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Senate

The Senate met at 12:03 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, You give the hour and provide us with power; You bless each day and show us the way; You plan our week and reveal Your truth to those who seek. We pray for the Senators as they confront the busy schedule of the week ahead. Help them to trust You. Care for their families and loved ones. Lift the burdens they carry. Give them the assurance that they are never alone. You are the unseen presence in every moment, during every conversation, before each decisive decision, and throughout each meeting. Remind them of Your availability, Your affirmation, Your assurance. May this day and all the hours of the week ahead be as one constant conversation with You, a flow of prayer as natural as breathing out tension and breathing in Your strength. You are Sovereign of this Nation, Lord of this Senate, and Saviour of our lives. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SLADE GORTON, a Senator from the State of Washington, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Washington is recognized.

SCHEDULE

Mr. GORTON. Mr. President, today the Senate will be in a period for morning business until 2 p.m., with Senators DURBIN and THOMAS in control of the time. Following morning business, the Senate will resume consideration of the Department of Defense appropriations bill. Amendments to the bill are expected to be offered and debated during today's session. Any votes ordered with respect to those amendments, however, will be scheduled to occur on Tuesday at a time to be determined. As a reminder, all first-degree amendments to the Defense appropriations bill must be filed by 3 p.m. today.

I thank my colleagues for their attention.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with Senators permitted to speak therein for up to 10 minutes each. Under the previous order, the time until 1 p.m. shall be under the control of the Senator from Illinois, Mr. DURBIN, or his designee. For that time, the Senator from South Dakota is recognized.

LOCAL TELEVISION AMENDMENT TO THE INTERNET NONDISCRIMINATION ACT

Mr. JOHNSON. Mr. President, I rise today to discuss an amendment I filed this past week to H.R. 3709, the Internet Nondiscrimination Act. This amendment has a twofold purpose. First, it highlights the need to act on S. 2097, the Launching Our Communities' Access to Local Television Act of 2000. This critical legislation passed the Senate by a unanimous, 97–0, vote on March 30 of this year. The House version of this bill, H.R. 3615, also passed by an overwhelming 375–37 margin. Yet here we are 2½ months later with no effort to move this bipartisan legislation forward toward enactment.

In the meantime, the other body has considered an extension of the Internet tax moratorium for an additional 5 years. I supported the original Internet Nondiscrimination Act which created a 3-year moratorium on new taxes on the Internet while we considered the various ramifications of e-commerce taxation issues.

That original moratorium does not expire until next October. Yet here we are 16 months in advance of that expiration preparing to consider an additional 5-year expansion. Not only that, but with this new legislation, we renege, frankly, on a promise made under the 1998 act which grandfathered existing State taxes on Internet services. That agreement was essential to securing the overwhelming support which S. 442 ultimately received.

I believe we should not be placing taxes on access to the Internet, but that is not the issue. The issue is the implementation of already existing sales tax responsibilities. Sales tax is a critical component of State and local revenues, especially in States such as South Dakota that do not have an income tax. More than half of our State budget derives from the sales tax. That is the money that goes to education,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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crimefighting, and other essential services. This online-commerce loophole in sales tax collection results in an unfair situation for South Dakota merchants, and threatens the treasuries of State and local governments with the loss of millions of dollars in revenue. There is a great need for State tax laws to be applied to all sales regardless of whether the sales are made at a local store, over the Internet, or by any other means.

H.R. 3709 does not foreclose the possibility of collecting sales tax on products purchased over the Internet. In fact, it is silent on this issue. That silence, however, is almost as dangerous to State and local government as an explicit rejection of equal treatment for brick and mortar stores. By filing this amendment to H.R. 3709, I want it made clear that I will oppose this legislation moving forward until it establishes a comprehensive review of Internet-related tax policy.

I remain absolutely opposed to any new tax on the Internet. Internet usage ought to be encouaged and kept affordable. Public policy ought to promote tax-free Internet access, but it makes no sense that some sales are subject to sales tax while others are not. We need a level playing field for everyone. It is up to each individual State and municipality to decide for itself whether it wants to have a sales tax—but once that decision is made, it ought to apply uniformly to sales without regard to the particular technology utilized in making the sale. This correction must be considered in the context of any effort to extend the ongoing Internet tax moratorium.

Although there are many pieces of critical legislation which would serve to highlight the tax fairness issues raised by H.R. 3709, I want to focus on S. 2097, the local-into-local television act.

Under legislation we passed this past year, satellite companies are for the first time free to broadcast local network programming into local markets. That ability has already benefited thousands of viewers and promoted competition in the broadcast delivery industry. What S. 2097 seeks to accomplish is to make that benefit a reality for Americans who live outside the largest 40 television markets.

Like many of my colleagues, I represent a State, South Dakota, with rural viewers that should not be left out of the information age. South Dakota is one of the 16 States that do not have a single city among the top 70 markets. Sixteen States have no television markets within the top 70. Without this loan guarantee, markets such as Sioux Falls and Rapid City will never get local-into-local service, and rural South Dakotans will not have an opportunity to receive their local networks over the satellite signals.

This proposal is more than just getting sports or entertainment programming over your local channels. It is a critical way to receive important local news, storm information, road reports, school closing information, and civic affairs information.

Rural Americans need the same opportunity to access their local networks as do our urban friends. This legislation will provide that opportunity.

We have worked very hard in the Banking Committee and on the floor to achieve strong bipartisan legislation. Senators SARBANES, BAUCUS, GRAMM, BURNS, and others worked diligently to find the accommodations to satisfy everyone's concerns. We have a final product which will ultimately result in local-into-local broadcasting for rural America, and it does so in a fiscally responsible manner that limits the taxpayer exposure.

The overwhelming vote in both the House and Senate demonstrates the soundness of this legislation. It is absolutely critical for the millions of Americans who live outside our major urban areas. It is the promised missing component of last year's Satellite Home Viewer Improvements Act.

This issue has aroused the greatest level of constituent concern in many States in quite some time. S. 2097 provides a fiscally responsible and prudent response to the concerns raised by thousands of our constituents, protecting the taxpayer interests while at the same time helping to provide this service. I intend to offer this legislation to every vehicle possible this year until we have the opportunity to finish what we started and provide this essential service to all Americans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VICTIMS OF GUN VIOLENCE

Mr. LEVIN. Mr. President, since Columbine, thousands of Americans have been killed by gunfire, and yet Congress is refusing to act on sensible gun legislation. Until we act, one of us who is trying to get legislation passed will read the names of those who lost their lives through gun violence in the past year and will continue to do so every day while the Senate is in session. In this way, we hope to remember those who have died and to bring closer the day when fewer die from gun violence.

Following are the names of some of the Americans who were killed by gunfire 1 year ago today, on June 12, 1999:

Tyrand Baxter, 24, Atlanta, GA;
D'Ante Bonds, 18, Oakland, CA;
Kenneth Davis, 17, Chicago, IL;
Moises Moctezuma, 49, Charlotte, NC;
Kevin Parks, 26, Chicago, IL;
Cornell Rogers, 31, Washington, DC;
Reginald Rogers, 21, St. Paul, MN;
David Sapp, 42, Charlotte, NC;
Joseph Shruga, 69, Detroit, MI;
Yong S. Suoh, 44, Chicago, IL;
Javier Velasquez, 23, San Antonio, TX;
Joel Vives, 27, Miami-Dade County, FL;
Charles Wachholtz, 80, Dallas, TX;
Antwan Wimberly, 24, Atlanta, GA; and
Timothy Young, 21, Charlotte, NC.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of those who were killed by gunfire last year on the days June 10 and June 11, which was last weekend when the Senate was not in session.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 10, 1999

Vincent Bolden, 32, Minneapolis, MN;
Sandy Curtis, 37, Gary, IN;
Bynum Gordon, 44, Atlanta, GA;
Dimetrio Hernandez, 33, Houston, TX;
Marvin E. Jordan, 18, Chicago, IL;
Adam Lawrence, 48, New Orleans, LA;
Benjamin Matthews, 36, Kansas City, MO;
Terrance McLeod, Jr., 25, Detroit, MI;
Hayde Montalbo-Valdes, Minneapolis, MN;
Dolores Mueller, 64, St. Louis, MO;
Nicholas Osborne, 20, Bloomington, IN;
Raphael Rivera, 14, Harrisburg, PA;
Brandy Sessions, 20, Rochester, NY;
Stymie Thomas, 20, Chicago, IL;
Unidentified male, 37, Long Beach, CA;
Unidentified male, 26, Long Beach, CA; and
Unidentified male, 28, Long Beach, CA.

JUNE 11, 1999

Wallace Brumfield, San Francisco, CA;
Jerry Joseph Dawson, 47, Detroit, MI;
Kimani Evans, 25, Miami-Dade County, FL;
Majio Hanna, 40, Detroit, MI;
Kevin James, 29, Baltimore, MD;
David M. Jones, 26, Madison, WI;
Isaac Maldonado, 22, Holyoke, MA;
John Morrison, 34, Miami-Dade County, FL;
Michael Northington, Detroit, MI;
Harvey J. Pierce, 45, Madison, WI;
David L. Shaw, 18, Memphis, TN;
Robert L. Turner, 78, Oklahoma City, OK;
Lajon Wright, 25, New Orleans, LA;
Unidentified male, 57, Norfolk, VA; and
Unidentified male, 31, San Jose, CA.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

The Senator is recognized for 20 minutes.

PRIVACY ACT VIOLATION

Mr. INHOFE. Mr. President, I have not a speech but a story to tell. The name of that story could very well be "What Would Have Happened To Frankie Vee?" Now, they say confession is good for the soul. I confess that during the Memorial Day recess a couple weeks ago I did not work during the whole recess. I spent some time with my family, with my wife, with my daughter Katie, her husband Brad, their baby, and some of the other kids, and we went to south Texas where we own some property. There is a little

town down there called Port Isabel. There is a restaurant there that none of the tourists go to. It is just the local people who go there. It is right there on the channel that goes out ultimately to the gulf.

There is a guy down there who sings. You sit down and you have dinner. He has these machines he turns on; they make music. He has a microphone, and he sings. He has a beautiful voice. The reason I like it is he sings the kind of songs I know such as ''Your Cheatin Heart'' and ''Lord, Help Me, Jesus,'' and songs like that. While he is singing, his wife sways to the music with her eyes closed. It is just a beautiful setting there.

This was going on when all of a sudden a light went on, and I do not know how this happened, but I was looking at this guy, who is just an ordinary person—he is about my age. He has gone through tough times in his life like I have. He has made money; he has lost money; but he is just a very typical American. He is someone who has to obey the laws, has to work hard, and has to pay taxes. What occurred to me was that if Frankie Vee had blatantly and knowingly and wrongfully committed a crime like Kenneth Bacon, blatantly and knowingly and willingly committed a crime, he would not be singing there and spreading joy in the hearts of many while his wife is swaying. He would be serving time in a Federal penitentiary.

I am not outraged; I am not mad; and I am not feeling any anxiety about this. I guess the best way to characterize my feelings after the last 7½ years of this administration using the Justice Department to protect its friends and to punish its enemies is just something that I feel numb about. I am proud of two of the mainstream media—only two—that have been willing to write about these things. And that is Fox News and the Washington Times.

So in this case, we have talked about comparing the crime that was committed by Kenneth Bacon with other crimes that were committed—and I am going to talk about that in just a minute—by other people in other administrations. But what occurred to me was that every citizen out here, whether in Wyoming or Oklahoma, has to obey the law and has to be punished under the law if that person disobeys the law, and that he would be prosecuted if there was justification for prosecution and then would be punished accordingly—except in this administration.

On Thursday, May 25, which was the eve of the Memorial Day recess when we left for about a week, the Clinton administration perpetrated another outrage to add to its long trail of operations, I guess you would say. In the face of the Pentagon inspector general's firm conclusion that Kenneth Bacon and Clifford Bernath violated the Privacy Act and broke the law and committed a crime, the Secretary of Defense announced that he would do nothing to hold these men accountable for their actions. And this neatly follows the earlier decision of the Justice Department not to prosecute after engaging in a 2-year coverup.

Now, as I have said before, this case has broad implications for what has been done to the rule of law and to the concept of honesty and integrity in Government over the past 7½ years. Above all else, the systemic undermining of these time-honored principles constitutes the true and lasting legacy of the Clinton and Gore administration. Time after time after time, again and again, the Justice Department and Janet Reno have used that Department to protect the President's political friends and to punish the President's political enemies.

Today, as a result of this case, there are millions of Federal employees who are on notice that the information contained in their confidential Government personnel records cannot be protected from politically motivated disclosures. They are on notice that the Privacy Act can be violated with impunity even when the perpetrators are caught redhanded.

In an additional outrage, we find that the administration now wants the taxpayers to pay the legal bills for those two individuals during this process.

This is a letter we have uncovered, after it had been covered up, that the Office of the General Counsel is writing to Mr. Kaser, U.S. Department of Justice, requesting that the taxpayers pay the legal fees of Kenneth Bacon and Clifford Bernath. I ask unanimous consent that at the conclusion of my remarks this letter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. INHOFE. Let's quickly recap what happened. In March of 1998, about 8 weeks into the Monica Lewinsky scandal, the Pentagon public affairs director, Kenneth Bacon, got a phone call from Jane Mayer, who Jane Mayer was a long-time Clinton supporter and friend of the Clinton administration. She was an old friend of Kenneth Bacon. They worked together on the Wall Street Journal for years before. And she got a letter. She was then working on a story for the New Yorker magazine. Mayer informed Bacon that she had evidence that a key witness in this Presidential scandal, Linda Tripp, had been arrested for larceny as a teenager. Tripp was and still is a civilian employee of the Federal Government at the Pentagon. Mayer wanted to know how Tripp had replied to question No. 21 on her security clearance form, asking if she had ever been arrested. If she had answered no, which Linda Tripp did, then public disclosure of this information in conjunction with the new evidence that Mayer said she had would have been clearly damaging to Tripp's credibility and her reputation and would discredit her as someone who was bringing charges against the President.

Soon thereafter, it was discovered that Tripp's teenage arrest was the result of a juvenile prank perpetrated against her. The judge in the case told her in a laughing way that it was a funny trick and her record would be clear. Nevertheless, Mayer's story was published and the damage to Tripp was done. She was discredited forever.

I would characterize that as saying Mr. Bacon had conspired with Ms. Mayer to implement ''a scheme to defame and destroy the public image of Linda Tripp with the intent to influence, obstruct, and impede the conduct and outcome of pending investigations and prosecutions.'' That is exactly what the two of them did to Linda Tripp.

The reason I am reading this is because that is the exact language of 20 years ago when Chuck Colson committed this same crime at the beginning of the Watergate era. The court said Colson implemented ''a scheme to defame and destroy the public image of Daniel Ellsberg with the intent to influence, obstruct, and impede the conduct and outcome of pending investigations and prosecutions.''

That is exactly the same thing Kenneth Bacon did. The actions of Bacon and Bernath immediately became the subject of the Pentagon IG investigation to determine if they had violated the Privacy Act which is designed to prevent the disclosure of confidential information on Government employees.

The IG quickly concluded that, yes, indeed, they did violate the Privacy Act. In July of 1998, the IG made a criminal referral to the Justice Department so the case could be prosecuted, but nobody knew it. The fact the IG had concluded the report was covered up by the Justice Department for 2 years. The Justice Department sat on the case for 2 years doing nothing—a classic foot-dragging, stonewalling Clinton coverup.

Finally, in March of this year, they quietly announced no one would be prosecuted in this case. And they call it a Department of Justice. The Department said it concluded Bacon and Bernath ''didn't intend to break the law'' when they made the disclosure of the Tripp information, as if that is ever a legitimate excuse for anything.

I suggest if the Senator who is occupying the chair were driving down a Wyoming highway at 100 miles an hour and were pulled over by a highway patrol and he said, ''I didn't intend to break the law,'' that everything would be fine.

This is how the process works. Once the Justice Department refuses to prosecute, even after a criminal referral for prosecution has taken place, the very least that can happen to a person is the boss of the individual who is offending may take some kind of personnel action.

It was turned over to the Secretary of Defense, William Cohen. He was

charged with evaluating the conclusions of the IG report and taking any action he deemed appropriate, such as firing both of them. Keep in mind, this should not even have happened. This should not have taken place because by this time, there should have been a criminal prosecution.

This brings us to 2 weeks ago, Thursday, when Cohen announced what he deemed appropriate. He sent Bacon and Bernath personal letters expressing disappointment in their actions, making a clear point they were not letters of reprimand and will not be placed in their personnel records. It is not even a slap on the wrist. In other words, he did nothing. He did not fire anyone. He did not fine anyone. He did not suspend anyone. He took the IG's conclusion that the Privacy Act was broken and walked away without exacting any measure of accountability or justice. It is unbelievable.

He did, however, publicly release the IG report and related documents, and these clearly show the inspector general unhesitatingly concluded that Tripp's privacy was compromised, that the Privacy Act was violated, and that the law was broken. This was in the IG report. The IG totally rejected Bacon's and Bernath's contorted arguments to the contrary.

In addition, the IG report clearly shows that no serious investigation was ever conducted into the involvement of other Clinton administration officials or friends outside the Pentagon, such as those in the White House who may have been involved in orchestrating this smear of Linda Tripp.

I urge my colleagues to read an article that was in the Washington Times on Saturday, May 27, 2000. It lays out clear evidence that Bacon and Bernath did not act alone in this matter, as they claim. There is evidence the IG did not adequately follow up. Yet it is the kind of evidence that, as Clinton friend Dick Morris has said, would lead to a conclusion any 6 year old could understand; namely, that Bacon and Bernath most certainly did not act alone.

I ask unanimous consent this article from the Washington Times to which I just referred be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 2.)

Mr. INHOFE. Mr. President, I will chronologically reconstruct what happened in this case. It is important I be redundant so that people will understand and that it will not be forgotten and covered up.

On March 12, 1998, New Yorker magazine writer Jane Mayer, a former Wall Street Journal reporter, called Kenneth Bacon who used to work with Mayer at the Wall Street Journal, asking him about a question on Linda Tripp's personnel file for a story she was writing.

On March 13, the very next day, Bacon tasks Clifford Bernath, then a Pentagon public affairs deputy, with answering Mayer's question. Bernath writes in his journal: ''Ken has made clear it's a priority.''

Further, in March of that same year, the New Yorker story claims Tripp violated the law.

In March, Defense Secretary William Cohen calls the disclosure ''certainly inappropriate, if not illegal.'' Cohen continued: Tripp's file ''was supposed to be protected by the privacy rules.'' The DOD inspector general's investigation is initiated.

An investigation was initiated in March of 1998.

In April of 1998, Cliff Bernath was deposed by Judicial Watch. Bernath was accompanied by a battery of Government lawyers from the Justice Department, the Defense Department, and the White House, in addition to one from Williams & Connolly appearing on behalf of the First Lady who was then a defendant in the FBI file suit.

Over the next 6 hours, Bernath proceeded to change his story. He had previously insisted the request was handled in a routine way. In this deposition, he concedes that it was a high-priority issue by Ken Bacon.

On May 21, 1998, at a Pentagon press conference, Ken Bacon declined comment—as he has since repeatedly—to the press, including refusing to deny whether the White House directed him to release that information on the grounds that the IG was still investigating.

On July 10, 1998, Federal Judge Royce Lamberth ordered the Defense Department to seize the computer of a Pentagon staffer who admits releasing information on Tripp's security clearance form. Lamberth ruled that the Department's inspector general should check the computer because the Pentagon aide, Clifford Bernath, deleted documents, although Bernath claimed none of the deleted documents concerned Tripp.

Jumping forward to February 9, 2000, at a House Armed Services Committee hearing, Secretary Cohen had no answer to the question from Representative BUYER on where the DOD report was, in what stage it was. We found out the report was concluded almost 2 years before that question was asked.

I have to add a personal note in defense of Bill Cohen. I do not believe he knew. I think the White House covered that up and the Justice Department covered up the fact that the report was concluded almost 2 years before that hearing. I do not believe Cohen actually was aware of that.

On March 6, 2000—this brings the Federal court back in—Federal Judge Lamberth signed an order requiring DOD to produce records concerning the release of information in Tripp's DOD files and information on any attempts to withhold information from the public and/or investigators about the details of that release.

Then on March 13, 2000, Judge Royce Lamberth stated:

> The Tripp release presents such a clear violation of the Privacy Act.

Lambert said:

> The court finds it impossible to fathom how an internal investigation into such a simple matter could take so long to conclude.

In fact, even though that statement was made by the judge in the court records on March 13, 2000, that internal investigation had been concluded in July 1998, nearly 2 years before.

In previous talks on the floor, I have had occasion to compare this crime with a crime that was committed 20 years before. I have done so because when you talk about what President Clinton and Vice President GORE have allegedly done in terms of getting foreign contributions, which are a violation of law, there is nothing really precedented about that that we can go back and compare with someone else who was prosecuted.

In this case, the crime that was committed by Kenneth Bacon, and perhaps more people with him, is a crime exactly like the crime that was committed 20 years before by Chuck Colson.

Let's go back and see just what Chuck Colson did. This is what he said and did, in his own words. This is going back to 1971:

> . . . I got hold of derogatory FBI reports about Ellsberg and leaked them to the press.

He said further, in 1976:

> I happily gave an inquiring reporter damaging information compiled from secret personnel files.

I know, again, this is exactly the same thing that we now have a confession by Kenneth Bacon that he did. He got ahold of derogatory reports about Linda Tripp. And then he happily gave them to an inquiring reporter—the same thing.

So what happened to Colson? Colson was sentenced by U.S. District Court Judge Gerhard Gesell to a prison term. On April 7, 2000, in a deposition, he provided the New Yorker writer Jane Mayer with Tripp information. In other words, he admitted it. He admitted that. There is no question about whether or not he committed this crime. There is no doubt about it, no dispute about it.

Bacon said: I am sorry that I did not check with our lawyers or check with Linda Tripp's attorneys about this.

Sorry? Sorry really didn't cut it for Chuck Colson. Chuck Colson ended up in a Federal penitentiary. Colson committed the crime in July 1971. He admitted his guilt and pleaded on June 3, 1974, and was sentenced to the Federal penitentiary on June 21, 1974.

Bacon committed his crime in March of 1998. He admitted what he had done in June of 1998. The Pentagon inspector general referred the matter for criminal prosecution in July of 1998. So now 2 years later, in April, May, and June of 2000, the Clinton Justice Department says it is going to take a pass, hoping nobody will see or hear about this at this late date. After all, 2 full years

had transpired since the report was concluded.

So Colson went to jail and served time in prison. If there were justice and equal application of the law, Bacon would go to jail and serve time in prison.

Is this the first time the Clinton administration has been involved in lawbreaking and corruption? Not hardly. It has almost become a way of life—Travelgate, Filegate, Buddhist Temple fundraisers, illegal foreign campaign contributions, the compromise of high-technology nuclear secrets to the Chinese, not to mention perjury and obstruction of justice. The list goes on and on.

Why is this important? It is all about a concept. It is as basic to America as the concept of going to church on Sunday. That concept is: Equal application of the law.

Chuck Colson realized he did the wrong thing. Chuck Colson, in a book that he wrote in 1976, called ''Born Again,'' stated:

> I happily gave an inquiring reporter damaging information about Ellsberg's attorney, compiled from secret FBI dossiers.

He said:

> . . . I pleaded guilty after being told by Watergate prosecutor Leon Jaworski that my conviction would deter such a thing from [ever] happening again.

That is a quote.

I suggest that it has happened again, and they are hoping no one will notice.

I refer to an article that was written on June 12—a current article—in the Weekly Standard by Jay Nordlinger. The question is: ''Why Didn't Bacon Get Fried?'' That is the name of the article. I will quote a few things from it. Jay Nordlinger wrote:

> It's just a small matter, in all the Clinton grossness, but it counts. Linda Tripp was the victim of a dirty, and illegal, trick. It was played on her by her own bosses at the Pentagon. And now those men—Kenneth Bacon and Clifford Bernath—have escaped with the wispiest slaps on the wrist. This is ho-hum for the Clinton administration; but it is a reminder of how unlawful and indecent this administration has been.

Further in the article he talks about Joseph diGenova, who is a former U.S. attorney with long experience in this area.

Quoting from the same article, diGenova is quoted as saying:

> The treatment of Bacon and Bernath suggests that the Privacy Act will be enforceable only in civil lawsuits filed by the victims. If there's no adverse action—not even a letter that goes into somebody's file—there's no deterrence here. None whatsoever.

The article by Jay Nordlinger further states:

> The president and his men have a bit of history with the Privacy Act. You perhaps remember Passportgate. Toward the end of the 1992 presidential campaign, it was learned that political appointees in the Bush State Department had rifled through candidate Clinton's passport files and those of his mother. Democrats demanded an independent-counsel investigation. They got one—led by diGenova. One of the officials involved, Elizabeth Tamposi, was dismissed. The acting secretary of state, Lawrence Eagleburger, offered to resign over the matter. (President Bush refused). Said Clinton, in his first press conference [after he had been elected President of the United States], ''If I catch anybody doing [what the passport-file offenders did], I will fire them the next day. You won't have to have an inquiry or rigmarole or anything else.''
>
> About a year later, Passportgate had something of a reprise, this time featuring appointees in Clinton's own State Department. A few of them got hold of Bush-administration personnel files and leaked them to Al Kamen of the Washington Post.

Mr. President, I ask unanimous consent this article be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 3.)

Mr. INHOFE. Finally, I guess it begs the question, What can be done now? I mentioned that the media, the mainstream media, has pretty much ignored this. They like Kenneth Bacon. He was a member of the media. They are not going to do anything about it, I have decided.

Fortunately, the Washington Times has done something about it. Fortunately, Fox News has done something about it. But there is something that can be done. When the new administration takes office, and a new Attorney General comes in, the Bacon-Bernath lawbreaking should be referred again for criminal prosecution. A professional Justice Department, freed from corrupt partisan influences, should prosecute this case and uphold the law.

Such a referral can easily be added to a list of such referrals on other matters which are already being contemplated, as Representative DAN BURTON, who is the chairman of the appropriate House committee, mentioned yesterday.

For example, these, as mentioned, would include criminal referrals related to:

No. 1, evidence that the President broke campaign finance laws, was aware of illegal foreign contributions, and changed policies in return for campaign contributions;

No. 2, evidence that the Vice President broke the law when he made the illegal fundraising phone calls from the White House;

No. 3, evidence that the Vice President committed a felony by lying to the FBI investigators about his knowledge of illegal fundraising activities;

No. 4, that Janet Reno committed obstruction of justice when she refused to appoint an independent counsel;

And now we add this to the list: Evidence that Ken Bacon and Clifford Bernath broke the law when they violated the Privacy Act in the Linda Tripp matter.

It is obvious if the next President of the United States happens to be AL GORE that very likely we will have the same type of Justice Department. I don't think our forefathers ever anticipated, when they were constructing these documents, our Constitution and our statutes, that we would have someone in the President's office who would use the Justice Department to protect his friends and punish his enemies. I have come to the conclusion that if this had been Frankie Vee who had done this, he would currently be serving time in the Federal penitentiary.

I yield the floor.

EXHIBIT 1

DEPARTMENT OF DEFENSE,
OFFICE OF GENERAL COUNSEL,
Washington, DC, December 3, 1999.

Re Request for Representation of Clifford H. Bernath in *Tripp* v. *Executive Office of the President* (D.D.C. No 99–2254).

SYLVIA KASAR, Esq.,
U.S. Department of Justice,
Civil Division—Federal Programs Branch,
Washington, DC.

DEAR MS. KASAR: I am writing to request that the Department of Justice authorize private counsel at federal expense for Mr. Clifford H. Bernath in connection with the above-captioned litigation, pursuant to 28 C.F.R. §5015.

We believe that this lawsuit concerns matters within this scope of Mr. Bernath's employment at the Department of Defense. Based on the information now available to us—which has also been made available to your office—we believe that providing Mr. Bernath with private counsel at federal expense is appropriate and in the interest of the United States.

Thank you for your consideration of this matter.

Sincerly,

BRAD WIEGNAM.

EXHIBIT 2

[From the Washington Times, May 27, 2000]

CLINTON ACCUSED IN 'SMEAR'—TRIPP LAWYERS BLAME WHITE HOUSE FOR LEAK

(By Jerry Seper)

Attorneys for Linda R. Tripp yesterday said the release of information from her confidential personnel file was ''wrong and illegal,'' and part of a ''smear campaign'' by the White House to damage her reputation.

The attorneys said the campaign was engineered by President Clinton and his senior advisers, who ''turned their public relations machine against Mrs. Tripp'' to divert attention from the president's conduct with former White House intern Monica Lewinsky.

''The campaign worked, and Mrs. Tripp was publicly humiliated on numerous occasions,'' attorneys Stephen M. Kohn, David K. Colapinto and Michael D. Kohn said in a statement. ''Her reputation was poisoned, her motives questioned and even her personal appearance became fair game for ridicule.''

They said the leak of the Tripp file by Pentagon spokesman Kenneth Bacon to a reporter looking to write a critical story of Mrs. Tripp was part of that scheme, and that the file's disclosure was prohibited under the federal Privacy Act.

The Defense Department's Office of Inspector General concluded that Mr. Bacon and his former top deputy, Clifford H. Bernath, violated Mrs. Tripp's privacy rights by providing information from her confidential personnel file to a reporter for the New Yorker magazine.

But the two men received only mild reprimands Thursday from Defense Secretary William S. Cohen.

Mr. Cohen criticized Mr. Bacon and Mr. Bernath in letters for what he called a ''serious lapse of judgment,'' although neither letter was made part of the men's personnel files and no further disciplinary action was recommended. The case is closed.

Mr. Clinton, through a spokesman, yesterday said he had ''full confidence'' in the Cohen decision.

''The president has full confidence in the secretary of defense's management of his staff and the Pentagon and supports the judgment of the secretary of defense to take the actions appropriate,'' said P.J. Crowley, chief spokesman for the White House National Security Council, Mr. Crowley formerly worked for Mr. Bacon.

Mrs. Tripp is the Pentagon official who blew the whistle on Mr. Clinton's affair with Miss Lewinsky. Both Mrs. Tripp and Miss Lewinsky worked for Mr. Bacon.

Mrs. Tripp has since field a lawsuit accusing the White House and the Defense Department of using her confidential file to smear her reputation.

In a five-page statement, her attorneys noted that the leak to Jane Mayer, a reporter for the New Yorker, came after Mr. Bacon met privately over dinner with former White House Deputy Chief of Staff Harold Ickes—who ''volunteered'' to help Mr. Clinton in damage control after the Lewinsky accusations surfaced. They said Mr. Ickes also had met with Miss Mayer before the information was released.

''This was simply not an innocent release of information in response to an inquiry by a reporter,'' they said. ''It is well-established that Mr. Bacon and his associate who was involved in the illegal leak knew that the information requested from Mrs. Tripp's security file would be used in a derogatory manner to smear Mrs. Tripp and question her credibility.''

They also said Mr. Bacon and Mr. Bernath had been told the information from the file was covered by the Privacy Act and could not be released without Mrs. Tripp's consent.

Mr. Ickes, now coordinating first lady Hillary Rodham Clinton's run for a U.S. Senate seat in New York, did not return calls to his office for comment. He previously denied any wrongdoing, saying that while he met with Mr. Bacon and Miss Mayer before the file was leaked, he denied the discussions were part of a conspiracy.

The White House also has denied any involvement in the leak, and Mr. Bacon, in a statement on Thursday, said he did not believe he violated Mrs. Tripp's privacy rights and that ''ultimately my conduct will be found lawful.''

Sen. James M. Inhofe, Oklahoma Republican who denounced a Justice Department decision last month not to seek an indictment of Mr. Bacon or Mr. Bernath, despite concerns outlined in a July 1998 report by the inspector general, called the Cohen reprimand ''a travesty.''

''At a minimum, Bacon and Bernath should have been fired,'' said Mr. Inhofe. ''This is what happened to the Bush administration official who misused candidate Bill Clinton's passport file in 1992. It is what Bill Clinton said would happen to anyone in his administration found guilty of a similar invasion of privacy.''

Mr. Cohen yesterday denied that he whitewashed the release of information from Mrs. Tripp's confidential file, saying there was ''no attempt to injure Miss Tripp's credibility or her reputation.''

He told reporters at Morristown Airport after touring nearby Picatinny Arsenal that Mr. Bacon and Mr. Bernath were seeking to respond to pressure from the media and that there was no attempt to orchestrate any campaign to discredit Mrs. Tripp.

''I don't intend to fire him,'' Mr. Cohen said of Mr. Bacon.

In a final report made public yesterday, acting Inspector General Donald Mancuso said the harm to Mrs. Tripp's privacy interests caused by the release of her confidential personnel file outweighed any public benefit.

''Accordingly, the release constituted a clearly unwarranted invasion of her privacy,'' the report said. The report said the actions of Mr. Bacon and Mr. Bernath constituted a violation of the federal Privacy Act.

The documents leaked showed that Mrs. Tripp had said she never had been arrested, when in fact she had—in what later was described as a teen-age prank that occurred more than 30 years ago.

EXHIBIT NO. 3

[From the The Weekly Standard, June 12, 2000]

WHY DIDN'T BACON GET FRIED?—THE PENTAGON'S ANTI-TRIPP LEAKERS GET A SLAP ON THE WRIST, AND THE PRIVACY ACT A SLAP IN THE FACE

(By Jay Nordlinger)

It's just a small matter, in all the Clinton grossness, but it counts. Linda Tripp was the victim of a dirty, and illegal, trick. It was played on her by her own bosses at the Pentagon. And now those men—Kenneth Bacon and Clifford Bernath—have escaped with the wispiest slaps on the wrist. This is ho-hum for the Clinton administration; but it is a reminder of how unlawful and indecent this administration has been.

Before this little affair slides all the way down the memory hole, recall the essential facts: In January 1998, the Lewinsky scandal exploded on Bill Clinton's head. From the point of view of the White House, Linda Tripp was the major villain. It was therefore a matter of urgency to discredit her. In March, Jane Mayer, a Clinton-friendly reporter for the New Yorker, acquired what seemed a valuable piece of information: Tripp, as a teenager, had been arrested for larceny. Mayer put in a call to Ken Bacon, assistant secretary of defense for public affairs. He was an old friend; the two had worked together at the Wall Street Journal. Mayer had an amazingly specific question for him: How had Tripp responded to Question 21, parts a and b, on Form 398? This was a highly sensitive national-security questionnaire, under the eye of the Privacy Act Branch of the Defense Security Service; Question 21 dealt with arrests and detentions.

Bacon quickly swung into action. He ordered his deputy, Cliff Bernath, to get Mayer her answer. Hours before the reporter's deadline, Bernath told her not to worry: ''Ken has made clear it's priority.'' Moving heaven and earth, and alarming career officers as he went, Bernath delivered—right on time.

It looked like bad news for Tripp: She had not, in fact, disclosed on Form 398 her 1969 arrest. Bernath told the New York Times that Tripp faced the ''very serious charge'' of lying to the government. Defense secretary William Cohen declared on CNN that Tripp was ''guilty of a contradiction of the truth,'' which would be ''looked into.'' It soon emerged, however, that Tripp's arrest had been the result of a juvenile prank, perpetrated against her. The judge had reduced the charge to one count of loitering, telling her, as she recalled it, that her record would be clear. The Pentagon, rather sheepishly, dropped its investigation of Tripp. Instead, Congress demanded that the department investigate Bacon and Bernath—for violating the Privacy Act. In their attempt to help Mayer nail Tripp, the two men seemed to have nailed themselves.

The Pentagon's inspector general, Eleanor Hill, duly launched an investigation. The case being clear-cut, it didn't take her long to find that Bacon and Bernath had indeed violated the Privacy Act. In July 1998, she referred the matter to the Justice Department—which then sat on it for almost two full years. This would have been incomprehensible in any other administration. Only in April 2000 did Justice announce that it would not prosecute. Incredibly, the department claimed that there was ''no direct evidence upon which to pursue any violation of the Privacy Act.''

It was then left to Secretary Cohen to determine a penalty for Bacon and Bernath—if any. What he decided to do was write a letter expressing his ''disappointment'' in the men. Each would receive a copy. In this letter, Cohen said that his subordinates' actions had been ''hasty and ill-considered.'' He noted that, at the time of the incident, they and others at the Pentagon were under instruction not to release anything concerning Tripp without first consulting department lawyers. The strongest language he used was ''serious lapse of judgment.'' But this was balanced against ''the very high quality of the performance that you have otherwise exhibited.'' Amazingly, Cohen told the press that ''there was no attempt to injure Miss Tripp's credibility or her reputation.''

Contemplating this, Dick Morris, the former Clinton adviser, had no choice but to remark, ''Generally, it is a good political rule never to say anything that the average 6-year-old knows isn't true.''

The most striking thing about the Cohen letter is that it will not even be placed in either Bacon's or Bernath's permanent file. According to the Pentagon, this is not a letter of reprimand. A department spokesman, Craig Quigley, described it as ''a personal letter to both Mr. Bernath and Mr. Bacon.'' Incredulous, a reporter said, ''So, it's not a letter of reprimand?'' ''No,'' said Quigley, ''Well, what would you call it?'' Said Quigley, ''It's an official letter expressing the secretary's disappointment in the judgment'' of the two officials.

Quigley, like his boss, Bacon, also persisted in the fiction that the leak to Mayer was no big deal—a matter of routing, just business as usual. ''This information was taken in the normal course of the day.'' It was ''done very clearly and above board.'' You know how it is at the Pentagon: ''A reporter will call with a question or request for data of some sort, and it's provided as best we can.'' Anyone who has ever covered, or tried to cover, the Defense Department will gladly tell you this is rot. Quigley trotted out another line as well, one that is increasingly becoming the Bacon defense: ''You always do a balancing act between the Freedom of Information Act and the Privacy Act.'' This assertion is absurd: Form 398 is strickly a Privacy Act document.

After Cohen's non-reprimand, a few Republicans properly cried bloody murder. Sen. James Inhofe of Oklahoma accused the Pentagon of ''a whitewash and a coverup.'' He said that ''the law was broken, and nothing is being done about it.'' The failure to punish the leakers would ''send a signal to millions of federal civilian and military employees that their private government records can be made public for political purposes, and no one will be held accountable.''

For their part, Bacon and Bernath are denying any violation of the Privacy Act. At a press conference, Bacon was asked whether he would apologize to Tripp. ''Well,'' he replied, ''I have already issued the apologies that I have to issue.'' (He didn't specify what those were.) ''I don't think that I performed unlawfully,'' he continued. His only regret was that he had not ''checked this with lawyers.'' In an official statement, Bacon said, ''It certainly never occurred to me that the Privacy Act would preclude disclosing how a public figure recorded a public arrest record on a security clearance.'' And here is more, perhaps Bacon's richest utterance to date: ''I obviously knew that this was an issue of considerable public concern and that the public

had an interest in knowing whether Ms. Tripp had accurately acknowledged her arrest record.''

Bernath, the junior partner in the enterprise, following orders, although blindly, was similarly unbowed, saying, ''My actions were not only legal, but also ethical and correct.''

Meanwhile, Tripp is suing both the Pentagon and the White House for Privacy Act violations and witness intimidation. This suit may in fact have been on Cohen's mind when he declined to take serious action against his guys. Cohen gave the game away somewhat on Meet the Press, saying of Bacon, ''He is now the subject of a major lawsuit. And so he will continue to be held accountable to the legal process.'' This is exactly the sort of thinking that worries many observers, including Joseph diGenova, a former U.S. attorney with long experience in this area. Says diGenova, ''The treatment of Bacon and Bernath suggests that the Privacy Act will be enforceable only in civil lawsuits filed by the victims. It there's no adverse action—not even a letter that goes into somebody's file—there's no deterrence here. None whatsoever.'' In other words, ''Don't leave it solely to the victim, who has to pay lawyers and so on, to enforce her rights under the Privacy Act. The government should enforce those rights, especially given that it was government people who broke the law.''

The president and his men have a bit of a history with the Privacy Act. You perhaps remember Passportgate. Toward the end of the 1992 presidential campaign, it was learned that political appointees in the Bush State Department had rifled through candidate Clinton's passport files and those of his mother. Democrats demanded an independent-counsel investigation. They got one—led by diGenova. One of the officials involved, Elizabeth Tamposi, was dismissed. The acting secretary of state, Lawrence Eagleburger, offered to resign over the matter (President Bush refused). Said Clinton, in his first press conference as president-elect, ''If I catch anybody doing [what the passport-file offenders did], I will fire them the next day. You won't have to have an inquiry or rigmarole or anything else.''

About a year later, Passportgage had something of a reprise, this time featuring appointees in Clinton's own State Department. A few of them got hold of Bush-administration personnel files and leaked them to Al Kamen of the Washington Post. Kamen thus had the following story: ''Guess whose working file was empty? That of very controversial longtime Bush employee Jennifer Fitzgerald.'' Kamen, of course, was being coy here: Fitzgerald was the woman rumored to have had an affair with President Bush. Damen was also able to report that Elizabeth Tamposi's file included ''concerns from very senior State Department types that she was not ready for an assistant secretaryship.''

Immediately, the State Department's inspector general, Sherman Funk, began an investigation. He found that two employees—Joseph Tarver and Mark Schulhof—were stone-cold guilty. Funk told Congress that the pair had engaged in ''criminal violations of the Privacy Act provable beyond a reasonable doubt.'' The Justice Department (developing a pattern) refused to prosecute. In November 1993, the department secretary, Warren Christopher, fired Tarver and Schulhof. This must have been one of the last acts of Clinton-administration honor. The contrast with the Bacon-Tripp case—in this last respect—is overwhelming.

Then, of course, there was Filegate, in which the White House gathered unto its bosom hundreds of Republican FBI files, including Linda Tripp's. And the president himself was prompt to release letters from Kathleen Willey—a woman who had accused him of improper sexual conduct—when it was convenient.

If all this didn't begin with Watergate, it was certainly enshrined there. When the Bacon-Tripp story first broke, Charles Colson reminded this magazine that it was to a Bacon-style disclosure that he had pleaded guilty, in 1974. He had released information from Daniel Ellsberg's FBI file to the Copley Press, at a time when Ellsberg was a defendant in the Pentagon Papers case and a thorn in the Nixon administration's side—the parallels to Tripp are neat. Colson went to jail for this. The special prosecutor, Leon Jaworski, rejoiced that Colson's plea had set a precedent: No longer would political appointees so readily smear their foes in this way. Indeed, the Privacy Act was a post-Watergate reform, intended to check Nixonian abuses.

Says diGenova, ''The Bacon thing is a facial and obvious violation of the Privacy Act. It is made for it.'' Bear this in mind: ''Linda Tripp was engaged in a very public dispute with the president.'' His presidency hung in the balance; he, like Nixon before him, was on the road to impeachment. ''This is precisely the kind of circumstance that Congress had in mind when it gave us the Privacy Act. And not to punish this conduct is a very serious mistake.''

Apart from Tripp's lonely lawsuit, this affair has now reached an end. Yet two questions hang over it. First, Who gave Jane Mayer that promising tidbit from Tripp's past? Mayer says that it was a former wife of Tripp's father. Others—not necessarily full-time conspiracy theorists, either—wonder whether that's the full story. Team Clinton had every reason to dig for dirt on Tripp. The chief recordkeeper in the White House, Terry Good, testified in a deposition that the White House counsel's office had requested ''anything and everything that we might have in our files relating to Linda Tripp.''

The second question is, Did Bacon act of his own initiative? Or was he prompted by someone—presumably at the White House—to let fly what appeared to be damaging information? Bacon has steadfastly claimed that he acted entirely on his own, with no order, wink, or nod. But this strikes most people familiar with the workings of the Pentagon—and of the Clinton camp generally—as implausible. A veteran Defense Department hand told us, ''Couldn't happen, didn't happen, no way, no how. Remember: Everyone who comes into public affairs is told Privacy Act rules. You don't release someone's confidential information—to anyone, much less the media. This is Public Affairs 101. And Bacon is perpetrating a shameful lie. Any professional in the building will tell you the same thing.''

So, the Clinton administration lurches to a close, its players going this way and that, its loose ends being tied up, however unsatisfactorily. Jane Mayer, the little lady who started this not-so-great war, was recently a guest at a White House state dinner. She was seated in a place of honor: the first lady's table. As for her friend Bacon, he has waxed philosophical about his humble-gate: ''This is an extremely small part of a large and painful national drama.''

Yes, but it is significant nonetheless. The rule of law has taken a beating in this administration, not to mention such demands as honesty and trustworthiness. After Cohen flaked out, one of Tripp's lawyers made a somewhat poignant statement: ''Despite Linda Tripp's unpopularity, the law should protect her.'' Such a simple notion. And powerful, even now.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, for purposes of the statement I am about to give, I ask unanimous consent that I be permitted to display a small safe.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEDICARE LOCKBOX

Mr. VOINOVICH. Mr. President, according to the latest estimates put forth by the Congressional Budget Office, the United States is projected to achieve an on-budget surplus of $26 billion in fiscal year 2000, the current fiscal year. What many Americans do not realize is that Medicare Part A, that portion of every person's paycheck that is deducted for hospital insurance, is the largest component of our Nation's on-budget surplus. It accounts for approximately $22 billion of the $26 billion fiscal year 2000 surplus. Of the on-budget surplus of $26 billion, $22 billion is actually money that has been paid into Medicare that is not being used for Medicare recipients today. It is overpayment.

Of that $26 billion on-budget surplus, the fiscal year 2001 budget resolution assumed that $14 billion of that on-budget surplus would be used to pay for military operations in Kosovo, natural disaster relief in the United States, Colombian drug eradication assistance, and other supplemental spending. Fourteen billion of the $26 billion has been spoken for, and for all intents and purposes, it is off the table. It is gone.

That leaves approximately $12 billion in on-budget surplus dollars available and unallocated—quite a tempting target.

If we don't use this $12 billion to pay down the national debt, I am concerned Congress will just spend the money. However, there is another option. In the very near future, Senator ALLARD and I and several of our other colleagues will propose an amendment that will direct the remaining $12 billion to be used for debt reduction instead of allowing it to be squandered on additional spending. We have given a lot of lipservice to being in favor of reducing the national debt. We have heard it in the House and the Senate. This will be a wonderful opportunity for everybody to vote to put $12 billion of the on-budget surplus into debt reduction.

In addition, once the CBO releases its revised baseline this summer, we will come back again and propose another amendment that will allocate whatever additional fiscal year 2000 on-budget surplus dollars are achieved towards debt reduction. We know in July we will have new numbers so there will be more money. At that time, we will come back and say: Let us use that additional money to pay down the debt.

Ever since the Congressional Budget Office first projected we would have a budget surplus back in 1998, Congress and the administration have been falling all over themselves to spend our on-budget surplus dollars. Indeed, if we include the supplemental appropriations, fiscal year 2000 discretionary

spending will increase $37 billion, or 6.4 percent, over fiscal year 1999. Again, when we use the $14 billion of the on-budget surplus and add it to what we have already allocated for 2000, we are now talking about a 6.4-percent increase in spending in the year 2000 over 1999. That is tremendous growth in Government spending.

On another note, we hear that Vice President GORE now supports a Medicare lockbox, a lockbox similar to the one we created.

As I stated earlier, Medicare Part A is the largest component of our Nation's on-budget surplus, accounting for approximately $22 billion. Because of our strong economy and high employment, more money has come into the Medicare program via the payroll tax than has been spent in benefits. Again, we are either going to spend those on-budget surplus dollars on unrelated Government spending, or we can use it to reduce the national debt.

Last November, Senator ASHCROFT introduced the Social Security and Medicare Safe Deposit Act to wall off both the Social Security and Medicare Part A trust fund surpluses; in essence, to put them in a lockbox so the only other purpose for which they could be used would be to pay down the national debt. That is what we were going to do with it. The Senate had a chance this year to vote on a Medicare lockbox on April 7, when Senators ASHCROFT, BROWNBACK, GRAMS, and I offered an amendment to the fiscal year 2001 budget resolution. Unfortunately, Senator ASHCROFT had only 2 minutes to speak on the subject. I didn't get a chance to speak on it at all because no one was very interested at that time.

I remind my colleagues, the vote on the Medicare lockbox amendment was opposed by 43 Members of this Senate on the opposite side of the aisle; that is, 43 Democratic Members of the Senate voted ''no'' on the Medicare lockbox amendment. I thought the Medicare lockbox was a good idea then; I think it is still a good idea. Now, apparently, the Vice President thinks it is a good idea.

We need to lockbox Medicare to make sure that the excess money paid into Medicare Part A goes for debt reduction and is not going to be used for more spending or tax cuts. We need to use it for debt reduction, period, just as all the experts have said. Alan Greenspan, Chairman of the Federal Reserve Board; Daniel Crippen, head of CBO; David Walker, head of the GAO—all have said we should take the on-budget surplus and use it to pay down debt. I am pleased the Vice President is on board with a Medicare lockbox. I hope he will be able to convince Senators on the other side of the aisle that we need to make sure the on-budget surplus funds coming into the Treasury, which are mostly Medicare Part A dollars, are used to pay down the debt.

If my colleagues on the other side agree with the Vice President that we need to lockbox the Medicare surplus, which comprises $22 billion of the on-budget surplus, then they should have no problem supporting using $12 billion to pay down the debt.

We are going to have an opportunity twice this year—once perhaps this week on the Defense appropriations bill—to use the remaining on-budget surplus to reduce the national debt or to pay for more spending. I think it will be one of the best budget votes my colleagues will have all year long. Not only will it keep down spending, it will help bring down our publicly held debt. We have to make sure we make the right decisions in terms of our on-budget surplus.

I would like to also take advantage of this opportunity to quote the Vice President. This quotation was in the Washington Post:

> The temptation has always been to treat Medicare the way Social Security used to be treated—as a source of money for spending or tax cuts. And now that we have succeeded in taking Social Security off budget and using it to pay down the debt, we need to do the same thing with Medicare and put it in a lockbox.

I remind my colleagues that when the issue of the Social Security lockbox came up on the floor of the Senate, our colleagues on the other side of the aisle, on six occasions, all 45 of them voted against—voted against—the Social Security lockbox. My feeling is that we will find out this year whether or not the administration is in favor of lockboxing Social Security and lockboxing Medicare.

I think it is time we level with the American people and let them know that the on-budget surplus we have been talking about is primarily made up of overpayment of Medicare Part A payroll taxes, and that what we have been doing is proposing to use that for more spending or for reducing taxes. Let's lock it up. Let's put it in a lockbox. Let's make sure that the money that is being paid into Medicare is money for insurance for the elderly and is not used for tax reductions or, in the alternative, used to pay for other Federal spending. Now is the time to make that point. Now is the time to be counted.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. VOINOVICH assumed the chair.)

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I believe we have about 15 minutes left in morning business, is that correct?

The PRESIDING OFFICER. That is correct.

DECIDING THE SENATE'S PRIORITIES

Mr. THOMAS. Mr. President, I thank my friend from Ohio. I certainly could not agree more that when we have—as we do and will—a surplus, we need to decide where our priorities are in terms of spending those dollars. I can tell you, if they are just left here, they will be spent. If our priorities do lie in funding what our programs are, in ensuring that Social Security maintains itself, and that Medicare is there, and when we want to ensure that we keep a balanced budget and start to pay down our debt, then we have to commit ourselves to do those things. I think it is an excellent idea for those dollars, so that they won't be spent for something else. I also think we ought to pay down the debt, and we hopefully will have some opportunity to get some tax relief. It is tougher, interestingly enough, when you have a surplus to make sure that the money is used as beneficially as when you are dealing with a deficit. That is what I wanted to talk about this morning.

That is how we might make Government more efficient. You know, we talk about that a lot. Most of us talk about less Federal Government and how do we make sure the dollars are spent as efficiently as they can be and, hopefully, how we can arrive at a situation where those people who earn the dollars can keep more of them. That ought to be part of our goal.

I think there are some things that this Congress ought to consider, and they seem very important to me—ways in which we intend to ensure that the Government is more efficient, that the Federal Government indeed is limited in size, and that we make certain the Federal Government does those things that are defined in the Constitution and not those other things that are not and should be left to the States and the people. That is what the Constitution says. That is what most of us want.

Particularly, I suppose, when you come from a State such as mine, Wyoming, where we have a relatively low population, where we have a lot of open space and not too many folks, then the way you have programs function is different than it is in Connecticut and different than it is in Pittsburgh. So you really need that flexibility and you need to be doing as much governance as can be done, in my opinion, as close to people as possible so that it fits. That is what we ought to be talking about—less bureaucracy and more responsiveness, and doing what we need to do. This budget process that we are going through now is quite important, not only with respect to spending the money, but we really define for ourselves what we think the priorities are in terms of the needs of the American people, and what the role of the Federal Government is to help satisfy those needs. It is difficult.

I think it is fair to say that governments have less discipline than the private sector. There is really nothing to force the Government to have to behave in different ways, which is true in the private sector. I come from a business background. I tell you, you have

to make changes from time to time because the economy makes it imperative that you do that, or you go broke. You are forced to change. That is not so with the Government. There is no competition there, so you are not forced to do things. I am not totally critical of the Government, by any means. I am only saying that there is a difference between how you run the Government and how you run the private sector. I believe there are a number of factors in the private sector that would help make the Federal Government much more effective. You have to force change. Change doesn't come about easily in a bureaucracy. Governments tend to go on as they have in the past. They tend to say that is what we have done before and what we will continue to do. It is resistant to change. So seldom are they forced to reorganize. Agencies are insulated, to some extent, by the Congress. If we don't do some things to bring about change, then change doesn't come about. I think it is our responsibility to do some of those things.

There are a number of ideas that I believe will help strengthen the system—ideas that are adapted from the private sector, to a large extent. They have to be initiated by the Congress, and there has to be a system in which the Congress exercises its responsibility for oversight to make sure that does not happen. There has to be a way that things are audited, that things are reviewed to see if, in fact, we are accomplishing the things that are set out to do.

The first would be, of course, to establish goals.

I have recently been involved in electric deregulation. We have had great battles over it. I am not sure what is going to happen or whether it will be done this year. We are seeking, however, to make some changes in the electric generating and distribution system. It has been a regulated utility for years. We want to see if we can't do it a little better in other ways.

Do you know what else we should do, in my opinion? We haven't really defined what we want. We get all wrapped up in what is going on. We are going to do this, or that, or this, when we haven't really clearly defined what we want the end result to be.

It seems to me it would be very productive if this Congress—maybe when we start to deal with campaign finance—knew what it wanted in the end. I think we could do that. If you are not certain where you are going—remember the old story of Alice in Wonderland. She fell through the hole and talked to all of the different people, and didn't get any advice. Finally, she saw the Cheshire cat up in the tree, and she was right at the junction of the road. She said: Cat, which road should I take? The cat said: Where do you want to go? She said: I don't know. The cat said: Then it doesn't make any difference what road you take.

That is kind of where we are sometimes. If we don't know what we want to accomplish, then how do we get there?

I think instead of emphasizing the process, which we often do, we then need to measure results. That is really what it ought to be about. That is where you have the flexibility by saying you worry so much about how you get there but you measure the results at the end. There are things we can do.

Congress needs to first define where we are going, define how we get there, and then measure the results; give some flexibility so that things can be done differently in different places. The health care system delivery is much different in Wyoming from what it is in California. You have to have some flexibility to do that.

Congressional oversight is something that, unfortunately, we probably don't do as much as we should. That is what committee meetings are for. That is what audits are for. When you pass a law and say here is where we want to go, then you have to say: How are we getting there? We don't do that well.

The Republicans and the majority party have been putting emphasis on oversight. I think that is a great thing to do. That is why I like biennial appropriations—so you don't have to spend 2 years doing appropriations. We ought to do them every other year, and spend the interim year seeing if the money we are spending is doing the things we intended.

The Constitution divides the responsibilities in the Federal Government for a reason; that is, so that no one segment of Government controls everything. We have an executive branch; we have a legislative branch; we have a judicial branch. It is for good reason: To divide and strengthen the responsibilities and power so there is balance.

We, frankly, find that particularly this administration, as their time expires, is moving far beyond what the legislature has authorized and doing many things by regulation without talking at all with the Congress or, indeed, to the people. I think we have to really make sure that what the law intends is carried out.

Congress passed a bill in 1998, which I authored, which defines the various activities of Congress: Listing those activities that are inherently governmental, listing those that are not, and listing those that could better be done by contract in the private sector. We passed that bill. We have had some progress. There has been a listing, generally.

By the way, the Defense Department, in my opinion, does a better job of contracting than any other agency. That ought to be the role of an agency, to strengthen their ability to manage contracts, but to let those contracts go out to the private sector and people who do that professionally and more efficiently all of the time. I think that is something we really ought to be able to do.

We also need, of course, to find a way to terminate programs.

I mentioned in the beginning that Government tends to perpetuate itself. It seems to go on. I understand that. There ought to be a way to have some kind of sunset mechanism. After a period of time, hopefully, a job is finished. Not in every case, but in some cases the work is completed, and the mission is accomplished. Then we ought to do away with that agency or activity that was developed for a particular job. Unfortunately, in the political system, as you start a program of that kind, it builds its own constituency and seems never to go away. But we need to have a way to do that. I think the sunset idea is an interesting one.

We have been talking about these for some time.

I am really delighted to see in the news today what Gov. George Bush suggested. One is opening positions to commercial activities, and another one is result oriented and talking about doing the very things we are talking about here. If we could have an administration that agrees with Congress to move that way, we could do it.

I close by saying I introduced last week the Congressional Regulatory Review Reform Act of 2000. In 1993, a bill was passed that said regulations needed to be sent back to Congress for some kind of oversight. We found increasingly, particularly in this administration, that there was an effort and an agenda to move regulation by Executive orders that could not get through the legislative process—to sort of go around it. Unfortunately, Congress has allowed this to happen and has delegated much of its legislative responsibility to the bureaucracy in terms of the regulations that are written to implement the law.

Clearly, Congress can't go into huge detail, nor should it. But the important thing is that the regulations designed to implement the law need to carry out the intent.

In my subcommittee last week we had a meeting on national parks. We have a very good national park bill that was passed in 1998. Now we are implementing that bill. We are having discussions as to how we ensure the regulations that are developed in fact bring about the change intended in the legislation and that regulations don't simply keep it as it was.

The system we passed in 1996 has not worked as well as it should. Over 12,000 nonmajor rules and 186 major rules have been submitted to Congress—major rules being ones that have more than $100 million in impact on the private sector. Out of 12,000, only 7 resolutions of disapproval have been introduced pertaining to 5 bills. None has passed either House. So it isn't working as it should.

We are trying to make some changes and say, rather than just going to the Office of Management and Budget, it ought to go to GAO, which is the general auditing organization. Then it should come to Congress so Congress

has an opportunity to take a look at it. If indeed it doesn't reflect the intent, Congress should have a chance to change it.

Those are some of the things that I think would help implement the things we are doing. It would help to have a smaller and more efficient Government. It would help us, Mr. President, as you pointed out, to set aside some of the dollars that ought to be used to pay down the debt and go back to the taxpayers. I think we have a great opportunity to do that. I hope we focus on that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

Mr. STEVENS. Mr. President, I rise to remind Senators that there is an order that requires amendments to this bill be filed by 3 p.m. We have been notified there are about 41 amendments that may be offered. Senator INOUYE and I are prepared to deal with these.

If Members have amendments and desire to have a vote sometime tomorrow, please take time this afternoon to initiate that debate. There is no time limit on amendments yet, but we do intend to reach a time limit agreement on amendments later this afternoon. If Members have amendments and desire to have a considerable amount of time to present to the Senate, this is a great time to do that.

We will be working up a managers' package of amendments that we believe we can take to conference and work out. Senators may want to identify those amendments and present them. We would be pleased to consider them now and determine if we will put them in the managers' package so we can move the bill forward.

It is our hope we will finish this bill tomorrow afternoon. That is complicated a little bit by the fact we have a full Appropriations Committee meeting tomorrow afternoon to report out the Transportation appropriations bill. That may not take very long. It is our intention to keep working on the Defense bill, notwithstanding the fact we will be in committee on the Transportation bill. I urge Senators to introduce and possibly present amendments to the Senate so we can determine whether they should be included in our managers' package, which will be accepted by unanimous consent.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I thank the Chair.

AMENDMENT NO. 3308

(Purpose: To prohibit the use of funds for the preventative application of dangerous pesticides in areas owned or managed by the Department of Defense that may be used by children)

Mrs. BOXER. I send an amendment to the desk. I ask for its immediate consideration. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Mr. REID, proposes an amendment numbered 3308.

Mrs. BOXER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8___. PROHIBITION ON USE OF FUNDS FOR PREVENTATIVE APPLICATION OF PESTICIDES IN DEPARTMENT OF DEFENSE AREAS THAT MAY BE USED BY CHILDREN.

(a) DEFINITION OF PESTICIDE.—In this section, the term 'pesticide' has the meaning given the term in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

(b) PROHIBITION USE OF FUNDS.—None of the funds appropriated under this Act may be used for the preventative application of a pesticide containing a known or probable carcinogen or a category I or II acute nerve toxin, or a pesticide of the organophosphate, carbamate, or organochlorine class, in any area owned or managed by the Department of Defense that may be used by children, including a park, base housing, a recreation center, a playground, or a daycare facility.

Mrs. BOXER. I will do my best to describe my amendment in about 10 minutes, if I might.

The PRESIDING OFFICER. The distinguished Senator is recognized.

Mrs. BOXER. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mrs. BOXER. I say to the Senator from Alaska, I am asking for the yeas and nays on my amendment.

Mr. STEVENS. I will agree to that.

Mrs. BOXER. I thank the Senator.

The PRESIDING OFFICER. There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, if I may be recognized, I ask that it be scheduled for sometime tomorrow at a time to be agreed upon between the Senator from Hawaii and myself.

The PRESIDING OFFICER. Is there objection to the Senator's unanimous consent request?

The Chair hears none, and it is so ordered.

Mrs. BOXER. I want to clarify with my friend from Alaska and my friend from Hawaii that we will have an up-or-down vote on this amendment and not a second degree? We can have a vote up or down.

Mr. STEVENS. We have no problem with agreeing that the amendment not be subject to a second-degree amendment.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The Senator is recognized.

Mrs. BOXER. I thank my friend from Alaska and my friend from Hawaii for agreeing to my request. I hope we will not have much opposition because I believe that this amendment is, in fact, consistent with the stated policy of the Department of Defense. I will explain what my amendment does.

My amendment would prohibit the routine use of particularly harmful pesticides on Department of Defense property or grounds where children may be present.

I was stunned to learn, about a year after I got to the Senate—so it must have been about 1984—that the way the laws were written and the way they applied across the Government was that our environmental laws were set to protect essentially 155-pound men.

Now, that is fine, if you are in that category, but what we find out is that people of a lesser weight, a different gender, pregnant women, the elderly, people who are ill, and little children, react very differently to that amount of pollution or pesticide, as the case may be. So I wrote a bill called the Children's Environmental Protection Act. I am very much hopeful that we can get it passed as sort of an omnibus bill that takes care of all of our laws in every Department to make sure that children, in particular, are protected.

So far we have not had much luck moving that bigger package, so what I have done is, on every bill that has come before this body, I have offered an amendment that would lower the risk for our children. In this particular case, we are saying to the Department of Defense: You have been good about putting the policy forward; we want to codify it and make sure that you do not use a pesticide containing a probable carcinogen or a known carcinogen, an acute nerve toxin or other toxins that would in fact harm our children.

Why is it important to limit the use of these pesticides around children? Clearly, by definition, pesticides are meant to kill living things. Exposure to pesticides has been linked to cancer,

neurological disorders, and learning disabilities. For example, common insecticides that schools spray on baseboards and floors to kill cockroaches and ants include an active ingredient—chlorpyrifos—that is classified by the EPA as a nerve toxin. And I compliment Carol Browner over at the EPA because she just held a press conference announcing that this particular ingredient will be banned. However, it is important to note it is going to take at least 6 months for that ban, and we do not want that kind of toxin being sprayed around children. That is why it is important to include it in this amendment.

We know that potential chronic effects from exposure to these kinds of harmful toxins, we know we see a decrease in neurological performance.

Are these risks any different for children in relation to adults? The answer is yes. I would like to refer you to the 1993 National Academy of Sciences report, ''Pesticides in the Diets of Infants and Children.'' We know that children are at greater risk to experience the harmful effects of pesticides exposure than adults. In other words, children are not just little adults. They are changing; they are growing. I often say that I am a little adult but I am not a child; I have grown to my maximum potential. But the fact is, kids at a certain age, before they reach maturity, are very susceptible to having adverse reactions to the chemicals that I would not have, nor Senator INOUYE, nor Senator STEVENS, nor our Presiding Officer, Senator ROBERTS; we are stronger, although I would say they are much stronger than I am because they are being protected because of a rule that says if you are a 155-pound male, you will be OK.

So it is important to bring this issue to the Senate as often as I can, and I am very pleased with the response I have gotten from colleagues thus far because we have been able to change the rules as they apply to safe drinking water; we recently had some luck on an education bill; and we have had some luck with the Superfund in committee. We make sure that when the Superfund sites are cleaned up—these are the terrible dumps that include so many harmful toxins—they are cleaned up to protect children, not just the 155-pound adults.

We know that pound for pound of body weight, children eat more food; they drink more water; and they breathe more air than adults so they are vulnerable. They are rapidly growing; their developing systems are vulnerable.

I want to show you this picture in case you are wondering what all this means because I think it is extremely interesting and it is also extremely disturbing.

This picture is from a study, ''Showing the Effects of Pesticide Exposure on Young children.'' One group of children in this study was from a region where pesticide use was high, both in the home and outdoors. The other group in the study was the same as the first group: same age, same ethnicity, except the second group of children was from regions where pesticides were not used—the same group of children, except for pesticide exposure. The two groups of children were asked to draw a person to test their cognitive ability, their ability to learn and understand. These are the results, results which show an unsettling picture.

These are the pictures that were drawn by the kids who were exposed to pesticides. You can see you don't even see a resemblance of a person. And clearly where there was very little exposure, you are getting a much more appropriate type of drawing. This isn't something that we are making up. We are seeing this response.

The kids who grew up without exposure to pesticide use in significant proportions did far better. They had better hand-eye coordination, and you could see it so clearly; they had better memory and their brain skills were so much sharper.

The study's authors also observed that children from the area with little pesticide use—and again that is clearly this group shown here—engaged in more group play; they were more creative with their activities; they were less aggressive than the children from the area with the high pesticide use. This is a study that is considered one of the first in this particular area.

This was done by Professor Elizabeth Guillette who is affiliated with the University of Arizona. This study clearly shows what many of us have suspected for a long time. It is a fact in evidence that our kids are damaged when they are exposed to dangerous pesticides and toxins.

The point I want to make about the amendment is that while we prohibit the routine use of these dangerous pesticides, we certainly do not prohibit the Department of Defense from using common and less toxic pesticides.

Under the amendment, DOD could still use synthetic pyrethroid insecticides to control insects. These insecticides are among the most common used today.

And, DOD could still use copper sulfate, a very common pesticide used today.

DOD also could still use ''biopesticides''—there are some 50 of these type pesticides in use today.

DOD could also use pheromone traps and baits—which are used heavily today to control termites and carpenter ants.

Finally, DOD could still use insect growth regulators, which help control insects.

I was asked when putting this amendment together: Suppose there is an absolute emergency and we have an encephalitis epidemic break out on a military base. We make an exception for that in this amendment. We agree, if we have to go to these harsher toxins to fight a health hazard. Of course. We have an exception in this amendment. By the way, that exception is part of the DOD guidelines.

We are only banning as a routine method the known carcinogens, the probable carcinogens, the nerve toxins from regular use.

This is a very disturbing study that was done by someone who is considered a leader in this field of understanding children and their brain development at the University of Arizona. We know for a fact that kids are adversely impacted by these toxins. I would be very pleased to see the Senate act to put on the record and put into law the official banning of these very harmful pesticides.

I again thank my colleague, the Senator from Hawaii, Mr. INOUYE, for his help on this. I ask unanimous consent that HARRY REID be added as a cosponsor to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I particularly thank Senator STEVENS for his graciousness in not only allowing me to go forward with this amendment today but agreeing to have a vote directly on the amendment.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Hawaii.

Mr. INOUYE. Mr. President, may I ask a question of the author of the measure?

Mrs. BOXER. Certainly.

Mr. INOUYE. Is the Senator satisfied that her amendment does not violate provisions of rule XVI?

Mrs. BOXER. Yes, we have been told it is drawn in such a fashion that it simply says no funds may be used for these pesticides and toxins on a regular basis.

Mr. INOUYE. It is limited only to the Department of Defense.

Mrs. BOXER. That is correct. I would love to do much more, I say to my friend, but we are following rule XVI.

Mr. INOUYE. I thank the Senator.

Mrs. BOXER. I thank my friend. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3317 THROUGH 3320, EN BLOC

Mr. STEVENS. Mr. President, I have four amendments at the desk; three are technical in nature and one is substantive. I ask unanimous consent they be presented at this time.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments numbered 3317 through 3320, en bloc.

The amendments are as follows:

AMENDMENT NO. 3317

(Purpose: To provide research and development funds for the Information Technology project)

In the appropriate place in the bill, insert the following new section:

''SEC. . In addition to funds made available in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $20,000,000 is hereby appropriated for Information Technology Center.

AMENDMENT NO. 3318

(Purpose: To make a technical correction to Sec. 8083 of the bill)

On page 83, line 26 of the bill after the comma strike the following text: ''1999 (Public Law 105–262)'', and insert the following text: ''2000 (Public Law 106–79)''.

AMENDMENT NO. 3319

(Purpose: To make a technical correction on Section 8014)

On page 47, at line 21, strike the words ''Native American ownership'' and insert in lieu thereof ''ownership by an Indian tribe, as defined in 25 U.S.C. 450b(e), or a Native Hawaiian organization, as defined in 15 U.S.C. 637(a)(15)''.

AMENDMENT NO. 3320

(Purpose: To make a technical correction on Section 8073)

On page 79, insert the words ''Increase Use/Reserve support to the Operational Commander-in-Chiefs and with'' after the words ''to be used in support of such personnel in connection with''.

Mr. STEVENS. Mr. President, I would have been pleased to have had the amendments read, but they are technical. They have been cleared by my good friend from Hawaii. I ask unanimous consent the amendments be adopted en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 3317 through 3320), en bloc, were agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I now send to the desk a series of amendments. Normally, it would be shown that I have offered them for these Senators. I ask unanimous consent they be shown to have been submitted by the Senators whose names have been shown as sponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, the distinguished Senator from West Virginia and I have just discussed an amendment he has filed. He is prepared to modify that amendment but wishes a little bit more time. I ask unanimous consent that the amendment that has been filed by Senator BYRD be subject to his modification notwithstanding the present order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the distinguished Senator.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3328

(Purpose: To adjust the cash balances available under the ''Foreign Currency Fluctuations, Defense'' account)

Mr. STEVENS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 3328.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 90, line 14, strike Section 8091 and insert the following new section:

SEC. 8091. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $789,700,000 to reflect savings from favorable foreign currency fluctuations, and stabilization of the balance available within the ''Foreign Currency Fluctuation, Defense'', account.

Mr. STEVENS. Mr. President, this amendment changes one figure in the bill. It is cleared by Senator INOUYE.

Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3328) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I am filing an amendment for myself and Senators ROTH and BIDEN. In their absence, I am submitting this amendment probably as an alternative to an amendment they have filed. I want it on the record just to avoid any problems in the future. I ask that it be filed.

The PRESIDING OFFICER. The amendment will be filed.

Mr. STEVENS. Mr. President, I am also filing an amendment for myself and Senator MCCAIN.

The PRESIDING OFFICER. The amendment will be filed.

Mr. STEVENS. Mr. President, I ask unanimous consent that another amendment for Senator MCCAIN be printed in the RECORD.

There is one other.

These may have been already filed. If so, I ask that they just be withdrawn as a redundancy. But we are not certain they have been filed.

The PRESIDING OFFICER. The amendment will be filed.

Mr. STEVENS. Mr. President, has time passed for the filing of amendments?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the vote on the Boxer amendment occur at 10:30 a.m. tomorrow with 2 minutes of debate equally divided prior to the vote.

Mr. INOUYE. Mr. President, can we withhold that just for a moment?

Mr. STEVENS. Yes. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The distinguished Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I have sought recognition at this time to address some remarks to the Department of Defense appropriations bill.

I commend the managers of the bill, Chairman STEVENS and Senator INOUYE, for their work on this measure. These two Senators have a vast knowledge, and it goes all across the areas of the Defense Department. They have been at this work a long time. Their hearts are in it, and they are highly dedicated to it. Their combined efforts are always evident in the annual DOD appropriations bill. This year's bill is

no exception—it is a well-balanced and comprehensive measure.

In recent years, the committee has had to provide for ever-increasing demands on our military—primarily in peacekeeping activities around the world. Our military personnel are scattered around the world—they are skilled and dedicated men and women, ever vigilant in their duty—charged with the responsibility of protecting the security of our country and its citizens. But they have in more recent times also been charged with the responsibility of acting as peacekeepers in many troubled areas around the globe.

Under these circumstances, it is very difficult to craft Defense appropriations bills. It has been nearly impossible to determine just how long and to what extent our military personnel might be needed in some of these peacekeeping operations, and what the estimated costs thereof might be. That situation exists today, for example, in Bosnia. It exists in southwest Asia, in Kosovo, and even in Haiti.

So I take my hat off to our managers for their dedication, not only this year but for many previous years, in working through these challenges to provide the funding necessary to carry out these efforts.

The bill before us today clearly addresses the most critical needs of our military personnel and their families. The 3.7-percent pay raise recommended by the Senate Armed Services Committee is fully funded in this bill. Sufficient resources are also included to improve the health care benefits of our military retirees. And more than $96.7 billion is provided for the readiness of our military forces.

It is imperative that Congress provide funding for these important programs to demonstrate to the men and women in uniform who are serving our country throughout the world our strong and unwavering support for them.

Furthermore, this bill does not neglect our necessary defense modernization requirements. It provides funding for all of the highest priority programs identified by our military leaders and requested by the administration.

So I congratulate Senator STEVENS, chairman of the appropriations subcommittee—he is also chairman, of course, of the full Appropriations Committee—and Senator INOUYE for their dedication and hard work, and I know that my colleagues will support passage of the bill.

I also take this opportunity to recognize in a very special way our ranking member of the Defense Appropriations Subcommittee, Senator DANIEL INOUYE, who will be honored next week, at which time he will receive the Nation's highest military award for valor—the Congressional Medal of Honor.

How proud it makes all of us feel that we have someone like DANIEL INOUYE here as a Senator in our midst as we think of the sacrifices that he made.

Senator INOUYE was first elected to the Senate in 1963 from our 50th State.

Mr. President, I am proud to say that I am one who voted for Statehood on behalf of both Alaska and Hawaii. I believe that I am the only Senator left remaining here who voted for statehood for both of these States. I am proud of having done that.

He was first elected, as I say, to the Senate in 1963 from Hawaii, the 50th State. I think I am correct in saying that I am only one of three Members of today's Senate who were also here when he joined this body.

When I first came to the Senate, there were 96 Members of the Senate. Upon my being sworn in, the two new Senators from the new State of Alaska were sworn in with me, making a total of 98 Senators. Later in the year, Hawaii, the new State, the 50th State, sent two Senators, two new Senators to the Senate, making a total of 100 Senators to comprise this body.

I have had the pleasure of working with DANNY INOUYE on many occasions over the years. I have found him to be a man of the utmost integrity, who has worked tirelessly in the Senate on behalf of his constituents and on behalf of the Nation.

He was a Senator who was extremely supportive of me when I was the majority leader of this body. He was supportive of me when I was minority leader. He was very supportive of me when I was chairman of the Appropriations Committee of the Senate. He is certainly a Senator on whom one can rely for truth, for integrity, for steadfastness, for forthrightness, and as one who is extremely and highly dedicated to his work.

Like many others in this body, I view Senator INOUYE as a national hero. I know of his wartime heroics in France and in Italy. I read about how he fought to protect the troops with whom he served without regard for his own life. He doesn't talk much about it, but we know about it. He was gravely wounded in serving his country, yet he continued to fight. I am immensely proud of this outstanding American in our midst.

For many in Congress, in our hearts we have felt that DANNY INOUYE richly deserves the special recognition he earned in those bloody battles some 55 years ago. We are deeply moved and so proud that he is now to receive the highest military honor that can be bestowed upon any American citizen, the Congressional Medal of Honor.

It isn't enough to say in our hearts
That we like a man for his ways;
It isn't enough that we fill our minds
With psalms of silent praise;
Nor is it enough that we honor a man
As our confidence upward mounts;
It's going right up to the man himself
And telling him so that counts.

If a man does a work that you really admire,
Don't leave a kind word unsaid.
In fear to do so might make him vain
And cause him to lose his head.
But reach out your hand and tell him, ''Well done.''
And see how his gratitude swells.
It isn't the flowers we strew on the grave,
It's the word to the living that tells.

Well done, our friend, our colleague, our hero.

Mr. INOUYE. Mr. President, at this moment I find that mere words are inadequate to express my deep gratitude. Aloha to the senior Senator from West Virginia. May I just simply say I thank him very much.

Mr. STEVENS. Mr. President, I share the feelings of the Senator from Virginia concerning the statement of the distinguished Senator from West Virginia. Those are wonderful words to say about our colleague, and every one of them was well deserved.

I ask unanimous consent that the Parliamentarian review the amendments filed on this bill prior to 3 o'clock and inform the minority and majority managers of the bill whether any of those amendments are subject to rule XVI.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I ask unanimous consent that second-degree amendments be in order to the filed amendments, and that they be relevant to the first-degree amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the managers of the bill may, with the consent of the sponsor, modify amendments so they could be included in the managers' package.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE MANAGEMENT DEMONSTRATION PROGRAM

Mr. LEVIN. Mr. President, I would like to engage the distinguished managers of the bill in a brief colloquy on the issue of the health care management demonstration program recommended by the Armed Services Committee in S. 2549, the National Defense Authorization Act for Fiscal Year 2001.

Section 740 of S. 2549 would direct the Secretary of Defense to conduct a test of two models to improve health care delivery in the Defense Health Program: one model would study alternative delivery policies, processes, organization and technologies; the second would study long term disease management. This section would also

authorize $6 million within the total of $11.4 billion authorized for the Defense Health Program in FY2001 to carry out these demonstration programs. The Armed Services Committee believes that these two models have the potential to improve significantly the delivery of health care in the military medical system.

I would like to ask the distinguished managers of the bill if the FY2001 Department of Defense Appropriations Bill currently before the Senate includes the resources in the Defense Health Program to conduct the health care management demonstration program directed by section 740 of S. 2549?

Mr. STEVENS. I support the health care demonstration program directed by section 740 of S. 2549, and I assure my good friend from Michigan that the FY2001 Department of Defense appropriations bill before the Senate includes sufficient funding in the Defense Health Program to carry out this important effort.

Mr. INOUYE. I agree with the chairman of the Appropriations Committee, and I thank the Senator from Michigan for bringing this matter to our attention.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE 50TH ANNIVERSARY OF JOHN AND SHARON ROESSER

Mr. LOTT. Mr. President, I rise today to honor John and Sharon Roesser of Encino, California who celebrated their 50th wedding anniversary on Saturday, June 20, 2000.

After serving in the First Marine Division in the Pacific and near the China/Manchuria border during and immediately after World War II, John attended Loyola University in Los Angeles. John met Sharon, who was attending Immaculate Heart College, at a dance in the fall of 1948.

A year and a half later on a blistering hot day, June 10, 1950, John and Sharon were married in the original Saint Mary's Church in El Centro, California by the Most Reverend Charles S. Buddy who was the first Bishop of the San Diego Diocese. Sharon's maid of honor was her sister Patricia, and John's best man was Paul Connor. After their honeymoon at the Hotel Del Coronado, John and Sharon lived in Santa Monica and then settled in Encino, California where they raised their six children: Regina, John Jr., Allison, Paul, Mary Carol, and Tom. At last count, John and Sharon have 16 grandchildren.

Today, I honor John and Sharon's 50 years of marriage and their commitment to raising their children in a loving and caring household. Since their marriage, they have always been there for each other and for each of their children through the best of times and the most difficult of times. They are an example of all that is good in America, and I wish them all the best in the years to come.

BREAST AND CERVICAL CANCER TREATMENT ACT

Ms. COLLINS. Mr. President, breast cancer is second only to lung cancer as a cause of cancer-related deaths among American women. This year, an estimated 182,800 new cases of breast cancer will be diagnosed and 40,800 women will die of this terrible disease. In addition, an estimated 12,800 new cases of cervical cancer will be diagnosed this year, and 4,600 American women will die of this disease. Many of these deaths could be avoided by making sure that cancer detection and treatment services are readily available to all women at risk.

Early detection is currently the best way to combat breast and cervical cancer. If women age 50 and over obtain regular screening for breast cancer, up to 30 percent of breast cancer deaths could be prevented. Moreover, virtually all cervical cancer deaths could be prevented through regular screening.

In recognition of the value of screening and early detection, Congress passed the Breast and Cervical Cancer Mortality Prevention Act of 1990, which established the Centers for Disease Control and Prevention's (CDC's) National Breast and Cervical Cancer Early Detection Program. This important program has provided over two million screening tests to low-income and underserved women in all 50 States since its inception, and over 6,000 cases of breast cancer and over 500 cases of invasive cervical cancer have been diagnosed. In Maine, more than 8,300 women have been screened and 28 cases of breast cancer and 12 cases of cervical cancer have been detected through this program.

As one Maine woman observed:

> This screening program was an answered prayer. I had been concerned about having to skip checkups lately, but there was no way to come up with the money anytime soon. I will gladly tell all of my friends about this and will gladly return for follow-up.

The National Breast and Cervical Cancer Early Detection Program has provided cancer screening services to more than one million low-income American women who, like the woman from Maine, otherwise might not have been able to have these critically important tests. Unfortunately, however, the program does not currently pay for treatment services for women with abnormal screening results. Since the National Breast and Cervical Cancer Early Detection Program is targeted to low-income women, many do not have health insurance and many more are underinsured. While States participating in the program have been diligent and creative in finding treatment services for these women, a study done for CDC found that, while treatment was eventually found for almost all of the women screened, some women did not get treated at all, some refused treatment, and some experienced delay.

Screening must be coupled with treatment if it is to save lives. As we approach the 10th anniversary of the enactment of the Breast and Cervical Cancer Mortality Act, it is time for Congress to complete what it started by enacting legislation to ensure that women diagnosed with breast or cervical cancer through the screening program will have coverage for their treatment. That is why I am pleased to be a cosponsor of S. 662, the Breast and Cervical Cancer Treatment Act, which would give States the option of providing Medicaid coverage for the duration of breast and cervical cancer treatment to eligible women who were screened and diagnosed through the CDC program. This legislation is not a mandate for States. It simply lets States know that, if they do decide to provide treatment services for these women, the Federal Government will be there to help with an enhanced Federal Medicaid match for these services.

Mr. President, S. 662 has strong bipartisan support with 66 Senate cosponsors. Moreover, last month the House of Representatives overwhelmingly passed similar legislation. I want to commend the Senate Finance Committee chairman and the Senate majority leader for making a commitment to move this legislation this year, and I urge them to schedule committee action and Senate floor time soon so that S. 662 can be signed into law this summer. There would be no better way to celebrate the 10th anniversary of the National Breast and Cervical Cancer Early Detection Program in August than by enacting this important bill to provide the treatment necessary to save the lives of the women who are screened and diagnosed with cancer through this program.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, June 9, 2000, the Federal debt stood at $5,645,113,216,631.00 (Five trillion, six hundred forty-five billion, one hundred thirteen million, two hundred sixteen thousand, six hundred and thirty-one dollars).

One year ago, June 9, 1999, the Federal debt stood at $5,604,849,000,000 (Five trillion, six hundred four billion, eight hundred forty-nine million).

Five years ago, June 9, 1995, the Federal debt stood at $4,899,367,000,000 (Four trillion, eight hundred ninety-nine billion, three hundred sixty-seven million).

Twenty-five years ago, June 9, 1975, the Federal debt stood at $526,170,000,000 (Five hundred twenty-

six billion, one hundred seventy million) which reflects a debt increase of more than $5 trillion—$5,118,943,216,631.00 (Five trillion, one hundred eighteen billion, nine hundred forty-three million, two hundred sixteen thousand, six hundred and thirty-one dollars) during the past 25 years.

THE ''HOUSE THE SENATE BUILT'' RESOLUTION

Mr. GRAHAM. Mr. President, I rise today, during National Homeownership Week, to urge the Senate's commitment to affordable housing. I ask my colleagues to support a Resolution expressing the Senate's commitment to the ''House the Senate Built'' project. This proposed partnership between the United States Senate and Habitats for Humanity will lead to the construction of a simple home with and for a low-income family in all fifty states and the District of Columbia by the end of 2001.

Our colleagues in the House of Representatives have already made this a priority. Three years ago, members of the House unanimously passed a Resolution which expressed its commitment to build an affordable home for a family in need in each of the 435 Congressional districts. Since that time, in partnership with Habitat for Humanity, homes have been built in nearly every district.

Habitat for Humanity's work is respected and admired. In its twenty-three years, Habitat for Humanity has housed nearly 400,000 people in 79,300 Habitat houses worldwide. Under the continued leadership of founder Millard Fuller, Habitat built 13,682 homes in 1999.

Spend some time with Mr. Fuller or at one Habitat's worksites, and you will find that the passion for providing all sleepy children a decent place to lay their heads is contagious. Millard wisely states, ''We have the know-how in the world to house everyone. We have the resources in the world to house everyone. All that's missing is the will to do it.''

I suggest that the Senate has the will to make affordable housing for all Americans a reality. We can show our commitment by lending our own skills and strength to the construction of one Habitat for Humanity home in each State by the end of next year.

I encourage you to work with your local Habitat for Humanity affiliate—there are over 2,000—to identify a community and family in need of a little extra assistance to make their dream of homeownership a reality.

We all remember our first home—the pride we took in mowing the lawn for the first time, family barbecues, the excitement and nervous anticipation of our first dinner party. I believe that every American deserves the opportunity to feel the pride of homeownership.

We have the know-how, the resources, and, certainly, the need. Let us now show America that we have the will to give more Americans the opportunity to own their own home.

ADDITIONAL STATEMENTS

CONGRATULATIONS, OUTSTANDING STUDENTS FROM ENID HIGH SCHOOL

● Mr. INHOFE. Mr. President, I rise today to recognize the outstanding performance of several students from Enid High School in Enid, Oklahoma. The following students participated in the We the People . . . The Citizen and the Constitution national finals competition in Washington DC. The students who participated in the competition are: Aaron Bonnett, Beau Brumfield, Cheyenne Combs, Keneisha Green, Heather Hansen, Tim Healy, Erin Hickey, Kenneth Ingle, M. Brandon Jones, Heather Kline, Thomas Lentz, Becky Lewis, Meredith Meara, Yvonne Midkiff, Katie Oden, Derek Podolny, Brandi Pride, Diana Rogers, Ryan Seals, Jamie Thibodeau, Carl Tompson, along with their teacher Cheryl Franklin.

The national finals competition brings together 50 classes from throughout the United States and provides the students the opportunity to testify as constitutional experts before a panel of judges. The students from Enid displayed remarkable understanding of the ideals and values of the American Constitution and are to be commended for their efforts. Again, congratulations to these outstanding Oklahoma students and their teacher.●

CARL ''BOBO'' OLSON INDUCTED INTO INTERNATIONAL BOXING HALL OF FAME

● Mr. AKAKA. Mr. President, I rise to honor Carl ''Bobo'' Olson, the legendary world boxing champion born and nurtured in Hawaii, who was inducted yesterday into the International Boxing Hall of Fame in Canastota, New York. This is certainly a well-deserved honor for ''The Hawaiian Swede,'' a distinguished champion whose life and 16-year professional career represent the grit, tenacity, skill and love of sport that have made boxing popular worldwide.

Born in 1928, Bobo Olson grew up quickly on the tough streets of downtown Honolulu in the early 1940s, sharpening his boxing skills at an early age. Bobo and I grew up in the same community, the Pauoa and Punchbowl area in Honolulu—a neighborhood where families of different races, many of Hawaiian or Portuguese heritage—lived side-by-side and shared our cultures and traditions. We all closely followed Bobo's rise to champion and took pride in a local boy who had reached the top in his sport and handled his success with humility and grace.

He began fighting professionally at age 16, and won 19 fights before he reached the age where he could legally box on the mainland circuit. As a professional, Bobo won the World Middleweight Championship by defeating Randy Turpin of England in October 1953 before 18,869 spectators in a 15-round fight at New York's Madison Square Garden. Ring Magazine named him fighter of the year in 1953. He held the title for two years; losing it in 1955 to Sugar Ray Robinson.

Olson's career record was 117 fights, 99 wins, 49 by knockout, 16 losses and two draws. Four of those losses were to Ray Robinson, who is considered by many boxing experts and fans to be the greatest middleweight ever and among boxing's all-time greats. Bobo Olson held the middleweight title longer than any other boxer in the 1950s and fought as a middleweight and light-heavyweight. He never shied away from a challenge. Bobo was inducted into the World Boxing Hall of Fame in 1958, and was also among the first class of athletes, sportsmen and sportswomen inducted into the Hawaii Sports Hall of Fame in 1998. After retiring from boxing in 1966, Bobo worked as recreational director for the Operating Engineers Local Union in San Francisco and in public relations for the Teamsters. Now happily retired, he and his wife Judy reside in Honolulu.

Mr. President, I join boxing enthusiasts and the people of Hawaii in congratulating Carl ''Bobo'' Olson on his induction into the International Boxing Hall of Fame. He remains a soft-spoken champion, and his quiet intensity and commitment to excellence offer a lasting illustration of good sportsmanship for all of us.●

MANSFIELD PACIFIC RETREAT

● Mr. BAUCUS. Mr. President, I rise today to salute the successful completion of the Fourth Annual Mansfield Pacific Retreat. The focus of this retreat centered upon ''Urban Air Quality Issues in the Asia-Pacific Region.''

Pacific Rim air quality is very timely and important matter for discussion. Environmental and public health research in the United States and Asia has increasingly shown that people living in urban areas are exposed to high levels of pollutants. This exposure can cause many impacts such as developmental problems in children, asthma, pneumonia, cancer, and even premature death in the elderly or sensitive populations. The U.S. has removed lead from its fuel supply for several of these reasons. Soon, because of the Clean Air Act Amendments of 1990 which I shepherded through the Congress, EPA will be issuing a comprehensive urban air toxins reduction strategy. I am hopeful that this will be a model for other nations to consider.

I applaud the Mansfield Retreats' participants to discuss these critical issues in depth, and I look forward to their recommendations about how to resolve these issues.

Along, that line, Mr. President, I would like to insert for the RECORD the Final Retreat Declaration.

MANSFIELD PACIFIC RETREAT—FINAL DECLARATION

The Fourth Annual Mansfield Pacific Retreat was held in Kumamoto, Japan from May 29–June 1, hosted by the Maureen and Mike Mansfield Center of the University of Montana and with special support from the Kumamoto Prefectural Government.

The theme of the Fourth Annual Retreat was ''Common Issues—Shared Solutions: Environmental Issues and Technology in the Asia-Pacific Region.'' The Retreat participants placed emphasis on urban air equality and discussed solutions to these common problems via new technologies and partnerships.

The Retreat featured representation from Japan, South Korea, China and the United States. Delegates were drawn from the sectors of government, academia, non-governmental organizations and private corporations.

In discussing the topic of urban air quality, the Retreat participants focused on the following observations. First, there was a clear consensus that environmental problems in the urban context extended across borders and were truly transnational in their nature. Delegates acknowledged that solutions to these problems needed to focus on greater collaboration among affected governments and societies across the Asia-Pacific region for the benefit of our children and planet. At the same time, there was recognition of the important and timely contributions that participants outside the government could provide.

Representatives from among the private sector acknowledged their involvement in urban environmental issues and offered insight on the availability of new and appropriate technologies. In addition, the participants confirmed that they would maintain the trust and relationships established through the Retreat in order to address shared problems in local, regional, and international contexts.

Retreat members paid tribute to the efforts of Senator and Ambassador Mike Mansfield who has devoted nearly six decades of his life to fostering greater understanding among nations in Asia. The participants expressed their appreciation to representatives from Montana and Minamata who shared their experiences in how communities have responded to local environmental crises. The accounts related to the Clark Fork River cleanup in Montana and Minamata City's transformation into a model environmental city.

The Retreat participants offered tribute to the late Governor George Fukushima whose dynamic vision made the Mansfield Pacific Retreat a reality in Kumamoto. At the same time, delegates thanked Governor Shiotani for her support of the Retreat. The tireless efforts of the Kumamoto Prefectural and Mansfield Center staffs in organizing and supporting the Retreat were appreciated.

In conclusion, the Retreat delegates noted that the Fifth Retreat will be held in Glacier National Park, Montana in September 2001.

Mr. President, I believe that this declaration is evidence of a commendable venture of which I have had the honor of participating in the past three successful events. Over the years, it has been a pleasure to work with Madame Li Xiaolin and the China People's Association for Friendship with Foreign Countries, and Dr. Phillip West and Ambassador Mark Johnson from the Maureen and Mike Mansfield Center in Missoula, Montana. Their vision, dedication and cooperation make the Retreats a success year after year.

I congratulate them and look forward to the fifth annual Mansfield Pacific Retreat when it will be held in my home state of Montana next year.●

MESSAGE FROM THE HOUSE

At 12:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8. An act to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

The message also announced that pursuant to section 12(b)(1) of the Centennial of Flight Commemoration Act (36 U.S.C. 143) and upon the recommendation of the minority leader, the chair has announced the Speaker's appointment of the following citizen on the part of the House to the First Flight Centennial Federal Advisory Board: Ms. Mary Mathews of Ohio.

The message further announced that pursuant to 28 U.S.C. 629(b) and upon the recommendation of the minority leader, the Chair has announced the Speaker's reappointment of the following member on the part of the House to the Federal Judicial Center Foundation for a 5-year term: Mr. Benjamin Zelenko of Maryland.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

H.R. 1953. An act to authorize leases for terms not to exceed 99 years on land held in trust for the Torres Martinez Desert Cahuilla Indians and the Guidiville Band of Pomo Indians of the Guidiville Indian Rancheria.

H.R. 2484. An act to provide that land which is owned by the Lower Sioux Indian Community in the State of Minnesota but which is not held in trust by the United States for the Community may be leased or transferred by the Community without further approval by the United States.

H.R. 3639. An act to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, as the ''Harry S Truman Federal Building''.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

ENROLLED BILLS PRESENTED ON JUNE 9, 2000

The Secretary of the Senate reported that on June 9, 2000, he had presented to the President of the United States the following enrolled bills:

S. 291. An act to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District.

S. 356. An act to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–9197. A communication from the Assistant Attorney General, transmitting, a draft of proposed legislation entitled ''The Social Security Number Protection Act of 2000''; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

H. Con. Res. 251: A concurrent resolution commending the Republic of Croatia for the conduct of its parliamentary and presidential elections.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

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

By Mr. HELMS, from the Committee on Foreign Relations, without amendment:

S. 2460: A bill to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

S. 2677: A bill to restrict assistance until certain conditions are satisfied and to support democratic and economic transition in Zimbabwe.

S. 2682: A bill to authorize the Broadcasting Board of Governors to make available to the Institute for Media Development certain materials of the Voice of America.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Con. Res. 117: A concurrent resolution commending the Republic of Slovenia for its partnership with the United States and NATO, and expressing the sense of Congress that Slovenia's accession to NATO would enhance NATO's security, and for other purposes.

S. Con. Res. 118: A concurrent resolution commemorating the 60th anniversary of the execution of Polish captives by Soviet authorities in April and May 1940.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRAHAM (for himself and Mr. MACK):

S. 2711. A bill to authorize the Administrator of the Environmental Protection Agency to make grants to the Florida Keys Aqueduct Authority and other appropriate agencies for the purpose of improving water quality throughout the marine ecosystem of the Florida Keys; to the Committee on Environment and Public Works.

By Mr. THOMPSON (for himself and Mr. LIEBERMAN):

S. 2712. A bill to amend chapter 35 of title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself and Mr. TORRICELLI) :

S. Res. 321. A resolution to congratulate the New Jersey Devils for their outstanding discipline, determination, and ingenuity, in winning the 2000 National Hockey League's Stanley Cup Championship; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAHAM (for himself and Mr. MACK:)

S. 2711. A bill to authorize the Administrator of the Environment Protection Agency to make grants to the Florida Keys Aqueduct Authority and other appropriate agencies for the purpose of improving water quality throughout the marine ecosystem of the Florida Keys; to the Committee on Environment and Public Works.

THE FLORIDA KEYS WATER QUALITY IMPROVEMENT ACT

● Mr. GRAHAM. Mr. President, the Florida Keys are a unique natural resource area that we must value and protect. This 158 mile-long string of islands at the southern tip of Florida attracts two and a half million visitors each year to fish, swim, snorkel, dive, and otherwise enjoy the beautiful surroundings.

One of the most striking characteristics of the Florida Keys is their pristine marine environment. The Keys support one of the largest sea grass communities in this hemisphere and more than 6000 species of plants fish, and invertebrates. The diversity of this reef ecosystem is considered the underwater equivalent of the tropical rainforests.

But that ecosystem—and the economy it supports—is at grave risk. The degradation of water quality in the Florida Keys threatens the health of the living coral reef, sea grasses, fisheries, and other marine life. This decline threatens to transform the Keys from one of Florida's most treasured resources to one of its most poisoned.

Mr. President, the great irony is that we are loving the Florida Keys to death. While we are pleased that these islands attract new residents and visitors from all over the world, improvements in wastewater treatment and management practices have not kept pace with population and tourism growth.

Why is this significant? Ongoing research has determined that nutrients from wastewater have significantly contributed to the decline of water quality in the Florida Keys. It will take a strong partnership of federal, state, and local governments working in conjunction with environmental advocates and other interests to build the better sewage treatment systems needed to improve canal and nearshore water quality.

Fortunately for the Florida Keys, such a partnership is already in place and at work. In 1990, Congress established the Florida Keys National Marine Sanctuary to protect the marine habitat while continuing to allow for its appropriate use. The sanctuary program has brought together representatives of necessary interests to develop a plan for challenges like water quality.

Central to this effort is the Monroe County government, which has developed a Wastewater Master Plan to identify long-term solutions to the water quality problem. The plan estimates that infrastructure projects implemented to improve water quality will incur total capital costs of $346 million—a major undertaking that will require funding at every level.

Mr. President, I have long said that any federal assistance for Keys wastewater improvements would first require a strong show of local support. Monroe County has done its fair share. Through a combination of revenue bonds, user fees and an infrastructure sales tax, the County has made a commitment of over $150 million over 10 years.

Mr. President, it is time for this Congress to hold up its end of the bargain. Today, Senator MACK and I are introducing the Florida Keys Water Quality Improvements Act of 2000. Similar legislation passed the House on May 4, 2000 with almost unanimous support.

The Florida Keys Water Quality Improvements Act authorizes the Environmental Protection Agency to make grants for construction of wastewater treatment works. These grants are only awarded to projects that already have a significant investment. Successful applicant projects will be those that have completed the planning and design phase, demonstrated substantial water quality benefits and proven compliance with the Marine Sanctuary and other master plans for the area. And as is appropriate in a partnership, these grants will fund a portion of project costs, with an least 25 percent of the cost paid by local and state entities.

Mr. President, the prospect of treating wastewater for an increasingly crowed 158-mile-long string of islands is not a simple one. But it is vital that we preserve this beautiful area not just for current residents and visitors—but also for our children and grandchildren. With this legislation, we can put the federal government on the side of this worthy goal, and support the investment that has been made by the residents and protectors of the Florida Keys.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2711

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Florida Keys Water Quality Improvements Act of 2000''.

SEC. 2. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 121. FLORIDA KEYS.

''(a) IN GENERAL.—The Administrator may make grants to the Florida Keys Aqueduct Authority, appropriate agencies of municipalities of Monroe County, Florida, and other appropriate public agencies of the State of Florida or Monroe County for the planning and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary.

''(b) CRITERIA FOR PROJECTS.—To be eligible for a grant for a project under subsection (a), an agency described in subsection (a) shall demonstrate that—

''(1) the agency has completed adequate planning and design activities for the project;

''(2) the agency has completed a financial plan identifying sources of non-Federal funding for the project;

''(3) the project complies with—

''(A) applicable growth management ordinances of Monroe County, Florida;

''(B) applicable agreements between Monroe County, Florida, and the State of Florida to manage growth in Monroe County, Florida; and

''(C) applicable water quality standards; and

''(4) the project is consistent with the master wastewater and stormwater plans for Monroe County, Florida.

''(c) CONSIDERATION.—In selecting projects to receive grants under subsection (a), the Administrator shall consider whether a project will have substantial water quality benefits relative to other projects under consideration.

''(d) CONSULTATION.—In carrying out this section, the Administrator shall consult with—

''(1) the Steering Committee established under section 8(d)(2)(A) of the Florida Keys National Marine Sanctuary and Protection Act (16 U.S.C. 1433 note; 106 Stat. 5054);

''(2) the South Florida Ecosystem Restoration Task Force established by section 528(f) of the Water Resources Development Act of 1996 (110 Stat. 3771);

''(3) the Commission on the Everglades established by Executive Order of the Governor of the State of Florida; and

''(4) other appropriate State and local government agencies.

''(e) FEDERAL SHARE.—The Federal share of the cost of a project carried out using amounts from grants made under subsection (a) shall be not more than 75 percent.

''(f) SENSE OF CONGRESS.—

''(1) PURCHASE OF EQUIPMENT AND PRODUCTS PRODUCED IN THE UNITED STATES.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this section, it is the sense of Congress that agencies receiving the financial assistance should, in expending the assistance, purchase only equipment and products that are produced in the United States.

''(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this section, the Administrator shall provide to each recipient of the assistance a notice describing the statement of Congress under paragraph (1).

''(3) REPORTING OF EXPENDITURES.—Not later than 180 days after an agency that receives funds under this section makes any expenditure on an item that is produced in a country other than the United States, the agency shall report the expenditure to Congress.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

''(1) $32,000,000 for fiscal year 2001;

''(2) $31,000,000 for fiscal year 2002; and

''(3) $50,000,000 for each of fiscal years 2003 through 2005.''.●

Mr. MACK. Mr. President, I rise with my friend and colleague Senator GRAHAM to introduce the Florida Keys Water Quality Improvements Act. This bill is identical to legislation that passed the House on May 4, 2000 by a vote of 411–7, and would provide Federal resources to help improve and maintain one of our Nation's real treasures, the Florida Keys National Marine Sanctuary.

The Florida Keys are a spectacular natural resource of international significance. Within the Florida Keys lies the only living coral reef bed in the United States and the third largest living coral reef in the world. The reef is home to plants and animals unique to this area and that comprise a rare and sensitive ecosystem at the southern end of the Everglades ecosystem. While the spectacular coral reef is the Keys' most popular feature, they are also known for native seagrass beds, lush tropical hardwood hammocks, mangrove forests, rocky pinelands, the endangered key deer, and a wide array of aquatic life.

The Florida Keys marine ecosystem is dependent upon clean, clear water with low nutrient levels for its survival. Water quality experts have found that the inadequate wastewater treatment and storm water management systems are major contributors of pollution in the nearby waters off the Florida Keys. This increased pollution has had devastating effects on the marine environment, and is threatening the reefs on the Florida Keys National Marine Sanctuary. Unless decisive action is taken to stop the flow of pollution, scientists warn the ecosystem will continue its decline towards total collapse.

The source of the problem is clear. The Keys have almost no water quality infrastructure. Lacking adequate technology, untreated wastewater now travels easily through porous limestone rock into the near-shore waters. Polluted stormwater also flows from developed land into the same near-shore waters.

Our bill is a natural extension of the Federal commitment to the Florida Keys made under the Florida Keys National Marine Sanctuary Protection Act approved by Congress in 1990. This legislation established a Federal role in the research and protection of the Keys marine ecosystem. The Act directed the Environmental Protection Agency and the State of Florida to establish a Water Quality Steering Committee which was charged with developing a comprehensive water quality protection program. In fulfilling this directive, the steering committee worked closely with dedicated citizens, scientists, and technical experts. In the final analysis, it found that inadequate wastewater and stormwater systems are the single largest source of pollution in the Keys.

This bill authorizes Federal assistance to help local officials afford the necessary improvements to protect the Florida Keys National Marine Sanctuary. It establishes a grant program under the Environmental Protection Agency for the construction of treatment works projects aimed at improving the water quality of the Florida Keys National Marine Sanctuary. The administrator of EPA, after consultation with State and local officials, would be authorized to fund treatment works projects that comply or are consistent with local growth ordinances, plans and agreements, as well as current water quality standards. Projects funded under this program would be cost-shared, with local sponsors providing a minimum of 25 percent of the project costs.

This bill authorizes $213 million in Federal funding for the deployment of water quality technology throughout the Keys. To make the necessary wastewater improvements, the estimated cost to improve near-shore water quality in the Florida Keys is between $184 million and $418 million. To make the necessary storm water management improvements, the estimated cost is between $370 million and $680 million. The Federal government is not going to bear the entire cost, even though this is a national resource. The State of Florida is obligated to come up with 25 percent cost share.

Moneys authorized by this bill will be utilized to replace the dated, inefficient system of sludge ponds and septic tanks currently being used in the Keys with modern waste and storm water treatment works. By ensuring that the nutrients associated with such wastes are not discharged or released into the surrounding waters, we can prevent further damage to the marine environment and achieve dramatic improvement to the water quality in the National Marine Sanctuary.

Mr. President, I urge my colleagues to support this reasonable approach to maintaining an essential national resource. I hope there will be a broad, bipartisan support for this bill.

ADDITIONAL COSPONSORS

S. 656

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1333

At the request of Mr. WYDEN, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Nebraska (Mr. KERREY) were added as cosponsors of S. 1333, a bill to expand homeownership in the United States.

S. 1495

At the request of Mr. DEWINE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1495, a bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

S. 1800

At the request of Mr. GRAHAM, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 1800, a bill to amend the Food Stamp Act of 1977 to improve onsite inspections of State food stamp programs, to provide grants to develop community partnerships and innovative outreach strategies for food stamp and related programs, and for other purposes.

S. 1850

At the request of Mr. KENNEDY, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 1850, a bill to amend section 222 of the Communications Act of 1934 to modify the requirements relating to the use and disclosure of customer proprietary network information, and for other purposes.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 2100

At the request of Mr. EDWARDS, the name of the Senator from Illinois (Mr.

DURBIN) was added as a cosponsor of S. 2100, a bill to provide for fire sprinkler systems in public and private college and university housing and dormitories, including fraternity and sorority housing and dormitories.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2296

At the request of Mr. CRAPO, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2296, a bill to provide grants for special environmental assistance for the regulation of communities and habitat (SEARCH) to small communities.

S. 2311

At the request of Mr. KENNEDY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2311, a bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

S. 2327

At the request of Mr. HOLLINGS, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 2327, a bill to establish a Commission on Ocean Policy, and for other purposes.

S. 2330

At the request of Mr. ROTH, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Oregon (Mr. SMITH), the Senator from Illinois (Mr. FITZGERALD), and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 2402

At the request of Mr. CLELAND, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2402, a bill to amend title 38, United States Code, to enhance and improve educational assistance under the Montgomery GI Bill in order to enhance recruitment and retention of members of the Armed Forces, and for other purposes.

S. 2585

At the request of Mr. GRAHAM, the names of the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Nebraska (Mr. KERREY), and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2585, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of the States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 2617

At the request of Mr. BAUCUS, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 2617, a bill to lift the trade embargo on Cuba, and for other purposes.

S. 2621

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2621, a bill to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met.

S. 2709

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2709, to establish a Beef Industry Compensation Trust Fund with the duties imposed on products of countries that fail to comply with certain WTO dispute resolution decisions.

S. CON. RES. 109

At the request of Mr. SCHUMER, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. Con. Res. 109, a concurrent resolution expressing the sense of Congress regarding the ongoing persecution of 13 members of Iran's Jewish community.

SENATE RESOLUTION 321—TO CONGRATULATE THE NEW JERSEY DEVILS FOR THEIR OUTSTANDING DISCIPLINE, DETERMINATION, AND INGENUITY, IN WINNING THE 2000 NATIONAL HOCKEY LEAGUE'S STANLEY CUP CHAMPIONSHIP

Mr. LAUTENBERG (for himself and Mr. TORRICELLI) submitted the following resolution; which was considered and agreed to:

S. RES. 321

Whereas the New Jersey Devils at 45–29–8, posted the second best regular season record in the NHL's Eastern Conference and were awarded the fourth seed in the playoffs;

Whereas the Devils displayed a potent offense and stifling defense throughout the regular season and playoffs before beating the defending champion Dallas Stars to win their second Stanley Cup in 5 years;

Whereas the Devils epitomize New Jersey pride with their heart, stamina, and drive and thus have become a part of New Jersey culture;

Whereas the New Jersey Devils did what no other team had done before, coming back from a three games to one deficit to win a Conference Championship and advance to the Stanley cup Finals;

Whereas Scott Stevens, winner of the Conn Smythe Trophy as the Most Valuable Player of the Stanley Cup playoffs, is one of the fiercest competitors in the game today and is a true team leader who served as captain of the Devils' 1995 and 2000 Stanley Cup Championship teams;

Whereas Scott Gomez, a gifted, young playmaker was named the league's Rookie of the Year and is the first Hispanic player to compete in the NHL;

Whereas goalie Martin Brodeur's lifetime goals against average of 2.19 is the best in NHL history and his 162 wins over a four-season span since 1996–97 are the most in league history;

Whereas head coach Larry Robinson served as an assistant on the 1995 championship team and took over as head coach late this season;

Whereas the New Jersey Devils take great pride in playing in new Jersey, and spend a great deal of time giving back to the community;

Whereas Lou Lamoriello, President/General Manager of the New Jersey Devils since 1987, his staff, and his players displayed outstanding dedication, teamwork unselfishness, and sportsmanship throughout the course of the season in achieving hockey's highest honor;

Whereas longtime team owner John McMullen was born and raised in New Jersey and is responsible for bringing the Devils to the Garden State;

Whereas the support of all the Devils fans and the people of New Jersey helped make winning the Stanley Cup possible;

Whereas each one of the Devils players will be remembered on the premier sports trophy, the Stanley Cup, including: Jason Arnott, Brad Bombardir, Martin Brodeur, Steve Brule, Sergei Brylin, Ken Daneyko, Patrik Elias, Scott Gomex, Bobby Holik, Steve Kelly, Claude Lemieux, John Madden, Vladimir Malakhov, Randy McKay, Alexander Mogilny, Sergei Nemchinov, Scott Niedermayer, Krzysztof Oliwa, Jay Pandolfo, Deron Quint, Brian Rafalski, Scott Stevens, Ken Sutton, Petr Sykora, Chris Terreri, and Colin White; now, therefore be it

Resolved, That the United States Senate congratulates the New Jersey Devils on winning Lord Stanley's Cup for the 2000 National Hockey League Championship.

Mr. LAUTENBERG. Mr. President, I rise to congratulate the New Jersey Devils for winning the National Hockey League's 2000 Stanley Cup Championship. On Saturday night, the Devils defeated the Dallas Stars 2 to 1 in double overtime to win the finals in six games. This is the second time in five years that the Devils have hoisted Lord Stanley's trophy above their heads.

The Devils are what New Jersey pride is all about. Their heart, stamina, and drive have endeared them to millions of fans and have made them a permanent part of New Jersey's culture. Team members, who hail from all over the globe, also reflect the tremendous diversity of New Jersey's population. One player—Scott Gomez—is the first Hispanic player to compete in the NHL and the league's rookie of the year. The Devils have turned their cultural differences into a source of strength and have proved what is possible when team members work together to achieve a sport's highest honor.

Mr. President, apart from their contributions to hockey, the New Jersey

Devils are also outstanding citizens. Defenseman Ken Daneyko, for example, is a leader both on and off the ice. Ken is one of the original Devil players and was an alternate captain. He has played 1,071 games in a Devils uniform and has participated in all 109 Devils playoff games. Ken is also a community leader who owns an Italian restaurant in Caldwell and is an active member of New Jersey's chapter of the national Children's Miracle Network. Indeed, all the team members are proud to play for New Jersey and spend much of their free time giving back to the community.

The success of any organization starts at the top. And there is no question that the success the New Jersey Devils have enjoyed would not have been possible without the leadership of two great New Jersey citizens: team chairman John J. McMullen and co-owner John C. Whitehead. John McMullen is one of the NHL's most innovative, committed owners. A graduate of Montclair High School and the Naval Academy, John has been honored many times for his civic contributions. He and John Whitehead, a former U.S. Deputy Secretary of State, brought the team to New Jersey as a service to their home state.

Mr. President, the players, coaches and staff with the New Jersey Devils showed outstanding dedication, teamwork and sportsmanship in achieving hockey's highest honor. They are not only the best team in the NHL, they are one of the finest organizations in professional sports.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2000

TORRICELLI AMENDMENT NO. 3282

(Ordered to lie on the table.)

Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) REQUIREMENT.—Notwithstanding any other provision of law, the Secretary of the Air Force shall, using funds specified in subsection (b), pay the New Jersey Forest Fire Service the sum of $92,974.86 to reimburse the New Jersey Forest Fire Service for costs incurred in containing and extinguishing a fire in the Bass River State Forest and Wharton State Forest, New Jersey, in May 1999, which fire was caused by an errant bomb from an Air National Guard unit during a training exercise at Warren Grove Testing Range, New Jersey.

(b) SOURCE OF FUNDS.—Funds for the payment required by subsection (a) shall be derived from amounts appropriated by title II of this Act under the heading ''OPERATION AND MAINTENANCE, AIR NATIONAL GUARD''.

BINGAMAN AMENDMENTS NOS. 3283–3284

(Ordered to lie on the table.)

Mr. BINGAMAN submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3283

On page 109, between lines 11 and 12, insert the following:

TITLE IX—BOSQUE REDONDO MEMORIAL

SEC. 901. SHORT TITLE.

This title may be cited as the ''Bosque Redondo Memorial Act''.

SEC. 902. FINDINGS AND PURPOSES.

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

(1) In 1863, the United States detained nearly 9,000 Navajo and forced their migration across nearly 350 miles of land to Bosque Redondo, a journey known as the ''Long Walk''.

(2) Mescalero Apache people were also incarcerated at Bosque Redondo.

(3) The Navajo and Mescalero Apache people labored to plant crops, dig irrigation ditches and build housing, but drought, cutworms, hail, and alkaline Pecos River water created severe living conditions for nearly 9,000 captives.

(4) Suffering and hardships endured by the Navajo and Mescalero Apache people forged a new understanding of their strengths as Americans.

(5) The Treaty of 1868 was signed by the United States and the Navajo tribes, recognizing the Navajo Nation as it exists today.

(6) The State of New Mexico has appropriated a total of $123,000 for a planning study and for the design of the Bosque Redondo Memorial.

(7) Individuals and businesses in DeBaca County donated $6,000 toward the production of a brochure relating to the Bosque Redondo Memorial.

(8) The Village of Fort Sumner donated 70 acres of land to the State of New Mexico contiguous to the existing 50 acres comprising Fort Sumner State Monument, contingent on the funding of the Bosque Redondo Memorial.

(9) Full architectural plans and the exhibit design for the Bosque Redondo Memorial have been completed.

(10) The Bosque Redondo Memorial project has the encouragement of the President of the Navajo Nation and the President of the Mescalero Apache Tribe, who have each appointed tribal members to serve as project advisors.

(11) The Navajo Nation, the Mescalero Tribe, and the National Park Service are collaborating to develop a symposium on the Bosque Redondo Long Walk and a curriculum for inclusion in the New Mexico school curricula.

(12) An interpretive center would provide important educational and enrichment opportunities for all Americans.

(13) Federal financial assistance is needed for the construction of a Bosque Redondo Memorial.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To commemorate the people who were interned at Bosque Redondo.

(2) To pay tribute to the native populations' ability to rebound from suffering, and establish the strong, living communities that have long been a major influence in the State of New Mexico and in the United States.

(3) To provide Americans of all ages a place to learn about the Bosque Redondo experience and how it resulted in the establishment of strong American Indian Nations from once divergent bands.

(4) To support the construction of the Bosque Redondo Memorial commemorating the detention of the Navajo and Mescalero Apache people at Bosque Redondo from 1863 to 1868.

SEC. 903. DEFINITIONS.

In this title:

(1) MEMORIAL.—The term ''Memorial'' means the building and grounds known as the Bosque Redondo Memorial.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

SEC. 904. BOSQUE REDONDO MEMORIAL

(a) ESTABLISHMENT.— Upon the request of the State of New Mexico, the Secretary is authorized to establish a Bosque Redondo Memorial within the boundaries of Fort Sumner State Monument in New Mexico. No memorial shall be established without the consent of the Navajo Nation and the Mescalero Tribe.

(b) COMPONENTS OF THE MEMORIAL.—The memorial shall include—

(1) exhibit space, a lobby area that represents design elements from traditional Mescalero and Navajo dwellings, administrative areas that include a resource room, library, workrooms and offices, restrooms, parking areas, sidewalks, utilities, and other visitor facilities;

(2) a venue for public education programs; and

(3) a location to commemorate the Long Walk of the Navajo people and the healing that has taken place since that event

SEC. 905. CONSTRUCTION OF MEMORIAL.

(a) GRANT.—

(1) IN GENERAL.—The Secretary may award a grant to the State of New Mexico to provide up to 50 percent of the total cost of construction of the Memorial.

(2) NON-FEDERAL SHARE.—The non-Federal share of construction costs for the Memorial shall include funds previously expended by the State for the planning and design of the Memorial, and funds previously expended by non-Federal entities for the production of a brochure relating to the Memorial.

(b) REQUIREMENTS.—To be eligible to receive a grant under this section, the State shall—

(1) submit to the Secretary a proposal that—

(A) provides assurances that the Memorial will comply with all applicable laws, including building codes and regulations; and

(B) includes such other information and assurances as the Secretary may require; and

(2) enter into a Memorandum of Understanding with the Secretary that shall include—

(A) a timetable for the completion of construction and the opening of the Memorial;

(B) assurances that construction contracts will be competitively awarded;

(C) assurances that the State or Village of Fort Sumner will make sufficient land available for the Memorial;

(D) the specifications of the Memorial which shall comply with all applicable Federal, State, and local building codes and laws;

(E) arrangements for the operation and maintenance of the Memorial upon completion of construction;

(F) a description of Memorial collections and educational programming;

(G) a plan for the design of exhibits including the collections to be exhibited, security, preservation, protection, environmental controls, and presentations in accordance with professional standards;

(H) an agreement with the Navajo Nation and the Mescalero Tribe relative to the design and location of the Memorial; and

(I) a financing plan developed by the State that outlines the long-term management of the Memorial, including—

(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;

(ii) the payment of the operating costs of the Memorial through the assessment of fees or other income generated by the Memorial;

(iii) a strategy for achieving financial self-sufficiency with respect to the Memorial by not later than 5 years after the date of the enactment of this Act; and

(iv) a description of the business activities that would be permitted at the Memorial and appropriate vendor standards that would apply.

SEC. 906. FUNDING.

(a) IN GENERAL.—Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, ARMY'', $2,000,000 shall be available for purposes of carrying out this title.

(b) CARRYOVER.—Any funds made available under this section that are unexpended at the end of fiscal year 2001 shall remain available for use by the Secretary through September 30, 2002, for the purposes for which those funds were made available.

AMENDMENT NO. 3284

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—The amount appropriated under title III under the heading ''MISSILE PROCUREMENT, AIR FORCE'' is hereby increased by $5,000,000, with the amount of such increase available for In-Service Missile Modifications for the purpose of the conversion of Maverick missiles in the AGM–65B and AGM–65G configurations to Maverick missiles in the the AGM–65H and AGM–65K configurations.

(b) CONSTRUCTION OF AVAILABILITY OF AMOUNT.—The amount available under subsection (a) for the purpose specified in that subsection is in addition to any other amounts available under this Act for that purpose.

FRIST (AND THOMPSON) AMENDMENT NO. 3285

(Ordered to lie on the table.)

Mr. FRIST (for himself and Mr. THOMPSON) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) The total amount appropriated by title III under the heading ''PROCUREMENT, DEFENSE-WIDE'' is hereby increased by $18,900,000, of which $12,900,000 shall be available for the procurement of probes for aerial refueling of 22 MH–60L aircraft for the United States Special Operations Command, and of which $6,000,000 shall be available for the procurement and integration of internal auxiliary fuel tanks with a 200-gallon capacity, more or less, for 50 MH–60 aircraft for the United States Special Operations Command.

(b) The total amount appropriated by title ___, under the heading ''_____'' is hereby reduced by $_____, which amount is to be derived from the amount available for _____.

FEINGOLD (AND OTHERS) AMENDMENT NO. 3286

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself, Mr. HARKIN, and Mr. WELLSTONE) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. None of the funds appropriated by this Act may used for the D5 submarine-launched ballistic missile program.

WYDEN (AND SMITH OF OREGON) AMENDMENT NO. 3287

(Ordered to lie on the table.)

Mr. WYDEN (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by them to the bill. H.R. 4576, supra; as follows:

On page 66, line 4, insert after the period the following: ''The amount available under the preceding sentence shall also be available for the conveyance, without consideration, of the Emergency One Cyclone II Custom Pumper truck subject to Army Loan DAAMO1–98–L–0001 to the Umatilla Indian Tribe, the current lessee.''.

SHELBY AMENDMENTS NOS. 3288–3289

(Ordered to lie on the table.)

Mr. SHELBY submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3288

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available under the heading ''Weapons and Tracked Combat Vehicles, Army'' in Title III of this Act, up to $10,000,000 may be made available for Carrier Modifications.

AMENDMENT NO. 3289

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available under the heading ''Research Development Test and Evaluation, Army'' in the Title IV of this Act, under ''End Item Industrial Preparedness'' up to $5,000,000 may be made available for the Printed Wiring Board Manufacturing Technology Center.

THOMAS AMENDMENT NO. 3290

(Ordered to lie on the table.)

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, add the following new section and renumber the remaining sections accordingly:

SEC. . PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, no funds appropriated under this Act may be used to transfer a veterans memorial object to a foriegn country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located in a cemetery of the national Cemetary System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

KYL AMENDMENT NO. 3291

(Ordered to lie on the table.)

Mr. KYL submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—The amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'' is hereby increased by $6,000,000, with the amount of the increase available for the Ballistic Missile Defense Organization for International Cooperative Programs for the Arrow Missile Defense System (PE603875C) in order to enhance the interoperability of the system between the United States and Israel.

(b) OFFSET.—The amount appropriated under title II under the heading ''ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES'' is hereby reduced by $6,000,000.

REID AMENDMENT NO. 3292

(Ordered to lie on the table.)

Mr. REID submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following new section:

SEC. ___. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE.

Section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence, by striking ''180'' and inserting ''30''; and

(2) by adding at the end, the following new sentence: ''The 30-day reporting requirement shall apply to any changes to the composite theoretical performance level for purposes of subsection (a) proposed by the President on or after January 1, 2000.''.

LANDRIEU (AND BREAUX) AMENDMENT NO. 3293

(Ordered to lie on the table.)

Ms. LANDRIEU (for herself and Mr. BREAUX) submitted an amendment intneded to be prosposed by them to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) ADDITIONAL AMOUNTS.—(1) The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'' is hereby increased by $7,000,000.

(2) The amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'' is hereby increased by $14,000,000.

(b) AVAILABILITY OF AMOUNTS.—(1) Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', and under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', as increased by subsection (a), $21,000,000 shall be available for the Navy Program Executive Office for Information Technology for purposes of the Information

Technology Center and for the Human Resource Enterprise Strategy implemented under section 8147 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2341; 10 U.S.C. 113 note).

(2) Amounts made available under paragraph (1) for the purposes specified in that paragraph are in addition to any other amounts made available under this Act for such purposes.

DOMENICI AMENDMENTS NOS. 3294–3297

(Ordered to lie on the table.)

Mr. DOMENICI submitted four amendments intended to be proposed by him to the bill H.R. 4576, supra; as follows:

AMENDMENT NO. 3294

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'', $5,000,000 shall be available for Advanced Technology (PE603605F) for the LaserSpark countermeasures program.

AMENDMENT NO. 3295

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT AVAILABLE FOR CERTAIN PROGRAM ELEMENT.—The amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' for Logistics Research and Development Technology Demonstration (PE603712S) is hereby increased by $2,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the total amount available under this Act for the program element referred to in subsection (a), as increased by that subsection, $5,000,000 shall be available for a Silicon-Based Nanostructures Program.

AMENDMENT NO. 3296

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT AVAILABLE FOR CERTAIN PROGRAM ELEMENT.—The amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'' for Initial Operational Test and Evaluation (PE605712F) is hereby increased by $13,000,000.

(b) AVAILABILITY OF AMOUNT.—The total amount available under this Act for the Air Force Operational Test and Evaluation Command is hereby increased by $13,000,000, with the amount of such increase to be derived from the increase made by subsection (a) in the amount available for the program element referred to in that subsection.

AMENDMENT NO. 3297

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. FINDINGS.—Congress makes the following findings:

(1) Directed energy systems are available to address many current challenges with respect to military weapons, including offensive weapons and defensive weapons.

(2) Directed energy weapons offer the potential to maintain an asymmetrical technological edge over adversaries of the United States for the foreseeable future.

(3) It is in the national interest that funding for directed energy science and technology programs be increased in order to support priority acquisition programs and to develop new technologies for future applications.

(4) It is in the national interest that the level of funding for directed energy science and technology programs correspond to the level of funding for large-scale demonstration programs in order to ensure the growth of directed energy science and technology programs and to ensure the successful development of other weapons systems utilizing directed energy systems.

(5) The industrial base for several critical directed energy technologies is in fragile condition and lacks appropriate incentives to make the large-scale investments that are necessary to address current and anticipated Department of Defense requirements for such technologies.

(6) It is in the national interest that the Department of Defense utilize and expand upon directed energy research currently being conducted by the Department of Energy, other Federal agencies, the private sector, and academia.

(7) It is increasingly difficult for the Federal Government to recruit and retain personnel with skills critical to directed energy technology development.

(8) The implementation of the recommendations contained in the High Energy Laser Master Plan of the Department of Defense is in the national interest.

(9) Implementation of the management structure outlined in the Master Plan will facilitate the development of revolutionary capabilities in directed energy weapons by achieving a coordinated and focused investment strategy under a new management structure featuring a joint technology office with senior-level oversight provided by a technology council and a board of directors.

(b) COORDINATION AND OVERSIGHT UNDER HIGH ENERGY LASER MASTER PLAN.—(1) Subchapter II of Chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 204. Joint Technology Office

''(a) ESTABLISHMENT.—(1) There is in the Department of Defense a Joint Technology Office (in this section referred to as the 'Office'). The Office shall be considered an independent office within the Office of the Secretary of Defense.

''(2) The Office shall be co-located with the National Directed Energy Center at Kirtland Air Force Base, New Mexico.

''(3) The Office shall be under the authority, direction, and control of the Deputy Under Secretary of Defense for Science and Technology.

''(b) DIRECTOR.—(1) The head of the Office shall be a civilian employee of the Department of Defense in the Senior Executive Service who is designated by the Secretary of Defense for that purpose. The head of the Office shall be known as the 'Director of the Joint Technology Office'.

''(2) The Director shall report directly to the Deputy Under Secretary of Defense for Science and Technology.

''(c) OTHER STAFF.—The Secretary of Defense shall provide the Office such civilian and military personnel and other resources as are necessary to permit the Office to carry out its duties under this section.

''(d) DUTIES.—The duties of the Office shall be to—

''(1) develop and oversee the management of a Department of Defense-wide program of science and technology relating to directed energy technologies, systems, and weapons;

''(2) serve as a point of coordination for initiatives for science and technology relating to directed energy technologies, systems, and weapons from throughout the Department of Defense;

''(3) develop and promote a program (to be known as the 'National Directed Energy Technology Alliance') to foster the exchange of information and cooperative activities on directed energy technologies, systems, and weapons between and among the Department of Defense, other Federal agencies, institutions of higher education, and the private sector;

''(4) initiate and oversee the coordination of the high-energy laser and high power microwave programs and offices of the military departments; and

''(5) carry out such other activities relating to directed energy technologies, systems, and weapons as the Deputy Under Secretary of Defense for Science and Technology considers appropriate.

''(e) COORDINATION WITHIN DEPARTMENT OF DEFENSE.—(1) The Director of the Office shall assign to appropriate personnel of the Office the performance of liaison functions with the other Defense Agencies and with the military departments.

''(2) The head of each military department and Defense Agency having an interest in the activities of the Office shall assign personnel of such department or Defense Agency to assist the Office in carrying out its duties. In providing such assistance, such personnel shall be known collectively as 'Technology Area Working Groups'.

''(f) JOINT TECHNOLOGY BOARD OF DIRECTORS.—(1) There is established in the Department of Defense a board to be known as the 'Joint Technology Board of Directors' (in this section referred to as the 'Board').

''(2) The Board shall be composed of 9 members as follows:

''(A) The Under Secretary of Defense for Acquisition and Technology, who shall serve as chairperson of the Board.

''(B) The Director of Defense Research and Engineering, who shall serve as vice-chairperson of the Board.

''(C) The senior acquisition executive of the Department of the Army.

''(D) The senior acquisition executive of the Department of the Navy.

''(E) The senior acquisition executive of the Department of the Air Force.

''(F) The senior acquisition executive of the Marine Corps.

''(G) The Director of the Defense Advanced Research Projects Agency.

''(H) The Director of the Ballistic Missile Defense Organization.

''(I) The Director of the Defense Threat Reduction Agency.

''(3) The duties of the Board shall be—

''(A) to review and comment on recommendations made and issues raised by the Council under this section; and

''(B) to review and oversee the activities of the Office under this section.

''(g) JOINT TECHNOLOGY COUNCIL.—(1) There is established in the Department of Defense a council to be known as the 'Joint Technology Council' (in this section referred to as the 'Council').

''(2) The Council shall be composed of 8 members as follows:

''(A) The Deputy Under Secretary of Defense for Science and Technology, who shall be chairperson of the Council.

''(B) The senior science and technology executive of the Department of the Army.

''(C) The senior science and technology executive of the Department of the Navy.

''(D) The senior science and technology executive of the Department of the Air Force.

''(E) The senior science and technology executive of the Marine Corps.

''(F) The senior science and technology executive of the Defense Advanced Research Projects Agency.

''(G) The senior science and technology executive of the Ballistic Missile Defense Organization.

''(H) The senior science and technology executive of the Defense Threat Reduction Agency.

''(3) The duties of the Council shall be—

''(A) to review and recommend priorities among programs, projects, and activities proposed and evaluated by the Office under this section;

''(B) to make recommendations to the Board regarding funding for such programs, projects, and activities; and

''(C) to otherwise review and oversee the activities of the Office under this section.''.

(2) The table of sections at the beginning of subchapter II of chapter 8 of such title is amended by adding at the end the following new section:

''204. Joint Technology Office.''.

(3) The Secretary of Defense shall locate the Joint Technology Office under section 204 of title 10, United States Code (as added by this subsection), at a location at Kirtland Air Force Base, New Mexico, not later than January 1, 2001.

(c) TECHNOLOGY AREA WORKING GROUPS UNDER HIGH ENERGY LASER MASTER PLAN.—The Secretary of Defense shall provide for the implementation of the portion of the High Energy Laser Master Plan relating to technology area working groups.

(d) ENHANCEMENT OF INDUSTRIAL BASE.—(1) The Secretary of Defense shall develop and undertake initiatives, including investment initiatives, for purposes of enhancing the industrial base for directed energy technologies and systems.

(2) Initiatives under paragraph (1) shall be designed to—

(A) stimulate the development by institutions of higher education and the private sector of promising directed energy technologies and systems; and

(B) stimulate the development of a workforce skilled in such technologies and systems.

(3) Of the amount available under subsection (h), $20,000,000 shall be available for the initiation of development of the Advanced Tactical Laser (ATL). The Joint Non-Lethal Weapons Directorate shall assist the operational manager of the Advanced Tactical Laser program in establishing specifications for non-lethal operations of the Advanced Tactical Laser.

(e) ENHANCEMENT OF TEST AND EVALUATION CAPABILITIES.—(1) The Secretary of Defense shall evaluate and implement proposals for modernizing the High Energy Laser Test Facility at White Sands Missile Range, New Mexico, in order to enhance the test and evaluation capabilities of the Department of Defense with respect to directed energy weapons.

(2) Of the amount available for fiscal year 2001 under subsection (h), and of the amounts available to the Department of Defense for fiscal year 2002, not more than $2,000,000 shall be available in each such fiscal year for purposes of the deployment and test at the High Energy Laser Test Facility at White Sands Missile Range of free electron laser technologies under development at Los Alamos National Laboratory, New Mexico.

(3) Of the made available for fiscal year 2001 under subsection (h), and of the amounts available to the Department of Defense for fiscal year 2002, $2,250,000 shall be available in each such fiscal year for purposes of the development, integration, and test at the Thomas Jefferson Laboratory of a high average current injector to support increased laser power objectives that benefit both the JLab free electron laser and the Los Alamos National Laboratory free electron laser at White Sands Missile Range.

(f) COOPERATIVE PROGRAMS AND ACTIVITIES.—(1) The Secretary of Defense shall evaluate the feasibility and advisability of entering into cooperative programs or activities with other Federal agencies, institutions of higher education, and the private sector, including the national laboratories of the Department of Energy, for the purpose of enhancing the programs, projects, and activities of the Department of Defense relating to directed energy technologies, systems, and weapons. The Secretary shall carry out the evaluation in consultation with the Joint Technology Board of Directors established by section 204 of title 10, United States Code (as added by subsection (b) of this section).

(2) The Secretary shall enter into any cooperative program or activity determined under the evaluation under paragraph (1) to be feasible and advisable for the purpose set forth in that paragraph.

(3) Of the amount available under subsection (h), $50,000,000 shall be available for cooperative programs and activities entered into under paragraph (2).

(g) PARTICIPATION OF JOINT TECHNOLOGY COUNCIL IN ACTIVITIES.—The Secretary of Defense shall, to the maximum extent practicable, carry out activities under subsections (c), (d), (e), and (f), through the Joint Technology Council established pursuant to section 204 of title 10, United States Code.

(h) FUNDING FOR FISCAL YEAR 2001.—(1) The amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' is hereby increased by $150,000,000, with the amount of such increase available for science and technology activities relating to directed energy technologies, systems, and weapons under this section in accordance with the provisions of this section.

(2) The Director of the Joint Technology Office established pursuant to section 204 of title 10, United States Code, shall allocate amounts available under paragraph (1) among appropriate program elements of the Department of Defense, and among cooperative programs and activities under this section, in accordance with such procedures as the Director shall establish.

(3) In establishing procedures for purposes of the allocation of funds under paragraph (2), the Director shall provide for the competitive selection of programs, projects, and activities to be the recipients of such funds.

(i) DIRECTED ENERGY DEFINED.—In this section, the term ''directed energy'', with respect to technologies, systems, or weapons, means technologies, systems, or weapons that provide for the directed transmission of energies across the energy and frequency spectrum, including high energy lasers and high power microwaves.

HELMS AMENDMENTS NOS. 3298–3299

(Ordered to lie on the table.)

Mr. HELMS submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3298

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading, ''Research, Development, Test and Evaluation, Army'', up to $3,000,000 may be made available for the Display Performance and Environmental Laboratory Project of the Army Research Laboratory.

AMENDMENT NO. 3299

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading, ''Research, Development, Test and Evaluation, Navy'', up to $4,500,000 may be made available for the Innovative Stand-Off Door Breaching Munition.

ROBB AMENDMENTS NOS. 3300–3301

(Ordered to lie on the table.)

Mr. ROBB submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3300

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', $3,000,000 shall be available for high-performance, non-toxic, inturnescent fire protective coatings aboard Navy vessels. The coating shall meet the specifications for Type II fire protectives as stated in Mil—Spec DoD–C–24596.

AMENDMENT NO. 3301

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, AIR FORCE'', $2,000,000 shall be available for advanced three-dimensional visualization software with the currently-deployed, personal computer-based Portable Flight Planning Software (PFPS).

DORGAN AMENDMENT NO. 3302

(Ordered to lie on the table.)

Mr. DORGAN. submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place, add the following:

SEC. . REPORT ON AN ELECTRONIC WARFARE VERSION OF THE B–52.

(a) The Secretary of the Air Force shall submit to the congressional defense committees by May 1, 2001, a report on the potential role of an electronic warfare (EW) version of the B–52 bomber in meeting anticipated future shortfalls in airborne EW assets.

(b) CONTENT.—The report shall include the following:

(1) the advantages and disadvantages of using the B–52 airframe's size, payload and endurance for standoff jamming;

(2) the impact on the weapons carrying capability of the B–52;

(3) the arms control implications of using certain B–52s as EW platforms; and

(4) the estimated schedule for, and non-recurring and modification cost of, deploying interim and long term EW versions of the B–52.

DORGAN (AND INOUYE) AMENDMENT NO. 3303

(Ordered to lie on the table.)

Mr. DORGAN (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 52, line 4, beginning at ''*Provided*, That'' strike all that follows through line 9 and insert the following: ''; *Provided further*, That a subcontractor at any tier shall be considered a contractor for purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974.''.

ASHCROFT (AND OTHERS) AMENDMENT NO. 3304

(Ordered to lie on the table.)

Mr. ASHCROFT (for himself and Mr. BOND, Mr. CONRAD, Mr. BREAUX, and Ms. LANDRIEU). submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by this Act for the Air Force for research, development, test and evaluation, $43,000,000 is available for the extended range conventional air-launched cruise missile program of the Air Force.

ABRAHAM (AND MOYNIHAN) AMENDMENT NO. 3305

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself and Mr. MOYNIHAN) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following:

SEC. . Of the funds appropriated in title IV under the heading RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY; up to $15,000,000 may be made available to continue research and development on Silicon carbide research (PE 63005A).

DASCHLE AMENDMENT NO. 3306

(Ordered to lie on the table.)

Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place insert the following:

(a) MODIFICATION OF CONVEYEE.—Subsection (a) of section 2863 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010) is amended by striking ''Greater Box Elder Area Economic Development Corporation, Box Elder, South Dakota (in this section referred to as the 'Corporation')'' and inserting ''West River Foundation for Economic and Community Development, Sturgis, South Dakota (in this section referred to as the 'Foundation')''.

(b) CONFORMING AMENDMENTS.—That section is further amended by striking ''Corporation'' each place it appears in subsections (c) and (e) and inserting ''Foundation''.

CRAPO AMENDMENT NO. 3307

(Ordered to lie on the table.)

Mr. CRAPO submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, add the following:

SEC. . AUTHORITY FOR AWARD OF MEDAL OF HONOR TO CERTAIN SPECIFIED PERSONS.

(a) INAPPLICABILITY OF TIME LIMITATIONS.—Notwithstanding the time limitations in section 3744(b) of title 10, United States Code, or any other time limitation, the President may award the Medal of Honor under section 3741 of such title to the persons specified in subsection (b) for the acts specified in that subsection, the award of the Medal of Honor to such persons having been determined by the Secretary of the Army to be warranted in accordance with section 1130 of such title.

(b) PERSONS ELIGIBLE TO RECEIVE THE MEDAL OF HONOR.—The persons referred to in subsection (a) are the following:

(1) Ed W. Freeman, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 14, 1965, as flight leader and second-in-command of a helicopter lift unit at landing zone X-Ray in the Battle of the la Drang Valley, Republic of Vietnam, during the Vietnam War, while serving in the grade of Captain in Alpha company, 229th Assault Helicopter Battalion, 101st Cavalry Division (Airmobile).

(2) James K. Okubo, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on October 28 and 29, and November 14, 1944, at Foret Domaniale de Champ, near Biffontaine, France, during World War II, while serving as an Army medic in the grade of Technician Fifth Grade in the medical detachment, 442d Regimental Combat Team.

(3) Andrew J. Smith, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 30, 1864, in the Battle of Honey Hill, South Carolina, during the Civil War, while serving as a corporal in the 55th Massachusetts Voluntary Infantry Regiment.

(c) POSTHUMOUS AWARD.—The Medal of Honor may be awarded under this section posthumously, as provided in section 3752 of title 10, United States Code.

(d) PRIOR AWARD.—The Medal of Honor may be awarded under this section for service for which a Silver Star, or other award, has been awarded.''

BOXER (AND REID) AMENDMENT NO. 3308

Mrs. BOXER (for herself and Mr. REID) proposed an amendment to the bill, H.R. 4576, supra; as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8___. PROHIBITION ON USE OF FUNDS FOR PREVENTATIVE APPLICATION OF PESTICIDES IN DEPARTMENT OF DEFENSE AREAS THAT MAY BE USED BY CHILDREN.

(a) DEFINITION OF PESTICIDE.—In this section, the term 'pesticide' has the meaning given the term in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

(b) PROHIBITION USE OF FUNDS.—None of the funds appropriated under this Act may be used for the preventative application of a pesticide containing a known or probable carcinogen or a category I or II acute nerve toxin, or a pesticide of the organophosphate, carbamate, or organochlorine class, in any area owned or managed by the Department of Defense that may be used by children, including a park, base housing, a recreation center, a playground, or a daycare facility.

BOXER AMENDMENTS NOS. 3309–3311

(Ordered to lie on the table.)

Mrs. BOXER submitted three amendments intended to be proposed by her to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3309

At the appropriate place, insert the following:

SEC. . PRIVACY OF INDIVIDUAL MEDICAL RECORDS.

None of the funds provided in this Act shall be used to transfer, release, disclose, or otherwise make available to any individual or entity outside the Department of Defense an individual's medical records without the consent of the individual.

AMENDMENT NO. 3310

At the appropriate place, insert the following:

SEC. . REDUCTION IN TOTAL AMOUNT TO BE APPROPRIATED.

Notwithstanding any other provision of this Act, the total amount appropriated for fiscal year 2001 under the provisions of this Act is hereby reduced by $3,000,000,000, with the total amount of such reduction to be used exclusively for reducing the amount of the Federal budget debt.

AMENDMENT NO. 3311

Strike Section 8114.

LEAHY AMENDMENT NO. 3312

(Ordered to lie on the table.)

Mr. LEAHY submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title III under the heading ''OTHER PROCUREMENT, ARMY'', $5,000,000 shall be available for the development of the Abrams Full-Crew Interactive Skills Trainer.

SCHUMER (AND MOYNIHAN) AMENDMENT NO. 3313

(Ordered to lie on the table.)

Mr. SCHUMER (for himself and Mr. MOYNIHAN) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' for Industrial Mobilization Capacity, $57,378,000 plus an additional $20,000,000 may be made available to address unutilized plant capacity in order to offset the effects of low utilization of plant capacity on overhead charges at the Arsenals.

KENNEDY AMENDMENTS NOS. 3314–3316

(Ordered to lie on the table.)

Mr. KENNEDY submitted three amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3314

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $10,000,000 may be available for the Environmental Security Technical Certification Program (PE603851D) to develop and test technologies to detect unexploded ordinance at sites where the detection and possible remediation of unexploded ordinance from live-fire activities is underway.

(b) ADDITIONAL REQUIREMENT.—Performance measures shall be established for the technologies described in subsection (a) for purposes of facilitating the implementation and utilization of such technologies by the Department of Defense.

AMENDMENT NO. 3315

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $10,000,000 may be available for the Strategic Environmental Research and Development Program (PE6034716D) for the development and test of technologies to detect, analyze, and map the presence of, and to transport, pollutants and contaminants at

sites undergoing the detection and possible remediation of constituents attributable to live-fire activities in a variety of hydrogeological scenarios.

(b) ADDITIONAL REQUIREMENT.—Performance measures shall be established for the technologies described in subsection (a) for purposes of facilitating the implementation and utilization of such technologies by the Department of Defense.

AMENDMENT NO. 3316

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $5,000,000 may be available for Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature superconductor electric motor.

STEVENS (AND INOUYE) AMENDMENT NO. 3317

Mr. STEVENS (for himself and Mr. INOUYE) proposed an amendment to the bill, H.R. 4576, supra; as follows:

In the appropriate place in the bill, insert the following new section:

SEC. . In addition to funds made available in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $20,000,000 is hereby appropriated for Information Technology Center.

STEVENS AMENDMENTS NOS. 3318–3320

Mr. STEVENS proposed three amendments to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3318

On page 83, line 26 of bill after the comma strike the following text: ''1999 (Public Law 105–262)'', and insert the following text: ''2000 (Public Law 106–79)''.

AMENDMENT NO. 3319

On page 47, at line 21, strike the words ''Native American ownership'' and insert in lieu thereof ''ownership by an Indian tribe, as defined in 25 U.S.C. 450b(e), or a Native Hawaiian organization, as defined in 15 U.S.C. 647(a)(15)''.

AMENDMENT NO. 3320

On page 79, insert the words ''Increase Use/Reserve support to the Operational Commander-in-Chiefs and with'' after the words ''to be used in support of such personnel in connection with''.

STEVENS AMENDMENT NO. 3321

(Ordered to lie on the table.)

Mr. STEVENS submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following:

SEC. . Of the funds provided in Title II under the heading ''Operation and Maintenance, Navy'', up to $1,000,000 may be available to continue the Public Service Initiative.

ROBERTS AMENDMENTS NOS. 3322–3323

(Ordered to lie on the table.)

Mr. ROBERTS submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3322

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Kansas, all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 70 acres at Fort Riley Military Reservation, Fort Riley, Kansas. The preferred site is adjacent to the Fort Riley Military Reservation boundary, along the north side of Huebner Road across from the First Territorial Capitol of Kansas Historical Site Museum.

(b) CONDITIONS OF CONVEYANCE.—The conveyance required by subsection (a) shall be subject to the following conditions:

(1) That the State of Kansas use the property conveyed solely for purposes of establishing and maintaining a State-operated veterans cemetery.

(2) That all costs associated with the conveyance, including the cost of relocating water and electric utilities should the Secretary determine that such relocations are necessary, be borne by the State of Kansas.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Director of the Kansas Commission on Veterans Affairs.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance required by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 3323

In the appropriate place in the bill, insert the following new section:

''SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $3,500,000 may be made available for Chem-Bio Advanced Materials Research.

SNOWE AMENDMENTS NOS. 3324–3325

(Ordered to lie on the table.)

Ms. SNOWE submitted two amendments intended to be proposed by her to the bill, H.R. 4576. supra; as follows:

AMENDMENT NO. 3324

At the appropriate place in the bill insert:

SEC. 8126. Of the total amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $3,000,000 may be available only for a Navy benefits center.

AMENDMENT NO. 3325

On page 25 of the substituted original text, line 9, insert ''two'' after ''and''.

LANDRIEU AMENDMENT NO. 3326

(Ordered to lie on the table.)

Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill, H.R. 4576, supra; as follows:

At the appropriate place, in the bill, insert the following:

SEC. . Of the funds available in Title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $8,000,000 may be made available for the Navy Information Technology Center.

DORGAN AMENDMENT NO. 3327

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place, add the following:

SEC. . REPORT ON AN ELECTRONIC WARFARE VERSION OF THE B–52.

(a) The Secretary of the Air Force shall submit to the congressional defense committees by May 1, 2001, a report on the potential role of an electronic warfare (EW) version of the B–52 bomber in meeting anticipated future shortfalls in airborne EW assets.

(b) CONTENT.—The report shall include the following:

(1) the advantages and disadvantages of using the B–52 airframe's size, payload and endurance for standoff jamming;

(2) the impact on the weapons carrying capability of the B–52;

(3) the arms control implications of using certain B–52s as EW platforms; and

(4) the estimated schedule for, and non-recurring and modification cost of, deploying interim and long term EW versions of the B–52.

STEVENS AMENDMENT NO. 3328

Mr. STEVENS proposed an amendment to the bill, H.R. 4576, supra; as follows:

On page 90, line 14, strike Section 8091 and insert the following new section:

SEC. 8091. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $789,700,000 to reflect savings from favorable foreign currency fluctuations, and stabilization of the balance available within the ''FOREIGN CURRENCY FLUCTUATION, DEFENSE'', account.

GREGG (AND KERRY) AMENDMENT NO. 3329

(Ordered to lie on the Table.)

Mr. GREGG (for himself and Mr. KERRY) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

In the appropriate place in the bill, insert the following new section:

''SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $7,000,000 may be made available for the Solid State Dye Laser project.

FEINSTEIN AMENDMENTS NOS. 3330–3332

(Ordered to lie on the table.)

Mr. FEINSTEIN submitted three amendments intended to be proposed by her to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3330

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' for payments under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703), a total of $1,000,000 shall be available for distribution between the Center Unified School District, California, and the Whisman School District, California, on the basis of the needs of those districts resulting from

disruptions caused by base closures and realignments.

AMENDMENT NO. 3331

At the appropriate place, insert:

Of the amount available under Title II under the heading ''OPERATIONS AND MAINTENANCE, DEFENSE-WIDE'', $1,000,000 shall be available for Middle East Regional Security Issues.

AMENDMENT NO. 3332

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount available under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', $5,000,000 shall be available for the continuation of the Compatible Processor Upgrade Program (CPUP).

BYRD AMENDMENT NO. 3333

(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS FOR ANALYSIS.—Of the amount appropriated under title III under the heading ''OTHER PROCUREMENT, AIR FORCE'', $3,000,000 shall be available for the following activities:

(1) An analysis of the costs associated with and the activities necessary in order to reestablish the production line for the U–2 aircraft.

(2) An analysis of the feasibility of restarting production of U–2 aircraft in fiscal year 2002 at a rate of 2 aircraft per year.

(b) REPORT.—Not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the analyses undertaken using funds available under subsection (a). The report shall be submitted in unclassified form.

WARNER AMENDMENTS NOS. 3334–3335

(Ordered to lie on the table.)

Mr. WARNER submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3334

At the appropriate place, insert the following:

SEC. ____. (a) ADDITIONAL FUNDS FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.—The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' is hereby increased by $3,700,000, with the amount of the increase available for the activities of five additional Weapons of Mass Destruction Civil Support Teams (WMD–CST).

(b) ADDITIONAL FUNDS FOR EQUIPMENT FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM PROGRAM.—(1) The amount appropriated under title III under the heading ''OTHER PROCUREMENT, ARMY'' is hereby increased by $11,300,000, with the amount of the increase available for Special Purpose Vehicles.

(2) The amount appropriated under title III under the heading ''PROCUREMENT, DEFENSE-WIDE'' is hereby increased by $1,800,000, with the amount of the increase available for the Chemical Biological Defense Program, for Contamination Avoidance.

(3) Amounts made available by reason of paragraphs (1) and (2) shall be available for the procurement of additional equipment for the Weapons of Mass Destruction Civil Support Team (WMD–CST) program.

(c) OFFSET.—The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' for the Defense Finance and Accounting Service is hereby reduced by $16,800,000, with the amount of the reduction applied to the Defense Joint Accounting System (DJAS) for fielding and operations.

AMENDMENT NO. 3335

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. (a) In addition to the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', there is hereby appropriated for the purposes and period for which funds are appropriated under that heading $30,000,000: *Provided*, That, of such amount, $10,000,000 is available for the Institute for Defense Computer Security and Information Protection of the Department of Defense, and $20,000,000 is available for the Information Security Scholarship Program of the Department of Defense.

(b)(1) The amount appropriated by title III under the heading ''WEAPONS PROCUREMENT, NAVY'' for surface land attack missile–enhanced response (SLAM–ER) is hereby reduced by $24,400,000.

(2) The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'' for common command and decision function systems (0603582N) is hereby reduced by $1,500,000.

(3) The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'' for hyperspectral system development (high altitude) (0603203F) is hereby reduced by $4,000,000.

(c) Of the amounts appropriated by chapter 3 of title II of Public Law 106–31 under the heading ''WEAPONS PROCUREMENT, NAVY'' for tomahawk missiles, $24,400,000 shall be available for surface land attack missile–enhanced response (SLAM–ER).

NICKLES AMENDMENTS NOS. 3336–3337

(Ordered to lie on the table.)

Mr. NICKLES submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3336

At the appropriate place in the bill, insert the following new section:

Of the funds provided in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Army'' up to $12,000,000 may be made available to commence a live-fire, side-by-side operational test of the air-to-air Starstreak and air-to-air Stinger missiles from the AH64D Longbow helicopter, as previously specified in section 8138 of Public Law 106–79. Provided, That the budget of the President for fiscal year 2002 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include in the Army budget request the funding necessary to conclude this live-fire, side-by-side operational test of the air-to-air Starstreak and air-to-air Stinger missiles as specified in Section 8138 of Public Law 106–79.

AMENDMENT NO. 3337

At the appropriate place in the bill, insert the following new section:

Of the funds appropriated in the Act under the heading ''Operations and Maintenance, Defense Wide'' up to $5,000,000 may be made available to the American Red Cross for Armed Forces Emergency Services.

ALLARD AMENDMENT NO. 3338

(Ordered to lie on the table.)

Mr. ALLARD submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'', up to $12,000,000 is available for the XSS–10 micro-missile technology program.

COVERDELL AMENDMENT NO. 3339

(Ordered to lie on the table.)

Mr. COVERDELL submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', a total of $3,000,000 is transferred to the Marine Corps Advanced Development Demonstration (PE 0603640m), of which $1,500,000 shall be derived from the amount appropriated under that heading for Chemical/Biological Defense (Advanced Development—PE 062384BP) and $1,500,000 shall be derived from the amount appropriated under that heading for Chemical/Biological Defense (Applied Research—PE 063384BP).

DEWINE (AND OTHERS) AMENDMENT NO. 3340

(Ordered to lie on the table.)

Mr. DEWINE (for himself, Mrs. HUTCHISON, Mr. GRASSLEY, Mr. BREAUX, Ms. LANDRIEU, Mr. MACK, Mr. GRAHAM, and Mr. COVERDELL) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) FINDINGS.—Congress makes the following findings:

(1) Failure to operate and standardize the current Tethered Aerostat Radar System (TARS) sites along the Southwest border of the United States and the Gulf of Mexico will result in a degradation of the counterdrug capability of the United States.

(2) Most of the illicit drugs consumed in the United States enter the United States through the Southwest border, the Gulf of Mexico, and Florida.

(3) The Tethered Aerostat Radar System is a critical component of the counterdrug mission of the United States relating to the detection and apprehension of drug traffickers.

(4) Preservation of the current Tethered Aerostat Radar System network compels drug traffickers to transport illicit narcotics into the United States by more risky and hazardous routes.

(b) AVAILABILITY OF FUNDS FOR TARS.—Of the amount appropriated under title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', $23,000,000 shall be available to Drug Enforcement Policy Support (DEP&S) for purposes of maintaining operations of the 11 current Tethered Aerostat Radar System (TARS) sites and completing the standardization of such sites located along the Southwest border of the United States and in the States bordering the Gulf of Mexico.

GRAMS (AND OTHERS) AMENDMENT NO. 3341

(Ordered to lie on the table.)

Mr. GRAMS (for himself, Mr. MCCAIN, Mr. SESSIONS, Mr. ALLARD,

and Mr. ASHCROFT) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following:

Additional Benefits For Reserves and Their Dependents

SEC. . SENSE OF CONGRESS.

It is the sense of Congress that it is in the national interest for the President to provide the funds for the reserve components of the Armed Forces (including the National Guard and Reserves) that are sufficient to ensure that the reserve components meet the requirements specified for the reserve components in the National Military Strategy, including training requirements.

SEC. . TRAVEL BY RESERVES ON MILITARY AIRCRAFT.

(a) SPACE-REQUIRED TRAVEL FOR TRAVEL TO DUTY STATIONS INCONUS AND OCONUS.—(1) Subsection (a) of section 18505 of title 10, United States Code, is amended to read as follows:

''(a) A member of a reserve component traveling to a place of annual training duty or inactive-duty training (including a place other than the member's unit training assembly if the member is performing annual training duty or inactive-duty training in another location) may travel in a space-required status on aircraft of the armed forces between the member's home and the place of such duty or training.''.

(2) The heading of such section is amended to read as follows:

''§ 18505. Reserves traveling to annual training duty or inactive-duty training: authority for space-required travel''.

(b) SPACE-AVAILABLE TRAVEL FOR MEMBERS OF SELECTED RESERVE, GRAY AREA RETIREES, AND DEPENDENTS.—Chapter 1805 of such title is amended by adding at the end the following new section:

''§ 18506. Space-available travel: Selected Reserve members and dependents

''(a) ELIGIBILITY FOR SPACE-AVAILABLE TRAVEL.—The Secretary of Defense shall prescribe regulations to allow persons described in subsection (b) to receive transportation on aircraft of the Department of Defense on a space-available basis under the same terms and conditions (including terms and conditions applicable to travel outside the United States) as apply to members of the armed forces entitled to retired pay.

''(b) PERSONS ELIGIBLE.—Subsection (a) applies to the following persons:

''(1) A person who is a member of the Selected Reserve in good standing (as determined by the Secretary concerned) or who is a participating member of the Individual Ready Reserve of the Navy or Coast Guard in good standing (as determined by the Secretary concerned).

''(c) DEPENDENTS.—A dependent of a person described in subsection (b) shall be provided transportation under this section on the same basis as dependents of members of the armed forces entitled to retired pay.

''(d) LIMITATION ON REQUIRED IDENTIFICATION.—Neither the 'Authentication of Reserve Status for Travel Eligibility' form (DD Form 1853), nor or any other form, other than the presentation of military identification and duty orders upon request, or other methods of identification required of active duty personnel, shall be required of reserve component personnel using space-available transportation within or outside the continental United States under this section.''.

(c) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 18505 and inserting the following new items:

''18505. Reserves traveling to annual training duty or inactive-duty training: authority for space-required travel.

''18506. Space-available travel: Selected Reserve members and reserve retirees under age 60; dependents.''.

(d) IMPLEMENTING REGULATIONS.—Regulations under section 18506 of title 10, United States Code, as added by subsection (b), shall be prescribed not later than 180 days after the date of the enactment of this Act.

SEC. . BILLETING SERVICES FOR RESERVE MEMBERS TRAVELING FOR INACTIVE DUTY TRAINING.

(a) IN GENERAL.—(1) Chapter 1217 of title 10, United States Code, is amended by inserting after section 12603 the following new section:

''§ 12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training

''(a) AUTHORITY FOR BILLETING ON SAME BASIS AS ACTIVE DUTY MEMBERS TRAVELING UNDER ORDERS.—The Secretary of Defense shall prescribe regulations authorizing a Reserve traveling to inactive-duty training at a location more than 50 miles from that Reserve's residence to be eligible for billeting in Department of Defense facilities on the same basis and to the same extent as a member of the armed forces on active duty who is traveling under orders away from the member's permanent duty station.

''(b) PROOF OF REASON FOR TRAVEL.—The Secretary shall include in the regulations the means for confirming a Reserve's eligibility for billeting under subsection (a).''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 12603 the following new item:

''12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training.

(b) EFFECTIVE DATE.—Section 12604 of title 10, United States Code, as added by subsection (a), shall apply with respect to periods of inactive-duty training beginning more than 180 days after the date of the enactment of this Act.

SEC. . INCREASE IN MAXIMUM NUMBER OF RESERVE RETIREMENT POINTS THAT MAY BE CREDITED IN ANY YEAR.

Section 12733(3) of title 10, United States Code, is amended by striking ''but not more than'' and all that follows and inserting ''but not more than—

''(A) 60 days in any one year of service before the year of service that includes September 23, 1996;

''(B) 75 days in the year of service that includes September 23, 1996, and in any subsequent year of service before the year of service that includes the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001; and

''(C) 90 days in the year of service that includes the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001 and in any subsequent year of service.''.

SEC. . AUTHORITY FOR PROVISION OF LEGAL SERVICES TO RESERVE COMPONENT MEMBERS FOLLOWING RELEASE FROM ACTIVE DUTY.

(a) LEGAL SERVICES.—Section 1044(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) Members of reserve components of the armed forces not covered by paragraph (1) or (2) following release from active duty under a call or order to active duty for more than 30 days issued under a mobilization authority (as determined by the Secretary of Defense), but only during the period that begins on the date of the release and is equal to at least twice the length of the period served on active duty under such call or order to active duty.''.

(b) DEPENDENTS.—Paragraph (5) of such section, as redesignated by subsection (a)(1), is amended by striking ''and (3)'' and inserting ''(3), and (4)''.

(c) IMPLEMENTING REGULATIONS.—Regulations to implement the amendments made by this section shall be prescribed not later than 180 days after the date of the enactment of this Act.

BINGAMAN AMENDMENT NO. 3342

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', $2,000,000 may be made available for the Bosque Redondo Memorial as authorized under the provisions of the bill S.964 of the 106th Congress, as adopted by the Senate.

INHOFE AMENDMENT NO. 3343

(Ordered to lie on the table.)

Mr. INHOFE submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', $300,000 shall be available for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $300,000.

INHOFE AMENDMENTS NOS. 3344–3345

(Ordered to lie on the table.)

Mr. INHOFE submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra as follows:

AMENDMENT NO. 3344

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', $5,000,000 shall be available for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $5,000,000.

AMENDMENT NO. 3345

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY'', up to $3,800,000 may be available for defraying the costs of maintaining the industrial mobilization capacity at the McAlester Army Ammunition Activity, Oklahoma.

ALLARD (AND OTHERS) AMENDMENT NO. 3346

(Ordered to lie on the table.)

Mr. ALLARD (for himself, Mr. VOINOVICH, and Mr. GRAMS) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following:

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $12,200,000,000.

MACK (AND GRAHAM) AMENDMENT NO. 3347

(Ordered to lie on the table.)

Mr. MACK (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Of the funds appropriated in title IV under the heading 'Counter-Drug Activities, Defense', $5,000,000 shall be made available for a ground processing station to support a tropical remote sensing radar.

LANDRIEU AMENDMENT NO. 3348

(Ordered to lie on the table.)

Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT AVAILABLE FOR PROCUREMENT, DEFENSE-WIDE.—The amount appropriated under title III under the heading ''PROCUREMENT, DEFENSE-WIDE'' is hereby increased by $3,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount appropriated under the heading referred to in subsection (a), as increased by that subsection, $3,000,000 shall be available for the procurement and installation of integrated bridge systems for naval systems special warfare rigid inflatable boats and high-speed assault craft for special operations forces.

(c) OFFSET.—The amount appropriated under title III under the heading ''OTHER PROCUREMENT, AIR FORCE'' is hereby decreased by $3,000,000.

EDWARDS AMENDMENT NO. 3349

(Ordered to lie on the table.)

Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following:

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $77,560,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

EMERGENCY CONSERVATION PROGRAM

Unobligated balances previously provided under this heading may be used to repair and reconstruct essential farm structures and equipment that have been damaged or destroyed, after a finding by the Secretary of Agriculture that: (1) the damage or destruction is the result of a natural disaster declared by the Secretary or the President for losses due to Hurricane Dennis, Floyd, or Irene; and (2) insurance against the damage or destruction was not available to the grantee or the grantee lacked the financial resources to obtain the insurance: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

COMMODITY CREDIT CORPORATION FUND

The Secretary of Agriculture shall reduce the amount of any principal due on a loan made by the Department to a marketing association for the 1999 crop of an agricultural commodity by up to 75 percent if the marketing association suffered losses to the agriculture commodity in a county with respect to which a natural disaster was declared by the Secretary or the President for losses due to Hurricane Dennis, Floyd, or Irene.

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in the preceding paragraph that is below the base quality of the agricultural commodity, and the reduction in grade quality is the result of damage sustained from Hurricane Dennis, Floyd, or Irene, the Secretary shall compensate that association for losses incurred by the association as a result of the reduction in grade quality.

Up to $81,000,000 of the resources of the Commodity Credit Corporation may be used for the cost of this provision: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional cost of water and waste grants, as authorized by 7 U.S.C. 1926(a)(2), to meet the needs resulting from natural disaster, $28,000,000 to remain available until expended; and for an additional amount for community facilities grants pursuant to section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(1)) for emergency needs $15,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For the additional cost of direct loans, as authorized by title V of the Housing Act of 1949, $15,872,000 from the Rural Housing Insurance Fund for section 515 rental housing, to remain available until expended, to address emergency needs resulting from Hurricane Dennis, Floyd, or Irene: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* that these funds are available to subsidize gross obligations for the principal amount of direct loans estimated to be $40,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251 (b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949 to be available from funds in the rural housing Insurance fund to meet the needs resulting from natural disasters, as follows: $296,000,000 for loans to section 502 borrowers, as determined by the Secretary and $13,000,000 for section 504 housing repair loans.

For the additional cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to meet the needs resulting from natural disasters, to remain available until expended as follows: section 502 loans, $25,000,000 and section 504 loans, $4,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251 (b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RENTAL ASSISTANCE PROGRAM

For an additional amount for ''Rental Assistance Program'' for rental assistance agreements entered into or renewed pursuant to section 521(a)(2) of the Housing Act of 1949, for emergency needs resulting from Hurricane Dennis, Floyd, or Irene, $13,600,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42

U.S.C. 1490c), to meet the needs resulting from natural disasters, $6,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, as authorized by 42 U.S.C. 1474, to meet the needs resulting from natural disasters, $8,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 2

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for ''Economic Development Assistance Programs''. $25,800,000, to remain available until expended, for planning, public works grants and revolving loan funds for communities affected by Hurricane Floyd and other recent hurricanes and disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research and Facilities'', $19,400,000, to remain available until expended, to provide disaster assistance pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation Management Act, and for repairs to the Beaufort Laboratory, resulting from Hurricane Floyd and other recent hurricanes and disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, $33,300,000, to remain available until expended to subsidized additional gross obligations for the principal amount of direct loans: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; and for the direct administrative expenses to carry out the disaster loan program, and additional $27,600,000, to remain available until expended, which may be transferred to and merged with appropriations for ''Salaries and Expenses'': *Provided further*, That no funds shall be transferred to and merged with appropriations for ''Salaries and Expenses'' for indirect administrative expenses: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount to conduct a study and report to the Congress on the feasibility of a project to provide flood damage reduction for the town of Princeville, North Carolina, $1,500,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and maintenance, general'' for emergency expenses due to hurricanes and other natural disasters, $27,925,000, to remain available until expended: *Provided*, That the total amount appropriated, the amount for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99–662 shall be derived from that Fund: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 4

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount of ''Construction'', $5,000,000, to remain available until expended, to repair or replace building, equipment, roads, and water control structures damaged by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $4,000,000, to remain available until expended, to repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $1,800,000 to remain available until expended, to repair or replace stream monitoring equipment and associated facilities damaged by natural disaster: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 5

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

HOME INVESTIGATION PARTNERSHIPS PROGRAM

For an additional amount for the HOME investigation partnerships program as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), as amended, $36,000,000: *Provided*, That of that said amount, $11,000,000 shall be provided to the New Jersey Department of Community Affairs and $25,000,000 shall be provided to the North Carolina Housing Finance Agency for the purpose of providing temporary assistance in obtaining rental housing, and for construction of affordable replacement housing: *Provided further*, That assistance provided under this paragraph shall be for very low-income families displaced by flooding caused by Hurricane Floyd and surrounding events: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

ADMINISTRATIVE PROVISION

SEC. 3801. (a) Subject to subsection (d) and notwithstanding any other provision of law, from any amounts made available for assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) that remain unobligated, the Secretary of Housing and Urban Development shall, for each request described in subsection (b), make a 1-year grant to the entity making the request in the amount under subsection (c).

(b) A request described in this subsection is a request for a grant under subtitle C of the title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq.). For permanent housing for homeless persons with disabilities or subtitle F of such title (42 U.S.C. 11403 et seq.) that—

(1) was submitted in accordance with the eligibility requirements established by the Secretary and pursuant to the notice of funding availability for fiscal year 1999 covering such programs, but was not approved;

(2) was made by an entity that received such a grant pursuant to the notice of funding availability for a previous fiscal year; and

(3) requested renewal of funding made under such previous grant for use for eligible activities because funding under such previous grant expires during calendar year 2000.

(c) The amount under this subsection is the amount necessary, as determined by the Secretary, to renew funding for the eligible activities under the grant request for a period of only 1 year, taking into consideration the amount of funding requested for the first year of funding under the grant request.

(d) The entire amount for grants under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The entire amount for grants under this section shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request

as an emergency requirement and defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an increase in the authority to use unobligated balances specified under this heading in appendix E, title I, chapter 2, of Public Law 106–113. In addition to other amounts made available, up to an additional $77,400,000 may be used by the Director of the Federal Emergency Management Agency for the purposes included in said chapter: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SHELBY AMENDMENT NO. 3350

(Ordered to lie on the table.)

Mr. SHELBY submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Under Procurement Air Force, amend Section 2466 of Title 10, U.S. Code as per the attached document.

SEC. . LIMITATIONS ON THE PERFORMANCE OF DEPOT-LEVEL MAINTENANCE OF MATERIEL.

Section 2466 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''by non-Federal Government personnel'' and inserting in lieu thereof ''in other than Government-owned, Government-operated facilities''; and

(B) by striking ''by employees of the Department of Defense,'' and inserting in lieu thereof ''in Government-owned, Government-operated facilities,''; and

(2) by striking subsection (d) and inserting in lieu thereof the following new subsection(d):

''(d) EXCEPTIONS.—The limitation in subsection (a) shall not apply with respect to—

''(1) the Sacramento Army Depot, Sacramento, California,

''(2) workloads for special access and intelligence programs, and

''(3) any workload contracted by a public entity to a private entity that was awarded to a public entity pursuant to a public-private competition.''.

SMITH OF NEW HAMPSHIRE AMENDMENT NO. 3351

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. No funds appropriated or otherwise made available by this Act may be obligated or expended to issue a security clearance to any employee of the Department of Defense or contractor of the Department of Defense, or any member of the Armed Forces, if such individual—

(1) has been convicted in any court of the United States, or of any State, of a crime and sentenced to imprisonment for a term exceeding one year;

(2) is an unlawful user of or addicted to a controlled substance (as that term is defined in section 102 of the Controlled Substances Act);

(3) is currently mentally incompetent; or

(4) has been discharged from the Armed Forces under dishonorable conditions.

ROTH (AND BIDEN) AMENDMENT NO. 3352

(Ordered to lie on the table.)

Mr. ROTH (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESERACH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'', $92,530,000 may be available for C–5 aircraft modernization, including for the C–5 Reliability Enhancement and Reengining Program.

WARNER AMENDMENT NO. 3353

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . Section 8093(d) of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1253) shall not apply to contracts awarded prior to the enactment of Public Law 106–79.

HARKIN AMENDMENTS NOS. 3354–3355

(Ordered to lie on the table.)

Mr. HARKIN submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3354

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', funds, in a sufficient amount for the purpose, shall be used for the Department of Defense consideration and implementation of changes in Department of Defense secrecy oaths and policies, within appropriate national security constraints, to ensure that such policies do not prevent or discourage current and former workers at nuclear weapons facilities who may have been exposed to radioactive and other hazardous substances from discussing those exposures with their health care providers and with other appropriate officials, including for the consideration and implementation of changes to the policy of the Department of Defense neither to confirm nor deny the presence of nuclear weapons as it is applied to former United States nuclear weapons facilities that no longer contain nuclear weapons or materials.

(b) Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', funds, in sufficient amount for the purpose, shall be used to provide for the notification of people who are or were bound by Department of Defense secrecy oaths or policies, and who may have been exposed to radioactive or hazardous substances at nuclear weapons facilities, of any likely health risks and of how they can discuss the exposures with their health care providers and other appropriate officials without violating secrecy oaths or policies.

AMENDMENT NO. 3355

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) None of the funds appropriated by this Act may be obligated or expended for the purchase or modification of high mobility trailers for the Army before the Secretary of the Army has determined that the trailers have been thoroughly tested as a system with the High Mobility Multipurpose Wheeled Vehicles that tow the trailers, satisfy the applicable specifications, are safe and usable, do not damage the vehicles that tow the trailers, and perform the intended functions satisfactorily.

(b) None of the funds appropriated by this Act may be obligated or expended for the modification of Army High Mobility Multipurpose Wheeled Vehicles to tow trailers before the Secretary of the Army has determined that, with respect to the towing of trailers, the vehicles have been thoroughly tested as a system, satisfy the applicable specifications, are safe and usable, are not damaged by the towing of the trailers, and perform the intended functions satisfactorily.

HARKIN (AND BOXER) AMENDMENT NO. 3356

(Ordered to lie on the table.)

Mr. HARKIN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. None of the funds appropriated by this Act may be obligated or expended for purchasing or leasing luxury executive jet aircraft.

ROBERTS (AND LOTT) AMENDMENT NO. 3357

(Ordered to lie on the table.)

Mr. ROBERTS (for himself and Mr. LOTT) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 110 of the substituted original text, or at the appropriate place, insert the following:

SEC. . Of the total amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE WIDE'', $4,000,000 is available for Military Personnel Research and $500,000 is available for the AFCC engineering and installation program.

BENNETT AMENDMENT NO. 3358

(Ordered to lie on the table.)

Mr. BENNETT submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) LAYOVER PERIOD FOR NEW PERFORMANCE LEVELS.—Section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence of subsection (d), by striking ''180'' and inserting ''60''; and

(2) by adding at the end the following:

''(g) CALCULATION OF 60-DAY PERIOD.—The 60-day period referred to in subsection (d)

shall be calculated by excluding the days on which either House of Congress is not in session because of an adjournment of the Congress sine die.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any new composite theoretical performance level established for purposes of section 1211(a) of the National Defense Authorization Act for Fiscal Year 1998 that is submitted by the President pursuant to section 1211(d) of that Act on or after the date of the enactment of this Act.

MCCAIN AMENDMENT NO. 3359

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) IN GENERAL.—No provision of the Buy American Act, or similar provision, shall be construed to prohibit, restrict, or otherwise limit the procurement by the Department of Defense, using funds available under this Act or any other Act, of any item, component, material, or service if such prohibition, restriction, or limitation would operate to invalidate a provision of a reciprocal trade agreement for the procurement of defense items between the United States and any other signatory to such agreement.

(b) BUY AMERICA ACT DEFINED.—In this section, the term ''Buy American Act'' has the meaning given that term in section 8036(c) of this Act.

STEVENS AMENDMENTS NOS. 3360–3361

(Ordered to lie on the table.)

Mr. STEVENS submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3360

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'', up to $92,530,000 may be made available for C–5 Airlift Squadrons.

AMENDMENT NO. 3361

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds provided within Title I of this Act, such funds as may be necessary shall be available for a special subsistence allowance for members eligible to receive food stamp assistance, as authorized by law.

DURBIN (AND WELLSTONE) AMENDMENT NO. 3362

(Ordered to lie on the table.)

Mr. DURBIN (for himself and Mr. WELLSTONE) submitted an amendment intended to be proposed by them on the bill, H.R. 4576, supra; as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the funds appropriated by title IV for the national missile defense program, $20 million shall be available for the Ballistic Missile Defense Organization—

(1) to include in the ground and flight testing of the National Missile Defense system that is conducted before the system becomes operational any countermeasures (including decoys) that—

(A) are likely, or at least realistically possible, to be used against the system; and

(B) are chosen for testing on the basis of what countermeasure capabilities a long-range missile could have and is likely to have, taking into consideration the technology that the country deploying the missile would have or could likely acquire; and

(2) to determine the extent to which the exoatmospheric kill vehicle and the National Missile Defense system can reliably discriminate between warheads and such countermeasures.

BOXER AMENDMENT NO. 3363

(Ordered to lie on the table.)

Mrs. BOXER Submitted an amendment intended to be proposed by her to the bill, H.R. 4576, supra; as follows:

At the appropriate place, insert the following:

SEC. .PRIVACY OF INDIVIDUAL MEDICAL RECORDS.

None of the funds provided in this Act shall be used to transfer, release, disclose, or otherwise make available to any individual or entity outside the Department of Defense for any non-national security or non-law enforcement purposes an individual's medical records without the consent of the individual.

REED AMENDMENT NO. 3364

(Ordered to lie on the table.)

Mr. REED submitted an amendment intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. PAYMENTS FOR CHILDREN WITH SEVERE DISABILITIES.

(a) PAYMENTS.—

(1) IN GENERAL.—Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' $20,000,000 shall be available to the Secretary of Defense to enable the Secretary of Defense to make a payment, to each local educational agency eligible to receive a payment for a child described in subparagraph (A)(ii), (B), (D(i) or (D)(ii) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) that serves 2 or more such children with severe disabilities, for costs incurred in providing a free public education to each such child. The amount of the payment for each such child shall be—

(A) the payment made on behalf of the child with a severe disability that is in excess of the average per pupil expenditure in the State in which the local educational agency is located; less

(B) the sum of the funds received by the local educational agency—

(i) from the State in which the child resides to defray the educational and related services for such child;

(ii) under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) to defray the educational and related services for such child; and

(iii) from any other source to defray the costs of providing educational and related services to the child which are received due to the presence of a severe disabling condition of such child.

(2) LIMITATION.—No payment shall be made on behalf of a child with a severe disability whose individual cost of educational and related services does not exceed—

(A) 5 times the national or State average per pupil expenditure (whichever is lower) for a child who is provided educational and related services under a program that is located outside the boundaries of the school district of the local educational agency that pays for the free public education of the student; or

(B) 3 times the State average per pupil expenditure for a child who is provided educational and related services under a program offered by the local educational agency, or within the boundaries of the school district served by the local educational agency.

(3) RATABLE REDUCTION.—If the amount made available under this subsection is insufficient to pay the full amount all local educational agencies are eligible to receive under this subsection the Secretary of Education shall ratably reduce the amount of the payment made available under this subsection to all local educational agencies by an equal percentage.

(b) REPORT.—Each local educational agency desiring a payment under this section shall report to the Secretary of Defense the number of severely disabled children for which a payment may be made under this section.

WELLSTONE AMENDMENTS NOS. 3365–3369

(Ordered to lie on the table.)

Mr. WELLSTONE submitted five amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3365

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) The total amount appropriated by title III for procurement is hereby reduced by $1,000,000,000.

(b) There is hereby appropriated for the Department of Education for the fiscal year ending on September 30, 2001, $1,000,000,000 to enable the Secretary of Education to award grants under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

AMENDMENT NO. 3366

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. The total amount appropriated by title III for procurement is hereby reduced by $1,000,000,000.

(b) There is hereby appropriated for the Department of Education for the fiscal year ending on September 30, 2001, $1,000,000,000 to enable the Secretary of Education to award grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

AMENDMENT NO. 3367

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) Congress makes the following findings:

(1) The President will soon decide whether to begin deploying a national missile defense (NMD) system.

(2) The national missile defense system is intended to defend the United States from limited attacks by tens of intercontinental-range ballistic missiles armed with nuclear, chemical, or biological weapons.

(3) The current national missile defense testing program does not adequately test the effectiveness of the system against realistic threats.

(b) It is the sense of Congress that, for the testing program for the national missile defense system, the Secretary of Defense should ensure that—

(1) the baseline threat is realistically defined by having the Systems Threat Assessment Requirement (STAR) document reviewed by a panel of persons who are recognized as experts in fields that are relevant to the matters to be reviewed, at least some of whom are independent of the Department of Defense;

(2) the system is to be tested against the most effective countermeasures that a state with an emerging intercontinental ballistic missile capability could reasonably be expected to build;

(3) enough tests of the system are to be conducted against countermeasures to provide an informed basis for a determination of the effectiveness of the system with high confidence; and

(4) provision has been made for an objective assessment of the design and results of the testing program by a review committee composed of persons who are recognized as experts in fields that are relevant to the matters to be assessed, at least some of whom are independent of the Department of Defense.

AMENDMENT NO. 3368

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) The total amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' is hereby increased by $2,500,000. The additional amount shall be available for civil-military programs specifically for the Department of Defense STARBASE Program carried out under section 2193b of title 10, United States Code.

(b) The total amount appropriated by title III is hereby reduced by $2,500,000.

AMENDMENT NO. 3369

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. None of the funds appropriated by this Act may be obligated or expended for testing a national missile defense system before the Secretary of Defense has ensured, for the testing program for the national missile defense system, that—

(1) the baseline threat is realistically defined by having the Systems Threat Assessment Requirement (STAR) document reviewed by a panel of persons who are recognized as experts in fields that are relevant to the matters to be reviewed, at least some of whom are independent of the Department of Defense;

(2) the system is to be tested against the most effective countermeasures that a state with an emerging intercontinental ballistic missile capability could reasonably be expected to build;

(3) enough tests of the system are to be conducted against countermeasures to provide an informed basis for a determination of the effectiveness of the system with high confidence; and

(4) provision has been made for an objective assessment of the design and results of the testing program by a review committee composed of persons who are recognized as experts in fields that are relevant to the matters to be assessed, at least some of whom are independent of the Department of Defense.

BIDEN (AND OTHERS) AMENDMENT NO. 3370

(Ordered to lie on the table.)

Mr. BIDEN (for himself, Mr. ROTH, and Mr. COVERDELL) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) FINDINGS.—Congress makes the following findings:

(1) The mission of the C–5 aircraft is to transport heavy loads over long distances. In particular, the C–5 aircraft regularly runs missions to and from Europe and the Pacific and the United States. For this reason, compliance with the rules of International Civil Aviation Organization regarding high-density flight areas is important for the entire C–5 aircraft fleet.

(2) The C–5 aircraft Avionics Modernization Program (AMP) is necessary for all aircraft that will need to comply with the new Global Air Traffic Management (GATM) standards established by the International Civil Aviation Organization.

(3) Compliance with GATM allows aircraft to use more operationally efficient airspace and lowers operational costs.

(4) AMP also includes the installation of important safety features such as Traffic Alert and Collision Avoidance System and an enhanced all weather navigational system, the Terrain Awareness and Warning System.

(5) Both the A and B models of the C–5 aircraft are expected to be flown by the Air Force, including the Regular Air Force and the Reserves. None of the aircrews for such aircraft should be subjected to increased risks stemming from the lack of these safety features.

(6) Efficient use of aircrew members and crew interfly will be prevented because of the dissimilarities that would exist between the avionics and navigation systems of the A and B models of the C–5 aircraft. This is particularly problematic when additional aircrew members are needed to meet Major Theater War requirements.

(7) The Committee on Armed Services of the Senate specifically requested that the Secretary of the Air Force proceed to test AMP upgrades on both A and B models of the C–5 aircraft in Senate Report No. 106–292, the Report to Accompany S.2549, the National Defense Authorization Act for Fiscal Year 2001.

(8) The on-going installation of new High Pressure Turbines (HPT) is essential for the entire C–5 aircraft fleet because the current logistics system no longer supports the old turbine assemblies for the fleet.

(9) Without HPT replacement, C–5 aircraft will have increased support costs of approximately $700 per flight hour.

(10) By attempting to maintain 2 separate engine configurations and 2 separate avionics and navigation systems within the relatively small C–5 aircraft fleet (126 airplanes), additional spares and support equipment will be necessary with increased unit costs.

(b) AVAILABILITY OF FUNDS.—Of the amount appropriated under title III under the heading ''AIRCRAFT PROCUREMENT, AIR FORCE'' and available for procurement for the C–5 aircraft, in the amount of $95,401,000, the entire amount shall be available for procurement for both the A and B models of the C–5 aircraft.

BIDEN (AND ROTH) AMENDMENT NO. 3371

(Ordered to lie on the table.)

Mr. BIDEN (for himself and Mr. ROTH) submitted an amendment intended to be proposed by them to the bill, H.R. 4576, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) FINDINGS.—Congress makes the following findings:

(1) There exists a significant shortfall in the Nation's current strategic airlift requirement, even though strategic airlift remains critical to the national security strategy of the United States.

(2) This shortfall results from the slow phase-out of C–141 aircraft and their replacement with C–17 aircraft and from lower than optimal reliability rates for the C–5 aircraft.

(3) One of the primary causes of these reliability rates for C–5 aircraft, and especially for operational unit aircraft, is the shortage of spare repair parts. Over the past 5 years, this shortage has been particularly evident in the C–5 fleet.

(4) NMCS (Not Mission Capable for Supply) rates for C–5 aircraft have increased significantly in the period between 1997 and 1999. At Dover Air Force Base, Delaware, an average of 7 through 9 C–5 aircraft were not available during that period because of a lack of parts.

(5) Average rates of cannibalization of C–5 aircraft per 100 sorties of such aircraft have also increased during that period and are well above the Air Mobility Command standard. In any given month, this means devoting additional manhours to cannibalizations of C–5 aircraft. At Dover Air Force Base, an average of 800 to 1,000 additional manhours were required for cannibalizations of C–5 aircraft during that period. Cannibalizations are often required for aircraft that transit through a base such as Dover Air Force Base, as well as those that are based there.

(6) High cannibalization rates indicate a significant problem in delivering spare parts in a timely manner and systemic problems within the repair and maintenance process, and also demoralize overworked maintenance crews.

(7) The C–5 aircraft remains an absolutely critical asset in air mobility and airlifting heavy equipment and personnel to both military contingencies and humanitarian relief efforts around the world.

(8) Despite increased funding for spare and repair parts and other efforts by the Air Force to mitigate the parts shortage problem, Congress continues to receive reports of significant cannibalizations to airworthy C–5 aircraft and parts backlogs.

(b) REPORTS.—Not later than January 1, 2001, and September 30, 2001, the Secretary of the Air Force shall submit to the congressional defense committees a report on the overall status of the spare and repair parts program of the Air Force for the C–5 aircraft. The report shall include the following—

(1) a statement the funds currently allocated to parts for the C–5 aircraft and the adequacy of such funds to meet current and future parts and maintenance requirements for that aircraft;

(2) a description of current efforts to address shortfalls in parts for such aircraft, including an assessment of potential short-term and long-term effects of such efforts;

(3) an assessment of the effects of such shortfalls on readiness and reliability ratings for C–5 aircraft;

(4) a description of cannibalization rates for C–5 aircraft and the manhours devoted to cannibalizations of such aircraft; and

(5) an assessment of the effects of parts shortfalls and cannibalizations with respect to C–5 aircraft on readiness and retention.

BAUCUS AMENDMENTS NOS. 3372–3373

(Ordered to lie on the table.)

Mr. BAUCUS submitted two amendments intended to be proposed by him to the bill, H.R. 4576, supra; as follows:

AMENDMENT NO. 3372

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'' for the Navy technical information presentation system, $5,200,000 shall be available for Synesis 7 in Montana for preparation and training for the digitization of FA–18 aircraft technical manuals.

AMENDMENT NO. 3373

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'' for the Navy technical information presentation system, $5,200,000 shall be available for Synesis 7 in Montana for preparation and training for the digitization of FA–18 aircraft technical manuals.

NOTICES OF HEARINGS

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Energy Research, Development, Production, and Regulation.

The hearing will take place on Tuesday, June 27, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on the April 2000 GAO Report entitled ''Nuclear Waste Cleanup—DOE's Paducah Plan Faces Uncertainties and Excludes Costly Cleanup Activities.''

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Energy Research, Development, Production and Regulation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224–8115.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that the hearing scheduled before the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources will begin at 9:30 a.m. instead of 9 a.m. as previously announced.

The purpose of this hearing is to conduct oversight on the proposed expansion of the Craters of the Moon National Monument.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mike Menge (202) 224–6170.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Wednesday, June 21, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on the following bills: S. 1848, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Denver Water Reuse project; S. 1761, the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 1999; S. 2301, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; S. 2400, To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; S. 2499, To extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania; and S. 2594, To authorize the Secretary of the Interior to contract with Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224–8115.

ORDER OF BUSINESS

Mr. DORGAN. Madam President, as I understand it, the Senate is in a period of morning business.

The PRESIDING OFFICER (Ms. COLLINS). That is correct, with Senators to speak for up to 10 minutes each.

Mr. DORGAN. I ask unanimous consent to speak for as much time as I consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

GASOLINE PRICES

Mr. DORGAN. Madam President, this afternoon, according to the news accounts released earlier today, the Environmental Protection Agency is calling on major oil refiners to meet in Washington, DC, to explain the price hike phenomenon, as it is called. This is not a phenomenon. It is a pain in the wallet what is happening with respect to the price of gasoline.

I want to talk a little about that, and talk a little about the problems that may be causing it.

It is not lost on the American people that when they drive to the gas pumps these days they are discovering, once again, another price spike in the cost of gasoline.

In North Dakota, for example, the North Dakota Petroleum Marketers Association provided me with current gasoline prices in North Dakota: Minot, $1.79 a gallon today; Fargo, $1.64 a gallon; Devil's Lake, $1.69; Bismarck, $1.68 a gallon. Interestingly enough, the current price in Bismarck of $1.68 is nearly a 30-cent-per-gallon increase in just the last couple of weeks since the previous price spike. Earlier this year, the price of petroleum spiked up and came back down. Now it has spiked up again, a nearly 30-cent-per-gallon increase in a very short period.

The EPA is asking for a meeting with the major oil refiners to evaluate what is happening with respect to the price of gasoline. Some indicate an EPA rule that describes the base fuel that must be used in certain cities in the country with respect to oxygenated fuel or ethanol as a circumstance where certain base fuels are kind of a narrow commodity and are not readily available and so it is pricing gasoline very high. That may be one case. I don't know the answer to that. I assume the EPA and the refiners will have that discussion. It is quite clear there are other things at work.

No. 1, this country gets a substantial amount of its energy from the OPEC countries. In a global economy, the OPEC countries are producing an ever-increasing amount of the energy the United States needs. Does this put us at the mercy of the supply coming from the OPEC countries? Of course it does. When the OPEC countries cut supply, as they did, and then increase it marginally, but not increase it to the level where they had previously been producing, that is going to have some dislocation in this country. The result is an increase in gasoline prices.

It is probably also the case, from hearings I have been involved with, that the refiners in this country were refining heating fuel for much longer than they normally would have and probably didn't switch over to gasoline quite quickly enough. Therefore, we are going to continue to see these price spikes. The news reports talk about volatility. Well, volatility is a euphemism for the price spikes that are jumping up and around with respect to the price of gasoline when we don't

have sufficient supply of crude stock coming into this country which refiners need to produce and turn into gasoline.

What we have are three possibilities. The most obvious is, we are seeing an ever-increasing dependence on the OPEC countries. They cut back supply, then increased it some, but not nearly enough. The result is increased prices for petroleum products in this country.

It ought to be a wake-up call for all of us. We are too dependent on foreign source energy. We ought to make certain we have a national energy policy that includes incentives for producers here at home, includes additional incentives for renewable energy. There isn't any reason we ought not be doing much better with respect to renewable energy in this country. The other possibility, aside from the OPEC industry, as I mentioned, is the potential of EPA recommendations or requirements that have created dislocation in certain markets in terms of the base supply that can be used with respect to ethanol.

I don't know what the outcome of this meeting will be, but I will be very interested to see what the EPA has done, whether that has caused some dislocation and some price spikes as well.

Third, it is not unlikely and certainly wouldn't be without precedent to have had the petroleum industry play some of their own games with respect to supply, the movement of supply and the pricing of supply. Some would say: Gosh, how could you think that? Well, history would bear out how I might be able to think that would be the case. We ought to look at all of these issues and evaluate exactly what is causing this price spike and what impact it is having and what we can do about it.

I come from a State that is 10 times the size of Massachusetts. North Dakota is a big old State. It takes a lot of driving to get around my State; 640,000 people live in a land mass that is equivalent to 10 times the State of Massachusetts. Our predominant industry is farming. In order to seed a crop in the spring, it takes a lot of fuel. In order to get the crop off the fields in the fall, it takes a lot of fuel. Those family farmers, with the kind of depressed grain prices we have seen in this country, don't need further increases in input costs placed upon them by these increases in gas prices.

We have to get some answers from the EPA, the petroleum refiners, the major oil companies, and from those who are supposed to be involved in the development of an energy plan for this country to answer what kind of dependence do we have on the OPEC countries and what could the consequences be in the longer term, if those countries decided to have a much tighter supply of petroleum going to Western nations, including the United States.

I was reading a briefing memo this morning about this issue. I thought a couple of pieces of information were interesting. OPEC officials contend that prices are only marginally above the stated ban and ''the price rise is more due to a tight gasoline market in the United States where new environmental regulations are reducing volume.'' That is according to OPEC. OPEC is saying: It's not us.

The fact is, OPEC cut supply, increased it some but not nearly back to where they had originally been producing.

The Saudi Arabia oil minister also pegged the recent price movement on tight oil products markets; that is, oil products markets, not a shortage of crude oil itself. One source indicated that the increase in prices on certain world oil markets, notably in the U.S., has no relation to the volume of international crude output. That is an interesting theory. That would stand all logic on its head. Prices in the United States with respect to crude oil have no relationship to international crude oil production. I think that is not likely to be something that would be believed by anyone who is thinking.

The point is this: This is a significant and important issue to many areas of our country. We need to understand the consequences of it, what is causing it, and what we can do about it. I hope all of us working together can rely on not only the Energy Department, the EPA, but the Congress itself to evaluate all three of the suggestions I have just made.

SANCTIONS ON FOOD AND MEDICINE

Mr. DORGAN. Madam President, I rise to talk about the issue of sanctions on food and medicine shipments to other countries in the world. I know I have talked about this on the floor many times. At the risk of being repetitive, which I think is important in this body, I say again, it is immoral for this country to have a policy of imposing sanctions on the shipment of food and medicine to any other country in the world.

We have decided to impose economic sanctions on countries whose behavior we don't like. We have decided that economic sanctions is the way to punish certain countries. We don't like what Saddam Hussein in Iraq has been doing. He is an international outlaw, according to our country's view. Therefore, we want to punish him. So we impose economic sanctions.

We don't like Fidel Castro in Cuba, according to our public policy. So we want to impose an embargo that, by the way, has been existing for 40 years. We have sanctions against Iran, against North Korea. When we impose these sanctions, it is also included in those sanctions that we will not allow shipments of food and medicine to these same countries.

As I said, I think it is fundamentally immoral for our country to decide what they will withhold and prohibit the shipment of food and medicine to any country in the world. It doesn't make any sense.

I come at this from more than one standpoint. One, I represent a farm State. Yes, it bothers me that 11 percent of the international wheat market is off limits to our family farmers. We have folks that stand up here in the Senate and say: Well, we support the Freedom to Farm bill for family farmers. What about the freedom to sell bill? Why shouldn't farmers be free to sell into the marketplace where people are hungry and need food? What on Earth would persuade this country to have sanctions with respect to the shipment of food and medicine anywhere in the world? If my proposition is these sanctions are fundamentally wrong with respect to food and medicine sanctions, then let's change it.

We have tried to change it. Last year, we had a bill on the floor of the Senate. Seventy Senators voted to get rid of sanctions on food and medicine shipments everywhere in the world. Seventy Senators said: Let's get rid of them. We got the bill to conference and it got hijacked because some people want to continue sanctions, especially on the country of Cuba.

This year in the Senate Appropriations Committee on the Agriculture bill, I included an amendment that says: Get rid of all sanctions on food and medicine; get rid of them all with respect to Cuba and Iraq and North Korea. Get rid of all sanctions on food and medicine. That passed. It is in the Appropriations Committee. It will come to the floor on the Agriculture appropriations bill. Already we have some people in the Congress who are saying we are going to dump that. That is not going to become law. We are not going to get rid of sanctions on the shipment of food and medicine from this country to Cuba.

As I have said before, I intend to push this issue very hard this year.

It does not make sense to continue sanctions on the shipment of food and medicine to anywhere in the world. I want to read a couple of editorials that I think describe it as well. This is from the Seattle Post Intelligencer of May 28. This is an op-ed piece:

> Economic sanctions against nations are long overdue for a critical appraisal. They make an appealing weapon. They are a way to hurt people without shooting at them. Done in the extreme, they inflict sickness and death. Sanctions have been used for many years—more than 40 years against Cuba and 10 years against Iraq. Lesser sanctions have been set against Libya, Iran and Burma. Threats of sanctions are annually made, but not acted upon, against China. In any case, economic sanctions have never removed a tyrant and they will never remove, for example, Saddam Hussein. In all likelihood, he will be in power until he dies. What sanctions have done is to further impoverish the Iraqi people.

Here is an excerpt from the Washington Times, an op-ed written by Steve Chapman:

> Things have changed a lot since 1990. The Soviet Union no longer exists. The Federal

budget deficit has vanished. But two things remain the same. Iraq is under international economics sanctions, and the sanctions are a failure.

I don't have any great truck for Iraq or Saddam Hussein. I think he is an international outlaw. He operates well beyond the norms of international behavior. But it is also true that economic sanctions that include food and medicine represent an attempt to take aim at a dictator and hit hungry people, sick people, and poor people. It happens all the time when we impose food and medicine as part of economic sanctions.

This is from the Charleston Gazette, June 1, 2000:

Let's see if we've got this straight. Free trade with China will help export American values, paving the path for the end of communism in that nation. That is according to Republican House Whip Tom DeLay from Texas. However, free trade with Cuba can't be allowed because that would be rewarding a Communist regime. That is also according to DeLay, who simultaneously pushed for normalizing trade relations with China, while trying to stop a bill that would allow the sale of food and medicine to Cuba.

A piece in the Seattle Post Intelligencer, penned by my colleague on the House side, Congressman NETHERCUTT, who, incidentally, offered the same amendment in the House Appropriations Committee that I offered in the Senate. He was successful, and they are going to try to dump that provision in the House of Representatives before we get to conference. He says:

This week, Trent Lott, Majority Leader, defended the position. He said, ''It is very easy to see the distinction between China and Cuba. If you can't see it, maybe you are just blind to it.''

Well, I am not blind and I can't see it. I have been to Cuba. I was in Cuba last year. All I see in Cuba are people living in conditions of poverty. I see a country 90 miles to the north that has decided as a matter of public policy, because we don't like Fidel Castro, that we cannot move food and medicine to Cuba. Why? Because we have an embargo that includes the shipment of food and medicine. That is not fair to our farmers or to the poor people in Cuba.

I visited a hospital in Cuba one day. I was in the intensive care ward. I was there for a few days. In the hospital there was a little boy lying in a coma. He was about 12 years old. There was no equipment. This was an intensive care ward with no equipment at all. There wasn't a beeping sound because there was nothing to beep. There were no cords hooked up because they didn't have equipment. He was lying in this room with his mother holding his hand, lying in a coma. I asked the doctor: You have no basic equipment here? He said: No, we don't have any equipment. The doctor said: We are out of 250 different kinds of medicines.

I asked the question again when I came back to this country: Why is it that we have prohibitions against being able to send medicine to Cuba? Is sending medicine and food, or being able to sell medicine and food to Cuba, Iraq, North Korea, and Iran going to make this a less stable world? I don't think so.

Let me end where I started. This is an immoral policy. Yes, I come at it from a selfish perspective. I represent farmers who ask a question that cannot be answered: Why, if we raise food in such abundant quantity, are we told that those who need it so badly can't have it because this country wants to punish their rulers and leaders? I can't answer farmers when they ask that question. It doesn't make sense. It is a policy that is bankrupt. We ought to change it. We have 70 votes in the Senate to change it, and they won't allow a vote in the House of Representatives. If they did, they would have 70 percent voting in favor to change it.

So we are going to see in the coming weeks whether, once again, for a second year in a row, we have just a handful of people trying to hijack this effort to eliminate food and medicine from sanctions we impose on other countries around the world. When the roll is called, I think 70 Senators will vote, as they did previously, to say food and medicine sanctions anywhere in the world are not good public policy. They are not the best of America. Let's eliminate them. Let's abolish that mentality. You can punish foreign leaders whose behavior we don't like without hurting poor and hungry people. The only conceivable reason this gets held up—and it got held up last year—is a few people decided that because Fidel Castro sticks his finger in America's eye from time to time, they want to continue this 40-year-old embargo. And they darn well want to insist on keeping food and medicine as part of the sanction because if they don't, they will be considered weak on Cuba. Well, being considered weak because they pursue a public policy that is wrongheaded is not, in my judgment, a model of consistency.

Let us, in this session of the Congress, decide that at least on this marginal step forward, we will decide we will never again use food and medicine as part of economic sanctions, both in our interest and in the interest of poor, hungry, and sick people all around the world.

Madam President, I yield the floor.

CONGRATULATING THE NEW JERSEY DEVILS FOR WINNING THE NHL STANLEY CUP CHAMPIONSHIP

Mr. BENNETT. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 321, introduced earlier today by Senators LAUTENBERG and TORRICELLI.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 321) to congratulate the New Jersey Devils for their outstanding discipline, determination, and ingenuity, in winning the 2000 National Hockey League's Stanley Cup Championship.

Mr. BENNETT. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 321) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 321

Whereas the New Jersey Devils at 45–29–8, posted the second best regular season record in the NHL's Eastern Conference and were awarded the fourth seed in the playoffs;

Whereas the Devils displayed a potent offense and stifling defense throughout the regular season and playoffs before beating the defending champion Dallas Stars to win their second Stanley Cup in 5 years;

Whereas the Devils eptomize New Jersey pride with their heart, stamina, and drive and thus have become a part of New Jersey culture;

Whereas the New Jersey Devils did what no other team had done before, coming back from a three games to one deficit to win a Conference Championship and advance to the Stanley cup Finals;

Whereas Scott Stevens, winner of the Conn Smythe Trophy as the Most Valuable Player of the Stanley Cup playoffs, is one of the fiercest competitors in the game today and is a true team leader who served as captain of the Devils' 1995 and 2000 Stanley Cup Championship teams;

Whereas Scott Gomez, a gifted, young playmaker was named the league's Rookie of the Year and is the first Hispanic player to compete in the NHL;

Whereas goalie Martin Brodeur's lifetime goals against average of 2.19 is the best in NHL history and his 162 wins over a four-season span since 1996–97 are the most in league history;

Whereas head coach Larry Robinson served as an assistant on the 1995 championship team and took over as head coach late this season;

Whereas the New Jersey Devils take great pride in playing in new Jersey, and spend a great deal of time giving back to the community;

Whereas Lou Lamoriello, President/General Manager of the New Jersey Devils since 1987, his staff, and his players displayed outstanding dedication, teamwork unselfishness, and sportsmanship throughout the course of the season in achieving hockey's highest honor;

Whereas longtime team owner John McMullen was born and raised in New Jersey and is responsible for bringing the Devils to the Garden State;

Whereas the support of all the Devils fans and the people of New Jersey helped make winning the Stanley Cup possible;

Whereas each one of the Devils players will be remembered on the premier sports trophy, the Stanley Cup, including: Jason Arnott, Brad Bombardir, Martin Brodeur, Steve Brule, Sergei Brylin, Ken Daneyko, Patrik Elias, Scott Gomex, Bobby Holik, Steve Kelly, Claude Lemieux, John Madden, Vladimir Malakhov, Randy McKay, Alexander Mogilny, Sergei Nemchinov, Scott Niedermayer, Krzysztof Oliwa, Jay Pandolfo, Deron Quint, Brian Rafalski, Scott Stevens, Ken Sutton, Petr Sykora, Chris Terreri, and Colin White; now, therefore be it

Resolved, That the United States Senate congratulates the New Jersey Devils on winning Lord Stanley's Cup for the 2000 National Hockey League Championship.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–181, appoints Ted R. Lawson of West Virginia to serve as a member of the National Commission to Ensure Consumer Information and Choice in the Airline Industry.

ORDERS FOR TUESDAY, JUNE 13, 2000

Mr. BENNETT. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Tuesday, June 13. I further ask that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 10:30 a.m., with Senators speaking up to 10 minutes each, with the following exceptions: Senator DURBIN, or his designee, for 30 minutes, and Senator THOMAS, or his designee, for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Madam President, further, I ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Madam President, I ask unanimous consent that the vote in relation to the BOXER amendment occur at 2:20, with 4 minutes equally divided for closing remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Madam President, I ask unanimous consent that at 10:40 a.m. Senator REID of Nevada be recognized to call up amendment No. 3292 regarding computers and, following that debate, Senator BOXER be recognized to call up a filed amendment regarding medical privacy.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BENNETT. Madam President, for the information of all Senators, the Senate will convene at 9:30 a.m. tomorrow and be in a period of morning business until 10:30. Following morning business, the Senate will resume consideration of H.R. 4576, the Department of Defense appropriations bill. Under the order, a Reid and Boxer amendment will be called up, with votes expected to occur following the 2:20 vote. In addition, consent has been granted for a rollcall to occur at 2:20. Therefore, the first vote will be at approximately 2:20 tomorrow.

As a reminder, all first-degree amendments were filed today.

Senators should be aware that action on this legislation is expected to be completed by tomorrow night. Therefore, those Senators who have filed amendments should work with the managers of the bill on a time to offer those amendments as soon as possible.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNETT. Madam President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 4:11 p.m., adjourned until Tuesday, June 13, 2000, at 9:30 a.m.