sizes? And we have said because we have seen what happens when we block grant money. First, we block grant it, and then after it is put in one block, then it is cut; and you can escape the political attention that comes from having to cut the programs individually because they are all in one lump.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. So we have evidence right here in this amendment, Mr. Chairman, to verify our fears. We do not even yet have the block grant put into law and already this amendment is trying to cut it by $450 million.

Then it cuts Indian education. It even cuts $3 million out of Gallaudet, the school for the blind. And there are some other cuts.

So, Mr. Chairman, I would point out that even the people who are the beneficiaries of this amendment are asking that it not be passed. The Council for Exceptional Children, that is the group that lobbies for funding for special education is saying, ''Do we want the money? Yes. But do we want it at the expense of cutting these other educational programs? No, we do not.'' PTA is saying the same thing. Our local school administrators are saying the same thing.

I do not blame the gentleman for offering this amendment, because he has a legitimate heartfelt concern. But what this amendment demonstrates is what we have been trying to say all year on this side of the aisle. It demonstrates there is simply not enough funding in this bill for education of all kinds and for health care and for job training. Sooner or later the majority will recognize that. Sooner or later it is going to have to change this equation so that we get a better deal for middle-class taxpayers; and, at the same time, sooner or later we will put back not only the money for special education but the additional money we need for Pell Grants, for Title I, and the list goes on and on.

It, unfortunately, is going to take longer than it ought. But, meanwhile, we should not complicate it by passing this amendment. So I regretfully urge its rejection.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I thank the gentleman for yielding to me.

I just want to talk a little bit about broken promises. It was not Republicans in 1975 that said to the American people that we will move this legislation and within a few years we will give 40 percent of excess costs. We were not in the majority.

During that entire time, while that majority was here, we never got anywhere near the 40 percent. We never got above 6 percent. At least in the last 5 years we have gotten up to 13 percent.

So do not tell me about broken promises. They were made from the other side of the aisle and they were made back in 1975, and nothing was done when they had a 2-to-1 majority in this Congress of the United States.

1800

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, I sympathize with the gentleman that is offering the amendment. I was chairman of the Subcommittee on Authorization when this bill came through for the first time on IDEA. If my colleagues have ever had a tangle where they put parent groups and school groups together, it is like putting a Persian and a Siamese cat together. It is a very difficult and it is a very complicated bill.

I rise in opposition to the amendment of the gentleman. And I was the IDEA man of the year that year for pushing the bill through. And then later we had a colleague take over that position when I came to Appropriations.

But if the gentlemen on both sides really want to help, and I think they do legitimately, Alan Bersin is the superintendent of San Diego City Schools. He was the appointee of President Clinton on the border. He did a pretty good job, and now he is a superintendent. His number one problem is IDEA in the schools.

Why? Not so much the funding, but we are losing good teachers that want to help special-needs children. They are being forced into the courts by liberal trial lawyers that form cottage organizations and go to these parent groups and demand super Cadillac systems when they may only qualify for a small portion.

We have a school in San Diego where it costs $200,000 a year for one child in special education. And the schools cannot afford that. Quite often, as we increase the money, the trial lawyers come in and steal that money.

I agree with the gentleman, special education does need more money. I would like to work with the gentleman on that. But some of these programs, for example Impact Aid, do my colleagues know how negatively that affects military families and Native American families? It really impacts them negatively. And so, I would say to the gentleman, I agree with the gentleman from Wisconsin (Mr. OBEY) that these are programs some of us feel are very, very important, Impact Aid, Galludet University. Republicans and Democrats play in a basketball game there every year just to raise a little bit of money.

Howard University. I went out and visited the president. When we talk about minority education, look and see the job they are doing. Over half of the new teachers hired in the last couple of

years were not qualified. And this funds the Teacher Empowerment Act, makes sure that those teachers are qualified.

We have test scores that are slightly rising. But yet, when a student goes to the university, they have to take remedial education. Why? Because in many cases in our inner cities those teachers are not qualified; and unless we bring up the quality of those teachers, then our students are always going to fall behind, and they are going to be left behind.

So it is with great reluctance I oppose the gentleman. I know it is in good faith. A large part of me wants to support him. But, overall, I have to oppose him.

Mr. BALDACCI. Mr. Chairman, I am a strong supporter of the Individuals with Disabilities Education Act. I strongly agree that every child deserves the opportunity to benefit from a public education and is able to reach his or her fullest potential.

In addition, I recognize the tremendous cost of this endeavor. If our schools are truly to serve all students, the federal government must increase IDEA funding.

During my years in Congress, I have worked tirelessly to support increases in special education funding. I continue to support increasing funding for special education, and would like to see us funding it at $7 billion this year.

But there is a right way, and a wrong way to go about this.

The right way is to increase overall funding for education so that, in this time of extraordinary budget surpluses, we are meeting the needs of all students.

The wrong way is what is proposed in this amendment—robbing Peter to pay Paul. This amendment takes money from other equally worthy programs in order to pay for IDEA. Simply shifting money around doesn't solve the problem.

The Labor HHS Education bill is woefully underfunded. Why? Not because our nation cannot afford to invest in education. But because our Republican colleagues want to give large tax breaks to their wealthy friends.

The result is that good programs are pitted against one another, forced to compete for artificially scarce resources. This is no way to govern.

I am committed to moving ahead with fully funding the Federal government's promised 40% of IDEA expenses. But I will not do so at the expense of other equally worthy programs. As the Labor HHS Education bill goes to conference, I will be urging my colleagues in the House to accept the far more generous funding levels of the Senate bill, and to direct some of those additional resources toward special education.

So I urge my colleagues to increase funding for IDEA, but to do it the right way. Therefore, I urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BASS).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

For necessary expenses of the Workforce Investment Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2001 through June 30, 2002; and of which $100,000,000 is available for the period October 1, 2001 through June 30, 2004, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, $343,356,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, $96,844,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for job search and relocation, and related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, $406,550,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $43,452,000, together with not to exceed $3,054,338,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2001, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2003; and of which $43,452,000, together with not to exceed $738,283,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2001 through June 30, 2002, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: *Provided*, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2001 is projected by the Department of Labor to exceed 2,396,000, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration account of the Unemployment Trust Fund: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance programs, may be obligated in contracts, grants or agreements with non-State entities: *Provided further*, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ''Federal unemployment benefits and allowances'' account, to remain available until September 30, 2002, $435,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2001, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $100,944,000, including $6,431,000 to support up to 75 full-time equivalent staff, the majority of which will be term Federal appointments lasting no more than one year, to administer welfare-to-work grants, together with not to exceed $45,056,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Pension and Welfare Benefits Administration, $98,934,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 2001, for such Corporation: *Provided*, That not to exceed $11,148,000 shall be available for administrative expenses of the Corporation: *Provided further*, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-

administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $337,030,000, together with $1,740,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided,* That $2,000,000 shall be for the development of an alternative system for the electronic submission of reports as required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: *Provided further,* That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): *Provided further,* That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $56,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided,* That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further,* That balances of reimbursements unobligated on September 30, 2000, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further,* That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2001: *Provided further,* That of those funds transferred to this account from the fair share entities to pay the cost of administration, $30,510,000 shall be made available to the Secretary as follows: (1) for the operation of and enhancement to the automated data processing systems, including document imaging, medical bill review, and periodic roll management, in support of Federal Employees' Compensation Act administration, $19,971,000; (2) for conversion to a paperless office, $7,005,000; (3) for communications redesign, $750,000; (4) for information technology maintenance and support, $2,784,000; and (5) the remaining funds shall be paid into the Treasury as miscellaneous receipts: *Provided further,* That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, $1,028,000,000, of which $975,343,000 shall be available until September 30, 2002, for payment of all benefits as authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which $30,393,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, $21,590,000 for transfer to Departmental Management, Salaries and Expenses, $318,000 for transfer to Departmental Management, Office of Inspector General, and $356,000 for payment into miscellaneous receipts for the expenses of the Department of Treasury, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5) of that Act: *Provided,* That, in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $381,620,000, including not to exceed $83,771,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: *Provided,* That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2001, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further,* That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further,* That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of 10 or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $233,000,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; and, in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local

agencies and their employees for services rendered, $372,743,000, together with not to exceed $67,257,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to $7,241,000 for the President's Committee on Employment of People With Disabilities, and including the management or operation of Departmental bilateral and multilateral foreign technical assistance, $244,579,000; together with not to exceed $310,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in rule 15 of the Federal Rules of Appellate Procedure: *Provided further*, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: *Provided further*, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the 1-year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: *Provided further*, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

AMENDMENT NO. 9 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. OBEY:

Page 16, line 24, after the dollar amount, insert the following: ''(increased by $97,000,000)''.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, just 2 weeks ago, the Congress passed the China trade legislation. There were a lot of reasons why a lot of Members voted against that bill.

One of the reasons is that a lot of us are concerned about the prospect of putting American workers in a position where they are going to be directly undercut by practices such as slave labor and child labor.

The administration, the White House, tried to make at least a nominal effort to try to prevent those problems from becoming any worse than they are by raising funding for efforts to combat the incidence of child labor and weak labor standards.

This committee chose not to agree with that funding. This amendment simply would restore for the international labor standards portion of the bill the amount of money requested by the administration that was not included in the bill.

Let me explain in a little more detail what it does. It would add $730 million to reduce the incidence of child labor. It would add $17 million to enforce core labor standards. And it would add $10 million for responding to the HIV/AIDS crisis in sub-Sahara Africa by supporting workplace education and prevention programs.

I would simply point out, Mr. Chairman, that, according to the International Labor Organization, there are 250 million children between the ages of 5 and 14 who are working in developed nations with approximately half of them working full-time but not going to school.

The President wants to expand the successful efforts of the ILO and the Department of Labor and USAID to develop education infrastructure and build data and monitoring systems to take kids out of factories and put them in schools.

Mr. Chairman, these programs are working. In Bangladesh they have helped 9,000 kids get out of garment sweatshops and into classrooms. In Pakistan they have got 7,000 kids into school learning to read and write instead of sitting in a factory stitching soccer balls. In Guatemala they are getting kids out of quarries where they crush rocks by hand all day instead of sitting in a classroom where they could have a book in their hand instead of a rock.

175 countries have signed the ILO Convention that calls for eliminating the worst forms of child labor. This budget is supposed to fund the technical assistance to help them make that pledge a reality.

Now, we will be told we do not need this money because this program had a large increase last year. I would suggest that for years all countries, including ours, have ignored the tools that we could use to improve this situation. And so finally last year, for the first time, we began to provide a pittance for some of these programs.

These programs are in the interest of every child in the third world. They are in the interest of every working American who has a right to a level playing field. I think this amendment ought to be adopted.

Now, we will be told, ''Oh, you have not provided a corresponding cut in the bill.'' That is because under the rule under which this bill is being considered, the only other programs we could cut are other education or other health or other job training programs. We cannot get into other portions of the Federal budget, as the gentleman knows.

And so, again, all we are suggesting is that all of these major 11 amendments that we would like to offer could be financed by scaling back the size of the intended tax cut by 20 percent. I think that would do a whole lot more for children. It would certainly do a whole lot more for our consciences. I believe that the amendment ought to be adopted.

Mr. PORTER. Mr. Chairman, I continue to reserve a point of order.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as late as 1997, this Bureau was funded at $9.5 million. That is 3 years ago. In the fiscal year 2000 appropriation, it received funding of $70 million. This is an over–600 percent increase in just 3 years.

The administration wants to add an additional $97 million, which would be an additional 140 percent increase from last year. At $167 million, funding for this Bureau would be more than that requested for the Wage an Hour Division, which oversees labor standards in the United States, including child labor.

We recognize that this country needs to be an international leader in labor issues, such as child labor and international labor standards, which is why we have agreed to such large increases in this Bureau over the last 3 years.

I generally support the concept of the amendment of the gentleman from Wisconsin (Mr. OBEY) and would have funded this at the requested level if I could under our allocation. I will work with the gentleman to achieve the funding level in conference if we have sufficient allocation at that time. However, I regret that at the appropriate time I will have to press the point of order.

1815

Mr. GEJDENSON. Mr. Chairman, I move to strike the requisite number of words.

One of the great things about the experiment that we live in this great democracy is as we provide more protection for those who have the least in society, we actually improve the living standard of every American. When we look to these developing nations, one of the economic systems that is in play is as more and more children work, and not in family farms as I did and so many others did growing up, not in a family loom or a small family business but often in the worst kind of conditions, chemicals endangering their future development and growth, hazardous materials that may bring their lives to an early end. Beyond even those dangers to these children that are put before some of the greatest dangers that are out there in the industrial world, it also deprives their families, their fathers and mothers of a living wage. Because a society that has dozens and dozens and hundreds and thousands of small children working means there is a surplus of labor. And so at the end of the day not only are

the children deprived of an education, deprived of an opportunity to grow up not protected from these hazardous chemicals but the child's parents then earn not enough to survive.

This small program here would help us to do what we need to do globally. If we do not want to see the kinds of crises develop across Asia and Africa as we have seen so often before, we have to lift these societies. A majority of the people in this Congress voted to give China PNTR without dealing with the environment, without dealing with labor issues. We were precluded from bringing those issues to the debate.

Here is an opportunity to take a small step to provide some basic protection for children. We all come to the floor with speeches, we are pro family, we are for children. How about these children? How about making sure we have the resources to give their parents an even break, to give our workers an even break, and to give these children a chance to grow up and live a healthy life? If they are working when they are 5 and 6 years old in these factories, they are not going to get an education; and these societies are not going to move forward. It is bad for us, it is bad for them, it dooms them.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding. I find it ironic to consider how this bill has been handled today. We started out to deal with this bill this morning to try to provide Federal funding for education and health and job training programs.

And then this bill was knocked off the floor for 2 hours while the majority party brought to the floor the rule that will allow them to consider their tax bill tomorrow. Their tax bill tomorrow will effectively eliminate the estate tax. In some cases that may be justified. But the way they brought it to the floor means that there will be some people who strike it rich, make huge amounts of money and are never taxed once on any of that money, while working people are taxed on every dollar they earn in the workplace every day.

The eventual revenue lost to the treasury will be about $50 billion a year that will go into the pockets of Mr. Money Bags in this society. That is enough to provide health coverage for every single American who does not have it. But when you raise that possibility, they say, ''Oh, no, socialized medicine.'' And so forget it, we will not try that.

''At least,'' we say, ''what about the poorest wretches on this planet?'' Will you give them something other than a few conscience pennies, the way John D. Rockefeller used to give kids dimes? Will you do something real that improves their lives and protects the working standards and the living standards of American wage earners at the same time? The choice is whether you believe in putting the money here or whether you believe in putting it in places it will help those kids.

Mr. GEJDENSON. Reclaiming my time, I think the gentleman makes an important point. The difference between providing a break for family farmers and small businesses which I think the Democrats believe in, although Mr. Gates was dealt a blow yesterday by the courts, I think economically he is okay and we do not need to give him a tax shelter at some point when he leaves it to his children. They will be fine as well. We ought to make sure we have the resources to provide the health care and education of this country and to also take a few small steps to bring others in this planet up just a little bit. I thank the gentleman for his efforts here and in so many other places.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is very, very important and I think legitimate debate to see the differences between two opinions and to do that in a legitimate way without casting aspersions. First of all, I do not want Hoss and Little Joe to have to sell the Ponderosa. I saw a movie. It was about a lady that emigrated, that had a child out of wedlock, she worked in a sweatshop back in the teens. She sold jelly, she sold everything she could for 5 years and finally saved some pennies and finally when she was able to bake cakes and things, she bought a little shack and started a store. The bottom line was she ended up with one of the largest department stores in New York. A true story. That is the American dream. I do not want that gentlewoman to have to give back 55 percent of everything she owns. I support that gentlewoman and the work and the taxes that she paid.

Mr. Speaker, I want to tell the gentleman the differences of opinion. For 30 years, the Democrats had control of this House. Did we have a balanced budget? No. Did we have tax increases? Yes. In 1993 when my colleagues on the other side of the aisle controlled the House, the White House and the Senate, they wanted what they called was tax breaks for the middle class. But yet they gave us the highest tax increase in history. They increased the tax on Social Security. They increased the tax on the middle class. And they increased again the tax on Social Security.

They increased the gas tax. And did it go into the transportation fund? No. It went into the general fund so that they could spend more money on socialized programs. And then they took every dime out of the Social Security trust fund and spent that. In doing so they drove this country into debt.

Now, the Republicans, when we took the majority, we balanced the budget. Many of my colleagues on the other side opposed that because it took the ability to spend money away. We had welfare reform. Many of my colleagues on the other side opposed that, because it took their ability to rain money down, but yet I think when you talk about the American dream, I look at the children that now see their parents coming home with a paycheck instead of a welfare check. Is there reason to look at the help that welfare people need? Yes. But 20 years, average, on welfare is wrong. Yet they wanted to keep dumping money into those programs time after time like in this bill.

Education, when they had control for 30 years, take a look at what we started with. Schools, construction, falling down. We are last in math and science of all the industrialized nations. We have got less than 48 cents out of the Federal dollar to the classroom. Programs like title I spent trillions of dollars in education but was there any accountability? No, just more money, more money.

And we had more and more programs. Was this mean spirited? No. You had somebody that wanted a new program, but what happened was they spread it out so much that none of the programs, Head Start, IDEA, any of them got the funding they needed because everybody wanted a new program. But yet to get that, they had to keep taxing to pay for these new programs.

Any tax cut we offer, they are going to fight. The mantra, and I think some of their constituencies actually believe it is only tax breaks for the rich. They say it over and over and over again. But the bottom line is they will not support any tax relief because it takes the power away from government, which they truly and legitimately believe does a better job. We disagree with that. I think that is a legitimate fact.

We saved and locked up Social Security into a lockbox. That also prevented them from spending more money in bills like this, because we operate under a balanced budget and do not increase taxes like the President's budget did every time. We do not raid the Social Security trust fund, but we operate within the rules that the gentleman from Illinois (Mr. PORTER) has to operate under and classify these different programs. My colleagues want to keep spending above those amounts. That is a difference, ladies and gentlemen.

Mr. PORTER. Mr. Chairman, I continue to reserve my point of order.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

I find it interesting when we are talking about a program to try and provide technical assistance to some of the poorest nations and some of the poorest people on Earth that the gentleman would come down and make a case for giving 2 percent of the richest people maybe on the face of the Earth a tax cut worth almost $400 billion. But that is why we do not have the money to deal with this program, because they have already made their decisions.

It is not the gentleman from Illinois' (Mr. PORTER) problem. His problem is the money that the leadership gave him because they took most of the money for their tax cuts, tax cuts that have been rejected by the American public time and again because the American public understands there is an agenda that has to be dealt with by this Congress and by this Nation of securing Social Security, securing Medicare and paying down the debt, taking care of the education of our children. But they refuse to do that. So this appropriation bill comes to the floor with inadequate resources.

Let us talk a little bit about the gentleman's amendment. This is an effort to continue to provide technical assistance to the ILO against child labor. These are efforts that have been successful. The gentleman talked about the effort in the soccer ball where before young children were given soccer balls to sew because theoretically they had flexible small hands and they could sew those soccer balls. They did it until such time as their hands were crippled. Then they were released from those jobs. They could not really go to work, and they had never been to school.

Led by the Secretary of Labor, Senator HARKIN, myself, and others, we brought the manufacturers of soccer balls together along with the ILO, along with various countries and those manufacturing processes were brought in-house. They were brought in-house and adults were given those jobs and children were sent to school and schools were built so that children could participate in an education and their parents could earn enough money.

Now when American children play soccer in this country, they know that the soccer balls are not made by the misery of child labor in foreign countries. That model can be replicated and is being replicated time and again, but it needs assistance to do that. That was part of the debate about globalization that we went through last week, about whether or not American workers are going to have to compete against these kinds of unfair labor practices and whether or not it is just enough for America to say send us anything as long as you can keep the costs down and you do it through human misery.

That is not what the American people want. They have said time and again they want child labor reduced, they do not want to buy articles of clothing, sporting goods, and other commodities that are made with child labor. This is an effort. The administration made the request, and the request could not be met. Not because this committee did not want to do it, because the priorities were set earlier in the year with the $1 trillion tax cut.

What we are going to see time and again is appropriations bills come to this floor, the priorities of this Nation are not being met because of that tax cut. The interruption that took place earlier today to report the rule for the repeal of the estate tax is just part of that package. They could not pass the whole package, so now they are going to separate it into pieces. But that is going to address 2 percent of the wealthiest people in this country.

It is going to cost us almost $400 billion over 10 years, and it is very hard to do justice if you do not have the money to try to help people who are far less fortunate than we are so that they can have a good life for their families, their children can go to school, and they can start to aspire to the same kind of dreams that we want for our children.

I thank the gentleman for offering the amendment.

1830

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a sub-allocation of budget totals for fiscal year 2001 on June 7, 2000, House report 106–656. This amendment would provide new budget authority in excess of the subcommittee's sub-allocation made under section 302(b) and is not permitted under section 302(f) of the act. I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman from Wisconsin (Mr. OBEY) wish to be heard on the point of order against his amendment?

Mr. OBEY. Yes, I do, Mr. Chairman. I would simply say that given the fact that the rule under which this bill is being considered guarantees that at all costs that tax breaks for the wealthiest 1 percent of people in this society will come before the needs of everybody else, I reluctantly agree that because of that rule, the gentleman is technically correct, and the amendment, while correct and just, is not in order under the Rules of the House.

The CHAIRMAN. The Chair is authoritatively guided by the estimate of the Committee on the Budget, pursuant to section 312(a) of the Budget Act, that an amendment providing a net increase in new discretionary budget authority greater than $1 million would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentleman from Wisconsin (Mr. OBEY), on its face, proposes to increase the level of new discretionary budget authority in the bill by greater than $1 million. As such, the amendment would violate section 302(f) of the Budget Act.

The point of order is sustained, and the amendment is not in order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed $184,341,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2001. To carry out the Stewart B. McKinney Homeless Assistance Act and section 168 of the Workforce Investment Act of 1998, $16,936,000, of which $7,300,000 shall be available for obligation for the period July 1, 2001, through June 30, 2002.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $48,095,000, together with not to exceed $3,830,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 103. None of the funds made available in this Act may be used by the Occupational Safety and Health Administration to promulgate, issue, implement, administer, or enforce any proposed, temporary, or final standard on ergonomic protection.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Page 19, strike lines 15 through 19 (section 103).

Mr. TRAFICANT. Mr. Chairman, section 103 reads, ''None of the funds made available in this act may be used by the Occupational Safety and Health Administration to promulgate, issue, implement, administer, or enforce any proposed temporary or final standard on ergonomic protection.''

The Traficant-Weldon amendment would simply strike the provision, and it would prevent OSHA from going forward with its proposed rule, requiring employers to come up with basic programs to prevent repetitive motion injuries.

Last August the House passed H.R. 987, the Workplace Preservation Act, to have OSHA wait until another study is complete to implement the standards. For the record, I voted against the bill. Now, this bill overrides the wait provision and tells OSHA that it cannot set those standards.

We have many American workers, and I know what the complaints are, that some of these workers are taking advantage in the workplace of some of these musculoskeletal problems where, through repetitive work in industry, they develop these musculoskeletal problems and muscular problems that prevent them from working.

By striking the language, very simply, we would affect, in my opinion, 650,000 workers in the positive. We have an opportunity to pass a very straightforward amendment. Some employers have had experience with these programs in meat packing, foot wear facilities that have seen significant reductions in these disorders, and I think today we should guarantee that other industries and employers see the same reduction in injuries and see fewer missed days of work.

It does not seem like a tough job being a cashier, or nurses in nursing homes, or court reporters who sit with their fingers constantly moving and their hands subject to, over a period of years, much wear and tear, and that is not even getting to the point of those workers in manufacturing and assembly plants who, on a very repetitive motion, are bringing about certain heavy industrial tools and machinery.

So without a doubt, I think in the best interest, certainly to serve the working community, and I think in the best interest of Congress, I think we should strike section 103. I think it is the right thing to do. By doing so, I think we would help many American workers.

Mrs. NORTHUP. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I recognize and agree with the concerns of the gentleman from Ohio (Mr. TRAFICANT) who is offering this amendment. I believe that we are all worried about healthy workers, about workers who are important to this economy, they are important to their families, their income is important to their community and their family. This is an issue that is very important.

The problem is that the Department of Labor has been absolutely tone deaf in developing this rule. They have had all of these years they have been talking about to develop a rule. There are many people that wish to come to the table and work on this issue. The fact is, in workplaces all across America we have employers, we have cities, we have States, we have hospitals, nursing homes, teachers, every single place across this country, people are looking for workers. It is in all of our best interests to keep our workers healthy and on the job.

But the fact is that the Department of Labor has written a rule that is absolutely unacceptable. It does not at all bring all of the people concerned about this to the table and help work out a reasonable rule. It has put all of the costs on the employer, and it is not just businesses that are terribly concerned about this, it is schools; the school districts are talking about being absolutely unable to comply because of the cost. Nursing homes, hospitals, States, cities, the League of Cities. We all know that is not some conservative organization. They are saying that this rule is written in a way that they simply could not, could not comply with this.

Mr. Chairman, it threatens the solvency of our workers' compensation program because it overrides current workers compensation programs that have worked so well in our States; and instead it provides an extraordinary level of reimbursement for our workers who would need time off because of repetitive motion injuries.

The problem here is one of fairness. It is simply not fair to have two workers that work side by side, one that is truly injured, completely and totally on the job, to get one level of reimbursement and a worker who is off because of a repetitive motion that may be partly his job, partly what he does outside of his job, partly what happened before he came to this workplace, getting an extraordinary level of benefits. It places all of the responsibility on the employer. It has no regard to preexisting condition or what is done outside.

The fact is, Mr. Chairman, we need to work on ergonomics rules in total. What ergonomics are, are people that start to have injuries. Those of us over 50 probably do not have a friend that does not have an elbow, a shoulder, a neck, a backache, something that is a repetitive motion problem. Is it exacerbated in the workplace? Sometimes it is. So that is a component of it. But it also may be aggravated by what happens outside of the workplace.

So what this rule does not do is recognize the outside of the workplace being part of the cause and what has to be addressed.

In truth, what this bill does is chase our best jobs out of this country. It begins to make Mexico and Canada look like great places to put one's next plant or any expansion that one does, so that one can have a reasonable workplace where one can work with one's workers, work to address their concerns, and not absorb enormous costs that are open-ended. It discriminates against older workers, because I hate to say, it does not take long for somebody to figure out that somebody like me in my 50s is more likely to have a joint or a backache or a carpal tunnel problem than it is for a 24-year-old. So if one is an employer and one knows that they have to keep spending money until this person's problem goes away, one can figure out that it is better to hire 23-year-olds than it is 53-year-olds.

The gentleman from Ohio (Mr. TRAFICANT) is exactly right. Companies are spending millions of dollars right now. They are doing everything they possibly can to reengineer the workplace, to trade and rotate jobs, to address their employees' needs. But it makes no sense to enact a rule or to let the Department of Labor go on with a rule that is so one-sided and does not really bring us solutions.

In closing, Mr. Chairman, I would like to point out that there is one workplace that the OSHA rule would not apply, and that is the one workplace that the Federal Government has total control over. Federal employees would not be covered by this rule. It is not enforceable in Federal workplaces, and so they would be the one group that would be exempted.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to join with the gentleman from Ohio (Mr. TRAFICANT), my friend and colleague, in offering this amendment and rise to express my concerns about the status of some of America's workers. I agree with the gentlewoman that we should have a great deal of concern about jobs going away from America. In fact, that is why I opposed NAFTA. I think if we look at the results of the implications of NAFTA, we would find that many of America's manufacturing jobs have, in fact, gone to Mexico and Canada and have left the U.S.

But I want to talk about this issue in particular, and I do not rise in a vacuum. Mr. Chairman, before coming to Congress, I was an educator, and one of the assignments that I had as an educator was to run the corporate training department for a very large insurance company, the Insurance Company of North America, which later became known as the Cigna Corporation. My job at that corporation was to train their workers' comp specialists, and we had some 700 of them that worked with companies across the country.

Mr. Chairman, during that experience, what I saw time and time again among our insureds were examples of workers suffering from carpal tunnel syndrome and suffering from problems associated with workplaces that were not properly considering the atmosphere of the worker, the conditions of the worker, the ergonomics of the workplace environment.

Now, the rightful response by industry should have been, and in some cases has been, an effort to redesign the workplace, to make the job more conducive to the human body. Unfortunately, that has not always occurred.

What OSHA has proposed to do is to set up some standards that, in fact, would allow that to happen. We can argue for and against the fairness, but I think the bottom line in my opinion is we have to very strongly say as a Congress that this issue of ergonomics must be addressed, and I think it is appropriate that it be addressed and supported by Members of both sides of the aisle.

1845

If we look at the history of this issue in both the House and Senate, there have been a number of hearings on ergonomics and on the issues associated with it.

In fact, it is interesting to me, Mr. Chairman, that in the fiscal year 1998 Labor-HHS appropriations bill, OSHA

was prohibited from funding the implementation of the ergonomics rule during that fiscal year. In the accompanying report, however, the committee specifically stated, ''The committee will refrain from any further restrictions with regard to the development, promulgation of issuance, or issuance of an ergonomics standard following fiscal year 1998.''

So here we had in the 1998 bill language that basically said we would not move to restrict these kinds of guidelines in the future. There is a feeling there have been enough studies on the subject, Mr. Chairman, including a 1998 study by the Academy of Sciences, a critical review by the National Institute for Occupational Safety and Health, and over 2,000 scientific articles on ergonomics. It is a major problem and is causing severe problems for our constituents across the country.

In fact, Mr. Chairman, in August of 1999, the full House passed H.R. 987, which would deny funding for the ergonomics rule until the National Academy of Sciences completed its study on the proposal. This bill basically precludes the need to take the action that is included in this appropriation measure.

In fact, the most interesting part of this whole debate, Mr. Chairman, is where this idea first originated for an ergonomics standard. It did not originate under Bill Clinton. An ergonomics standard within OSHA was first proposed by Labor Secretary Libby Dole under the Bush administration. Granted, it may not be the standard we are looking at today, but the idea of moving toward an ergonomic standard is one based in the tradition of both parties.

For these reasons, Mr. Chairman, I stand in favor of this amendment. I ask my colleagues to look at it and support it in an effort to find support on this legislation, to show the workers of America that we are going to do more than give lip service to the concerns related to carpal tunnel syndrome and other similar workplace problems associated with the problem of ergonomics.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not question the sincerity of any Member of this House, but it is well known that all day the majority party leadership has been looking for a sponsor for this amendment. I doubt that it is because they have experienced a recent Damascus conversion which now suddenly makes them passionate defenders of worker health and safety issues.

I think it might be legitimate to ask the question whether or not there are a number of Republican moderates in the House who are worried about having to cast a vote for this bill in the end because it cuts education from the President's request by $3 billion, it cuts the President's request on health care by well over $1 billion, and it cuts support for worker protection and worker training programs by almost $2 billion.

So I think it is fair to ask whether some of those moderates would not feel more comfortable if they had a little political cover by being able to vote for an amendment like this. Perhaps it might make it easier for some folks to vote against the interests of workers by voting for this bill on final passage with the deep cuts that it provides in programs that help workers.

I also find it interesting that this vote occurs just 2 weeks after the China trade vote. I would ask myself the question whether or not we do not also have some Members who might be interested in trying to climb back into the good graces of labor by having an opportunity to vote on this amendment after they voted for the China trade bill a few weeks ago. I do not know, but I think a reasonable observer might come into the House and ask that question.

Having said that, let me say, of course this amendment should pass. OSHA has been trying to develop a rule to protect workers from repetitive motion injury for over 10 years. For 5 of those years they have been blocked by the Congress of the United States. In my view, that has been a sometimes scurrilous action taken by this body.

I would note that at my insistence the committee 2 years ago contained the following language in its report: ''The committee will refrain from any further restriction with regard to the development, promulgation, or issuance of an ergonomics standard following fiscal year 1998.''

Despite the committee's declaration in writing, this committee chose to insert the language of the Northup amendment, which abrogated the agreement that the committee had announced to the country and the House.

So of course this amendment should pass. But I do not believe American workers are going to be fooled. I do not believe that a vote for this amendment, followed by a vote for this bill, will be seen by American workers as doing them any favors. I think it will be seen for exactly what it is.

Mr. BONILLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment is a defining moment and offers the opportunity for all of us in this body to actually show the American people whose side we are on.

There are many of us who came to this body to fight for what we believe is the driving engine of America's economy, the small business out there, providing 80 to 85 percent of all jobs in America; people who work hard, people who are fighting for raises, for better benefits, for higher-paying jobs in their community, expanding the opportunity for jobs for people across the country.

I believe that is what we should be doing here every day we come to work, because America has risen to great heights historically because of private sector growth.

On the other side, we have OSHA bureaucrats and power-hungry union leaders who are trying desperately to implement an ergonomics rule that would put a noose around the neck of many employers in this country.

This is an issue quite frankly that many Members have been struggling with for many years. I would ask rhetorically for Members of both sides of the aisle, when is the last time they had a town meeting and they had people stand up and say, my goodness, Congressman, we really need that OSHA ergonomics rule to be implemented as quickly as possible?

I happen to represent an area that is very independent-minded, not necessarily a Republican or Democrat district, and I have not had one piece of mail, not one phone call, not one question at a town meeting where someone said, please, we need this regulation at our workplace.

This is strictly driven by bureaucracy, bureaucrats at OSHA, and driven by power-hungry union leaders who are desperate to get a greater grip on the private sector of this country.

On the side we are fighting for, we do have the small business community. We have small manufacturers, we have farmers, we have ranchers, we have hospitals, we have all of the folks out there who are working hard every day to make a living. It is mind-boggling to me that anyone could find even any gray on this issue at all.

There is no science, there is no medical research that has conclusively shown that this regulation is necessary. In spite of what a lot of people up here who love big government like to say, believe it or not, the private sector is doing a lot to improve the work environment when it comes to dealing with repetitive stress injuries in the workplace.

Grocery store chains, insurance companies, computer manufacturers, all of those that are creating this tremendous economic growth have dealt with this issue in the workplace privately, and it is working. Let us all review the statistics that OSHA has even been presenting over the last few years: Workplace injuries are down consistently over the last decade. There is a lot being done out there to improve the work environment for workers.

Again, this is something that is going to have a high price tag, as well. Those who are trying to rush this rule into place have not acknowledged, for example, that for each particular industry, for whatever it may be, the cost of implementing it could run into the billions of dollars. In some industries the cost will be upwards of $20 billion.

The Post Office is even against this. So if Members cannot find that they can identify with small business in America, if they cannot identify with the farmers and ranchers and the doctors and the hospitals, maybe they can identify with the Post Office, because they are against it, as well. Or maybe they can identify it with the former OSHA director, who is also against this regulation.

I asked a question recently in a hearing about this issue to the director of OSHA, the head of OSHA, of how, because of the vagueness of the way the rule is written, how would an employer even know they are in compliance, because there is tremendous vagueness in the rule? That is the problem with one-size-fits-all rules. They are written for dance studios, bakeries, restaurants, and farms and ranches. We cannot possibly apply a single rule like that, where everyone can fit in a particular category and say, yes, we are in compliance.

The director of OSHA said, do not worry, we will let the employers know when they are in compliance, which means that this will give the Federal bureaucracy at OSHA a tremendous latitude in determining when employers are in compliance.

This has the ability, Mr. Chairman, all across the board in America, again, whether it is an auto parts store, a customs broker office, a doctors office, a restaurant, a small manufacturing company, the cost of mailing a letter, all of this is going to increase, could increase greatly in cost for consumers out there if this rule is implemented the way it has been written.

I would just strongly encourage all of my colleagues to look at whose side they are on on this issue. There is no gray. They are either on the side of the salt of the Earth economic engine that drives this country, the small business sector, or they are on the side of the power hungry union leaders who are trying to implement this.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that on this amendment, debate be limited to 30 additional minutes, to be divided 7½ minutes to the gentleman from Pennsylvania (Mr. TRAFICANT), 7½ minutes to the gentlewoman from Kentucky (Mrs. NORTHUP), 7½ minutes to the gentleman from Wisconsin (Mr. OBEY), and 7½ to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. TRAFICANT. Reserving the right to object, Mr. Chairman, I would ask, what was that? I did not hear that.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would tell the gentleman, I asked unanimous consent that we limit further debate on this amendment to 30 minutes, to be divided four ways, 7½ to the gentleman from Ohio (Mr. TRAFICANT), 7½ to the gentlewoman from Kentucky (Mrs. NORTHUP), 7½ to the gentleman from Wisconsin (Mr. OBEY), and 7½ to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. GEORGE MILLER of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment, which would safeguard America's working women and America's working family. That is whose side we are on in this debate.

Mr. Chairman, this is a $60 billion national problem that affects 650,000 workers each year. Ergonomic health disorders afflict female occupations, including nursing aides, orderlies, attendants, registered nurses, cashiers, and maids.

Women suffer disproportionately. While ergonomic hazards produce 34 percent of all workplace injuries and illnesses, they cause nearly one-half of these among women. Although women comprise 46 percent of the work force and 33 percent of the injured workers, women represent 63 percent of repetitive motion syndrome, including 69 percent of lost work time cases resulting from carpal tunnel syndrome.

Congress' fight to protect workers' health and safety has been a long one. In 1996, I had an amendment on the floor which we won in a Republican Congress, which we won almost unanimous support from the Democratic side, a few votes on the Republican side.

What this language in the legislation before us does, this is an obstruction to the implementation of that 1996 amendment. What the amendment of the gentlemen from Pennsylvania, Mr. Weldon and Mr. Traficant, would do is to strike that language.

This is very constructive. I hope our colleagues will support the Department of Labor's ergonomic standards and oppose all delaying amendments, including the language in this bill, and support Weldon-Traficant.

Mr. Chairman, the scientific evidence supports OSHA's standard. The National Academy of Sciences, the National Institute of Occupational Health and Safety, the American Public Health Association, and many other scientific and public health organizations have already concluded that workplace risk factors contribute to health problems, and ergonomics programs reduce this risk. That is whose side we are on, the National Academy of Sciences.

1900

The National Academy of Sciences 1998 study on ergonomics reported that risk factors at work cause musculoskeletal disorders and these are preventable. The National Institute of Occupational Safety and Health 1997 peer review analysis of more than 600 prior reported reliable evidence that job-related heavy physical work contributes to workplace injuries and illnesses.

Employer ergonomic programs are effective. Many very responsible businesses, large, medium, and small, in this country have decreased their recordable cases in worker compensation costs because they have invested in ergonomic programs and they have recouped the costs of implementing their program. This evidence is available from companies as diverse as Minnesota-based 3M with nearly 40,000 employees, to North Carolina's Charleston Forge with only 150 workers.

OSHA's ergonomic standard is sensible, limited in scope, and based on success. Prior Congresses have voted in support of it. In 1996, as I mentioned, 1997, and 1998 Congress specifically agreed not to delay OSHA from finalizing an ergonomic standard. This language in the bill before us today would violate these standards.

And as I said earlier, women are disproportionately affected by ergonomic injuries, and I talked about their percentage in the workforce, and the disproportionate impact on women and days lost.

I do want to say, because the question was asked whose side are we on. We are on the side of America's working families. We are on the side of the National Academy of Sciences. We are on the sides of responsible business large, small, and moderate-size businesses in our counties who have taken the initiative.

I stand here with the American Association of Occupational Health Nurses, the American College of Occupational and Environmental Medicine, the prior GOP Labor Secretaries, in support of OSHA's effort to finalize its ergonomic standard.

Nearly 20 years ago, in April, 1979, OSHA hired its first ergonomist. Nearly a decade ago, in 1990, Labor Secretary Elizabeth Dole said, by reducing repetitive motion injuries, we will increase both the safety and the productivity of America's workforce.

Secretary Dole said, I have no higher priority than accomplishing just that. And so 10 years ago, Elizabeth Dole was right. Let us not wait another day to protect America's working women, America's working families.

Mr. Chairman, I urge a ''yes'' vote on this amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong opposition to the amendment offered by my colleague, the gentleman from Ohio (Mr. TRAFICANT), which will allow OSHA to rush forward with its flawed ergonomics rulemaking. I strongly support the provision in the underlying bill sponsored by my colleague, the gentlewoman from Kentucky (Mrs. NORTHUP), prohibiting OSHA from finalizing its risky ergonomics rule which is not based on good science.

For more than 2 years, the Committee on Education and the Workforce has expressed concerns to OSHA about the lack of a scientific basis for an ergonomic standard through hearings and through letters to the Department of Labor.

Last year, the House approved the bill, which would require OSHA to wait for the results of the congressionally funded National Academy of Sciences study and ergonomics, a million dollar study I might mention. The Northup language ensures that OSHA will abide

by the provisions of H.R. 987 passed by the House last year.

Despite the significant scientific and economic questions about ergonomics in the workplace, OSHA continues to plow ahead, and the result of this can only be an arbitrary, unfair, and expensive mandate without the scientific knowledge to get it right.

The health and safety of American workers is certainly a top priority of all Members of Congress. Nevertheless, it is important that Congress not stand idly by while a regulation is rushed through that is not based on sound science.

I would like to thank the gentlewoman from Kentucky (Mrs. NORTHUP) for recognizing the importance of Congress' oversight role. The gentlewoman has genuine concern for the health and safety of workers. Despite loud and misguided opposition, she has had the fortitude to focus attention on the genuine and legitimate concerns with the ergonomics proposal.

Mr. Chairman, I would urge my colleagues to oppose this amendment and to support a 1-year freeze. If we really want to help workers, then we need the results of an independent scientific study, let us get it right.

Mr. Chairman, I yield to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Chairman, I just want to respond to the previous speaker and say we are all concerned about workers' safety. We all want workers to be able to prevent injury, but the Labor cabinet has not brought us anything that will help us do that, instead they bring us a one-sided rule. It does not include any collaborative effort, and it does not include any employee/employer partnership, which is what all of worker health is about.

I would like to tell my colleagues that right here is a response to a request where the Labor cabinet paid 28 people $10,000 to organize and to present testimony in their behalf. The people that oppose the rule that talked about the obstacles and the difficulties in complying came on their own behalf, as citizens, as individuals, as the private sector, to say, hey, listen to us, we want what you want, please, work with us.

The Labor cabinet paid 28 people $10,000 apiece to come and testify and enter into the record information to bolster their side. They had to pay people to support their position. So I think that what we see here is people who want to come to the table. They want to work with OSHA. They want best practice guidance.

They want an idea of how they can look to best remedy their employee's problems, but what they do not want is a bang-you-over-the-head elephant-in-a-china-shop approach of a big government bureaucracy that will do nothing but cost them money and not give them any good guidance on how to achieve what they very much want to achieve.

Ms. DELAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just wonder if my colleague from Kentucky (Mrs. NORTHUP) knows what the average salary is of the lawyers who sit at the table who represent the big business industries, that have in the past been opposed to trying to do something to protect the safety of working men and women in this country.

The story of ergonomics is one of unending scientific study in the support of ergonomics and unyielding and baseless delaying tactics on the part of ergonomics opponents. We have had an 8-year ordeal of exhaustive scientific study that supports the science of ergonomics as, in fact, a way to protect workers and to save America's businesses money.

For each year of delay, another 1.8 million U.S. workers experience a work-related musculoskeletal disorder. The Department of Labor estimates that the ergonomics rule would prevent about 300,000 injuries per year, save $9 billion in workers' compensation and related costs, about one-third of general industry work sites should be covered by the rule, protecting 27 million workers.

Fewer than 30 percent of general industry employers currently have effective ergonomics programs, and it is probably because of the high-priced lawyers that they have hired to keep this rule from being promulgated. About a third of the industries, or over 600,000 incidents, are serious enough to require time off from work and cost businesses 50 to $20 billion in workers' compensation.

According to the Bureau of Labor Statistics, 34 percent of all lost workday injuries are related to ergonomic injuries.

When my colleague introduced this rider into the bill, it was said that this was a limitation and not a rider. I said at that time and I say, again, you can dress up a pig, you can put lipstick on it, you can call it Monique, but it is still a pig. This is a rider.

This is a continued delaying tactic in this legislation. The National Academy of Sciences concluded in 1998 that ergonomic industries are directly related to work, that higher on-the-job physical stress leads to more ergonomic injuries, that most people face their greatest exposure to physical stress at work. Interventions that reduce physical stress on the job reduce the risk of injury.

Since the process was begun during the Bush administration, over 1,000 witnesses have testified, more than 7,000 written comments have been submitted. OSHA has included 1,400 studies in the ergonomics rulemaking record. Science supports ergonomics. It protects worker health in this country. It will save American businesses billions of dollars.

Why then do they want to continue to delay? Why do we want to do that? Let us support the amendment of the gentleman from Ohio (Mr. TRAFICANT). Let us move ahead with an ergonomics rule, so, in fact, what we can do is to do what we are sent here to do and not to do harm, but, in fact, to protect working men and women in this country.

Mr. BLUNT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are here again talking about this topic that has been pointed out by many of my colleagues, has been discussed many times in this Congress. In fact, last year, we had a debate on the floor of the House, not 1996, not 1997, not 1998, but in 1999, to wait until the study by the National Academy of Sciences that had just been started was completed until OSHA moved forward with this regulation.

The House passed that legislation and said that is what we would like to do. OSHA started that study, a year ago, about the time that this provision would be exhausted, that we get to the end of the fiscal year, that this provision would make it impossible for OSHA to implement these ergonomics regulations, that study will be completed, there will have then 90 days to look at it. And, in fact, if you ask most Americans, if it made sense to spend a million dollars on a study and then look at it before you move forward with regulations, they would say it did.

The last National Academy of Sciences effort on this may have been exhaustive, but if I have read it right, it was over a long weekend. And the last recommendation in that exhaustive National Academy of Sciences study was this needs more study. When we had hearings last year on the bill where we talked about waiting for the National Academy of Sciences study, the past two presidents of the American College of Hand Surgery, many others who work in this area came in and said we are not ready yet to fully understand the causes or the treatments for these injuries.

At the same time, it has been pointed out by others of my colleagues that the American workforce as fully employed as it has been in a long time is a valued workforce, that we have seen without this regulation ergonomics-related injuries declining every single year during this time that it has been said that the Congress is stretching out rushing to these standards.

It is like OSHA's contention that every year that OSHA has been in existence that fatalities at the workplace have declined; that is true. It is also true that they were declining faster in the 20 years before OSHA went into existence. You can prove anything you want to with figures, but the one figure that is undeniable here is that workplace injuries are declining without these standards. These standards will benefit from scientific study, this amendment added to the bill by the gentlewoman from Kentucky (Mrs. NORTHUP) would give us the time we need for these studies to be completed,

for us to not rush to judgment on issues that really, I think, cost Americans their jobs, moves American companies to that final decision to make a capital investment instead of an investment in people.

If Federal bureaucrats are going to mess with the jobs of working Americans, they should do that with great extreme caution. They should do that based on sound science. This prohibition to implementing the ergonomic standards gives us a chance to look at that sound science.

I urge my colleagues to defeat this striking amendment, to move forward with this prohibition and to do the right thing for American workers.

1915

Mr. NETHERCUTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, what puzzles me a little bit about this objection to the provision that is in the appropriations bill before us today is that it ignores the work that States are doing on ergonomics.

My State of Washington has worked for sometime with employers and others to develop ergonomic standards that are different than those that are part of the Federal standards or proposed to be the Federal standards.

So what this does is put employers and employees in a dilemma in States like Washington State concerned that they want to comply with the State standard but also concerned that they will have to comply with the Federal standard that may be different.

So I think we ought to be cautious in this whole effort to rush to judgment with respect to a Federal standard that will employ Federal employees to do Federal inspections that will put different burdens on people in States that are also facing the very real prospect of having State officials that the case of my State the Washington State Department of Labor and Industries also involved in inspections and oversight with respect to worker injuries.

It is a given, I think, Mr. Chairman, that all of us want to make sure that our workers are protected and that they are not injured in the workplace. That is not in the best interest of employees; it is not in the best interest of employers. But to have this duplicate standard and the idea that the Federal standard is the only standard that is valuable is wrong.

We do it, not only in OSHA, but we do it in other agencies as well where we have this sense that the Federal standard and the Federal Government is the only vehicle by which we can have fair and free and operating standards that affects citizens in our respective States.

So I would just say my colleagues, Mr. Chairman, that I respect the proponents of this amendment; but I think that it is not the right amendment. I am going to vote against it and support the bill as it came out of the full committee with the idea that let us let States take leads on this as well, in particular, take leads that are not going to burden onerously the employers and the employees of our respective States and our respected businesses who are working so hard to make this engine of our economy move forward.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in very strong support of this amendment. They have dragged out every phrase that is designed to scare the American people that the big Federal Government is rushing into promulgating this rule. Only to the Republicans would 10 years be a rush. Only to the Republicans would it be irresponsible to try to cover people who every day are getting crippled and losing job opportunities and losing compensation ability to support their families by a well thought-out rule.

Only the Republicans would think that it is new science to have a report that reviews the existing science. There is no new science in this report. This is a review of literature as mandated by this Congress. But year after year, they have tried to delay this rule; and they have been successful in doing so.

For those who say, well, we want our States to do it, what happens if one lives in a State that does not want to do it? I must say there is a lot of room for one's States to do whatever they want to do and a lot of room for one's employers to do whatever they want to do, because only 30 percent of the people working in general industry have any kind of effective program at all.

Our committee in the Subcommittee on Labor, Health and Human Services and Education, they were suggesting they really did not see this. This was not a real injury. This was a fiction. I guess they do not go to the supermarket and they do not see the checkers who are wearing arm braces and wrist braces. They do not see the flight attendants who are wearing wrist braces. Maybe they do not go to Home Depot, an employer that has an ergonomics program and people are wearing back braces. They think that is dressing up. That is not a cumberbund; that is a back brace. Why? Because they are insurers and they work together, and they made a determination that they could reduce back injuries.

Maybe the Republicans would recognize ergonomics injuries if we applied it to tennis and golf. Because certainly my colleagues have friends who are wearing arm braces on their left hand as they come through the ball and they have an ergonomics injury or from their forearm smash. Maybe then my colleagues would recognize that as ergonomics.

But those people my colleagues see in the supermarket and the working place, on the construction site and the manufacturing areas, in the steel mills and the auto plants that are wearing those braces that is not for that reason. That is for the reason of repetitive motion.

It is not to be laughed at. It is not to be made fun of. It is not to put people in the place of if they will have a responsible employer, they have protection; if they have an irresponsible employer, they will not have protection.

The fact of the matter is that this rule is very well thought out. This rule is not one size fits all that is supposed to scare one away. It is not one size fits all. It is targeted where 60 percent of the injuries occur, of this kind of injury occur.

It has been vetted. Thousands and thousands of people have commented on it. Seven thousand people I guess have had written comments. A thousand witnesses testified on this. OSHA went beyond the minimum requirements in terms of taking public testimony, and hearing witnesses went far beyond that. Yet, the gentlewoman from the other side would suggest to us that this is a rush, this is a hurry up. There is no such thing.

This is a carefully thought-out rule designed to protect workers in the American workplace. It is a rule designed to save employers billions of dollars in worker compensation costs. It is designed to save employees millions of hours of lost time so they do not lose the wages that they use to support their families and provide for their families. That is what this rule is about.

But every year, the Republicans have been able to stop it. Every year, the Republicans have been able to keep it from going into effect. Many of our colleagues refer to the fact that it was Elizabeth Dole, George Bush's Secretary of Labor, that brought this issue to the forefront and started this process. But that was 10 years ago. In that 10 years' time, hundreds of thousands of Americans have suffered this injury and suffered the loss of work, the loss of opportunity, and the loss of the ability to provide for their families.

That is what is at stake here tonight. That is all that is at stake here tonight is whether or not people will go and they will go into a safer and safer workplace or whether they will be put at the whims of the chicken factories and irresponsible businesses that use people up and then throw them away, people so badly crippled in their hands they cannot take another job if they can no longer do that job. We have seen that. It is time to get rid of it. That is what this rule does, and we should support the Traficant amendment.

Mr. BALLENGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as chairman of the Subcommittee on Workforce Protection, I had firsthand knowledge of the

blatant disrespect that OSHA has shown Congress in the regulatory process in implementing its proposed ergonomic standard. As the gentleman previously said, they took 8 years and they have not changed nothing, allowing only a 60-day comment period, but 30-day extension for an analysis of a 1,200 page regulation. It is absurd. By limiting the total number of days allowed for comment on the proposed regulation to 90 days, OSHA simply told small business that their comments do not count.

In case my colleagues do not know, business decisions are made on the basis of cost, as the gentlewoman from Kentucky (Mrs. NORTHUP) said. Injured employees cannot work. So it is up to the companies' interest, it is in their interest to protect their physical health.

The law says one must have workman's compensation. It is expensive. It is not free. So employers work to protect their employees, they buy forklifts, they build conveyors, all without any government mandates.

OSHA says that the ergonomic standard will only cost $4 billion. That is a wild guess. Business says it could cost $80 billion to $90 billion for a single industry. Industry has two choices: automate the jobs out of existence or move the business out of the country. We need some more accurate ideas as to what it will cost.

In October of 1998, Congress appropriated almost $1 million for a nonpartisan study by the National Academy of Science, NAS, to focus on the relationship between repetitive task and repetitive stress injuries and the validity of ergonomics as a science.

On August 3 of last year, the House passed the Workplace and Preservation Act to prohibit OSHA from issuing a prepared or final rule on workplace ergonomics until after the NAS study is completed in the year 2001.

As we have seen, OSHA believes that it does not have to adhere to the will of Congress or the medical community in seeking to finalize the proposed rule by this fall. They have got a study going, but it is run by NIOSH, which is a division of OSHA. Nothing like examining oneself.

In conclusion, as currently written, the proposed ergonomics rule jeopardizes the jobs and welfare of both employers and employees. Pushing this inaccurate, unscientific proposal in such a short time period is both arrogant and reckless.

I urge my colleagues to reject the Traficant amendment and support the prohibitive language in this bill to stop OSHA from moving forward on an ergonomic standard.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. I also want to oppose the overall bill. It is an anti-family bill overall. This amendment, if passed, would make it a little better but not good enough. This is an anti-working family's bill which takes away very vital parts that are necessary to keep working families afloat.

The job-training section has been gutted. The school construction section, a mere $1.3 billion from school construction has been removed at a time when the public schools, only schools that working families can afford to attend, are being abandoned and in great need of repair.

The National Education Association survey has recently shown that one needs $254 billion just to maintain the infrastructure of public schools across the country at the level to serve the present enrollment, let alone to prepare for future enrollments. Yet we have cut out $1.3 billion of a very modest proposal made by the President in this legislation. So if this amendment does pass, it will be slightly better; but we should still vote against the entire bill because it is against working families.

This is against working families. It is against women in particular, because the philosophy here in opposing ergonomics is that, if an injury does not show blood, if there is no blood and there is no crushed bones, there is no pain. There is no injury. It is a Neanderthal approach to looking at the kinds of things that happen in the workplace.

One does not have to go very far. One does not have to go to a town meeting to find people who are suffering from carpal tunnel syndrome. This place is full of them. We have lots of secretaries, lots of people who do the kind of work that results in carpal tunnel syndrome. Just look around. Do an honest survey. Republicans and Democrats should look around and do an honest survey.

I have one person on my staff right now who has a problem with carpal tunnel syndrome. I had a person 12 years ago who worked on my staff and her hands gave out. She could not type. She had done a lot of typing before electric typewriters came on, before computers. She was ashamed to even complain and thought something was wrong with her. I did not know at that time what the problem was. I clearly identify it right now. It is a very real injury; 600,000 workers a year at minimum suffer from musculoskeletal disorders.

There is a lot of talk about NAS doing another study. I want to emphasize the fact that it is a second study. They are calling for a second study by the National Academy of Sciences. They have done one already. They want it reversed. They want to hold out for it.

The truth of it is the people who have called for this additional study are now showing their true colors in this particular legislation. The opponents had argued before that OSHA should wait for another National Academy of Sciences report before moving forward with the rule. They hope the National Academy of Sciences would change its earlier findings that support the ergonomics rule.

Now they are not willing to wait for the NAS study. They are now saying that the rule should be stopped regardless of a conclusion of a new NAS study. There is kind of a blind ideological opposition to ergonomics. They have changed their tune either because they no longer hope NAS would change its findings or because they never really cared about a respected science in the first place. Backers of this rider are willing to ignore commitments and promises and sound science too.

In 1997, NIOSH completed the most comprehensive review ever conducted of musculoskeletal disorders in the workplace. NIOSH reviewed over 600 epidemiologic studies and concluded there is strong evidence of an association between musculoskeletal disorders and work related disorders to high levels of repetition, forceful exertions, and awkward exposures.

The study was peer reviewed by 27 experts from throughout the country. NAS, as I said before, came to the same conclusion after they conducted their own review.

What we have here is a blind ideological refusal to accept the fact that, in this modern society, there are new kinds of disorders that can be very real and very painful and can rob a person of their ability to earn a living.

I have seen many examples of women who have lost their ability to use their hands. They can no longer type, they can no longer make a living, the only way they knew how to make a living. It is very real. This anti-family bill is particularly harsh for women for that reason.

Construction industries and many of the other standards that have been set by OSHA over the years relate to obvious kinds of injuries. When a person bleeds, when a bone is broken, nobody can quarrel about the fact that that is a real injury. But ergonomics produces very real injuries, also.

1930

Mr. HILL of Montana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this issue of repetitive stress injury and repetitive motion injury is really a serious matter, and it is a very complex problem, and that is one of the reasons I think it has created as much debate as it has. It does have and can have a dramatic impact on the life of workers. But the problem is that it is extraordinarily difficult to separate these injuries that arise at the workplace from normal circumstances that just occur as a consequence of the wear and tear of the aging process. It is also complicated by the fact that workplaces are very complex places; and they are also very dynamic places, with circumstances and conditions changing all the time.

The Labor Department's approach to this problem has been a complicated

set of rules that will literally micromanage every workplace in America. These rules will dictate changes in virtually every office, every dental office, every restaurant, every doctor's office, even those job locations where there is no evidence or any record of any kind of injury or any indication that there has been any threat of injury.

What concerns many of us is that OSHA's approach to workplace safety has not worked. And it is generally not going to work, because if we take a one-size-fits-all set of safety rules and regulations and we try to apply it to these changing and complex workplaces, it does not produce the results that people expect. What these ergonomics rules do is they take what is a failed concept and they take it to its zenith. It will add dramatically to the cost of the operation of every small business in America, and it is going to fail to deliver on the promise of a safer workplace.

There is a better way to do this, and the better way to do this is to focus on outcomes, setting goals, working with employer groups to reduce these kinds of injuries, providing employers with the flexibility that they need to be able to address their specific workplace with solutions to the problem.

Now, how do we know that that is going to work? Because it is working. The safety rates in this country have increased dramatically in instances where employers and workers are given the flexibility to address workplace safety problems cooperatively. Injury rates of this kind are dropping. And that is because employers care about their employees. They are very concerned about their employees and they value them.

Government cannot create a safe workplace, Mr. Chairman. Employers working with employees in a flexible setting addressing the specific problems in that business and that workplace do. I would oppose this amendment. Suspending this rule is a good idea. We need better science, we need better solutions.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

My colleagues, I would like to respond briefly to the gentleman from Montana. We deal with many complex issues in this body, and I would daresay if complexity is the excuse for nonaction, then we really would not be debating anything around here.

And I would also like to respond to a second comment when the gentleman was talking about government cannot make our workplaces safer. Having served on this committee, and I am privileged to serve on the committee, government cannot make it better, most employees, most employers make the workplace better, but the government can encourage those employers, who may not make the workplace as safe as they can, to make it safer.

I can remember very well the fire in the chicken factory when the employers locked the doors and 29 people died. So some employers, not most, may need an encouragement.

I just want to comment on this particular amendment, because I do feel, my colleagues, enough is enough. The science exists, we have heard of it over and over again, the evidence has been gathered, the public comment has been heard and, frankly, our experience in our own offices confirm it. Each year more than 650,000 Americans suffer disorders caused by repetitive motion, heavy lifting or awkward postures that occur in the workplace. These disorders account for more than a third of all workplace injuries.

We have to try our best to prevent these injuries using simple collaborative steps where we can work together. These are serious health problems and OSHA should be able to go forward within its authority to work with employers and employees to prevent and relieve them. Let us prevent and relieve these injuries and save billions of dollars in health care and productivity costs. Let us live up to our obligation doing what we can to protect American workers.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentlewoman for yielding to me.

I simply want to announce to the House that I am going to insert for the RECORD a letter from the American Federation of Labor, the AFL–CIO, in a letter dated June 8 to me. The letter says as follows:

> The Traficant amendment is being offered against the wishes of the AFL–CIO. It is being done in a way that does not provide an appropriate opportunity to work on behalf of its passage. Further, it appears to be an effort on the part of some to provide cover and encourage Members to support legislation that is blatant anti working family. We do not view this amendment as helpful to the effort to achieve final promulgation of an effective ergonomic standard. With or without this amendment, this legislation seriously harms the interests of American workers and we will continue to strongly oppose the passage of H.R. 4577.

I simply note that so that Members understand that even if they vote for this amendment that is not going to fool anyone who represents American workers into thinking that that has made this bill acceptable to the interests of working families because it clearly is not and will not be so.

Mr. Chairman, the letter I referred to above follows:

> AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
>
> *Washington, DC, June 8, 2000.*
>
> Hon. DAVID OBEY,
>
> *House of Representatives, Washington, DC.*
>
> DEAR CONGRESSMAN OBEY: The Traficant amendment is being offered against the wishes of the AFL–CIO. It is being done in a way that does not provide an appropriate opportunity to work in behalf of its passage. Further, it appears to be an effort on the part of some to provide cover and encourage members to support legislation that is blatantly anti working family.
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> We do not view this amendment as helpful to the effort to achieve final promulgation of an effective ergonomic standard.
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> With or without this amendment, this legislation seriously harms the interests of American workers and we will continue to strongly oppose the passage of H.R. 4577.
>
> Sincerely,
>
> PEGGY TAYLOR,
>
> *Director, Department of Legislation.*

Mrs. LOWEY. Reclaiming my time, Mr. Chairman, I would just like to say, in conclusion, we as representatives of our community cannot solve all the problems, we cannot solve all the problems in the workplace, but we have a responsibility to do what we can, based on the science, to pass legislation that can make life a little better for workers who are working in many situations at a disadvantage to their health.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Traficant amendment. First of all, let me put in the RECORD that I am very proud that Elizabeth Dole initiated this national debate and that our former colleague, Lynn Martin, when she was Secretary of Labor, moved it forward. And I daresay that if either of them were Secretary of Labor now we would not be here tonight.

We are here because the proposed regulations issued by the Department of Labor are so unfair to workers. It is unfair to workers to have the Federal Government mandate a 90 percent compensation because an individual is injured as the result of ergonomics and a lower level of compensation if injured some other way. Do my colleagues realize what that is going to do in the long run to the sense of equity and fairness in labor law for working Americans?

We are here tonight because this sets up a really unfair system of compensation, for the first time ever people getting compensated differently depending on the origin of their injury. It also will interfere with the very mechanisms that in my district have been put in place. And, believe me, I have been in factory after factory over the last year. And if my colleagues have not been there and looked at how their factories are improving their safety records, then they cannot really understand how these regulations will prevent the very mechanisms that are creating an absolutely astounding reduction in workplace injuries.

Do my colleagues realize that occupational injury and illness rates are at their lowest level since the Bureau of Labor Statistics began recording this information in the 1970s? And, in fact, since 1992, injuries resulting in the loss of workdays have dropped 20 percent. In my district I can tell my colleagues why that is happening. It is because people are very serious about keeping their employees healthy.

In the factories in my district, teams of workers are out there looking at

this stuff all the time. They are improving it. These regulations the Department of Labor is interested in would lay over this employee activity that is working, a bureaucratic administrative mechanism that is only sort of didactically driven. It interferes with the very dynamic, the communication, the vitality, all the things that are happening in the workplace to reduce injuries.

I have seen that in plant after plant after plant, and I have had workers stand there and ask me how we can tell them they are doing it wrong when they are doing so well. I was in one of the plants in my district that was used by OSHA to do its research to develop these regulations. And what appalled them was that together they did identify some things that were problems, for which none of them could think up any solutions. But under these regulations one incident, not a pattern of problems, not a pattern of injuries, not a pattern of even symptoms, but one injury would trigger the whole 1200 pages of Federal regulations coming down on their head, even though OSHA themselves could find no solution to the problem that jointly the workers, management, and OSHA had identified.

So this regulation that OSHA has come out with is so wildly inappropriately related to the problem of getting working people and helping working people and giving them the resources to identify the problems and find solutions, when employers are clearly highly motivated to invest in safety. It is so wrong headed it cannot be fixed and it must be stopped.

Lastly, the idea of providing a separate, different, higher compensation for people because they are injured as a result of one cause versus another is simply going to create a system of such gross inequity that we should not here tonight let that go forward. I want a good ergonomics regulation. This Secretary has not produced it. And these regulations must be stopped.

At the rate the Department works, it will take them a year to figure out and look at what would be the next step. But these regulations would be catastrophic for the constructive employers who are winning awards for safety, and that ought to tell my colleagues something.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I think that the question has gone begging this evening. Frankly, what we should be discussing is an overall policy point of view that this Nation wants to take with respect to its American workers.

I have great difficulty with this legislation and will oppose it, but in particular this amendment clearly begs or asks the question, what do we do about 1.8 million U.S. workers that experience a work-related musculoskeletal disorder, such as injuries from over-exertion or repetitive motion? How do we ignore that?

The real question is not how we see it fitting in our respective districts but how we see it fitting across the Nation as it responds or relates to the idea that we must find some basis of dealing with this national issue, and that is that workers across the Nation are, in fact, experiencing these kinds of injuries. Do we also realize that over 600,000 incidences occur that are serious enough to require time off from work and cost businesses between $15 billion and $20 billion?

I would beg to differ as to whether or not our Secretary of Labor and the Department of Labor have not done what they are supposed to do. Ergonomics regulations may affect some businesses to the extent that they do not want them to affect them, but our responsibility here on the floor of the House is to deal with individual workers who cannot address these issues themselves. It is a responsibility to make national policy that answers the question with respect to a safe workplace.

The Department of Labor estimates that the ergonomics rule would prevent about 300,000 injuries a year. I would simply say that that is an important preventive measure. That is an important policy decision that responds to the needs of at least 300,000 workers. Why would we not want to do that? Why would an amendment even be accepted to eliminate that aspect of the Department of Labor's responsibility?

I am dealing in another committee with a complaint that an agency has not written rules to address a particular legislative initiative.

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Now, we have an agency that has and we have the claim that their regulations are unfair to workers and unfair, of course, to businesses. I am simply speechless. Because if they are unfair, why are we continuing to have these injuries? We obviously need to solve the problem in some way, shape, or form or fashion.

I would argue that the ergonomics would prevent about 300,000 injuries per year and save $9 billion.

Mr. Chairman, I think it is important to note that about one-third of general-industry work sites will be covered by the rule, protecting 27 million workers. Fewer than 30 percent of general industry employers currently have effective ergonomics programs.

This is a policy question that I hope this House does not find itself on the wrong side of the street. I would like us to err on the side of protecting 27 million workers and preventing the injuries of 300,000 of those who are injured.

Ergonomics are real. The injuries are real. The need is real. I would ask that we would support this amendment, at least to make the statement and to protect the workers as they work on a daily basis.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, section 103 of the bill says ''none of the funds made available in this Act may be used by the Occupational Safety and Health Administration to promulgate, issue, implement, administer or enforce any proposed temporary or final standard on ergonomic protection.''

Earlier in this debate, I rose and went to that well to speak to what was wrong with that section, and I joined my good friend, the gentleman from Wisconsin (Mr. OBEY), in stating that I am opposed to this bill; but I am going to support this amendment. And the reason I am going to support this amendment is because in my district in Cleveland, when I go out and meet the people, as I do all the time and as many of us do in our own districts, I always study people. And when I go out to shake hands and hands reach out, I want to tell my colleagues how many times I would see over and over a scar on somebody's wrist, mostly women I might add.

And my colleagues know what it is more often than not. Someone has had surgery to correct a carpal tunnel condition. So we see a hand reach out; and if there is a scar on that wrist, more often than not, that person has had a repetitive motion injury, carpal tunnel.

Now, if we shake that hand of that person who had that injury and had surgery to correct the condition, we might consider the moral statement of joining hands with someone who has had that injury and then at the same time be willing to sweep aside any attempt to stop others from being able to be protected in the workplace.

Now, I know about one such person because it happened to be my Aunt Betty. She helped to raise most of the children in our extended family. And Aunt Betty did it by working her 40 hours a week in a large corporation in downtown Cleveland as an executive secretary and spent 30 years on the job typing away and then finally took retirement because her hand would not work anymore. That is why she quit. She would still be doing it, just that her hand would not work anymore.

So she had surgery. And now she is in her seventies and enjoying life retired. She would have kept working as long as she could, but her hands would not work anymore.

Well, I can tell my colleagues there are a lot of Aunt Bettys out there. And when I go and reach out in the crowd, I can see the little marks on their wrists. We need ergonomic standards. We need to have the Occupational Safety and Health Administration be able to promulgate and issue and implement and administer and enforce temporary or final standards on ergonomic protection. That is why I am going to be supporting this amendment.

Arguments to the contrary attempt to reduce all workers to the status of

cheats. I think most Americans who have a job want to work; they do not want to find a way out of work. I think most businesses who have well-trained workers want their people to stay on the job; they do not want to waste the human capital.

This is an issue about human beings and our dedication to them.

Mr. Chairman, I yield to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, Secretary of Labor Elizabeth Dole announced a major initiative to reduce repetitive motion trauma. She said she intended to begin the rule-making process immediately. She said Assistant Secretary of Labor Scanell shall begin an inspection program in early 1991.

My colleagues, this is 2000. I think 9 years is enough.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that 10 minutes of additional debate be allowed on this amendment with 5 minutes allocated to the gentleman from Wisconsin (Mr. OBEY) and 5 minutes allocated to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. TRAFICANT. Mr. Chairman, reserving the right to object, I would like some time in the closing of this debate.

Mr. PORTER. Mr. Chairman, I ask the gentleman, how about 2½ minutes to the gentleman from Ohio (Mr. TRAFICANT), 2½ minutes to the gentleman from Wisconsin (Mr. OBEY), 2½ minutes to me, and 2½ minutes to the gentlewoman from Kentucky (Mrs. NORTHUP)?

Mr. TRAFICANT. Mr. Chairman, I shall accept that.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I thank the gentleman for the opportunity to address this committee.

Mr. Chairman, I was sitting in my office listening to the discussion with regard to ergonomics. I rise in opposition to the legislation but in support of the amendment.

The reason I came over here is because I have a mother who turned 79 years old this year, and we were sitting at the table the other day and her right hand is like this; and her right hand is like this because she worked in a factory folding boxes for 20 years.

She ultimately retired from the factory from another injury, having fallen from a stool and busting her tailbone on the cement of that floor. But, ultimately, she is right now in the process of about, at 79, to have this hook of her hand repaired. And it comes from carpal tunnel syndrome.

I suggest to my colleagues the inability of the Department of Labor and the Secretary of Labor to promulgate rules hits me very close to home to my 79-year-old mother, Mary Tubbs.

I would suggest that there are mothers across this country who are in the same condition as my mom, and I would say that we have the opportunity to address this terrible injury where people who have worked all of their lives end up being deformed as a result of ergonomics.

Mr. PORTER. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Chairman, I just want to reiterate that we all agree that we need to look at ergonomics. The fact is that the mother of the gentlewoman from Ohio (Mrs. JONES) and my mother and my mother-in-law and many senior women, whether they have been in the workforce or not, are struggling with carpal tunnel. The fact is it is caused not just by the workplace, but in my case it was caused by years of cooking and sewing.

The gentlewoman from Connecticut (Mrs. JOHNSON) just mentioned that the time that she struggled with it the most in her life and needed surgery on both hands was a result of the years of sewing and cooking. The fact is that whatever we are doing causes stress on certain joints if we use it over and over.

But the gentlewoman from Connecticut (Mrs. JOHNSON) also made the point that, even in the workplace that OSHA used to consider this rule, they identified problem after problem where all the employees and the employer and OSHA, working all together with consultants, could not devise a strategy for addressing this particular problem that an employee had.

We do need a collaborative effort. We do need the authority of OSHA that has helped reduce workplace injuries. We need them to come to the table and help us to develop some best-thought-out strategies.

But as my colleagues on the other side of the aisle have stated, after 8 years and an amazing amount of money and pages in testimony, this bureaucracy has turned out a rule that did not take any of those things into consideration. They have been tone deaf to the people that have asked fair questions about what sort of solution really brings a remedy to their employees in the workplace.

Another one of the speakers said complexity is not an excuse for inaction. But I want to tell my colleagues what it does call for. Complexity calls for balance. And we have not seen any balance in this rule, none of it, that reflects the fair concerns of employers and employees in the workplace. Instead, it is heavy-handed and it is extremely expensive.

And for those jobs that are not offshore as a result, let me tell them what it does. It absorbs an enormous amount of money in the workplace. What does that mean? It means lower salaries for working families.

Mr. Chairman, I yield myself the final 2½ minutes.

Mr. Chairman, and so who is going to pay the price as the workplace begins to spend money and to spend money in ways just to experiment with possible remedies just to prove that they are doing something? The person that pays the price is the worker.

As the employer says to the worker, I am sorry, I cannot give you the raise you deserve and need and your family wants because, instead, I have to spend the money in the workplace.

Has this ever happened before? It has happened before when companies have had to swallow such large costs in health insurance that they have had to go to the bargaining table and reduce what they wanted to offer their employees in terms of salaries and their wages in order to meet the cost of their health insurance.

What we are creating here in this rule is an enormous cost driver, and the people that are going to pay the price are the people that have to share what is left over after we meet this bureaucracy regulation.

Workers in America are not asking for big, new costs, they are not asking for a big bureaucracy, and they are not asking for our intervention. They are asking us to do everything we can to help them raise their families, support their families, invest in their futures, and send their children to school. They are asking us not to drive up costs, not to drive up taxes, not to create big bureaucracies, and not to centralize more of the Federal Government but, instead, to help them and equip them to meet their needs.

OSHA ought to be a partner in that. They should not be an obstacle in it, and they should not drive up the costs and suck out of our economy money that could be in the hands of our workers.

This is not fair to our workers. It is not fair to those of us that are looking to OSHA to give us common sense regulation. It comes from a bureaucracy that created the home workplace regulations that were quickly withdrawn. That was not an accident, Mr. Speaker. That was not something that happened by a mistake or one person. That happened because we have an agency that is out of control, that is tone deaf, that will not listen, that does not understand the meaning of balance, and does not understand common sense regulation.

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I believe, Mr. Chairman, that this party is the majority party today because in 1994, the American people said enough is enough and that we are not getting balance, we are getting huge bureaucracies that have promised us everything and delivered us nothing.

Please defeat this amendment and send back to the American families what they are really asking for.

Mr. TRAFICANT. Mr. Chairman, I yield myself 1 minute.

I have heard arguments that protecting workers is shoving jobs overseas. I would like to make issue with

that. I think our tax and trade policies are chasing American companies overseas. And here is how we are trying now to save a few jobs, on the backs of worker protection.

You show me a 50-year-old court reporter who does not have carpal tunnel problems. Show me one. Maybe they never came forward with it. It started in 1990 with Elizabeth Dole, God bless her. In 1991, her assistant secretary was going to begin the process. It is 2000. Most of those workers are now so debilitated, they cannot function. I believe it is unconscionable for this Congress to try and create jobs on the back of destroying workers' rights.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the only repetitive motion injury that some Members of Congress are likely ever to endure will come from the routine genuflecting to special interests that so often goes on around here. We ought to have an exception to that general rule by passing this amendment tonight.

But if you vote for it, do not think you can then go home and pretend to your workers that you are a friend of the working man and a friend of working families all over this country if you vote to pass this bill, because it will still be cutting education from the President's request by over $3 billion, it will be cutting health care by more than $1 billion, it will be cutting worker protection and job training programs by almost $2 billion. That is not going to fool anybody.

Mr. TRAFICANT. Mr. Chairman, I yield myself the balance of my time.

I do not know how you are going to vote on final passage. That is your business. But I do know one thing that I say to the chairman and ranking member, that votes set precedents. You vote to keep this language in and you certify this language will become the law of the land and it will never be changed. I am here talking about a precedent, a precedent that says, and I do not give a damn what the AFL–CIO says. Quite frankly they did not even support me. If my workers do not know a damn thing about AFL–CIO, they know this. Their parents and their grandparents have problems, and Congress has put off and put off and put off.

Let me say this to both parties. Elizabeth Dole started it 10 years ago. Congratulations, Republicans. Democrats, I do not care how you vote on final passage but tonight we set a precedent. What is that precedent going to be? Is that precedent going to be none of the funds may be used by OSHA to implement or enforce even temporary standards? God almighty. Shove that AFL–CIO letter right up your T-shirt. This amendment should be passed, and the Republicans should pass it with us.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members are reminded to adopt appropriate language.

The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TRAFICANT. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) will be postponed.

The point of no quorum is considered withdrawn.

Mr. PORTER. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I rise today to engage in a colloquy with my colleague from Illinois, the distinguished chairman of the subcommittee, to discuss one of the most important programs funded in this bill, the consolidated health centers program.

The gentleman from Illinois has been a tremendous supporter of health centers. I realize that talking to him about this issue is like preaching to the choir. Members on both sides of the aisle of his subcommittee have united to advance this program, true testaments of the integral role health centers play in the delivery of health care for this Nation. Under his leadership, the subcommittee approved an increase of $81 million to this program, bringing its overall budget to $1.1 billion.

While this commitment is a wonderful step in the right direction, it is my hope that the gentleman will continue to work throughout the process to increase funding for the program by a total of $150 million. Every day, community health centers provide critical services to the Nation's most vulnerable populations. These services are especially important for those under the age of 19 and those belonging to minority groups. Health centers serve one out of every six low-income children in America or 4.5 million children. That number also includes one out of every five or 1.6 million low-income, uninsured children. With the current number of uninsured Americans growing in excess of 44 million, the demand for more health centers and more services continues to rise. In addition, health centers provide quality care to more than 7 million people belonging to minority groups.

As a former health center employee in the inner city of Chicago, I can attest that health centers provide a key solution to the health care crisis in America which continues to be one of the greatest challenges to our society. We must find a way to provide an additional $150 million to the health center program to help meet the challenges they face in providing care to our Nation's most vulnerable populations, the poor, the uninsured, the underinsured and those with nowhere else to turn for health care services.

Mr. Chairman, when it comes to the health care of our Nation, it remains divided. It is divided along the lines of those with access and those without. Health centers continue to bridge that divide and contribute to a healthier and a more productive America.

Mr. Chairman, I appreciate the gentleman's commitment to this program and hope that he will continue to work throughout the legislative process to ensure the health center program is provided an additional $150 million in the final bill.

Mr. PORTER. I thank the gentleman for his very kind words. We have agreed in the subcommittee that health centers are among our highest priorities. Since 1995, we have increased this program by $365.5 million, or 50 percent. We recognize that in too many cases, health centers provide the only access individuals have to our health care system.

Obviously the health centers program within appropriated funds cannot solve the overall access problem. Nevertheless, in the absence of progress on access, we will do our best through the remainder of the process and within fiscal restraints to reach the $150 million increase. I will be pleased to work with the gentleman from Illinois to reach that goal.

Mr. DAVIS of Illinois. The gentleman has truly been a champion for these programs. He will be sorely missed, and his leadership will be missed when he is gone.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

On page 19, after line 19, insert the following new section:

MINIMUM WAGE

SEC. 104. Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 26(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.15 an hour beginning September 1, 1997,

''(B) $5.65 an hour during the year beginning April 1, 2000, and

''(C) $6.15 an hour beginning April 1, 2001;''.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that the amendment be offered at the end of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. PORTER. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, I also reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. TRAFICANT. Mr. Chairman, I think everybody is going to object to this amendment.

This is one of 13 bills that will ultimately become law. Many of the things the Republicans have in the bill are not going to be in this final bill. There will be precedents set in this bill and there should be an opportunity to carve out opportunity in this bill. This amendment is the exact amendment that I passed to H.R. 3846, March 9 of this year. It passed 246–179. What is the shell game? Is it tied up in politics with the tax cut and now it is tied up with legislating on an appropriations bill?

The Traficant amendment simply says there shall be an increase in the minimum wage, $1 over 2 years. The original language was $1 over 3 years. The House has already spoken its will on this. It has not been signed into law, and it is being tied up with the tax cut. But it should not be tied up in a measure like this. I want to compliment the gentleman. He is one of the first chairmen to bring a bill out because these bills are folded into continuing resolutions because both parties are playing politics with it and it is an election.

I want a minimum wage increase. Tell me how else we can get it, and I would be glad to support it. But if the labor appropriations bill is not the place for a minimum wage increase, God save America. Let me say this. The appropriators should have done this. The appropriators should have done this. I am disappointed the Democrat Party did not bang away on this issue. I guess they are more concerned about the AFL–CIO and election-year politics. Quite frankly, battle it out, folks. But I think the $1 over 2 years that passed overwhelmingly in this body with bipartisan support should be included in this bill. It would take a hell of a lot of politics out of it and it would make that White House take a good look at it and it would make that conference with the gentleman from Florida (Mr. YOUNG) very exciting.

I think that is what Congress should do. I do understand it is legislating on an appropriations bill, but that has been going on around here for years, and I do ask for that exception and give the Congress an opportunity to vote on it. Otherwise, we just masquerade for party sakes, of proffering legislation designed to win majorities. I think it is time to win America, and I think it is time to do what is right for workers.

I will say this. This rising tide that is raising all ships has left a lot of little people behind. I know this bill ultimately is going to be folded into some legislation, and I would hope that the chairman would reconsider his position and that the chairman would defer to the vote of the authorizing mechanism of this Congress who duly passed this amendment.

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I say to the chairman of the subcommittee, he should do the right thing. I see politics being played on both sides. I see election year politics over here, election year politics over there. To be quite honest, I think I see more over here. But there are parts of this bill we cannot support. But I think if there are parts of this bill we cannot support, that sends it to conference, and maybe we can come out with a compromise that we can all live with, including the White House. I thought that was the reason for bringing this bill out, is a dead-bang veto in the first place.

So having stated that, I would hope that the chairman would reconsider his position, vote with me and allow the gentleman from Connecticut (Mr. SHAYS) to stand up in support of it as well.

With that, I would request of the Chair that if there is an objection, that I be permitted the opportunity to contest that objection.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill, and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: an amendment to a general appropriation bill shall not be in order if it changes existing law. The amendment directly amends existing law.

I ask for a ruling from the Chair.

The CHAIRMAN. The gentleman makes a point of order against the Traficant amendment.

Does the gentleman from Ohio wish to be heard on the point of order?

Mr. TRAFICANT. Yes, Mr. Chairman, I do. I believe the gentleman's argument is in order, save for the possible precedents of an unusual situation. Although it is not existing law, the authorizing committee of this body being the body of the full House, has already voted on the issue and spoken on the issue. That should make it subject to a parliamentary ruling that is quite different from an individual bringing out of the blue a minimum-wage increase with no prior authorizing foundation.

Mr. Chairman, we do not here make decisions for the other body. We can only make those decisions for ourselves. We have already made that decision. The House has technically authorized, if you will, and placed in motion the authorization of a minimum-wage increase. I do not believe we are striking new territory, and if such a precedent is needed, then maybe a precedent should be voted on.

Now, I do not want to challenge the ruling of the Chair, and I fully respect the ruling of the Chair; but I want a minimum wage increase in this bill, and I am going to give it that shot. My final argument is this: when the House votes and authorizes, is it not a fact that one cannot have anything other than that authorization by law in an appropriation bill? So by law, if the appropriators put the Traficant language passed in H.R. 3846 in this bill, it could not have been stricken. So the appropriators now made a decision, relative to the full House, and I do not believe the appropriators should have control over the decisions of the full House. Thus, I believe, that precedent should be set, and the parliamentarians should rule, because the House has already spoken and a Member is attempting to put the authorization language of the House, the full House, into the appropriation bill. The authorization bill has not been passed by the other body; the appropriation bill has not been passed by the other body. Thus this bill is wide open for this amendment.

Now, before the Chairman reads the bad news, I want to say this again. The other body has not voted on the authorizing package; but the other body has not voted nor, in fact, assembled over this appropriation bill. Since there is no objection from the other body, and this full House has authorized that provision, that should make a precedent and allow it to be included as an amendment to be offered on the floor, and it should not be prohibited from being heard in this appropriations cycle.

The CHAIRMAN. The Chair is prepared to rule.

The amendment offered by the gentleman from Ohio (Mr. TRAFICANT) directly amends existing law. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

Mr. TRAFICANT. Mr. Chairman, I move to appeal the ruling of the Chair.

The CHAIRMAN. The question is, shall the decision of the Chair stand as the judgment of the Committee.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. TRAFICANT. On that, Mr. Chairman, I demand a recorded vote; and pending that, I make a point of order that a quorum is not present.

Mr. Chairman, I ask unanimous consent that the vote be held over until tomorrow, if it poses a hardship on Members.

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. That unanimous consent is not in order in the Committee of the Whole.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent to withdraw my appeal tonight and to be allowed to appeal the Chair tomorrow on the issue.

The CHAIRMAN. That unanimous consent is not in order. The gentleman could offer his amendment again when the Committee resumes its sitting if that is his choice, perhaps at a different place in the bill.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that I be allowed to offer my amendment tomorrow and that it be limited to a total of 10 minutes debate, 5 minutes divided, by both parties, an opponent, and myself as the proponent.

The CHAIRMAN. When the Committee of the Whole resumes its sitting, the gentleman could reoffer his amendment.

Mr. TRAFICANT. I thank the Chairman.

The CHAIRMAN. Does the gentleman withdraw his appeal at this time?

Mr. TRAFICANT. Mr. Chairman, pending the fact that when we return to this bill, I will be able to, in fact, offer my amendment.

The CHAIRMAN. The gentleman has that option under the rule when the Committee resumes its sitting.

Mr. TRAFICANT. Mr. Chairman, I withdraw the appeal of the ruling of the Chair.

The CHAIRMAN. The appeal is withdrawn. The point of order is sustained.

Mr. SHAYS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of H.R. 4577, despite my concerns about the funding of certain critical programs.

I commend the gentleman from Illinois (Mr. PORTER) for his commitment and dedicated service to this body during his 11 years of service. The chairman has lead the bipartisan effort to increase funding for the National Institutes of Health and so many other valuable, worthy, and important programs. He has been a champion of increasing biomedical research and has tirelessly worked to ensure that no child is left behind in our educational system.

I am particularly concerned about the Older Americans Act and, specifically, the congregate meal program funded under the act. I was disappointed, but not surprised, to learn that the congregate meal program was once again flat funded, at the President's requested amount, marking the fourth consecutive fiscal year without an increase.

Because the congregate meal program is unauthorized under H.R. 4577, given the failure of this body to reauthorize the Older American Act, I am unable to introduce an amendment to increase the earmark for the program included in the report language.

Mr. Chairman, funding for the congregate meal program has not kept pace with inflation, increasing only $20 million over the past 10 years. In 1999 dollars, funding for the program has actually decreased by $93 million over 10 years.

Congregate meal programs serve the nutrition and social needs of seniors and operate in senior centers, community centers, schools and adult day care centers across the country. Many sites provide a variety of social services in addition to meals, including education, health screening, and social activities which enrich the lives of seniors.

Mr. Chairman, this body has a responsibility to ensure that the program is funded adequately. A 1996 evaluation confirmed the senior nutrition program is an important part of ensuring our seniors are healthy. According to the evaluation, participants in the program are among our most vulnerable population. They are older, poorer, and more likely to be members of minority groups compared to the total elderly population. The evaluation also indicated that for every Federal dollar spent in congregate meals, other funding sources contributed $1.70.

The Federal Government must uphold its end of the bargain by recognizing the changing buying power of the dollar and increase funding for the congregate meal program accordingly.

I became deeply involved in this issue last November when I became aware that the Agency on Aging in my district began cutting back the congregate meal program after exhausting their reserve funds. In the face of a potential crisis, the State of Connecticut and local governments agreed to make up the financial shortfall for this fiscal year. The additional funds will allow the agency to temporarily overcome the financial shortfall and enable providers to serve the same number of meals this year as were served in 1999. While this financial contribution is significant and speaks volumes about the importance of the congregate meal program to seniors in Connecticut, it does nothing to prevent a similar funding shortfall from occurring next year and the year after that.

Mr. Chairman, I would conclude by thanking this body for allowing me the opportunity to provide my colleagues with my thoughts on this issue of great importance to my district.

It is my hope that the appropriators will work in conference to increase the earmark for congregate meal funding, above the President's requested level, in order to guarantee that seniors have access to the meals they need.

Mr. Chairman, I am prepared to vote this bill out. I believe that the gentleman from Illinois (Mr. PORTER) will be able to make it a better bill in conference. I know he has limited resources to work with, and I stand ready to help him in any way I can.

The CHAIRMAN. Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Labor Appropriations Act, 2001''.

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4577), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

LIMITING CONSIDERATION OF CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATION BILL, 2001

Mr. PORTER. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 4577, pursuant to House Resolution 518, it shall be in order only at the appropriate point in the reading of the bill to consider each of the amendments printed in the CONGRESSIONAL RECORD and numbered 10, 11, 12, 13, 14, 15, 16, 17 and 18, pursuant to clause 8 of rule XVIII, if offered by the gentleman from Wisconsin (Mr. OBEY), or his designee; none of the designated amendments shall be liable to the point of order that a portion of the amendment addresses a portion of the bill not yet read for amendment; all other points of order against each of the designated amendments shall be considered as reserved pending completion of the debate thereon; each of the designated amendments shall be debatable only for 30 minutes, equally divided and controlled by the proponent and an opponent; each of the designated amendments shall not be subject to amendment; and each of the designated amendments may be withdrawn by its proponent after debate thereon.

2030

The SPEAKER pro tempore (Mr. Isakson). Is there objection to the request of the gentleman from Illinois?

Mr. OBEY. Mr. Speaker, reserving the right to object, I simply would note under my reservation, Mr. Speaker, that I have no objection to this arrangement, with the understanding that when the House returns to this bill, it will not be at a time when Members are still flying back to Washington on their airplanes, and that it will not be debated in the dead of night.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would say to the gentleman that I will be flying back on an airplane late Monday afternoon, and hope that we would also be able to address this at a civil hour.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, about this time last year we had interfered substantially with a very personal matter relative to our ranking member on the Committee on Appropriations, so just in the event that that might happen again, and I hope it does not, I wanted to wish him a happy anniversary, and hopefully he will be able to get to do something proper with his

wife this year which he was prevented from last year.

Mr. OBEY. If the gentleman will yield, that will be tomorrow.

Mr. YOUNG of Florida. I understand it is tomorrow. Just in case something happens between now and then.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATION ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 518 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4577.

2031

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier this evening, the Clerk had read through page 19, line 21.

Pursuant to the order of the House of today, it shall be in order only at the appropriate point in the reading of the bill to consider each of the amendments printed in the CONGRESSIONAL RECORD and numbered 10, 11, 12, 13, 14, 15, 16, 17, and 18 if offered by the gentleman from Wisconsin (Mr. OBEY) or his designee.

Each amendment shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to an amendment, and may be withdrawn by its proponent after debate thereon.

Pursuant to House Resolution 518, proceedings will now resume on the amendment on which further proceedings were postponed.

AMENDMENT OFFERED BY MR. TRAFICANT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 203, noes 220, not voting 12, as follows:

[Roll No. 250]

AYES—203

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—220

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Clay
Danner
Gilman
Greenwood
Istook
Klink
Lazio
Markey
Martinez
Smith (MI)
Smith (WA)
Vento

2054

Messrs. SOUDER, DUNCAN, BRADY of Texas and MORAN of Kansas changed their vote from ''aye'' to ''no.''

Mr. DAVIS of Florida and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLETCHER) having assumed the Chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4577), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

TRIBUTE TO DR. UZELAC

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

Mr. OSE. Mr. Speaker, I rise today to pay tribute to Dr. Uzelac who is retiring today after serving as the principal of my alma mater, Rio Americano High School for the past 15 years and has worked in education for the past 38 years.

2100

Dr. Uzelac's roles and accomplishments are many. Let me highlight just a few. Not only was he an elementary school vice principal and principal, but he was also a junior high school teacher and principal as well as a high school principal.

His accomplishments are many, and they include playing an instrumental role in Rio Americano becoming a National Blue Ribbon School as well as a four-time California distinguished school. Dr. Uzelac was the administrator of the year in 1983. He has been recognized by many, including the gentleman from California (Mr. MATSUI), former State Senator Leroy Greene, current State Senator Patrick Johnson for his tremendous leadership in education back in February of 1996. He has received the Honorary Service Award as the administrator of the year from the San Juan Parent and Teachers Association in April of 1996. During his tenure of acting principal, Rio Americano High School was the winner of Redbook's American Best Schools award. That was in April of 1996.

Dr. Uzelac and his wife Virginia will be spending more time with their three children and grandchildren at their home in Capitola, California. His devoted service epitomizes selflessness and devotion. He will be truly missed, and I applaud him for his willingness to better the lives of our youth. Godspeed to Dr. Uzelac.

SPECIAL ORDERS

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

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

(Mr. RUSH addressed the House. His remarks will appear thereunder in the Extensions of Remarks.)

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

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

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

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

(Ms. STABENOW addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. JOHNSON) is recognized for 5 minutes.

(Mrs. JOHNSON of Connecticut addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the Congressional Record revisions to the allocations for the House Committee on Appropriations. For fiscal year 2000, the allocation established by H. Con. Res. 290 is increased to reflect $350,000,000 in additional new budget authority and $290,000,000 in additional outlays. This will change the fiscal year 2000 allocation to the House Committee on Appropriations to $575,151,000,000 in budget authority and $611,940,000,000 in outlays. Budgetary aggregates will increase to $1,471,750,000,000 in budget authority and $1,453,390,00,000 in outlays.

Outlays from that additional budget authority continue in fiscal year 2001. The allocation for the House Committee on Appropriations printed in House Report 106–656 is therefore increased to reflect $60,000,000 in additional outlays. This will establish a fiscal year 2001 allocation to the House Committee on Appropriations of $601,681,000,000 in budget authority and $625,975,000,000 in outlays. Budgetary aggregates become $1,529,886,000,000 in budget authority and $1,495,196,000,000 in outlays.

As reported to the House, H.R. 4578, the bill making fiscal year 2001 appropriations for the Department of Interior and Related Agencies, includes $350,000,000 in fiscal year 2000 budget authority for emergencies. Outlays flowing from that budget authority are $290,000,000 in fiscal year 2000 and $60,000,000 in fiscal year 2001.

These adjustments shall apply while the legislation is under consideration and shall take effected upon final enactment of the legislation. Questions may be directed to Dan Kowalski or Jim Bates at 67270.

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

(Mr. PALLONE 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 New Hampshire (Mr. SUNUNU) is recognized for 5 minutes.

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

DISADVANTAGES OF ESTATE TAX REPEAL BILL

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, last night, I spoke for 5 minutes to try to list the disadvantages of the estate tax repeal bill that we will deal with tomorrow. Unfortunately, 5 minutes, or perhaps not even an hour, is sufficient to list all those disadvantages.

First, let us put this bill in context. Once it is fully phased in, it will cost this country $50 billion a year. All of that tax relief will go to the richest 1 percent to 1½ percent of American families. Basically all of the tax relief goes to those with assets of $10 million and more.

Mr. Speaker, this bill provides $50 billion of tax relief basically for families with assets of more than $10 million and provides not a penny of tax relief for people who make $10 an hour.

Mr. Speaker, we tried to add an amendment to this bill to say that its provisions would become applicable only upon certification, that the debt will be paid off by 2013, and that Medicare and Social Security will remain solvent.

The supporters of this bill on the Committee on Rules refused to even allow the House to debate that Sherman-Stenholm amendment. So we have before us a bill that makes no attempt at all to provide tax relief for working American families.

It costs us $50 billion whether or not that drives Social Security and Medicare into the red or not. But the disadvantages continue.

Mr. Speaker, this bill will dramatically cut charitable giving. Now, I am not talking about charitable giving when somebody puts $5 or $10 in a collection plate. But if one goes to any college campus or major hospital in this country and one sees the buildings named after the multimillion-dollar donors, those are the donors who have consulted with their estate planning lawyers before they made that gift.

Those are donors who decided to give only knowing that they would save 50 to 75 cents out of every dollar on their taxes for what they gave to the universities.

Those universities, not getting those charitable contributions will come to this House and ask us for money; and we will say, sorry, we cut Federal revenues by $50 billion in the estate tax bill. We cannot help you.

Mr. Speaker, when one goes to the universities in the future, the buildings will not have names, because the charitable contributions justifying naming a building after someone will not be made.

Mr. Speaker, this bill, however, actually increases taxes on one group of people: widows and widowers. It takes away from them most of the step-up in basis which reduces income taxes on the sale of assets that they acquire from their deceased spouse. So while providing $50 billion of tax cuts, it increases taxes on widows and widowers.

The bill is supposed to make it easier for family businesses to stay in the family; yet not a single statistic has been put forward as to how much the estate tax is driving families who choose to sell their businesses nor whether it is better for the economy to sell businesses to those who really want to be in that business rather than those who inherit them.

Finally, Mr. Speaker, this bill is certain to be vetoed. So it is a show, a show of where we stand in terms of our values; but mostly, it is delay. Because if instead this House worked together, we could provide reasonable estate tax relief for upper middle-class families who are currently caught either paying the tax or caught having to draw long estate planning documents bypass trusts, extra tax returns every year for widows and widowers, all in an effort to escape a tax that was never designed to be applied to them anyway.

So I have introduced a bill that would say that, if someone inherits assets, they also inherit the unified credit. So that every husband and wife could pass to their children $2 million in assets without paying a single penny of estate tax and without having to deal with bypass trusts, Form 1041 special income tax returns, and all of the complication the present law afflicts them with.

Mr. Speaker, there are 50 billion reasons to vote against the bill that we will consider tomorrow.

NIGHTSIDE CHAT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, once again we are here for a nightside chat. It is very interesting. I just had the opportunity to hear the gentleman from California (Mr. SHERMAN) speak about the death tax. What I was surprised about is he actually got some applause as he concluded his remarks.

I want to talk about his remarks on the death tax. This is a supporter of the death tax in this country. I want to specifically go through the impacts, the negative impacts that this tax called the death tax has on our country.

I want to point out very clearly, Mr. Speaker, that the current administration, the Democrats, have not only proposed not to cut the estate tax but, in fact, in the administration budget, and I would urge my colleagues from the State of California to look in the administration's budget, and they will find out that there is not a freeze on the death tax; that, in fact, the administration proposes a $9.5 billion increase in the death tax. I say come on to my colleagues from the Democratic side who are supporting this death tax. Be straightforward. Be up front. Talk about that administration budget. Talk about the administration policy.

They want to increase the death tax on the American people. They do not want to freeze it. They do not want to cut it. Let us talk about facts here this evening. Let us address it.

Today, very interesting, I read the Wall Street Journal. I tell my colleagues, I am an avid reader of the Wall Street Journal. I think they have excellent articles. I also read articles written, and I have it here to my left taped on this platform, an article by Albert R. Hunt. I thought this evening would be a good opportunity for us to go over a few points made in his article, because I think his article is full of inaccuracies.

I am afraid that the gentleman, Mr. Hunt, who wrote this article has not been to rural America. I am afraid that he simplifies, is even disingenuous in his comments towards those of us in rural America who are impacted by death taxes.

Now, before we start our conversation, Mr. Speaker, let us just remind ourselves what are the death taxes. Death taxes are a tax imposed upon one's estate, actually upon one's death. One has about 9 months to pay them. They are taxes, in many cases, on property that one already has paid taxes upon. In other words, during one's lifetime, for example, a rancher, a farmer, a small business, one begins to work the American dream, one begins to accumulate some assets.

It does not take much anymore to get to $675,000 if one owns some land, for example, in Colorado or if one owns a small business and one has benefited from the growth in this economy.

What the Government says is, despite the fact one has paid taxes all one's life on most of this property that one has now accumulated, with the exception of some IRAs, despite the fact that one has paid taxes one's entire life, we the Government, we Uncle Sam are going to come to one's estate and, upon one's death, we are going to tax one again, as if the Government has not gotten enough.

Well, let me tell my colleagues it has been oversimplified by the previous speaker, the gentleman from California (Mr. SHERMAN). He makes it sound as if it is the very wealthiest people in this country and all we are doing is asking him to dig out some pocket change and throw it out on the table so that the Government can be satisfied and take its take and walk away. That is not what is happening out there.

I am disappointed the gentleman from California (Mr. SHERMAN) has left the Chamber because I wish he were here so he could hear firsthand what that does to the small business people, what it does to the ranchers and the farmers, and what it does to the people in Colorado and throughout this Nation who are advocating open space instead of condominiums.

It is time, Mr. Speaker, to wake up to what this death tax is doing: number one, what that impact is, and, number two, what is important is the principle. Where is the justification to go to somebody who has succeeded in the American dream, who understands American free enterprise, who has been successful with American free enterprise, who wants to pass something on to the next generation. Where is the principle of justification in going to that family's estate and saying to them, hey, we are Uncle Sam, and we have not had enough. We want to tax you just a little more. By the way, a little more could go clear up to 55 percent of your estate.

I am going to give my colleagues a specific example here a little later on of how it impacted, not only the estate, but how it impacted the family of a successful individual who recognized the American dream who started out with nothing, and probably most important, and, again, I wish the gentleman from California (Mr. SHERMAN) were here on the floor, how it impacted the entire community.

My colleagues want to talk about charitable giving to churches, well, stay tuned for my example of what happens when the Government comes in and taxes property that has already been taxed, in many cases not only once, twice, or three times.

2115

Let me turn now for a moment to this article by Mr. Hunt. Let us kind of go through the article. Of course, in the first paragraph Mr. Hunt compares what the House Republicans are doing. I am glad that he has made it very clear that, in fact, it is the Republicans who have taken the lead on eliminating this tax, the death tax. Ironically, in the last couple of days, the Democratic leadership has jumped up and all of a sudden exhibited a great deal of interest in also trying to get rid of the estate tax at the same time apparently some of the troops have been directed to come out here and talk about how abusive it is. And, of course, Mr. Hunt plays right into their hands.

Let us go over this article. Mr. Hunt. ''House Republicans, with the help of some accommodating Democrats,'' as if it is wrong for a Democrat to support doing away with the death tax, ''wants to give $50 billion to Steve Forbes and Bill Gates.'' Of course, Mr. Hunt is going to talk about the Steve Forbes and the Bill Gates kind of people. How interesting in that paragraph he does not talk about the ranchers, he does not talk about the open space matters, he does not talk about the small businesses. Mr. Hunt does not talk about the American dream. All Mr. Hunt talks about is $50 billion.

We are getting this money from a tax that, in my opinion, is not justified; a tax that is the most punitive tax we have in our system, punitive meaning punishing tax. It is there for one purpose, it is there as a shot based on a person's wealth. It is there penalizing someone who has become successful. That is the only reason that tax is in place. Yet Mr. Hunt's concern, as expressed in this article, is not whether or not it is justified in principle, Mr. Hunt's point is that we are losing $50 billion. So whether it is right or not, we cannot afford to lose the $50 billion.

How interesting that Mr. Hunt in his article does not mention that the administration proposes this year to increase the death tax by $9.5 billion. Is that fair? What we were hoping for, until George Bush takes office, which I hope occurs, and the reason I mention this is because George W. Bush has committed to eliminating the death tax, but until that happens, I was in hopes at least the Democratic leadership would stay neutral on this estate tax. It was too much to expect the Democratic administration would actually support us in a reduction of the estate tax, but they caught me off guard because I did not expect the Democratic administration to propose this year in the administration's budget a $9.5 billion increase on the death tax.

Let us go a little further. I just mentioned that Bush advocates the repeal. Here they talk about diminished support for churches. If we do not tax the rich people, so-called, as they quote it, if we do not tax the rich people in this country the churches are going to suffer. Now, boy, is that an example. The churches are going to suffer. I am going to go through an example and show my colleagues how the estate tax made a church suffer; how an entire community in small town America suffered. Not Bill Gates' community, not Steve Forbes' community. And, by the way, he names two Republicans. Let us talk about some Democrats. Not the Kennedys, none of these big families' communities, but small town America. Let us talk about small town America tonight and what this estate tax does to small town America.

It is interesting that the gentleman who spoke said that this bill is wrong because it does not give tax relief to working families. That is what the gentleman from California just told all of us, my colleagues, that this bill to reduce the estate tax does not give a tax break to working families. In other words, the gentleman's assumption, as he spoke, and I am not sure if it was his intent, but as the gentleman spoke his comments were that if an individual happened to accumulate more than $675,000 either in a small business or some lands or some other type of success, that individual apparently is not a working member of our society; that somehow that money just fell out of the sky and that the government is entitled to come to that individual's family, to that person's survivors, and tax them. Where is the equity of that?

Let us go a little further in this article. Mr. Hunt says, with regard to this estate tax, ''these arguments are Trojan horses. The pressure for repeal comes from wealthy campaign contributors rather than the average voters.'' Mr. Hunt needs to come with myself or some of my colleagues out to rural America. He needs to step out there and let us show him these wealthy contributors, these families, these small ranchers, these farmers.

All of my colleagues know that the very wealthy, the Bill Gateses and the Steve Forbeses have an entire floor of attorneys to advise them on how to escape that estate tax. They can afford it. They have the expertise to minimize the tax. The people that do not have that kind of money are people like my in-laws. They are ranchers. They have been on the same ranch since 1860, somewhere in that time period. A hundred-some years they have been on that ranch, I would say to Mr. Hunt and to my colleagues.

We should not underestimate the American dream and what it meant to my wife's descendants, what it meant to those people in her family who came over to this country for the American dream. Yet the gentleman from California says they must not be working members of our society because they have accumulated wealth to the extent that the government can tax it. Wealth, for example in my in-laws' family, is not cash, it is the land they live on. It is the land they have ranched on for over 100-some years. It is the land they live for. It is the house where my father-in-law was born and where his father was born. It is the community where my wife was born.

Maybe some of these people who think this estate tax, one, is fair and, two, is only for the wealthy should spend a weekend with me in Colorado. I will show my colleagues some of these people that are being impacted.

Let us talk a little further about this article. He says it is disingenuous, for example, to talk about farms and small businesses. After all, he says, they are fewer than 5 percent of all taxable estates. I do not give a darn if a small family farm or a small family ranch is only 1 percent of the taxable estates. We have a fiduciary duty as representatives of the citizens of this country to be fair. And how can we be fair if we go to even 1 percent of the small ranches and farms in this country and say to them that even though they have worked their land, even though they have tried to save it so that their farm or their ranch can be passed on to the next generation, that because they only represent 1 percent, we are going to nail them to the wall. We are going to come and tax them on land that they have already been taxed on.

My gosh, I wish my colleagues could see what my in-laws went through to save their pennies, to sell their cows so that they could buy the land and have a ranch to pass on to the next generation. And now, of all the things that their descendants could ever have imagined back in the 1860s or the 1800s, when my in-laws' grandfathers and grandmothers came to this country, of all the things that would destroy their dream, I am sure they never thought it would be the government; that upon their death they would have a new tax called the death tax.

And let me tell my colleagues, the purpose, the real reason the death tax was put in place was jealousy. It was put in as a punitive measure against some of the tycoons of the early 1900s, the Carnegies, the Rockefellers, and people like that. Our forefathers never envisioned, when they drafted our constitution, they never envisioned when they settled this country that the government would, upon a person's death, punish that person's family by taking the valuable assets that had been accumulated, whether or not they amounted to a whole bunch.

Let us go a little further in this article and talk about what it does here. It talks about, well, the Democrats, the top Democrat tax writer, for example, will offer an alternative that will lower rates, and somehow this is the magical thing. Let me say, before we talk about lowering rates, let us address the issue of whether or not this tax is justified. If we have a tax in place and we come to the conclusion that the tax is not fair, we should not care about whether or not it is producing revenue, we should care about is it fair to the people that we represent.

This country is a country based on the principle of fairness, based on justice, and is it just and is it fair to impose a tax on the American people even if it is only 1 percent of the American people; a tax that serves as a punishment and not as a legitimate taxing purpose? That is exactly what we have with the death tax.

Now, I referred earlier in my comments about giving an example of the American dream and how the American dream was crushed. It is not about a Bill Gates, it is not about a Kennedy, it is not about a Steve Forbes, it is not about any wealthy family in America. It is about small town America. It is about a small town in the State of Colorado. It is about a small town that has churches and schools. It is a small town that has a lot of community

unity in it. Let me tell my colleagues what happened in that small town.

A young man, many, many years ago, came to this small town in Colorado with big dreams. He started working in a construction company with a shovel in his hand. The gentleman's name was Joe. Joe went out and he dug ditches. He worked 10 hours a day, 12 hours a day, 14 hours a day, because all he wanted was to gain a little foothold on the American dream. He wanted to go out and have the opportunity, if he worked harder, if he thought smarter, to be successful for himself and for his family. That, after all, is how he was brought up. Those were the principles of America: Go out and enjoy capitalism, go out and enjoy the American free enterprise.

So that is what Joe did. He started in this small community digging ditches. Pretty soon he got promoted to be the bookkeeper of this construction company, and later on, several years later, he had an opportunity, on an installment basis, making payments out of his check every month, at the same time trying to support his young family, to buy into the business. Now, colleagues, he did not inherit any money. He did not come into this with a bag full of money. He came into it with a bag full of energy, with a bag full of dedication, with the American dream that maybe he could own a part of this construction company.

Now, Joe's family, his wife and his two boys, although his boys were very, very young at the time, they shared in the sacrifice. They did not get the extra privileges of life, because papa was out there taking every penny he could to make his payment to have a little shot at ownership of the construction company.

Well, that ownership began to pay off after years. And during those years that the amount of money coming back from the construction company began to exceed the money invested in the construction company, in other words, the profits from his investment, he paid his taxes. Never once in his life did Joe evade taxes. Never once in his life did the government have to come to Joe and tell him that he had not paid his taxes; that he had tried to cheat the American people; that he was not carrying his fair share because he was trying to get out of his taxes. It never happened once with Joe.

2130

Joe is one of the most patriotic men I ever met. And so as he began to make profits, the first thing he did was pay his taxes. And then do you know what he did? He took money, and he put it back into the business. The more money he put back into the business, the more people in this small community he gave jobs to.

Then some of the money he took home he put in the local bank. And the money that he put in the local bank grew the bank, and pretty soon the bank was able to make more loans to people with the American dream in this small town of Colorado. This money was circulating in the community. It was not transferred to the Government in Washington, DC, except for the legitimate taxes.

What else did he do? And I hope my colleague from the State of California is listening to this. He supported the local church. In fact, at the time of his death, he supported the local church to the extent of about 70 percent.

Mr. Speaker, let me recap where we are.

Joe goes to the small community in Colorado. He does not have any money. He did not inherit. He is not wealthy, he and his wife both. At that point in time, the role was she was to assume the role of being a homemaker. She worked as hard as he did. She took care of the kids, who are two young boys. He worked 10 to 14 hours every day of the week, started in a ditch with a shovel, to try and make good to try and accomplish the American dream.

And as often happens in America, if you work hard, you are rewarded. That is what happened to this gentleman. Joe began to become rewarded. The first person that got their hands on the money that he made was the Government. And it was fair. Joe, as long as I knew him, never complained about the taxes. He felt that he needed to give a fair share to the Government for the roads and for the military and for our national issues. So he paid his taxes.

As I mentioned before, he was never late on taxes. He never avoided taxes. He was never cited by the Government for cheating on the taxes. He paid his taxes. And then he took the other money that he made and he put it back in the small company. This was the construction company which employed a few people.

Pretty soon it employed a few more people, and pretty soon those people were able to take money home to their family. And pretty soon those people were able to save for their dream and their life because Joe was able to employ them. It created jobs in our community.

The gentleman from California that spoke here earlier, the Democrat, believes that the way to create jobs is to create them in Washington, DC.

I am telling you, this death tax, that is exactly what it does. It transfers wealth from a small community like ours or from any community. And where does that money go? When the Government charges a death tax, do you think that money stays in the community? Of course it does not.

That money is immediately, within 9 months, has to be transferred to your State for their estate death tax or, more importantly, to Washington, DC; and then Washington, DC, redistributes it in this community for jobs in Washington, DC. It does not help our little communities out there in Colorado. And it did not help Joe.

But Joe kept working, and he accumulated more and more ownership of the construction company until one day he was able to buy his own construction company after years and years of making payments. And so Joe ran that construction company, and he provided the majority of support for the local church of which he was a member. He supported the majority from a contribution point of view. He gave the largest contributions to almost every charity drive in that community. When somebody in that community got sick, when somebody in that community had a hardship, they went to Joe for help and Joe helped them.

Now, I say Joe. I should also add, in fairness, Joe and his wife. Because, with all due credit, his wife worked just as hard as Joe did. So I should include both of those parties. So Joe and his wife, you could always go to them and they would always help out in their local community.

So what happens? Joe and his wife were able to educate their children. Then Joe's wife takes ill. She does not come to a hospital in Washington, DC. By the way, his kids were not educated in Washington, DC. They were able to be sent to a State school. But Joe's wife becomes sick. She becomes ill. She dies of cancer.

So Joe decides that he is going to sell the company. So Joe sells the company. And he immediately pays a capital gains tax, pays a capital gains tax on the sale of the company. Joe never complained about that. He made capital gains on that company.

In other words, capital gains is you buy the company at this price, and you sell it at that price. That profit is called a capital gain. That is a legitimate gain upon which to charge tax. And that is exactly what they did. He did not complain about it. He paid a tax in excess of 28 percent on the profit he made from the construction company he was able to own after starting in the ditch with a shovel.

But then let me tell you what happened. Within 3 months Joe got cancer and he died. Do you know what the Federal Government did to that family estate? They went into that family estate, and they assessed it with a tax of 55 percent. Now, you add the 55 percent; and you add 24 percent on capital gains because the construction company was the primary asset in the family estate, and you come up with a tax of 79 percent.

What this man and his wife spent their entire life working for, 79 percent of it was taxed by the Government upon his death. That is within that period of time, 4 months preceding his death and upon his death.

Now, I know the son very well, both the sons. I asked the one son, I said, now, tell me, 79 percent, that means your family got 21 cents on the dollar? In other words, 21 percent of what your father and mother spent their entire life working for, you got 21 cents on the dollar. No, no, no, he says. We did not get 21 cents on the dollar. Because

we were forced to sell. We had to sell it within a very short period of time. We could not get the best price. We had to get whatever somebody would pay us so that we could pay the Government before the Government then assessed penalties upon us because we did not pay the death tax in time. So we really did not realize 21 percent.

This family told me they thought they realized about 15 cents on the dollar. So their father and their mother worked their entire lives to accomplish an American dream. They paid taxes their entire lives. They never cheated the Government on one penny of tax; and upon their death, the Government came in and took over 79 percent of the value of that estate.

And Mr. Hunt calls that, why do the Republicans complain about that? My colleague from California stands up and says, my gosh, it is going to cost us $50 billion; who cares about the fairness. It is going to cost the Government $50 billion to be fair to these people.

Well, now what happens? The next thing that happens is that the local church comes to my friend, the son, the son of the father and mother I just talked about that died, and they said, you know, we are sorry about your father and your mother's passing. But did you know that your father provided the majority of support for our local church? The son says, no, I did not. And did you know that our drive for a new building and these other charities, your father and mother were the primary people who donated in our small town; they are the ones that made it happen? The son says, no, I did not.

Well, they said, the church, we hope that you are going to be able to continue on the commitment that your father and mother made, that you are going to be able to carry on like they did and make these major contributions, major in a small community. We are not talking about a $10 million grant to the Kennedy Center. We are talking about a small church in small town America. And we hope you are going to be able to continue this.

Do you know what the son said? I cannot. I do not have the money. We had to send that money to the Federal Government in Washington, D.C.

Now, this gentleman from California, my colleague, stands here and talks about fairness, talks about the fact that if we eliminate the estate tax that we are going to hurt churches. Wake up, my colleague.

You want to see what hurts churches and what hurts charitable causes? Go out and see what you are doing with this punitive tax. And quit bringing up the name Bill Gates and the name Forbes and all of these wealthy families. Start talking about some of the people that do not have a lot of cash in their pocket, but instead their pockets are full of the American dream and they have had a little success so you penalize them.

I see my colleague, the gentleman from Missouri (Mr. HULSHOF), is here; and I am happy to yield to the gentleman if he would like to join in the discussion.

Mr. HULSHOF. Mr. Speaker, I appreciate the gentleman yielding very much and especially on this very timely topic, as we have this discussion tomorrow on get getting rid of the Federal death tax, this very punitive tax.

I know the gentleman has been talking about a recent editorial, in fact I think in today's Wall Street Journal. I am mindful of an editorial that was written in yesterday's Washington Post in a similar vein that indicates that what we are about to do tomorrow is ''Government by Bumper Sticker,'' as the editorial says.

I suspect that we are going to have during the course of this debate that mantra from those who oppose this idea that this is tax breaks for the wealthy.

And yet, speaking of bumper stickers, the gentleman has been talking about friends near and dear to him back home in Colorado, but over the Memorial Day recess I had the opportunity to travel the highways of Missouri's 9th Congressional District, and I got behind this minivan vehicle that was pulling a camper trailer behind it; and the bumper sticker on the camper trailer said ''I'm spending my kids' inheritance.''

And, of course, this is kind of a whimsical thought. And first I had to make sure that was not my family that was traveling down the highway spending their kids' inheritance. I think it points up really a more serious issue; and that is, it really in some cases, and my colleague pointed out some very real-life examples, in some cases it is cheaper to sell off the family business pre-death rather than to experience first of all the personal tragedy of the loss of a loved one but then having to deal with the Internal Revenue Service at the moment of death.

The best bumper sticker slogan that I can think of regarding this issue is as follows: ''The death of a family member should not be a taxable event.''

The point is, and I know that the editorials talk about and my colleague has spoken very eloquently and very passionately about the opponents of this repeal say, well, this is only going to help, as you my colleague mentioned, the Bill Gateses or the wealthy class but the wealthiest Americans.

I think what gets lost in all of the debate is how many resources, how much money is spent, how much time and effort is spent in a way to avoid the death tax. There is not a lot of discussion about the amount of, again, resources committed to estate plans.

Now, I have got many friends that are tax lawyers or accountants. But speaking of a real-life example, back home in Columbia, Missouri, which is my home, a family, the Eiffert family, Howard Eiffert started a lumber business, along with his wife Lucy; and they worked very hard during the course of their lifetimes; and their two sons, Brad and Greg, who now are the principals in that lumber business. And it has been successful.

People around the mid-Missouri area recognize this lumber company. Howard is now enjoying retirement, and he is becoming more seasoned as a mature American. And yet the amount of money that the Eiffert family, particularly the two principals are spending, $35,000 a year on insurance premiums. And the sole purpose of purchasing that insurance policy is to have something in place so that when the inevitable mortality occurs that they will have proceeds from which they can then pay the Federal death tax.

2145

That is $35,000 a year of capital that they could be investing in their business, investing in their families, putting aside money for a college education, whatever, letting them have that decision. But instead they are making the choice to put 35 grand a year in an insurance policy because they know that, as they have done their estate planning, that they are going to be socked with the Federal death tax.

Mr. MCINNIS. The gentleman's point is so well taken. In Colorado one of the families I am very familiar with, it is a ranching family, they barely get by from year to year but they have the land they have accumulated. In fact I will give an example of my in-laws. The family has been on there since the late 1860s. Somebody like our colleague from California, the Democrat who supports this or the administration that has actually asked for an increase, their response to my in-laws and to other family farmers and ranchers is, go out and buy life insurance. The example you just gave is that family puts out $35,000 per year. My in-laws do not have $35,000 a year to pay for life insurance. They are lucky enough to get a new pickup every 5 or 6 years.

I wish some of these people who think this only applies to the Gates family or some of the other wealthy, and mind you, I do not take a thing away from the American dream, these people who have met with success. I wish they could come out and see the kind of expenditures that people like my in-laws have. They are very happy, they have lots of love, they love the land they are on, but they are not driving new pickups, flying in Gulfstreams, taking vacations in the Bahamas or anywhere else. Every penny they have got has to go back into the cattle operation. They do not have extra change for life insurance. I think the point the gentleman brings up is very valid.

Mr. HULSHOF. I think what needs to be mentioned, Mr. Speaker, is that under present law, certain estates are shielded from the Federal death tax and that exemption or that unified credit, to talk the terminology, presently is under $700,000. If you consider a family farm anywhere across the country but certainly in Missouri, let

us say if you have a 400-acre farm and let us say for the purposes of this hypothetical, $1500 per acre, some places in Missouri that would be low, some places in Missouri perhaps high but I think on average if you say $1500 per acre average, for a 400-acre farm, right there you are talking about a $600,000 value just on land, not mentioning equipment that is needed to produce, not talking about the residence or the home.

My friend from Colorado mentioned his constituent, having grown up and being born and grown up in the residence and worrying about being able to hang on to that asset. Life insurance proceeds, all of this becoming part of the estate that now is subject to the tax. Once that estate value is $1 more than the exemption, you are looking at about a 37 percent tax rate up to, as the gentleman says, over half, 55 percent and in some instances as high as 60 percent.

The point I would like to make is this, and I hope tomorrow as we have this debate, I really would encourage or challenge anybody who opposes this to give me a good policy reason why we have an inheritance tax. Really what is the reason? Two weeks ago in this House we repealed the Spanish American War tax that was imposed 102 years ago in 1898, that, quote, temporary tax to fund the Spanish American War which now we finally repealed, the inheritance tax as we know it today, 1916 and really what is the policy reason? What is the justification? I can really only think of two. One is to punish the successful, which I do not think even our liberal friends would necessarily agree with that. The only other instance I can think of as far as justification for keeping the inheritance tax is redistribution of wealth. I think certainly under our present tax code and the progressive nature, there are many far better ways and certainly when we are talking about to, quote, raise revenue for the government, rather than this very unfair tax which I think punishes family farms, family businesses of whatever size, whether they are facing the tax or whether they are expending resources to avoid the tax along the course of one's lifetime, I think that tomorrow afternoon we will be gratified with a vote. I would hope and I know our friends down on the other end of Pennsylvania Avenue have issued some sort of a veto threat under the present bill, I would like to see as we get that vote tallied tomorrow, a two-thirds vote in this House. It is a bipartisan bill with 45 Democratic cosponsors, many Republicans, and so I urge my colleagues, Mr. Speaker, to vote in favor of this repeal, to do what is right, because again the death of a family member should not be a taxable event.

Mr. MCINNIS. I would acknowledge to my friend the 45 Democrats that have signed onto this, they have enough guts to stand up to the administration and stand up and say wait a minute to their colleagues on the Democratic side, let us talk about, is this tax justified. Sure the revenue might be important but the primary focus of our question here this evening and the primary focus of our debate tomorrow should be, is this tax upon one's death a fair and justified tax? You can only answer that honestly by saying no.

As the gentleman just very accurately pointed out, there are three reasons that this tax came about. One was an animosity and a jealousy towards the Rockefellers and the Carnegies and those kinds of families. It was a transfer of wealth. Even Al Hunt in his article today in the Wall Street Journal says the tax has always been aimed at the accumulation of wealth by sons and daughters of the elite. So because your parent as in my case in small town Colorado, because their parents realized the American dream, because they had a company that employed people in that community, they should be penalized.

The second reason that these aristocrats and I call these the aristocrats, they may not have been aristocrats in wealth but they were aristocrats in class warfare. That is the second reason. Hey, let's go after the rich. The rich are always the wrong people. If you are rich somehow in this country, they never figure out and the same with the administration, they never figure out maybe you worked for it, maybe the American dream allowed you to have it. And what does ''rich'' mean? In a lot of our towns in Colorado, owning 50 acres is something. If I had 50 acres, I would feel rich. The government looks at it as an opportunity to tax you. I think it is very important that as we look into tomorrow's debate that we look at real life examples that somehow my colleagues on the Democratic side of the aisle who are opposing any kind of reduction or oppose elimination of the death tax, that they first go out into their community and do not go out to the Kennedys or the Gates or the wealthy people, go out to the average person in your community who has had some success, who has a home or some property valued over that $675,000 and ask them what happens to their money upon their death. What I urge my Democrat colleagues and what I ask the administration to take a look at on their policy is remember that what you are doing, you are removing money from a community and you are transferring it to Washington, D.C.

Let me tell you what we have experienced in the State of Colorado. Fortunately a lot of you visit Colorado, and I am happy you do. Unfortunately a lot of people decided to stay there, it is so beautiful. And so our land values have gone up in Colorado. What we are seeing in Colorado is a lot of our beautiful open space, our mountains are being converted to subdivisions. Those mountains and those fields and those farms, they are farms and ranches. The reason that that land is available is not because these families want to give up farming, not because these families want to give up ranching, not because they want to give up the rural way of life but because in many cases the Federal Government through its death tax forces the family to sell that land. If you want to help protect open space, let these farms and ranches continue in existence and do not let the Al Hunts of this world tell you, well, they ought to just go out and plan for it, or the Gates family we are talking about or the Forbes family we are talking about, or the Carnegies or the Rockefellers. Do not let them sell you on that. They are sugar-coating it. Do not let them sugar-coat what you are doing by this death tax. It is not right, it is not fair, and you ought to admit it is not right and it is not fair. And you ought to get a firsthand experience from your own constituents as to what it does to your community. And the example I gave you this evening, what it did to the local church. The ranch example, what I gave you this evening and what it does to open space in States like Colorado, what it does to little businesses like Brookhart Lumber Company in Delta, Colorado. Headline in our local newspaper about 4 months ago, Brookhart must sell because of estate taxes. Brookhart, by the way, is not Home Depot. Brookhart maybe had 20 or 30 employees. Those people's jobs were at risk. I do not know whether they had to sell it or liquidate it. In a lot of cases they have to liquidate it. Remember that the only time that money does not work in a community, the only time you do not see the wealth, somebody's wealth circulate in a community is if a wealthy person goes out and digs a hole and buries their money in the ground. That does not happen very often. People who accumulate through success money in a community put it in the bank, they hire more people, they make investments, they buy land, that money circulates and circulates and circulates. And all the death tax does is it goes in and forces that money, one, to be converted to a cash form which requires in a lot of cases forced sales; two, it requires double or triple taxation; and, three, and probably as critical as anything else, it sucks that money out of the small community or out of any community and transfers the money to the Federal Government in Washington, D.C. for redistribution. By the way, a lot of that money is redistributed in the confines of Washington, D.C. So this community benefited upon the death of my constituents out in rural Colorado. Where is the fairness of that? Where is the fairness of a family in rural Missouri having their family accumulation under the American dream sucked to Washington, D.C.? That saying, the giant sucking sound of NAFTA many years ago, that is exactly what the estate tax does.

I am asking all of my colleagues tomorrow when we do this debate, do not

let them divert you into the vast wealth of a few rich American families. Again, I do not take it away from those families. Those people realized the American dream. Who cares how rich the person is that invented the seat belt? Who cares how rich the person is going to be that invents the cure to cancer or the cure to AIDS? Who cares? I do not. That is the incentive that drives it. But do not be diverted by a few select names they use tomorrow, of the status of like a Rockefeller or a Carnegie. Instead, bring those people that are using that in the debate, my colleagues and your colleagues, bring them back to the American farm family, bring them back to the Colorado rancher, bring them back to the small lumber company in Missouri, bring them back to the small businesses in your communities. And then also ask them the fundamental question of the death tax and every American ought to be asked this question. Is it fair? Is it justified? How, Government, can you say you should go upon the tragedy, upon the death of a person and tax property upon which they have already taxed? I have no objection if somebody has some property that has not been taxed. Everybody agrees they should pay their fair share. But do not let them draw you off course with that, either. Talk about the property they have already paid the taxes on, and ask them, what does the American dream really mean? Does the American dream mean that you are not entitled to pass something on to your children? I can tell you in my own personal example, my wife and I are not wealthy but I can tell you one of our dreams in being in America is to save enough of our pennies so that maybe our kids when they grow up can have their own house, maybe our kids if they get in a hard spot and they need a new car, they can buy a new car. I am not talking about buying them a jet, I am not talking about buying them a palace in Aspen, Colorado. I am talking about buying them a basic house. That would give my wife and I a great deal of happiness if we could do something for our kids, but the government is doing everything they can through this death tax to take that American dream away from a lot of people. For a lot of our young constituents out there, our young men and women in their early 20's who are just starting on their career paths, who have in their mind a dream to do what my wife and I dream of doing, and that is provide something for the next generation, keep in mind that the group or society out there that will do everything they can within their powers to prevent you from going onto that next generation is your own government through this unfair and unjust tax called the death tax.

Mr. Speaker, in the final minutes that I have, I would like to move to another subject. Today I had an opportunity this morning to visit with a famous singer, a gentlewoman named Carole King, very talented, very capable, and frankly a very impressive person. It was interesting to be a part of that discussion. The discussion was on wilderness areas and preservation of the wilds in the United States. Fundamentally we did not disagree on that issue. In fact, I am not sure anybody in this country disagrees on the fundamental issues of trying to preserve and utilize, kind of like Teddy Roosevelt. We have a right to use the land but we have no right to abuse the land. I have never met people that really consciously want to abuse the land and if we have those kinds of people, we ought to do something to eliminate their opportunities to abuse our land. But one of the things that I learned from our conversation this morning is that even people of note sometimes have not had the opportunity to understand the differences between the western United States and the eastern United States.

2200

So in these next 9 minutes or so, I would like to show my colleagues a fundamental difference in the eastern United States compared to the western United States. Let us start with the first fundamental difference.

Remember that in the west it does not rain like it does in the east. In the east, in a lot of cases, their problem is getting rid of the water. In the west, our problem is being able to save the water, to store the water, to obtain the water. For example, my State, the State of Colorado, is the only State in the union where all of our water runs out of the State. We have no water, free-flowing water for our use that comes into Colorado. So our water issues out here in the State of Colorado are different than water issues here in the State of New York or in the State of Maine or other places. Keep that in mind. If one lives in the east there is a fundamental difference on water alone as compared to the west. So it is very easy for people in the east, it is a free vote for them, to oppose us in the west where we have to store water.

The second point is demonstrated by this map that I have brought here tonight. This map is titled, Government Lands. Take a look at the government landownership in the east. It is very sparse. In fact, one could take this pen and one could identify on this map with pencil points the government landownership in the east, with a couple of exceptions. We have a blotch in the Appalachias, we have the Everglades, we have some up in the northeast.

But then take a look at the government ownership in the west. This is the western United States. It is almost entirely owned by the government. So people in the east have no idea, for the most part, what kind of impact we have when we are surrounded by government lands, when we live on government lands. So it is very easy for people in the east to talk about life in the west, but it is very hard for them to understand, and I say this with due respect to my colleagues from the east. They have never had to live under those conditions.

Now, the history to that is really pretty simple. What happened in the early days when this young, growing country wanted to increase in size, we had to figure out a way to encourage people to leave the comforts of the East Coast and to go west to settle this country, because then, our purchases like the Louisiana Purchase, we needed to possess the land. A deed did not mean much. One actually needed to be in possession of the land. We know the old saying, possession is nine-tenths of the law, that is where it came from. So to get people to settle out here, they said, look, we will give you free land, it is called the Homestead Act or the Home Stake Act, and it worked good. Here is 160 acres, 320 acres. Well, it worked good until it got to the Colorado Rockies or the Wyoming mountains or Montana or Idaho and they found out that while in Kansas or Pennsylvania or eastern Colorado, or Ohio, 160 acres could support one's family, here in these mountains, 160 acres would not even feed a cow.

So the government consciously decided, they said, well, we cannot give them an equivalent amount of acres; for example, 3,000 acres would be the equivalent of 160 acres. Let us go ahead and let the government keep the title for this. Politically, that is the wise thing to do because we cannot give that much land away to one person, so let us for formality just keep the title, but we will let the people use it. It is the government who put the people out there. It is the government who, for generation after generation has asked these people to occupy and make their living on this land. So understand that.

This morning, in my conversation with Carol King, I thought it was very beneficial, and I look forward to future discussions, and I hope my colleagues do too, with individuals of this type of capability to explain the fundamental differences that exist. Because before we can come to some kind of understanding between the east and the west, before we can come to that understanding, we need to have an idea of each other's lifestyle. The people in the east need to understand our water problems in the west. The people in the east need to understand. For example, when they want to build something, they go to their city council or their county commissioner or their province. In the west, we have to do all that, plus in many, many cases we have to go all the way to the Federal Government clear in Washington to get permission to do something out here.

So I am urging my colleagues from the east, do not just walk away with a free vote on people in the west. Sit down with us. Talk to us about what is different in the west than in the east. We all are Americans. This is the United States of America. We are a team. But we cannot be a team unless

every team member understands what the other team member faces, understands the burdens that the other team members have. That is what makes the strongest team.

This morning, in my conversation with Carol King, she indicated to me that she was willing to sit down and try and listen to us and try and understand what we face there. Although she is from Idaho, I am not sure she was aware of this map. My guess is she had never seen this, but I saw willingness there. I would express to my colleagues from the east, take time to understand our water problems in the west. Take time to understand why we need water storage in the west. Take time to understand that most of the government ownership in this country is in the west. Take time to include us on the team.

Yes, sure, in the east, you have the population, but understand, we are Americans too, and we have a part to play, and let us play it.

Mr. Speaker, in conclusion, number one, I ask that we have more of a team effort from our colleagues in the east. Help us out. We are a good team, we make a great team.

Second of all, in the debate tomorrow on this death tax, do not let them mislead us. This is not about the wealthiest families in America, this is about a lot of average, middle-income families in America. This is about a lot of family farms and a lot of family ranches and a lot of family businesses. This is about local churches and local charitable causes. This is about keeping money that was made under the American dream in the local community. This is about not allowing that money to be transferred from the local community to Washington, D.C. for redistribution.

Mr. Chairman, I hope all of my colleagues pay attention in that debate tomorrow. It is important, and fundamentally it is the question we must ask, and my final comment of the evening is, is the death tax fair? Is it justified to go to a family that has realized the American dream and say to them, we do not want you to be able to transfer that wealth to your next generation, we want to transfer that money to the bureaucracy in Washington, D.C., so we are going to tax you on your death. If you think it is fair, vote with the administration to increase the estate tax $9.5 billion, which they are doing. But if you do not think it is fair, do not play party line, Democrats. Forty-five of you had enough guts to join us. Join us and let us get two-thirds up on that voting panel tomorrow, so we can override the administration's intent to raise the death tax, so that we can be fair to the many people in America who have gone after, sought, and succeeded in the American dream.

CONFERENCE REPORT ON S. 761, ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

Mr. BLILEY (during the Special Order of the gentleman from Colorado) submitted the following conference report and statement on the bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes.

CONFERENCE REPORT (H. REPT. 106–661)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 761), to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Electronic Signatures in Global and National Commerce Act''.

TITLE I—ELECTRONIC RECORDS AND SIGNATURES IN COMMERCE

SEC. 101. GENERAL RULE OF VALIDITY.

(a) IN GENERAL.—Notwithstanding any statute, regulation, or other rule of law (other than this title and title II), with respect to any transaction in or affecting interstate or foreign commerce—

(1) a signature, contract, or other record relating to such transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form; and

(2) a contract relating to such transaction may not be denied legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation.

(b) PRESERVATION OF RIGHTS AND OBLIGATIONS.—This title does not—

(1) limit, alter, or otherwise affect any requirement imposed by a statute, regulation, or rule of law relating to the rights and obligations of persons under such statute, regulation, or rule of law other than a requirement that contracts or other records be written, signed, or in nonelectronic form; or

(2) require any person to agree to use or accept electronic records or electronic signatures, other than a governmental agency with respect to a record other than a contract to which it is a party.

(c) CONSUMER DISCLOSURES.—

(1) CONSENT TO ELECTRONIC RECORDS.—Notwithstanding subsection (a), if a statute, regulation, or other rule of law requires that information relating to a transaction or transactions in or affecting interstate or foreign commerce be provided or made available to a consumer in writing, the use of an electronic record to provide or make available (whichever is required) such information satisfies the requirement that such information be in writing if—

(A) the consumer has affirmatively consented to such use and has not withdrawn such consent;

(B) the consumer, prior to consenting, is provided with a clear and conspicuous statement—

(i) informing the consumer of (I) any right or option of the consumer to have the record provided or made available on paper or in nonelectronic form, and (II) the right of the consumer to withdraw the consent to have the record provided or made available in an electronic form and of any conditions, consequences (which may include termination of the parties' relationship), or fees in the event of such withdrawal;

(ii) informing the consumer of whether the consent applies (I) only to the particular transaction which gave rise to the obligation to provide the record, or (II) to identified categories of records that may be provided or made available during the course of the parties' relationship;

(iii) describing the procedures the consumer must use to withdraw consent as provided in clause (i) and to update information needed to contact the consumer electronically; and

(iv) informing the consumer (I) how, after the consent, the consumer may, upon request, obtain a paper copy of an electronic record, and (II) whether any fee will be charged for such copy;

(C) the consumer—

(i) prior to consenting, is provided with a statement of the hardware and software requirements for access to and retention of the electronic records; and

(ii) consents electronically, or confirms his or her consent electronically, in a manner that reasonably demonstrates that the consumer can access information in the electronic form that will be used to provide the information that is the subject of the consent; and

(D) after the consent of a consumer in accordance with subparagraph (A), if a change in the hardware or software requirements needed to access or retain electronic records creates a material risk that the consumer will not be able to access or retain a subsequent electronic record that was the subject of the consent, the person providing the electronic record—

(i) provides the consumer with a statement of (I) the revised hardware and software requirements for access to and retention of the electronic records, and (II) the right to withdraw consent without the imposition of any fees for such withdrawal and without the imposition of any condition or consequence that was not disclosed under subparagraph (B)(i); and

(ii) again complies with subparagraph (C).

(2) OTHER RIGHTS.—

(A) PRESERVATION OF CONSUMER PROTECTIONS.—Nothing in this title affects the content or timing of any disclosure or other record required to be provided or made available to any consumer under any statute, regulation, or other rule of law.

(B) VERIFICATION OR ACKNOWLEDGEMENT.—If a law that was enacted prior to this Act expressly requires a record to be provided or made available by a specified method that requires verification or acknowledgment of receipt, the record may be provided or made available electronically only if the method used provides verification or acknowledgment of receipt (whichever is required).

(3) EFFECT OF FAILURE TO OBTAIN ELECTRONIC CONSENT OR CONFIRMATION OF CONSENT.—The legal effectiveness, validity, or enforceability of any contract executed by a consumer shall not be denied solely because of the failure to obtain electronic consent or confirmation of consent by that consumer in accordance with paragraph (1)(C)(ii).

(4) PROSPECTIVE EFFECT.—Withdrawal of consent by a consumer shall not affect the legal effectiveness, validity, or enforceability of electronic records provided or made available to that consumer in accordance with paragraph (1) prior to implementation of the consumer's withdrawal of consent. A consumer's withdrawal of consent shall be effective within a reasonable period of time after receipt of the withdrawal by the provider of the record. Failure to comply with paragraph (1)(D) may, at the election of the consumer, be treated as a withdrawal of consent for purposes of this paragraph.

(5) PRIOR CONSENT.—This subsection does not apply to any records that are provided or made

available to a consumer who has consented prior to the effective date of this title to receive such records in electronic form as permitted by any statute, regulation, or other rule of law.

(6) ORAL COMMUNICATIONS.—An oral communication or a recording of an oral communication shall not qualify as an electronic record for purposes of this subsection except as otherwise provided under applicable law.

(d) RETENTION OF CONTRACTS AND RECORDS.—

(1) ACCURACY AND ACCESSIBILITY.—If a statute, regulation, or other rule of law requires that a contract or other record relating to a transaction in or affecting interstate or foreign commerce be retained, that requirement is met by retaining an electronic record of the information in the contract or other record that—

(A) accurately reflects the information set forth in the contract or other record; and

(B) remains accessible to all persons who are entitled to access by statute, regulation, or rule of law, for the period required by such statute, regulation, or rule of law, in a form that is capable of being accurately reproduced for later reference, whether by transmission, printing, or otherwise.

(2) EXCEPTION.—A requirement to retain a contract or other record in accordance with paragraph (1) does not apply to any information whose sole purpose is to enable the contract or other record to be sent, communicated, or received.

(3) ORIGINALS.—If a statute, regulation, or other rule of law requires a contract or other record relating to a transaction in or affecting interstate or foreign commerce to be provided, available, or retained in its original form, or provides consequences if the contract or other record is not provided, available, or retained in its original form, that statute, regulation, or rule of law is satisfied by an electronic record that complies with paragraph (1).

(4) CHECKS.—If a statute, regulation, or other rule of law requires the retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with paragraph (1).

(e) ACCURACY AND ABILITY TO RETAIN CONTRACTS AND OTHER RECORDS.—Notwithstanding subsection (a), if a statute, regulation, or other rule of law requires that a contract or other record relating to a transaction in or affecting interstate or foreign commerce be in writing, the legal effect, validity, or enforceability of an electronic record of such contract or other record may be denied if such electronic record is not in a form that is capable of being retained and accurately reproduced for later reference by all parties or persons who are entitled to retain the contract or other record.

(f) PROXIMITY.—Nothing in this title affects the proximity required by any statute, regulation, or other rule of law with respect to any warning, notice, disclosure, or other record required to be posted, displayed, or publicly affixed.

(g) NOTARIZATION AND ACKNOWLEDGMENT.—If a statute, regulation, or other rule of law requires a signature or record relating to a transaction in or affecting interstate or foreign commerce to be notarized, acknowledged, verified, or made under oath, that requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable statute, regulation, or rule of law, is attached to or logically associated with the signature or record.

(h) ELECTRONIC AGENTS.—A contract or other record relating to a transaction in or affecting interstate or foreign commerce may not be denied legal effect, validity, or enforceability solely because its formation, creation, or delivery involved the action of one or more electronic agents so long as the action of any such electronic agent is legally attributable to the person to be bound.

(i) INSURANCE.—It is the specific intent of the Congress that this title and title II apply to the business of insurance.

(j) INSURANCE AGENTS AND BROKERS.—An insurance agent or broker acting under the direction of a party that enters into a contract by means of an electronic record or electronic signature may not be held liable for any deficiency in the electronic procedures agreed to by the parties under that contract if—

(1) the agent or broker has not engaged in negligent, reckless, or intentional tortious conduct;

(2) the agent or broker was not involved in the development or establishment of such electronic procedures; and

(3) the agent or broker did not deviate from such procedures.

SEC. 102. EXEMPTION TO PREEMPTION.

(a) IN GENERAL.—A State statute, regulation, or other rule of law may modify, limit, or supersede the provisions of section 101 with respect to State law only if such statute, regulation, or rule of law—

(1) constitutes an enactment or adoption of the Uniform Electronic Transactions Act as approved and recommended for enactment in all the States by the National Conference of Commissioners on Uniform State Laws in 1999, except that any exception to the scope of such Act enacted by a State under section 3(b)(4) of such Act shall be preempted to the extent such exception is inconsistent with this title or title II, or would not be permitted under paragraph (2)(A)(ii) of this subsection; or

(2)(A) specifies the alternative procedures or requirements for the use or acceptance (or both) of electronic records or electronic signatures to establish the legal effect, validity, or enforceability of contracts or other records, if—

(i) such alternative procedures or requirements are consistent with this title and title II; and

(ii) such alternative procedures or requirements do not require, or accord greater legal status or effect to, the implementation or application of a specific technology or technical specification for performing the functions of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures; and

(B) if enacted or adopted after the date of the enactment of this Act, makes specific reference to this Act.

(b) EXCEPTIONS FOR ACTIONS BY STATES AS MARKET PARTICIPANTS.—Subsection (a)(2)(A)(ii) shall not apply to the statutes, regulations, or other rules of law governing procurement by any State, or any agency or instrumentality thereof.

(c) PREVENTION OF CIRCUMVENTION.—Subsection (a) does not permit a State to circumvent this title or title II through the imposition of nonelectronic delivery methods under section 8(b)(2) of the Uniform Electronic Transactions Act.

SEC. 103. SPECIFIC EXCEPTIONS.

(a) EXCEPTED REQUIREMENTS.—The provisions of section 101 shall not apply to a contract or other record to the extent it is governed by—

(1) a statute, regulation, or other rule of law governing the creation and execution of wills, codicils, or testamentary trusts;

(2) a State statute, regulation, or other rule of law governing adoption, divorce, or other matters of family law; or

(3) the Uniform Commercial Code, as in effect in any State, other than sections 1–107 and 1–206 and Articles 2 and 2A.

(b) ADDITIONAL EXCEPTIONS.—The provisions of section 101 shall not apply to—

(1) court orders or notices, or official court documents (including briefs, pleadings, and other writings) required to be executed in connection with court proceedings;

(2) any notice of—

(A) the cancellation or termination of utility services (including water, heat, and power);

(B) default, acceleration, repossession, foreclosure, or eviction, or the right to cure, under a credit agreement secured by, or a rental agreement for, a primary residence of an individual;

(C) the cancellation or termination of health insurance or benefits or life insurance benefits (excluding annuities); or

(D) recall of a product, or material failure of a product, that risks endangering health or safety; or

(3) any document required to accompany any transportation or handling of hazardous materials, pesticides, or other toxic or dangerous materials.

(c) REVIEW OF EXCEPTIONS.—

(1) EVALUATION REQUIRED.—The Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall review the operation of the exceptions in subsections (a) and (b) to evaluate, over a period of 3 years, whether such exceptions continue to be necessary for the protection of consumers. Within 3 years after the date of enactment of this Act, the Assistant Secretary shall submit a report to the Congress on the results of such evaluation.

(2) DETERMINATIONS.—If a Federal regulatory agency, with respect to matter within its jurisdiction, determines after notice and an opportunity for public comment, and publishes a finding, that one or more such exceptions are no longer necessary for the protection of consumers and eliminating such exceptions will not increase the material risk of harm to consumers, such agency may extend the application of section 101 to the exceptions identified in such finding.

SEC. 104. APPLICABILITY TO FEDERAL AND STATE GOVERNMENTS.

(a) FILING AND ACCESS REQUIREMENTS.—Subject to subsection (c)(2), nothing in this title limits or supersedes any requirement by a Federal regulatory agency, self-regulatory organization, or State regulatory agency that records be filed with such agency or organization in accordance with specified standards or formats.

(b) PRESERVATION OF EXISTING RULEMAKING AUTHORITY.—

(1) USE OF AUTHORITY TO INTERPRET.—Subject to paragraph (2) and subsection (c), a Federal regulatory agency or State regulatory agency that is responsible for rulemaking under any other statute may interpret section 101 with respect to such statute through—

(A) the issuance of regulations pursuant to a statute; or

(B) to the extent such agency is authorized by statute to issue orders or guidance, the issuance of orders or guidance of general applicability that are publicly available and published (in the Federal Register in the case of an order or guidance issued by a Federal regulatory agency).

This paragraph does not grant any Federal regulatory agency or State regulatory agency authority to issue regulations, orders, or guidance pursuant to any statute that does not authorize such issuance.

(2) LIMITATIONS ON INTERPRETATION AUTHORITY.—Notwithstanding paragraph (1), a Federal regulatory agency shall not adopt any regulation, order, or guidance described in paragraph (1), and a State regulatory agency is preempted by section 101 from adopting any regulation, order, or guidance described in paragraph (1), unless—

(A) such regulation, order, or guidance is consistent with section 101;

(B) such regulation, order, or guidance does not add to the requirements of such section; and

(C) such agency finds, in connection with the issuance of such regulation, order, or guidance, that—

(i) there is a substantial justification for the regulation, order, or guidance;

(ii) the methods selected to carry out that purpose—

(I) are substantially equivalent to the requirements imposed on records that are not electronic records; and

(II) will not impose unreasonable costs on the acceptance and use of electronic records; and

(iii) the methods selected to carry out that purpose do not require, or accord greater legal status or effect to, the implementation or application of a specific technology or technical specification for performing the functions of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures.

(3) PERFORMANCE STANDARDS.—

(A) ACCURACY, RECORD INTEGRITY, ACCESSIBILITY.—Notwithstanding paragraph (2)(C)(iii), a Federal regulatory agency or State regulatory agency may interpret section 101(d) to specify performance standards to assure accuracy, record integrity, and accessibility of records that are required to be retained. Such performance standards may be specified in a manner that imposes a requirement in violation of paragraph (2)(C)(iii) if the requirement (i) serves an important governmental objective; and (ii) is substantially related to the achievement of that objective. Nothing in this paragraph shall be construed to grant any Federal regulatory agency or State regulatory agency authority to require use of a particular type of software or hardware in order to comply with section 101(d).

(B) PAPER OR PRINTED FORM.—Notwithstanding subsection (c)(1), a Federal regulatory agency or State regulatory agency may interpret section 101(d) to require retention of a record in a tangible printed or paper form if—

(i) there is a compelling governmental interest relating to law enforcement or national security for imposing such requirement; and

(ii) imposing such requirement is essential to attaining such interest.

(4) EXCEPTIONS FOR ACTIONS BY GOVERNMENT AS MARKET PARTICIPANT.—Paragraph (2)(C)(iii) shall not apply to the statutes, regulations, or other rules of law governing procurement by the Federal or any State government, or any agency or instrumentality thereof.

(c) ADDITIONAL LIMITATIONS.—

(1) REIMPOSING PAPER PROHIBITED.—Nothing in subsection (b) (other than paragraph (3)(B) thereof) shall be construed to grant any Federal regulatory agency or State regulatory agency authority to impose or reimpose any requirement that a record be in a tangible printed or paper form.

(2) CONTINUING OBLIGATION UNDER GOVERNMENT PAPERWORK ELIMINATION ACT.—Nothing in subsection (a) or (b) relieves any Federal regulatory agency of its obligations under the Government Paperwork Elimination Act (title XVII of Public Law 105–277).

(d) AUTHORITY TO EXEMPT FROM CONSENT PROVISION.—

(1) IN GENERAL.—A Federal regulatory agency may, with respect to matter within its jurisdiction, by regulation or order issued after notice and an opportunity for public comment, exempt without condition a specified category or type of record from the requirements relating to consent in section 101(c) if such exemption is necessary to eliminate a substantial burden on electronic commerce and will not increase the material risk of harm to consumers.

(2) PROSPECTUSES.—Within 30 days after the date of enactment of this Act, the Securities and Exchange Commission shall issue a regulation or order pursuant to paragraph (1) exempting from section 101(c) any records that are required to be provided in order to allow advertising, sales literature, or other information concerning a security issued by an investment company that is registered under the Investment Company Act of 1940, or concerning the issuer thereof, to be excluded from the definition of a prospectus under section 2(a)(10)(A) of the Securities Act of 1933.

(e) ELECTRONIC LETTERS OF AGENCY.—The Federal Communications Commission shall not hold any contract for telecommunications service or letter of agency for a preferred carrier change, that otherwise complies with the Commission's rules, to be legally ineffective, invalid, or unenforceable solely because an electronic record or electronic signature was used in its formation or authorization.

SEC. 105. STUDIES.

(a) DELIVERY.—Within 12 months after the date of the enactment of this Act, the Secretary of Commerce shall conduct an inquiry regarding the effectiveness of the delivery of electronic records to consumers using electronic mail as compared with delivery of written records via the United States Postal Service and private express mail services. The Secretary shall submit a report to the Congress regarding the results of such inquiry by the conclusion of such 12-month period.

(b) STUDY OF ELECTRONIC CONSENT.—Within 12 months after the date of the enactment of this Act, the Secretary of Commerce and the Federal Trade Commission shall submit a report to the Congress evaluating any benefits provided to consumers by the procedure required by section 101(c)(1)(C)(ii); any burdens imposed on electronic commerce by that provision; whether the benefits outweigh the burdens; whether the absence of the procedure required by section 101(c)(1)(C)(ii) would increase the incidence of fraud directed against consumers; and suggesting any revisions to the provision deemed appropriate by the Secretary and the Commission. In conducting this evaluation, the Secretary and the Commission shall solicit comment from the general public, consumer representatives, and electronic commerce businesses.

SEC. 106. DEFINITIONS.

For purposes of this title:

(1) CONSUMER.—The term ''consumer'' means an individual who obtains, through a transaction, products or services which are used primarily for personal, family, or household purposes, and also means the legal representative of such an individual.

(2) ELECTRONIC.—The term ''electronic'' means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(3) ELECTRONIC AGENT.—The term ''electronic agent'' means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part without review or action by an individual at the time of the action or response.

(4) ELECTRONIC RECORD.—The term ''electronic record'' means a contract or other record created, generated, sent, communicated, received, or stored by electronic means.

(5) ELECTRONIC SIGNATURE.—The term ''electronic signature'' means an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

(6) FEDERAL REGULATORY AGENCY.—The term ''Federal regulatory agency'' means an agency, as that term is defined in section 552(f) of title 5, United States Code.

(7) INFORMATION.—The term ''information'' means data, text, images, sounds, codes, computer programs, software, databases, or the like.

(8) PERSON.—The term ''person'' means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

(9) RECORD.—The term ''record'' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(10) REQUIREMENT.—The term ''requirement'' includes a prohibition.

(11) SELF-REGULATORY ORGANIZATION.—The term ''self-regulatory organization'' means an organization or entity that is not a Federal regulatory agency or a State, but that is under the supervision of a Federal regulatory agency and is authorized under Federal law to adopt and administer rules applicable to its members that are enforced by such organization or entity, by a Federal regulatory agency, or by another self-regulatory organization.

(12) STATE.—The term ''State'' includes the District of Columbia and the territories and possessions of the United States.

(13) TRANSACTION.—The term ''transaction'' means an action or set of actions relating to the conduct of business, consumer, or commercial affairs between two or more persons, including any of the following types of conduct:

(A) the sale, lease, exchange, licensing, or other disposition of (i) personal property, including goods and intangibles, (ii) services, and (iii) any combination thereof; and

(B) the sale, lease, exchange, or other disposition of any interest in real property, or any combination thereof.

SEC. 107. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title shall be effective on October 1, 2000.

(b) EXCEPTIONS.—

(1) RECORD RETENTION.—

(A) IN GENERAL.—Subject to subparagraph (B), this title shall be effective on March 1, 2001, with respect to a requirement that a record be retained imposed by—

(i) a Federal statute, regulation, or other rule of law, or

(ii) a State statute, regulation, or other rule of law administered or promulgated by a State regulatory agency.

(B) DELAYED EFFECT FOR PENDING RULEMAKINGS.—If on March 1, 2001, a Federal regulatory agency or State regulatory agency has announced, proposed, or initiated, but not completed, a rulemaking proceeding to prescribe a regulation under section 104(b)(3) with respect to a requirement described in subparagraph (A), this title shall be effective on June 1, 2001, with respect to such requirement.

(2) CERTAIN GUARANTEED AND INSURED LOANS.—With regard to any transaction involving a loan guarantee or loan guarantee commitment (as those terms are defined in section 502 of the Federal Credit Reform Act of 1990), or involving a program listed in the Federal Credit Supplement, Budget of the United States, FY 2001, this title applies only to such transactions entered into, and to any loan or mortgage made, insured, or guaranteed by the United States Government thereunder, on and after one year after the date of enactment of this Act.

(3) STUDENT LOANS.—With respect to any records that are provided or made available to a consumer pursuant to an application for a loan, or a loan made, pursuant to title IV of the Higher Education Act of 1965, section 101(c) of this Act shall not apply until the earlier of—

(A) such time as the Secretary of Education publishes revised promissory notes under section 432(m) of the Higher Education Act of 1965; or

(B) one year after the date of enactment of this Act.

TITLE II—TRANSFERABLE RECORDS

SEC. 201. TRANSFERABLE RECORDS.

(a) DEFINITIONS.—For purposes of this section:

(1) TRANSFERABLE RECORD.—The term ''transferable record'' means an electronic record that—

(A) would be a note under Article 3 of the Uniform Commercial Code if the electronic record were in writing;

(B) the issuer of the electronic record expressly has agreed is a transferable record; and

(C) relates to a loan secured by real property. A transferable record may be executed using an electronic signature.

(2) OTHER DEFINITIONS.—The terms ''electronic record'', ''electronic signature'', and ''person'' have the same meanings provided in section 106 of this Act.

(b) CONTROL.—A person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to which the transferable record was issued or transferred.

(c) CONDITIONS.—A system satisfies subsection (b), and a person is deemed to have control of a transferable record, if the transferable record is created, stored, and assigned in such a manner that—

(1) a single authoritative copy of the transferable record exists which is unique, identifiable, and, except as otherwise provided in paragraphs (4), (5), and (6), unalterable;

(2) the authoritative copy identifies the person asserting control as—

(A) the person to which the transferable record was issued; or

(B) if the authoritative copy indicates that the transferable record has been transferred, the person to which the transferable record was most recently transferred;

(3) the authoritative copy is communicated to and maintained by the person asserting control or its designated custodian;

(4) copies or revisions that add or change an identified assignee of the authoritative copy can be made only with the consent of the person asserting control;

(5) each copy of the authoritative copy and any copy of a copy is readily identifiable as a copy that is not the authoritative copy; and

(6) any revision of the authoritative copy is readily identifiable as authorized or unauthorized.

(d) STATUS AS HOLDER.—Except as otherwise agreed, a person having control of a transferable record is the holder, as defined in section 1–201(20) of the Uniform Commercial Code, of the transferable record and has the same rights and defenses as a holder of an equivalent record or writing under the Uniform Commercial Code, including, if the applicable statutory requirements under section 3–302(a), 9–308, or revised section 9–330 of the Uniform Commercial Code are satisfied, the rights and defenses of a holder in due course or a purchaser, respectively. Delivery, possession, and endorsement are not required to obtain or exercise any of the rights under this subsection.

(e) OBLIGOR RIGHTS.—Except as otherwise agreed, an obligor under a transferable record has the same rights and defenses as an equivalent obligor under equivalent records or writings under the Uniform Commercial Code.

(f) PROOF OF CONTROL.—If requested by a person against which enforcement is sought, the person seeking to enforce the transferable record shall provide reasonable proof that the person is in control of the transferable record. Proof may include access to the authoritative copy of the transferable record and related business records sufficient to review the terms of the transferable record and to establish the identity of the person having control of the transferable record.

(g) UCC REFERENCES.—For purposes of this subsection, all references to the Uniform Commercial Code are to the Uniform Commercial Code as in effect in the jurisdiction the law of which governs the transferable record.

SEC. 202. EFFECTIVE DATE.

This title shall be effective 90 days after the date of enactment of this Act.

TITLE III—PROMOTION OF INTERNATIONAL ELECTRONIC COMMERCE

SEC. 301. PRINCIPLES GOVERNING THE USE OF ELECTRONIC SIGNATURES IN INTERNATIONAL TRANSACTIONS.

(a) PROMOTION OF ELECTRONIC SIGNATURES.—

(1) REQUIRED ACTIONS.—The Secretary of Commerce shall promote the acceptance and use, on an international basis, of electronic signatures in accordance with the principles specified in paragraph (2) and in a manner consistent with section 101 of this Act. The Secretary of Commerce shall take all actions necessary in a manner consistent with such principles to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce.

(2) PRINCIPLES.—The principles specified in this paragraph are the following:

(A) Remove paper-based obstacles to electronic transactions by adopting relevant principles from the Model Law on Electronic Commerce adopted in 1996 by the United Nations Commission on International Trade Law.

(B) Permit parties to a transaction to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced.

(C) Permit parties to a transaction to have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.

(D) Take a nondiscriminatory approach to electronic signatures and authentication methods from other jurisdictions.

(b) CONSULTATION.—In conducting the activities required by this section, the Secretary shall consult with users and providers of electronic signature products and services and other interested persons.

(c) DEFINITIONS.—As used in this section, the terms ''electronic record'' and ''electronic signature'' have the same meanings provided in section 106 of this Act.

TITLE IV—COMMISSION ON ONLINE CHILD PROTECTION

SECTION 401. AUTHORITY TO ACCEPT GIFTS.

Section 1405 of the Child Online Protection Act (47 U.S.C. 231 note) is amended by inserting after subsection (g) the following new subsection:

''(h) GIFTS, BEQUESTS, AND DEVISES.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real (including the use of office space) and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts or grants not used at the termination of the Commission shall be returned to the donor or grantee.''.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

TOM BLILEY,
BILLY TAUZIN,
MICHAEL G. OXLEY,
JOHN D. DINGELL,
EDWARD J. MARKEY,
Managers on the Part of the House.

From the Committee on Commerce, Science, and Transportation:

JOHN MCCAIN,
CONRAD BURNS,
TED STEVENS,
SLADE GORTON,
SPENCER ABRAHAM,
ERNEST F. HOLLINGS,
JAMES M. INOUYE,
JAY ROCKEFELLER,
JOHN F. KERRY,
RON WYDEN,

From the Committee on Banking, Housing, and Urban Affairs, for items within their jurisdiction:

PAUL S. SARBANES,

From the Committee on the Judiciary, for items within their jurisdiction:

ORRIN HATCH,
PATRICK LEAHY,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck all of the Senate bill after the enacting clause, and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and House amendment.

The managers on the part of the House and Senate met on May 18, 2000, and reconciled the differences between the two bills.

TOM BLILEY,
BILLY TAUZIN,
MICHAEL G. OXLEY,
JOHN D. DINGELL,
EDWARD J. MARKEY,
Managers on the Part of the House.

From the Committee on Commerce, Science, and Transportation:

JOHN MCCAIN,
CONRAD BURNS,
TED STEVENS,
SLADE GORTON,
SPENCER ABRAHAM,
ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
JAY ROCKEFELLER,
JOHN F. KERRY,
RON WYDEN,

From the Committee on Banking, Housing, and Urban Affairs, for items within their jurisdiction:

PAUL S. SARBANES,

From the Committee on the Judiciary, for items within their jurisdiction:

ORRIN HATCH,
PATRICK LEAHY,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARKEY (at the request of Mr. GEPHARDT) for today on account of family illness.

Mr. SMITH of Washington (at the request of Mr. GEPHARDT) for after 8:00 p.m. today and June 9, on account of personal business.

Mr. GILMAN (at the request of Mr. ARMEY) for after 8:00 p.m. today and June 9, on account of attending a family funeral.

Mr. ISTOOK (at the request of Mr. ARMEY) for after 4:00 p.m. today and June 9, on account of a family medical emergency.

Mr. GREENWOOD (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. GILLMOR (at the request of Mr. ARMEY) for after 7:00 p.m. today through June 13 on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and

extend their remarks and include extraneous material:)

Mr. RUSH, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

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

Mr. KASICH, for 5 minutes, today.

Mr. SUNUNU, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2625. An act to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations; to the Committee on Commerce.

ENROLLED BILLS SIGNED

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

H.R. 2559. An act to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program.

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

H.R. 4542. An act to designate the Washington Opera in Washington, D.C., as the National Opera.

SENATE ENROLLED BILLS SIGNED

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

S. 777—An act to require the Secretary of Agriculture to establish an electronic filing and retrieval system to enable farmers and other persons to file paperwork electronically with selected agencies of the Department of Agriculture and to access public information regarding the programs administered by these agencies.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2559. To amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program.

H.R. 3642. To authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Friday, June 9, 2000, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8049. A letter from the Assistant Secretary, Health Affairs, Department of Defense, transmitting reports entitled, ''The DoD Health Care Benefit: How Does It Compare to FEHBP and Other Plans?'' and ''TRICARE/CHAMPUS Behavioral Health Benefit Review''; to the Committee on Armed Services.

8050. A letter from the Assistant, Legal Division, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Privacy of Consumer Financial Information [Docket No. 2000–45] (RIN: 1550–AB36) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8051. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Privacy of Consumer Financial Information (RIN: 1550–AB36) received May 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8052. A letter from the Legislative and Regulatory Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Privacy of Consumer Financial Information [Docket No. 2000–45] (RIN: 1550–AB36) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8053. 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–1910] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8054. 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–5111] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8055. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Polymers [Docket No. 98F–1019] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8056. 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, (Mt. Washington, Jefferson, New Hamsphire, and Newry, Maine) [MM Docket No. 99–8 RM–9433, RM–9642] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8057. 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. (St. Johnsbury and Barton, Vermont) [MM Docket No. 99–6 RM–9431 RM–9596] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8058. A letter from the Lieutenant General, USA, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 00–37), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8059. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Fiscal Year 1999 report on implementation of the support for East European Democracy Act (SEED) Program, pursuant to 22 U.S.C. 5474(c); to the Committee on International Relations.

8060. A letter from the Acting Assistant Administrator for Fisheries, Domestic Fisheries Division, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2000 Specifications [Docket No. 000119014–0137–02; I.D. No. 112399C] (RIN: 0648–AM48) received May 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8061. A letter from the Secretary of Health and Human Services, transmitting the Evaluation of the Community Nursing Organization Demonstration Final Report; jointly to the Committees on Ways and Means and Commerce.

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 calender, as follows:

Mr. YOUNG of Alaska. Committee on Resources. H.R. 3292. A bill to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana: with an amendment (Rept. 106–659). Referred to the Committee on the Whole House on the State of the Union.

Mr. YOUNG of Florida. Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2001 (Rept. 106–660). Referred to the Committee on the Whole House on the State of the Union.

Mr. BLILEY: Committee of Conference. Conference report on S. 761. An Act to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes. (Rept. 106–661). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. PICKERING (for himself, Mr. FRANKS of New Jersey, Mr. TAUZIN, Mr. LARGENT, Mr. CRAMER, Mr. PITTS, Mr. BAKER, Mr. JONES of North Carolina, Mr. DEMINT, Mr. HILLEARY, Mr. HUTCHINSON, Mr. WICKER, and Mr. ISTOOK):

H.R. 4600. A bill to require schools and libraries to implement filtering or blocking technology for computers with Internet access as a condition of universal service discounts under the Communications Act of 1934; to the Committee on Commerce.

By Mr. FLETCHER (for himself, Mr. ARCHER, Mr. KASICH, Mr. TOOMEY, Mr. CRANE, Mr. SHAW, Mr. HERGER, Mr. CAMP, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. PORTMAN, Mr. ENGLISH, Mr. HAYWORTH, Mr. WELLER, Mr. MCINNIS, Mr. LEWIS of Kentucky, Mr. BLUNT, Mr. KUYKENDALL, Mr. DEMINT, Mr. GREEN of Wisconsin, and Mr. CHABOT):

H.R. 4601. A bill to provide for reconciliation pursuant to section 213(c) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILMAN (for himself, Mr. DELAY, Mr. HYDE, Mr. BURTON of Indiana, Mr. MCCOLLUM, Mr. KING, Mr. POMBO, Mr. DEUTSCH, and Mr. GONZALEZ):

H.R. 4602. A bill to protect United States citizens against expropriations of property by the Government of the Republic of Nicaragua; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GONZALEZ:

H.R. 4603. A bill to require studies and reports on the feasibility and potential impact of increasing the maximum amount of deposit insurance under the Federal Deposit Insurance Act and the Federal Credit Union Act from $100,000 to $200,000 per depositor or such other amount as may be determined to be appropriate, and for other purposes; to the Committee on Banking and Financial Services.

By Mrs. CHENOWETH-HAGE (for herself, Mr. PAUL, Mr. STUMP, Mr. MCINTOSH, and Mr. DOOLITTLE):

H.R. 4604. A bill to amend the Federal Food, Drug, and Cosmetic Act to compel Food and Drug Administration compliance with the first amendment to the United States Constitution and to protect freedom of informed choice in the dietary supplement marketplace consistent with the decision of the United States Court of Appeals for the District of Columbia Circuit in Pearson v. Shalala, 164 F.3d 650 (D.C. Cir. 1999), reh'g denied en banc, 172 F.3d 72 (D.C. Cir. 1999); to the Committee on Commerce.

By Ms. DEGETTE (for herself, Mr. MICA, Mr. WAXMAN, Mr. DINGELL, Mr. BROWN of Ohio, Mr. LATOURETTE, Mr. TOWNS, Mr. STARK, and Mr. KUCINICH):

H.R. 4605. A bill to amend the Public Health Service Act with respect to the protection of human subjects in research; to the Committee on Commerce.

By Ms. DELAURO (for herself and Mr. LEACH):

H.R. 4606. A bill to reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women; to the Committee on Commerce.

By Ms. ESHOO (for herself, Mr. ENGEL, Mr. FROST, Mr. GORDON, Mr. DEUTSCH, Mrs. CAPPS, Mr. WYNN, Ms. DEGETTE, Mr. SAWYER, Ms. MCCARTHY of Missouri, Ms. WOOLSEY, Mr. RUSH, and Mr. ACKERMAN):

H.R. 4607. A bill to amend title XVIII of the Social Security Act to provide for a prescription drug benefit for Medicare beneficiaries; 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 Mr. JENKINS (for himself, Mr. DUNCAN, Mr. BRYANT, Mr. WAMP, Mr. HILLEARY, Mr. GORDON, Mr. CLEMENT, Mr. TANNER, and Mr. FORD):

H.R. 4608. A bill to designate the United States courthouse located at 220 West Depot Street in Greeneville, Tennessee, as the ''James H. Quillen United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Ms. KILPATRICK:

H.R. 4609. A bill to amend title 49, United States Code, to encourage airports to develop and implement recycling programs for newspapers and other recyclable items; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself and Mr. TIERNEY):

H.R. 4610. A bill to require the Food and Drug Administration to conduct a study of the health effects of radiofrequency emissions from wireless telephones; to the Committee on Commerce.

By Mr. MARKEY:

H.R. 4611. A bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of Social Security numbers and Social Security account numbers, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 4612. A bill to provide for the conservation and rebuilding of overfished stocks of Atlantic highly migratory species of fish, and for other purposes; to the Committee on Resources.

By Mr. SOUDER (for himself, Mr. STUPAK, Mr. FORBES, Mr. ROMERO-BARCELO, Mr. ENGLISH, Mr. METCALF, Mr. HOLDEN, Mr. LOBIONDO, Mr. SHAYS, Mr. GILLMOR, and Ms. KAPTUR):

H.R. 4613. A bill to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program; to the Committee on Resources.

By Mr. STARK (for himself, Ms. ESHOO, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Ms. PELOSI, Ms. LEE, and Mr. LANTOS):

H.R. 4614. A bill to amend title XVIII of the Social Security Act to require skilled nursing facilities furnishing services to Medicare beneficiaries to submit data to the Secretary of Health and Human Services with respect to nursing staff levels of the facility, to require posting of staffing information by facilities and the Secretary, to assess the adequacy of training requirements for certified nurse aides, and provide for grants to improve the quality of care furnished in nursing facilities; 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 Mr. TERRY (for himself, Mr. BARRETT of Nebraska, and Mr. BEREUTER):

H.R. 4615. A bill to redesignate the facility of the United States Postal Service located at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office''; to the Committee on Government Reform.

By Mr. WEXLER:

H.R. 4616. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of, and the deduction of contributions to, homeownership plans; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. HOYER, Mr. WOLF, Mr. CARDIN, Mr. SALMON, Ms. SLAUGHTER, Mr. GREENWOOD, Mr. FORBES, and Mr. PITTS):

H.J. Res. 100. A joint resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act; to the Committee on International Relations.

By Mr. SPENCE (for himself and Mr. SKELTON):

H.J. Res. 101. A joint resolution recognizing the 225th birthday of the United States Army; to the Committee on Armed Services.

By Mr. CROWLEY (for himself and Mr. ROTHman):

H. Con. Res. 349. Concurrent resolution commending the member states of the United Nations Western European and Others Group for addressing over four decades of injustice and extending temporary membership in that regional bloc to the state of Israel; to the Committee on International Relations.

By Mr. DEFAZIO (for himself, Mr. KUCINICH, Ms. MCKINNEY, Mr. SANDERS, Ms. LEE, Mr. OLVER, Mr. NADLER, Mr. WAXMAN, Mr. LANTOS, Mrs. MORELLA, Mr. DELAHUNT, Mr. PORTER, Mr. CAPUANO, Mr. STARK, Ms. PELOSI, Mr. LIPINSKI, Ms. HOOLEY of Oregon, Mr. PAYNE, Mr. ENGEL, Ms. KAPTUR, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. MCGOVERN, Mr. OBERSTAR, Mr. RUSH, Mr. MINGE, Mr. EVANS, and Mr. CONYERS):

H. Con. Res. 350. Concurrent resolution expressing the sense of the Congress with regard to political repression of foreign observers in Mexico; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

341. The SPEAKER presented a memorial of the Legislature of the State of Washington, relative to Substitute Senate Joint Memorial 8026 encouraging communities nation-wide to hold public recognition programs commemorating the 50th anniversary of the Korean War; to the Committee on Armed Services.

342. Also, a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 4 memorializing the President and Congress of the United States to take whatever action necessary to obtain the release of Americans who may be held against their will in North Korea, China, Russia, and Vietnam; to the Committee on International Relations.

343. Also, a memorial of the General Assembly of the Commonwealth of Virginia,

relative to Senate Joint Resolution No. 97 memorializing Congress to enhance the benefits for individuals eligible for NAFTA transitional assistance; to the Committee on Ways and Means.

344. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 138 memorializing the Congress of the United States to enact legislation to increase the cap on the low-income housing tax credit and index it in accordance with the consumer price index; to the Committee on Ways and Means.

345. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 139 memorializing the Congress of the United States to enact legislation to increase the state ceiling on mortgage revenue bonds and index it in accordance with the consumer price index; to the Committee on Ways and Means.

346. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial 4022 memorializing the President of the United States and the Congress of the United States to provide full funding as necessary to build a virtification treatment plant, retrieve waste from the tanks, feed waste into said virtification treatment plant, and dispose of resulting glass logs be forthcoming on schedule to meet the negotiated dates contained in the Tri-Party Agreement between the Washington State Department of Ecology, the United States Environmental Protection Agency, and the United States Department of Energy; jointly to the Committees on Commerce and Armed Services.

347. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 111 urging the Environmental Protection Agency to use its authority to support efforts by the Idaho Department of Environmental Quality to resolve the Coeur d'Alene Basin problem and to refrain from any strategic delays, unilateral decisions or media manipulation; jointly to the Committees on Commerce and Transportation and Infrastructure.

348. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 105 memorializing the U.S. Forest Service to extend the deadline to submit comments on the NOI by one hundred twenty days; jointly to the Committees on Resources and Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. MYRICK:

H.R. 4617. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel Double Eagle[2]; to the Committee on Transportation and Infrastructure.

By Mr. WELDON of Pennsylvania:

H.R. 4618. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for each of 3 barges; to the Committee on Transportation and Infrastructure.

By Mr. WEXLER:

H.R. 4619. A bill for the relief of Rigaud Moise, Cinette Dorlus Moise, Jean Rigaud Moise, and Phara Moise; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 137: Mr. PASCRELL.
H.R. 218: Mr. KINGSTON.
H.R. 229: Mr. WAXMAN.
H.R. 303: Mr. HEFLEY.
H.R. 797: Mr. VENTO.
H.R. 827: Mr. CLYBURN, Mr. DOYLE, and Mr. WEYGAND.
H.R. 914: Mr. HOLT.
H.R. 965: Mr. HOEFFEL.
H.R. 979: Mr. LEVIN.
H.R. 1045: Mr. DOOLITTLE.
H.R. 1168: Mr. LAZIO.
H.R. 1227: Mr. LEVIN.
H.R. 1396: Ms. BROWN of Florida.
H.R. 1577: Mr. COLLINS.
H.R. 1621: Mr. HORN, Mr. BOYD, and Mr. FATTAH.
H.R. 1824: POMBO, Mr. SCHAFFER, and Mr. HEFLEY.
H.R. 1839: Mr. CLEMENT and Mr. BACA.
H.R. 1841: Mr. ENGEL and Mr. RYAN of Wisconsin.
H.R. 1890: Mr. BARTLETT of Maryland.
H.R. 2002: Ms. MCKINNEY.
H.R. 2059: Mr. LATHAM and Mr. BACA.
H.R. 2175: Mr. RUSH and Mr. ENGEL.
H.R. 2271: Mr. UDALL of New Mexico.
H.R. 2316: Mr. MINGE.
H.R. 2356: Mr. CUNNINGHAM and Mr. MATSUI.
H.R. 2420: Mr. MALONEY of Connecticut, Mr. PORTER, Mr. BORSKI, Ms. DELAURO, Mr. MCINNIS, and Mr. SMITH of Texas.
H.R. 2431: Mr. NUSSLE.
H.R. 2457: Mr. PRICE of North Carolina, Mr. HILLIARD, Mr. MINGE, and Ms. KAPTUR.
H.R. 2511: Mr. SALMON.
H.R. 2512: Mr. KLECZKA.
H.R. 2562: Mr. RAMSTAD and Mr. FILNER.
H.R. 2594: Ms. DELAURO.
H.R. 2631: Mr. PASTOR.
H.R. 2736: Mr. WYNN.
H.R. 2738: Mr. ENGEL.
H.R. 2753: Mr. MCINNIS.
H.R. 2784: Mr. SESSIONS.
H.R. 2790: Mr. HOLDEN and Mr. PALLONE.
H.R. 2969: Mr. ROTHMAN.
H.R. 3004: Mrs. JONES of Ohio.
H.R. 3082: Mr. JEFFERSON.
H.R. 3091: Mr. KUYKENDALL.
H.R. 3100: Ms. CARSON, Ms. MILLENDER-MCDONALD, Mr. BACA, and Mr. GOODLING.
H.R. 3144: Mr. ORTIZ and Mr. DAVIS of Florida.
H.R. 3180: Mr. GOODLING.
H.R. 3192: Mr. VISCLOSKY, Mr. MINGE, Mr. WU, Mr. HILLIARD, Mr. MEEHAN, Mr. BERMAN, Mr. HOYER, Mr. CUMMINGS, and Mr. DAVIS of Florida.
H.R. 3299: Mr. LEWIS of Georgia.
H.R. 3517: Mr. LATHAM and Mr. FROST.
H.R. 3578: Mrs. FOWLER.
H.R. 3580: Mr. GREEN of Wisconsin, Mr. RODRIGUEZ, Mr. HILL of Montana, Mr. NETHERCUTT, Mr. BARRETT of Nebraska, Mr. HASTINGS of Florida, Mr. VITTER, and Mr. LATHAM.
H.R. 3665: Mr. CROWLEY.
H.R. 3669: Mr. KANJORSKI, Mrs. CHENOWETH-HAGE, Mr. SHAYS, Mr. WALDEN of Oregon, Mr. TANCREDO, Mr. WELLER, Mr. NETHERCUTT, Mr. DIAZ-BALART, Mr. STUMP, and Mr. MARTINEZ.
H.R. 3698: Mr. SPRATT, Mr. NETHERCUTT, Mrs. MALONEY of New York, Ms. CARSON, Mr. LEWIS of Georgia, Ms. PELOSI, Mr. DOYLE, Mr. BACA, Mr. SMITH of Texas, Mr. MCINTYRE, Mr. BARRETT of Wisconsin, Mr. RODRIGUEZ, Mr. LEWIS of California, Mr. BARRETT of Nebraska, and Mr. VITTER.
H.R. 3710: Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. QUINN, Mr. BACA, Mr. BARRETT of Wisconsin, Mr. RODRIGUEZ, Mr. HASTINGS of Florida, Mr. SHERMAN, and Mr. FATTAH.
H.R. 3800: Mr. WELLER.
H.R. 3806: Mr. OLVER.
H.R. 3865: Mr. GOODLING.
H.R. 3866: Mr. BRYANT and Mr. MOORE.
H.R. 3897: Mr. UNDERWOOD, Mr. HOYER, Mr. ORTIZ, and Ms. VELAZQUEZ.
H.R. 4019: Mr. HYDE.
H.R. 4066: Mr. MCGOVERN.
H.R. 4082: Mr. WOLF, Mr. RUSH, Mr. DAVIS of Virginia, and Mr. EHRLICH.
H.R. 4115: Mr. ROMERO-BARCELO.
H.R. 4126: Mr. PASTOR.
H.R. 4152: Ms. DELAURO, Ms. RIVERS, and Mr. BLUMENAUER.
H.R. 4162: Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. RUSH, Mr. OWENS, and Ms. WATERS.
H.R. 4165: Mr. CONYERS, Mr. SAWYER, and Mr. GORDON.
H.R. 4181: Mr. BARRETT of Wisconsin.
H.R. 4184: Mr. THORNBERRY.
H.R. 4201: Mr. TERRY, Mr. SHOWS, and Mr. GREEN of Wisconsin.
H.R. 4206: Mrs. MEEK of Florida and Mr. BALDACCI.
H.R. 4210: Mr. GILCHREST and Mr. BAKER.
H.R. 4211: Mr. HILLIARD, Ms. DEGETTE, Mr. BARRETT of Wisconsin, Mr. CAPUANO, Mr. PASTOR, Mr. FILNER, Mr. BOUCHER, and Mr. KIND.
H.R. 4213: Mr. FOLEY and Mr. CROWLEY.
H.R. 4215: Mr. PICKERING.
H.R. 4236: Mr. HAYWORTH.
H.R. 4257: Mr. BARR of Georgia, Mr. WHITFIELD, Mr. MCINTOSH, Mr. NEY, and Mr. HEFLEY.
H.R. 4259: Mr. LIPINSKI, Mr. ADERHOLT, Mr. BALLENGER, Mr. BATEMAN, Mrs. BIGGERT, Mr. BILBRAY, Mrs. BONO, Mr. BRYANT, Mr. BURR of North Carolina, Mr. CALVERT, Mr. CAMPBELL, Mrs. CHENOWETH-HAGE, Mrs. CUBIN, Ms. CARSON, Mr. COBLE, Mr. COLLINS, and Mr. BAKER.
H.R. 4263: Mr. WAMP.
H.R. 4271: Mr. BOEHNER.
H.R. 4272: Mr. BOEHNER.
H.R. 4273: Mr. BOEHNER.
H.R. 4274: Mr. TIAHRT, Mr. DEMINT, Mr. BALLENGER, and Mr. BARR of Georgia.
H.R. 4277: Mr. PALLONE.
H.R. 4283: Mr. LATOURETTE and Mr. ENGLISH.
H.R. 4330: Mr. ABERCROMBIE.
H.R. 4338: Mr. BACA.
H.R. 4340: Mr. JOHN and Mr. ISTOOK.
H.R. 4375: Mr. HILLIARD.
H.R. 4384: Mr. HILLIARD, Mr. GREEN of Texas, Mr. DAVIS of Illinois, Mr. RODRIGUEZ, Mr. REYES, Ms. BALDWIN, Mr. LIPINSKI, Mr. CRAMER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. ENGEL, Mr. NADLER, Mr. FORBES, Mr. SANDLIN, Mr. FORD, Mr. CROWLEY, Mr. HOLT, Mr. SCOTT, Mr. KLECZKA, Mr. LARSON, Mr. HALL of Ohio, Mr. CLYBURN, Mr. EDWARDS, Mrs. JONES of Ohio, Mr. WALSH, Mr. FILNER, Mr. UNDERWOOD, Mr. MCGOVERN, Mr. LANTOS, Mrs. FOWLER, Mrs. MORELLA, and Mr. BURTON of Indiana.
H.R. 4390: Mr. KUCINICH.
H.R. 4395: Ms. ESHOO, Mr. BILBRAY, Mr. MATSUI, and Mr. CUNNINGHAM.
H.R. 4398: Mr. DUNCAN and Ms. DEGETTE.
H.R. 4416: Mr. ANDREWS.
H.R. 4467: Mr. TERRY.
H.R. 4488: Mr. BONIOR.
H.R. 4492: Mrs. BIGGERT, Mrs. MYRICK, Mr. KUYKENDALL, Mr. ENGLISH, Ms. SANCHEZ, Mr. HOLDEN, Mr. TERRY, Mr. SPRATT, and Mr. TIERNEY.
H.R. 4498: Mrs. MORELLA, Mr. EWING, Mr. MANZULLO, and Mr. GILMAN.
H.R. 4502: Mr. BASS, Mr. SIMPSON, Mr. EVERETT, Mr. WICKER, Mr. RADANOVICH, Mr. WATKINS, Mr. HOLDEN, Mr. JENKINS, Mr. LUCAS of Oklahoma, Mr. HOSTETTLER, Mr. GREEN of Wisconsin, Mr. THOMPSON of Mississippi, Mr. STUPAK, Mr. BONILLA, Mr. MCINTYRE, Mr. GUTKNECHT, Mr. METCALF, Ms. DANNER, and Mr. LATHAM.

H.R. 4537: Mr. BOEHNER.

H.R. 4548: Mr. SWEENEY, Mr. GREEN of Wisconsin, Mr. CANADY of Florida, Mr. NETHERCUTT, Mr. CUNNINGHAM, and Mr. MANZULLO.

H.R. 4549: Mr. HILLEARY.

H.R. 4550: Mr. LEWIS of Georgia.

H.R. 4553: Mr. MICA, Mr. GILMAN, Mr. LIPINSKI, and Mr. OXLEY.

H.R. 4555: Mr. MCGOVERN.

H.R. 4566: Mr. REGULA, Mr. DINGELL, and Mr. MARKEY.

H.R. 4567: Mr. WAXMAN.

H.R. 4574: Mr. LARSON, Mrs. NAPOLITANO, Mr. MOORE, Mr. UDALL of Colorado, Ms. BERKLEY, Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, Mr. GREEN of Texas, Mr. CAMPBELL, Mr. FROST, Mr. HOYER, Mr. HOLT, and Ms. PELOSI.

H.R. 4582: Mr. SHAYS.

H.R. 4590: Mr. HINOJOSA and Mr. PASTOR.

H. Con. Res. 307: Mr. SANDLIN, Mr. WEYGAND, Mr. BRADY of Pennsylvania, Mr. KNOLLENBERG, Mr. FORBES, Mr. ROTHMAN, Mr. RANGEL, Mr. ACKERMAN, Mr. ALLEN, Mr. MORAN of Virginia, Mr. BORSKI, Mr. WEXLER, Ms. NORTON, Ms. DELAURO, Mrs. LOWEY, Mr. LAZIO, Mr. KUYKENDALL, Mr. MALONEY of Connecticut, and Mr. SOUDER.

H. Con. Res. 308: Mr. GOODLING, Mr. ROHRABACHER, and Mr. COX.

H. Con. Res. 327: Mr. CRAMER, Mr. LOBIONDO, and Mr. SKELTON.

H. Con. Res. 341: Mr. STEARNS.

H. Res. 82: Ms. PELOSI.

H. Res. 420: Mr. LARSON.

H. Res. 479: Mr. UNDERWOOD.

H. Res. 494: Mr. UPTON, Mr. KNOLLENBERG, Mr. SALMON, Mr. MCINNIS, and Mr. TERRY.

AMENDMENTS

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

H.R. 4461

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 25: Page 40, line 23, before the period insert the following:

: *Provided*, That of the total amount made available for loans to section 502 borrowers, $5,400,000 shall be available for use under a demonstration program to be carried out by the Secretary of Agriculture in North Carolina to determine the timeliness, quality, suitability, efficiency, and cost of utilizing modular housing to re-house low- and very low-income elderly families who (1) have lost their housing because of a major disaster (as so declared by the President pursuant to The Robert T. Stafford Disaster Relief and Emergency Assistance Act), and (2)(A) do not have homeowner's insurance, or (B) can not repay a direct loan that is provided under section 502 of the Housing Act of 1949 with the maximum subsidy allowed for such loans: *Provided further*, That, of the amounts made available for such demonstration program, $5,000,000 shall be for grants and $400,000 shall be for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of loans, for such families to acquire modular housing.

H.R. 4461

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 26: Insert at the end of the bill (before the short title) the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. Notwithstanding any other provision of this Act, not more than $28,684,000 of the funds made available in this Act may be used for Wildlife Services Program operations under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'', and none of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild predatory mammals for the purpose of protecting livestock.

H.R. 4577

OFFERED BY: MR. BOEHNER

AMENDMENT NO. 193: Page 52, line 12, after each dollar amount, insert the following: ''(decreased by $23,000,000)''.

Page 53, line 17, after each dollar amount, insert the following: ''(increased by $23,000,000)''.

H.R. 4577

OFFERED BY: MR. BOEHNER

AMENDMENT NO. 194: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for any Native Hawaiian program under part B of title IX of the Elementary and Secondary Education Act of 1965.

H.R. 4577

OFFERED BY: MR. BOEHNER

AMENDMENT NO. 195: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for any Native Hawaiian program under section 4118 of the Elementary and Secondary Education Act of 1965 or part B of title IX of such Act.

H.R. 4577

OFFERED BY: MR. BOEHNER

AMENDMENT NO. 196: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for any program under part B of title IX of the Elementary and Secondary Education Act of 1965.

H.R. 4577

OFFERED BY: MR. BOEHNER

AMENDMENT NO. 197: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for any program under section 4118 of the Elementary and Secondary Education Act of 1965 or part B of title IX of such Act.

H.R. 4577

OFFERED BY: MR. STEARNS

AMENDMENT NO. 198: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to prohibit military recruiting at secondary schools.

H.R. 4577

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 199: Page 19, strike lines 15 through 19 (section 103).

H.R. 4577

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 200: On page 19, after line 19, insert the following new section:

MINIMUM WAGE

SEC. 104. Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.15 an hour beginning September 1, 1997,

''(B) $5.65 an hour during the year beginning April 1, 2000, and

''(C) $6.15 an hour beginning April 1, 2001;''.

H.R. 4577

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 201: At the end of the bill add the following new section:

MINIMUM WAGE

SEC. 104. Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.15 an hour beginning September 1, 1997,

''(B) $5.65 an hour during the year beginning April 1, 2000, and

''(C) $6.15 an hour beginning April 1, 2001;''.