United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, MONDAY, JUNE 12, 2000 No. 72

# House of Representatives

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*June 12, 2000.*

I hereby appoint the Honorable STEVEN T. KUYKENDALL to act as Speaker pro tempore on this day.

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

## MESSAGE FROM THE SENATE

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

S. Con. Res. 121. Concurrent resolution congratulating Representative Stephen S.F. Chen on the occasion of his retirement from the diplomatic service of Taiwan, and for other purposes.

## MORNING HOUR DEBATES

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

## RECESS

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

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MILLER of Florida) at 2 p.m.

## PRAYER

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

Lord, You alone can take the rock rejected or the stone overlooked and make it Your cornerstone. Upon Your chosen cornerstone, precious in Your sight and sacred by Your handling, You create something new.

You are the master builder. It is You, Lord God, who have redeemed Your people. You are the one who has given us this land of freedom and opportunity. You continue to fashion us into Your people and make of us a powerful nation.

By Your spirit, awaken in us Your desires. Help us to seize the present moment to bring forth Your set purpose in this world.

May the edifice You make of us be a city of virtue built on a mountain top; a beacon of justice, a household of integrity, and a harbor of peace.

In You, O God, Your people of promise find fulfillment now, in the future, and forever.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. LAMPSON 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.

## TRIBUTE TO BOB JOHNS

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

Mr. GIBBONS. Mr. Speaker, I rise today to express my gratitude to a member of our Nevada staff, Dr. Robert Johns, for his dedication, hard work and commitment to this Nation. Dr. Johns has not only worked diligently serving the people of Nevada in our northern Nevada district office but has also served as the vice chairman of the President's council on historic preservation for two terms during the Reagan administration. As a retired World War II naval officer, Dr. Bob Johns has dedicated most of his life to public service. He is a real American hero, Mr. Speaker. We both grew up in the same small town, Sparks, Nevada, just a few blocks apart. I have been honored to have Bob Johns as a true friend and a member of my staff since my time in the Nevada State legislature.

On May 30, Mr. Speaker, Dr. Johns celebrated his 80th birthday. He continues to work every day serving as an active and vital public servant in his home State of Nevada.

Thank you, Dr. Johns, for your friendship, your hard work and your commitment to the people of Nevada and to this Nation.



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## INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, I rise today to tell the story of Audrey Lynn Leinoff. Audrey was abducted from New York when she was 4 years old by her noncustodial mother, Marcia Leinoff, on May 25, 1988. The international criminal police organization also known as Interpol confirmed that both Audrey and Ms. Leinoff entered Israel on June 19, 1988. Although there has been no confirmation of their ever departing Israel, their actual presence currently and location in Israel are unknown. Audrey's maternal grandparents, Mr. and Mrs. Sylvia Bloom, are also believed to be involved with the abduction.

In addition to custody from the United States, Audrey's father was given sole custody in January 1991 by the Jerusalem district court. Mr. Leinoff, despite having custody, has not had any contact with his daughter since her abduction.

Mr. Speaker, children like Audrey deserve to have a relationship with both their parents, and parents deserve a relationship with their children. This House should make sure that the most sacred of bonds, that between a parent and a child, is preserved. We must bring our children home.

## GAS PRICES ON THE RISE

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

Mr. TRAFICANT. Mr. Speaker, gasoline is $2.20 a gallon. That is right, $2.20. Now, if that is not enough to bust your bunions, Congress gives billions of dollars to OPEC countries, and they rip us off. To boot, the domestic oil companies are gouging us so bad, we are all passing gas.

Beam me up. I think it is time to tell the OPEC countries, ''The next time you are attacked, call BP and Rotary. Don't call us.'' I also think it is time to pass H.R. 3902, which imposes a $100 million fine for any American oil company that unreasonably gouges us and raises prices. Enough is enough.

I yield back the fact that while Uncle Sam is killing Microsoft, we are getting our oil changed big time.

## SIERRA LEONE

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

Mr. EHLERS. Mr. Speaker, I rise today to comment on the situation in Sierra Leone, a marvelous country, a country with great promise, a country that provided freedom for slaves many years ago. Today it is in utter chaos. Revolution is taking place. But what is unique about this is that it is not a political revolution, even though it pretends to be that, but it is basically a band of bandits trying to take over the country so that they can have access to the diamonds and the diamond mines. They already have access to many of them and they are using those diamonds to finance the revolution.

The rebels are incredibly inhumane. Most of their captives have been released but only after a hand, a leg, a foot, or an arm have been chopped off and amputated.

The inhumanity is such that last week, an 8-month-old baby had his arm amputated when his mother was captured as part of the revolution. Imagine the rebels amputated the arm of an 8-month-old baby!

We must work with the British and the U.N. to stop this. We must act in a meaningful, humane way, and not back down from this as we have been backing down for a decade. It is time for our State Department and our President to act.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules but not before 6 p.m. today.

## REQUIRING FRAUD AUDIT OF DEPARTMENT OF EDUCATION

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4079) to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education, as amended.

The Clerk read as follows:

H.R. 4079

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

**SECTION 1. COMPREHENSIVE FRAUD AUDIT OF DEPARTMENT OF EDUCATION.**

(a) AUDIT.—Within 6 months after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct and complete a fraud audit of selected accounts at the Department of Education that the Comptroller General determines to be particularly susceptible to waste, fraud, and abuse; and

(2) submit a report setting forth the results of the audit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HOEKSTRA) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

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

GENERAL LEAVE

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4079.

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

There was no objection.

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

Mr. Speaker, H.R. 4079 is a bill that in many ways we would probably rather not be dealing with today. We are dealing with this issue because of the Department of Education's inability to receive a clean audit. Each year, the Department of Education, like other Federal agencies, is required to undergo an audit. For fiscal years 1998 and 1999, the Department of Education could not receive a clean audit opinion. In plain English what that means is that the financial analysts who have gone in and taken a look at the books as prepared by the Department of Education do not have a high degree of confidence that the figures and the numbers that are reported in their financial statements are an accurate reflection of the actual conditions at the Department of Education.

Now, there are a number of reasons why this has occurred. There are also a number of instances where this lack of financial control has exhibited itself. One of the reasons why the Department is unable to get a clean audit is that it lacks an accounting system that meets generally accepted standards or complies with Federal financial management standards. That is why it could not get a clean set of books for the last 2 years.

The disappointing thing here, and I think this is why we need to take this step today, is that the Department also does not expect to have an effective account system in place until at least October 2001, more than a year out. Thus, the fiscal year 2000 and 2001 audits will most likely result in the same results as 1998 and 1999, an inability to get a clean audit.

Now, it would be one thing just to say they cannot get a clean set of books. It is another when the General Accounting Office and other groups have identified that because of the weaknesses within the financial control system, this Department has experienced a number of cases of waste, fraud, and abuse.

Let me just highlight a couple of these. The Inspector General and the General Accounting Office have identified a number of examples. One is that the Department over the last 2 years has issued about $175 million in duplicate payments to grantees. These payments continue to occur despite the Department's avowed attempts to crack down on them.

What is a duplicate payment? Well, we have here a list of duplicate payments that occurred in October of 1999.

What a duplicate payment is, is that it means the Department recognizes that it has a liability, that it owes a State, it owes a contractor, or a supplier a certain amount of money, it cuts a check and it pays them. A duplicate payment means that it cuts a check and pays them again.

This is to the tune of over $175 million of duplicate payments, one as large as $71,425,000 that occurred on 10/20/1999. As I said, these payments have continued through 2000. So that is one area that the Inspector General and the GAO have said this is perhaps an area that we need to take an additional look at. Why? We need to identify whether, number one, we have captured all of the duplicate payments and we have identified all the contractors or suppliers who have received a duplicate payment. If not, let us find them.

The second thing we need to do is we need to identify whether for all of the duplicate payments that have been made, whether the American taxpayer and the Federal Government have been reimbursed for this duplicate payment. And then, thirdly, we need the General Accounting Office to go in and identify the problems that the Department of Education has in their system that allows this problem to continue on for 2 years.

So this is not a single occurrence. This is a series of occurrences over a period of 2 years that have resulted in over $175 million in duplicate payments.

□ 1415

Last month, a contract employee at the Department became the second person to plead guilty in participating in a theft ring. This is, again, disturbing because this builds off of recommendations that were not followed in previous audits. Previous audits, previous work by the Inspector General and by the General Accounting Office had indicated that the Department of Education did not have an effective way of managing its inventory, meaning that it would go out and buy capital assets, but had no way of tracking what assets were purchased and the location of each of those assets.

The result is, that with a lack of a good system in place, we created an environment where employees understood that there was a lack of these controls in place and, actually, created an environment that became inviting for waste, fraud and, in this case, abuse and fraud. Because what happened is that this Department of Education employee, along with outside contractors, and there are still additional people that are being investigated in this process, they put in place, we will use the word that is kind of in vogue today, they used a scheme to defraud the Department of close to a million dollars.

The scheme worked like this: someone within the purchasing department at the Department of Education would issue requisitions for certain kinds of equipment, and, in this case, it included computers. It included telephone equipment. It included a 61-inch TV, that is one big TV, and a whole series of other electronic equipment.

They would issue the requisition, the equipment would be purchased, and it would be delivered somewhere other than the Department of Education, perhaps to the employee's home or other locations ensuring that the equipment never came to the Department of Education. Roughly $330,000 worth of equipment was defrauded from the Department through this mechanism.

Now, these purchase orders were supplied to an outside contractor. What was then in it for the outside contractor? The benefit to the outside contractor was that this outside contractor would be allowed and the purchasing agent would approve for the billing of hourly work and overtime by this outside contractor.

It is estimated that in this case close to $600,000 in phony overtime was paid to this and other outside contractors. When we combine the fraud of purchasing this equipment and the overtime, we have close to a million dollars in fraud from the Department of Education.

These are just two examples of why I think on a bipartisan basis we have recognized that when we are talking about some of the most important dollars that we spend in Washington today, those dollars that we invest in our young people, that we invest in our educational system, that when those are going into a Department we need to ensure that we have got the highest standards of integrity and accountability to make sure that those dollars are being spent where they will make a difference and that they are not being siphoned off through either waste and, in these cases, fraud and abuse.

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

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

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

Mr. KIND. Mr. Speaker, as a member of the Subcommittee on Oversight and Investigations, I, too, support this bill before us today that was voice voted with unanimous support out of the whole Committee on Education and the Workforce just recently, at the end of May.

Just so our colleagues are clear, yes, there are problems at the Department of Education that we need to oversee, and I think this bill will address many of those issues. But the Department of Education is not the only agency that is having problems with audits and getting certified unqualified audits reported. In fact, at last count, we have 10 agencies and probably 11 for fiscal year 1999 alone that have not been able to produce unqualified audit reports.

We are not talking about an anomaly here in the Department of Education; but what I think is a whole scale problem that is affecting many, many different agencies within the Federal Government; and, hopefully, through the leadership of our committee and the oversight work that we have done here, it will encourage even greater oversight with many of these additional agencies, so we can get a clean, healthy book of record for all of the agencies that were responsible to the American taxpayer.

Mr. Speaker, as it relates to the Department of Education, there has been proof that the Department has been defrauded by some employees or contractors as the gentleman from Michigan (Mr. HOEKSTRA) has indicated. While indictments and a conviction has been secured, in regards to the investigation at the Department, it is important that we, as the oversight body for the Department and its programs, ensure the security and safety of the Department's finances.

The Subcommittee on Oversight and Investigations has held several hearings regarding the state of the Department's financial management systems, and we are very aware that the Department has had significant shortcomings in its audits over the last 5 or 6 years.

While the Department of Education is just one of several Federal agencies that have been unable to obtain unqualified audit reports in recent years, we, as policymakers and the overseers, cannot take a relativistic attitude toward's Department audit shortcomings. We must set high standards for ourselves and the Department just as we do for the educators we are trying to assist through the Department programs.

With that being said, I have been very encouraged by the Department of Education's response to its audit weaknesses in the last year or so especially. New staff at the Inspector General's office and the chief financial officer's office had helped motivate change and a greater degree of responsibility in regards to the books in the Department. The last audit was completed on time and with corrections to previous weaknesses.

We on the subcommittee have been assured by the Department's new IG that the financial records will be produced in a timely and adequate manner for future audits. The electronic nightmare, which the Department has been living through with failing and faulty computer and accounting systems, should finally be corrected in the next 2 years, building more security and reliability in the overall financial system at the Department regarding outright fraud.

At our last subcommittee hearing on the subject, I was told by both the Inspector General and the outside auditor after a specific question to them on this issue that there is no systematic fraud or abuse that they have been able to detect at the Department of Education.

Obviously, again, as the gentleman from Michigan (Mr. HOEKSTRA) has

pointed out, instances of fraud have, nevertheless, occurred at the time of the hearing. We are aware of pending investigations, and it is very distressing that multiple cases of fraud have, in fact, taken place.

Mr. Speaker, I also want to just take a moment and commend the subcommittee Chair in his realization in order to save taxpayer dollars that we are taking a more targeted fraud investigation approach to the audit requests contained in this bill today. I think it is a very reasonable and responsible approach to this.

Accordingly, it is appropriate for us to demand a more probing audit specifically geared towards fraud detection and vulnerability at the Department. Ultimately, it is this committee's jurisdiction to authorize funding for the education programming that we expect will hopefully benefit the neediest of America's schools and children.

We decide programs structure. We set relative priorities, and we are the first to berate the appropriators for underfunding our education authorization levels. Accordingly, we must also be the first to raise the alarm when management issues move from the realm of accounting weaknesses to direct fraud and abuse.

I agree that a narrow, selective fraud investigation is warranted and should allow the Department to proceed with its financial management upgrades and security enhancements. Hopefully with this audit and the regular audits our subcommittee has been reviewing, we soon will see the promises of the Department and the Inspector General come to fruition. Hopefully, we will soon be able to focus on education policy with confidence and undivided attention, be able to move beyond just oversight and get to the bottom of some of the problems that exist at the Department of Education and pass important and meaningful education legislation that many of us were hoping to achieve this year.

We still have yet to reauthorize the Elementary and Secondary Education Act, a vitally important program in order to improve the quality of education, especially for the most vulnerable and needy school children throughout our country. We have an Even Start Family Literacy bill that has passed the committee back in February, I believe, with wide bipartisan support under the leadership of the chairman of the committee, the gentleman from Pennsylvania (Mr. GOODLING), and that has yet to see the light of day on the House floor.

We are hoping to be able to move to that work as soon as possible, as well as some of the other unfinished education issues that are still pending before this Congress.

Let's do a responsible job of providing appropriate oversight with the Department of Education but let's not also lose sight on the unfinished job of passing meaningful education legislation that is going to improve the quality of education that our Nation's children deserve.

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

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

Mr. Speaker, I thank my colleague, the gentleman from Wisconsin (Mr. KIND) for his words and also his highlighting that hopefully some of the work that we have done on the subcommittee can perhaps be a stimulus for the House as a whole. We are currently in the process of drafting a piece of legislation where we apply the same standard to other Federal agencies that we have applied here to the Department of Education that says if, for 2 consecutive years, a Department or an agency cannot get a clean audit that it should be a fundamental requirement that a more in-depth analysis or a quote, unquote, a fraud audit or a targeted fraud audit should take place within these agencies because what we do know is that when an agency cannot deliver a clean audit, the auditors have some concern about their internal controls as to how they are measuring and recording the various expenditures. So the same standard that we apply to the Department of Education should apply to all of the other agencies that we have, whether it is the Department of Defense, the Department of Labor or whatever we are working on, and propose this one because of the work that the subcommittee has done in this area.

Mr. Speaker, I also would like to thank my colleague, the gentleman from Wisconsin (Mr. KIND), because I agree with him the more time that we can spend on exploring educational policy and what is going on at the State and local level as to what works and what does not, the more effective we can be in spending the billions of dollars that we are allocating here at a Federal level so that we can move away from purely the measurement of where the dollars are going, but actually be taking a look at the effectiveness and are we getting the impact for the dollars that we would like to have.

I have to applaud my colleague. I think we have been in 21 different States and had 23 field hearings, and my colleague consistently is there with us. He has been in New Mexico with us. He has been in Colorado with us. Last week he was in Minnesota. He has been in my district in Michigan; and consistently when we are at a State in a local level having a field hearing, he has been there and participating in that process to make sure that we are getting the best bang for our buck.

The other thing that I would like to also say is that we have had a very good working relationship, developing a good working relationship with the new Inspector General and with the General Accounting Office. The General Accounting Office has completed an audit of the Department's grant back fund where there were some questions about how these dollars were being used and what was moving into the account and whether that was appropriate or not; and as a result of the work that they have done with us, I think, again, in a bipartisan way, the Department, I think, has returned over $700 million back to the Treasury.

I think that is a very good, cooperative way of us moving through this process and dealing with this ugly side of the financial management part of the Department of Labor. I also think that as we move through this process in a more targeted approach, one of the ways that the Department or one of the areas that the Inspector General and the General Accounting Office have agreed with us that they will take a look at is the security of the computer data systems that the Department of Education maintains.

These systems contain student loan and grant records for tens of millions of students, and what we want to do is we want to make sure that the safeguards are in place to maintain the integrity of these systems to make sure that no one can get into these files and either steal data or manipulate the data that are in these files.

It is a wide-ranging effort that we have undertaken, and I think we have had good cooperation from both sides of the aisle as well as with the Department, with the Inspector General and also with the General Accounting Office to get to the bottom of these issues.

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

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

Mr. Speaker, I thank my chairman of the subcommittee for his remarks and would be happy to be able to work with him and others who are drafting this legislation in order to form a stricter, higher standard of audit accountability in the rest of the agencies. I think that that is long overdue and the gentleman is heading in the right direction in drafting legislation for that very requirement.

Again, I do not want our colleagues who are listening to this discussion today to be under some false impression that everything is wrong and bad and the Department of Education is breaking down and they are not actually accomplishing some very worthwhile goals and objectives over there, because they are. As I indicated, during the previous hearings that we have had on the Subcommittee on Oversight and Investigations, as well as other Education hearings, there is a lot of hope and promise that we are finally starting to turn the corner, as far as the quality of programming, more direction with the resources, emphasizing quality and accountability, rather than just expansion of programs.

□ 1430

So I think there are a lot of things you can point to and show definite progress and improvement at the Department of Education.

I also feel that when the history books are written on this administration, we are going to be able to look

back on the Department of Education and the leadership which has been provided to it by Secretary Riley and realize we have had one of the most effective, brightest, hard-working, and thought-provoking and innovative Secretaries that our Nation has ever seen in Secretary Riley. So I hope people do not view this as a reflection on the work that he has done at the Department of Education. Because under his leadership there have been significant improvements overall at the Department of Education. I just want to highlight a couple of those that we have seen in recent years.

The Education Department today has roughly two-thirds of the number of employees administering its programs since 1980, even though the budget has approximately doubled since then. The Education Department has trimmed its regulations by a third and reduced grant application paperwork and aggressively implemented waiver authority to legal roadblocks to State reform.

The student loan default rate is now at a record low 8.8 percent after declining for 7 consecutive years. It was 22.4 percent when President Clinton took office, and, as a result, the taxpayers in this country have been saved billions of dollars.

Collections on defaulted loans have more than tripled, from $1 billion in fiscal year 1993 to over $3 billion in fiscal year 1999 alone.

The Direct Student Loan Program proposed by President Clinton in 1993 and enacted by Congress in 1994 has saved taxpayers over $4 billion over the last 5 years.

The creation of the National Student Loan Data System has allowed education officials to identify prior defaulters and thereby prevent the disbursement of as much as $1 billion in new grants and loans to ineligible students.

The customer saving rates for ED Pubs, the Education Department's documents and distribution center, exceed those of premier corporations like Federal Express and Nordstrom.

There are also signs that the quality of education is starting to turn the corner as well. We have higher academic standards and assessments being put in place throughout the 50 States, improvement in the Nation's reading scores in the three grades tested, and math scores are starting to show some improvement as well.

Yes, there are some management problems that we are hopefully going to be able to get to the bottom of, and, with this legislation, sooner rather than later, but there are a lot of achievements and progress being made with the Department of Education and the programs they are responsible for that we shouldn't lose sight of even with the need for this legislation today.

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

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

Mr. Speaker, I thank my colleague for working together on this issue. We have outlined some of the problems within the Department of Education. Hopefully through this effort, by having the General Accounting Office go in and take a more in-depth analysis, hopefully they will go in and they will not find additional fraud or abuse and they will find that the Department is operating appropriately. At this point in time, we just do not know. We have enough cases that indicate on a bipartisan basis that we need to go in for a closer look.

This is a targeted approach. This is an approach that we can work with the General Accounting Office on and make sure that we are dealing with the appropriate issues at the right time and that we then can move on to the other things that my colleague from Wisconsin was alluding to, as to the effectiveness of the spending participating here in Washington, are we getting the maximum effect for the dollars we are spending.

That will be a debate for another day, or hopefully that will be a debate or a process that we can build a bipartisan consensus as to the best way to move forward, empowering local officials and parents to make the decisions for the education of their children because that really is the leverage point, empowering parents and local officials to focus on basic academics, delivered in a safe and drug-free school, so that our children can get the best education of any kids in the world.

I think that is a vision that we share on a bipartisan basis, at least getting the best education for our kids. We may have some disagreements as to what the best process is, but we have the same long-term goals and objectives in mind.

Mr. GOODLING. Mr. Speaker, I rise in strong support of H.R. 4079, which requires the Comptroller General to conduct a fraud audit of selected accounts at the U.S. Department of Education. I want to thank Mr. HOEKSTRA for his work in bringing this bill to the floor.

I note at the outset that this bill received the support of minority members of the Committee on Education and the Workforce at our full committee mark-up held a couple of weeks ago. Both majority and minority members of the Committee are aware of the serious financial management problems at the Department of Education. This awareness is due to the considerable time and effort the Subcommittee on Oversight and Investigations has spent assessing the agency's practices. Through its hearings, the Subcommittee found the department's operations and practices to be very susceptible to fraud and abuse.

By way of background, I would note that Congress has increased federal education funding in recent years. The Labor-HHS-Education Appropriations bill for Fiscal Year 2001 provides $37.2 billion in discretionary spending for the Department of Education. The agency also currently manages a $100 billion direct student loan portfolio, a new banking function initiated by the Clinton Administration. I am concerned that the direct loan program is becoming a millstone around the neck of an agency struggling to handle its basic responsibilities.

Recent reports of independent auditors have informed us that the Department neither practices sound fiscal management nor possesses an appropriate accounting system. The agency has yet to get its first clean audit opinion and is consistently cited by auditors for failings. These include an inability to reconcile its accounts with Treasury; failure to properly inventory its computers and other equipment; and an inability to safeguard effectively its computer systems from access by unauthorized users.

Federal education dollars that should go to the classroom are instead going to buying television sets, computers and palm pilots for friends and relatives of Department of Education employees. Two individuals recently pleaded guilty to participating in such a scheme, which remains under investigation by the Justice Department. And this is only one in a series of abuses recently examined by the Subcommittee on Oversight and Investigation.

We have tried as a Congress to improve the fiscal stewardship of the Department. When the 105th Congress wrote the Higher Education Amendments of 1998, it turned the Education Department's Office of Student Financial Assistance into the federal govenment's first performance-based organization.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Michigan (Mr. HOEKSTRA) that the House suspend the rules and pass the bill, H.R. 4079, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

## HIGHER EDUCATION TECHNICAL AMENDMENTS OF 2000

Mr. MCKEON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4504) to make technical amendments to the Higher Education Act of 1965, as amended.

The Clerk read as follows:

H.R. 4504

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

**SECTION 1. SHORT TITLE; REFERENCE; EFFECTIVE DATE.**

(a) SHORT TITLE.—This Act may be cited as the ''Higher Education Technical Amendments of 2000''.

(b) REFERENCE.—Except as otherwise expressly provided in this Act, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(c) EFFECTIVE DATE.—Except as otherwise provided in this Act, the amendments made

by this Act shall take effect as if enacted as part of the Higher Education Amendments of 1998 (Public Law 105–244).

**SEC. 2. TECHNICAL AMENDMENTS.**

(a) AMENDMENTS TO TITLE I.—

(1) Section 101(a)(1) (20 U.S.C. 1001(a)(1)) is amended by inserting before the semicolon at the end the following: '', or students who meet the requirements of section 484(d)(3)''.

(2) Section 102(a)(2)(A) (20 U.S.C. 1002(a)(2)(A)) is amended to read as follows:

''(A) IN GENERAL.—For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 101 (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 101(a)(4)). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B unless—

''(i) in the case of a graduate medical school located outside the United States—

''(I)(aa) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

''(bb) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or

''(II) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

''(ii) in the case of a veterinary school located outside the United States that does not meet the requirements of section 101(a)(4)—

''(I) the institution was certified by the Secretary as eligible to participate in the loan program under part B of title IV before October 1, 1999; and

''(II) the institution's students complete their clinical training at an approved veterinary school located in the United States.''.

(3) Section 102(a)(3)(A) (20 U.S.C. 1002(a)(3)(A)) is amended by striking ''section 521(4)(C) of the Carl Perkins Vocational and Applied Technology Education Act'' and inserting ''section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998''.

(4) Section 103(7) (20 U.S.C. 1003(7)) is amended to read as follows:

''(7) NEW BORROWER.—The term 'new borrower' when used with respect to any date for any loan under any provision of—

''(A) part B or part D of title IV means an individual who on that date has no outstanding balance of principal or interest owing on any loan made, insured, or guaranteed under either such part; and

''(B) part E of title IV means an individual who on that date has no outstanding balance of principal or interest owing on any loan made under such part.''.

(5) Section 131(a)(3)(A)(iii) (20 U.S.C. 1015(a)(3)(A)(iii)) is amended—

(A) by striking ''an undergraduate'' and inserting ''a full-time undergraduate''; and

(B) in subclause (I), by striking ''section 428(a)(2)(C)(i)'' and inserting ''section 428(a)(2)(C)(ii)''.

(6) Section 131(b) is amended by striking ''the costs for typical'' and inserting ''the prices for, and financial aid provided to, typical''.

(7) Section 131(c)(2)(B) is amended by striking ''costs'' and inserting ''prices''.

(8) Section 131(d)(1) is amended by striking ''3 years'' and inserting ''4 years''.

(9) Section 141 (20 U.S.C. 1018) is amended—

(A) in subsection (a)(2)(B), by inserting ''total and unit'' after ''to reduce the'';

(B) in subsection (c)—

(i) in paragraph (1)(A), by striking ''Each year'' and inserting ''Each fiscal year'';

(ii) in paragraph (1)(B), by inserting ''guaranty agencies,'' after ''lenders,''; and

(iii) in paragraph (2)—

(I) in subparagraph (A), by striking ''expenditures'' and inserting ''administrative expenditures for the most recent fiscal year''; and

(II) in subparagraph (B), by striking ''Chief Financial Officer Act of 1990 and'' and inserting ''Chief Financial Officers Act of 1990,'' and by inserting before the period at the end the following: '', and other relevant legislation'';

(C) in subsection (f)(3)(A), by striking ''paragraph (1)(A)'' and inserting ''paragraph (1)''; and

(D) in subsection (g)(3), by adding at the end the following new sentence: ''The names and compensation for those individuals shall be included in the annual report under subsection (c)(2).''.

(b) AMENDMENTS TO TITLE III.—

(1) Subsection (g) of section 324 (20 U.S.C. 1063(g)) is amended to read as follows:

''(g) SPECIAL RULE FOR CERTAIN DISTRICT OF COLUMBIA ELIGIBLE INSTITUTIONS.—

''(1) HOWARD UNIVERSITY.—In any fiscal year that the Secretary determines that Howard University will receive an allotment under subsections (b) and (c) which is not in excess of amounts received for such fiscal year by Howard University under the Act of March 2, 1867 (14 Stat. 438; 20 U.S.C. 123), relating to the annual appropriations for Howard University, then Howard University shall be ineligible to receive an allotment under this section.

''(2) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—In any fiscal year, the University of the District of Columbia may receive financial assistance under this part, or under section 4(c) of the District of Columbia College Access Act of 1999 (P.L. 106–98), but not under both this part and such section.''.

(2) Section 326(e)(1) (20 U.S.C. 1063b(e)(1)) is amended, in the matter preceding subparagraph (A), by inserting a colon after ''the following''.

(3) Section 342(5)(C) (20 U.S.C. 1066a(5)(C)) is amended—

(A) by inserting a comma after ''equipment'' the first place it appears; and

(B) by striking ''technology,,'' and inserting ''technology,''.

(4) Section 343(e) (20 U.S.C. 1066b(e)) is amended by inserting after the subsection designation the following: ''SALE OF QUALIFIED BONDS.—''.

(5) Section 1024 (20 U.S.C. 1135b–3), as transferred by section 301(a)(5) of the Higher Education Amendments of 1998 (Public Law 105–244; 112 Stat. 636), is repealed.

(c) AMENDMENTS TO PART A OF TITLE IV.—

(1) Section 402D (20 U.S.C. 1070a–14) is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) SPECIAL RULE.—

''(1) USE FOR STUDENT AID.—A recipient of a grant that undertakes any of the permissible services identified in subsection (b) may, in addition, use such funds to provide grant aid to students if the recipient demonstrates in its application, to the satisfaction of the Secretary, that the size of the grants the recipient will provide to students is appropriate and likely to have a significant impact on retention at that institution. In making grants to students under this subsection, an institution shall ensure that adequate consultation takes place between the student support service program office and the institution's financial aid office.

''(2) ELIGIBLE STUDENTS.—For purposes of receiving grant aid under this subsection, eligible students shall be current participants in the student support services program offered by the institution and be—

''(A) students who are in their first 2 years of postsecondary education and who are receiving Federal Pell Grants under subpart 1; or

''(B) students who have completed their first 2 years of postsecondary education and who are receiving Federal Pell Grants under subpart 1 if the institution demonstrates to the satisfaction of the Secretary that—

''(i) these students are at high risk of dropping out; and

''(ii) it will first meet the needs of all its eligible first- and second-year students for services under this paragraph.

''(3) DETERMINATION OF NEED.—A grant provided to a student under paragraph (1) shall not be considered in determining that student's need for grant or work assistance under this title, except that in no case shall the total amount of student financial assistance awarded to a student under this title exceed that student's cost of attendance, as defined in section 472.

''(4) MATCHING REQUIRED.—A recipient of a grant who uses such funds for the purpose described in paragraph (1) shall match the funds used for such purpose, in cash, from non-Federal funds, in an amount that is not less than 33 percent of the total amount of funds used for that purpose. This paragraph shall not apply to any grant recipient that is an institution of higher education eligible to receive funds under part A or B of title III or title V.

''(5) RESERVATION.—For any fiscal year after the date of enactment of the Higher Education Technical Amendments of 2000, the Secretary may reserve not more than 20 percent of the funds available under this section for grant aid in accordance with this subsection.''.

(2)(A) Section 404A(b) (20 U.S.C. 1070a–21(b)) is amended by adding at the end thereof the following new paragraph:

''(3) DURATION.—An award made by the Secretary under this chapter to an eligible entity described in paragraph (1) or (2) of subsection (c) shall be for a period of 6 years.''.

(B) The amendment made by subparagraph (A) shall be effective for awards made for fiscal year 2000 and succeeding fiscal years, except that the Secretary shall permit recipients of 5-year grants made for fiscal year 1999 to amend their applications to include a 6-year project period.

(3) Section 415A(a)(2) (20 U.S.C. 1070c(a)(2)) is amended by striking ''section 415F'' and inserting ''section 415E''.

(4) Section 415E(c) (20 U.S.C. 20 U.S.C. 1070c–3a(c)) is amended to read as follows:

''(c) AUTHORIZED ACTIVITIES.—Each State receiving a grant under this section may use the grant funds for—

''(1) making awards that—

''(A) supplement grants received under section 415C(b)(2) by eligible students who demonstrate financial need; or

''(B) provide grants under section 415C(b)(2) to additional eligible students who demonstrate financial need;

''(2) providing scholarships for eligible students—

''(A) who demonstrate financial need; and

''(B) who—

''(i) desire to enter a program of study leading to a career in—

''(I) information technology;

''(II) mathematics, computer science, or engineering; or

''(III) another field determined by the State to be critical to the State's workforce needs; or

''(ii) demonstrate merit or academic achievement and desire; and

''(3) making awards that—

''(A) supplement community service work-study awards received under section 415C(b)(2) by eligible students who demonstrate financial need; or

''(B) provide community service work-study awards under section 415C(b)(2) to additional eligible students who demonstrate financial need.''.

(5) Section 415E (20 U.S.C. 20 U.S.C. 1070c–3a) is amended by adding at the end the following:

''(f) SPECIAL RULE.—Notwithstanding subsection (d), for purposes of determining a State's share of the cost of the authorized activities described in subsection (c)—

''(1) in the case of a State that participates in the program authorized under this section in fiscal year 2000—

''(A) if such State participates in the program in fiscal year 2001, for that year the State shall consider only those expenditures from non-Federal sources that exceed its expenditures for activities authorized under this subpart for fiscal year 1999; or

''(B) if such State does not participate in the program in fiscal year 2001, but participates in the program in a succeeding fiscal year, for the first fiscal year after fiscal year 2001 in which the State participates in the program, the State shall consider only those expenditures from non-Federal sources that exceed its expenditures for activities authorized under this subpart for the preceding fiscal year, or fiscal year 1999, whichever is greater; and

''(2) in the case of a State that participates in the program authorized under this section for the first time after fiscal year 2000, for the first fiscal year in which the State participates in the program, the State shall consider only those expenditures from non-Federal sources that exceed its expenditures for activities authorized under this subpart for the preceding fiscal year.

''(g) USE OF FUNDS FOR ADMINISTRATIVE COSTS PROHIBITED.—A State receiving a grant under this section shall not use any of the grant funds to pay administrative costs associated with any of the authorized activities described in subsection (c).''.

(6) Section 419C(b)(1) (20 U.S.C. 1070d–33(b)(1)) is amended by inserting ''and'' after the semicolon at the end thereof.

(7) Section 419D(d) (20 U.S.C. 1070d–34(d)) is amended by striking ''Public Law 95–1134'' and inserting ''Public Law 95–134''.

(d) AMENDMENTS TO PART B OF TITLE IV.—

(1) Section 425(a)(1)(A)(i)(II) (20 U.S.C. 1075(a)(1)(A)(i)(II)) is amended to read as follows:

''(II) if such student is enrolled in a program of undergraduate education that is less than 1 academic year, the maximum annual loan amount that such student may receive may not exceed the lesser of—

''(aa) the amount that bears the same ratio to the amount specified in subclause (I) as the length of such program measured in semester, trimester, quarter, or clock hours bears to 1 academic year; or

''(bb) the amount that bears the same ratio to the amount specified in subclause (I) as the length of such program measured in weeks of instruction bears to 1 academic year;''.

(2) Section 428(a)(2)(A) (20 U.S.C. 1078(a)(2)(A)(i)) is amended—

(A) by striking ''and'' at the end of subclause (II) of clause (i); and

(B) by moving the margin of clause (iii) two ems to the left.

(3) Section 428(b)(1) is amended—

(A) in subparagraph (A)(i), by striking subclause (II) and inserting the following:

''(II) if such student is enrolled in a program of undergraduate education that is less than 1 academic year, the maximum annual loan amount that such student may receive may not exceed the lesser of—

''(aa) the amount that bears the same ratio to the amount specified in subclause (I) as the length of such program measured in semester, trimester, quarter, or clock hours bears to 1 academic year; or

''(bb) the amount that bears the same ratio to the amount specified in subclause (I) as the length of such program measured in weeks of instruction bears to 1 academic year;''; and

(B) in subparagraph (Y)(i), by striking ''subparagraph (M)(i)'' and inserting ''subparagraph (M)(i)(I)''.

(4) Section 428(c)(3)(B) (20 U.S.C. 1078(c)(3)(B)) is amended by inserting before the semicolon at the end the following: ''and recorded in the borrower's file, except that such regulations shall not require such agreements to be in writing''.

(5) Section 428C(a)(3)(B) (20 U.S.C. 1078–3(a)(3)(B)) is amended by adding at the end the following new clause:

''(ii) Loans made under this section shall, to the extent used to discharge loans made under this title, be counted against the applicable limitations on aggregate indebtedness contained in section 425(a)(2), 428(b)(1)(B), 428H(d), 455, and 464(a)(2)(B).''.

(6) Section 428H(d)(2)(A)(ii) (20 U.S.C. 1078–8(d)(2)(A)(ii)) is amended to read as follows:

''(ii) if such student is enrolled in a program of undergraduate education that is less than 1 academic year, the maximum annual loan amount that such student may receive may not exceed the lesser of—

''(I) the amount that bears the same ratio to the amount specified in clause (i) as the length of such program measured in semester, trimester, quarter, or clock hours bears to 1 academic year; or

''(II) the amount that bears the same ratio to the amount specified in subclause (I) as the length of such program measured in weeks of instruction bears to 1 academic year;''.

(7) Section 428H(e) is amended—

(A) by striking paragraph (6); and

(B) by redesignating paragraph (7) as paragraph (6).

(8) Section 432(m)(1) (20 U.S.C. 1082(m)(1)) is amended—

(A) in subparagraph (B)—

(i) in clause (i), by inserting ''and'' after the semicolon at the end; and

(ii) in clause (ii), by striking ''; and'' and inserting a period;

(B) by striking clause (iv) of subparagraph (D); and

(C) by adding at the end the following new subparagraph:

''(E) PERFECTION OF SECURITY INTERESTS IN STUDENT LOANS.—

''(i) IN GENERAL.—Notwithstanding the provisions of any State law to the contrary, including the Uniform Commercial Code as in effect in any State, a security interest in loans made under this part, on behalf of any eligible lender (as defined in section 435(d)) shall attach, be perfected, and be assigned priority in the manner provided by the applicable State's law for perfection of security interests in accounts, as such law may be amended from time to time (including applicable transition provisions). If any such State's law provides for a statutory lien to be created in such loans, such statutory lien may be created by the entity or entities governed by such State law in accordance with the applicable statutory provisions that created such a statutory lien.

''(ii) COLLATERAL DESCRIPTION.—In addition to any other method for describing collateral in a legally sufficient manner permitted under the laws of the State, the description of collateral in any financing statement filed pursuant to this section shall be deemed legally sufficient if it lists such loans, or refers to records (identifying such loans) retained by the secured party or any designee of the secured party identified in such financing statement, including the debtor or any loan servicer.

''(iii) SALES.—Notwithstanding clauses (i) and (ii) and any provisions of any State law to the contrary, other than any such State's law providing for creation of a statutory lien, an outright sale of loans made under this part shall be effective and perfected automatically upon attachment as defined in the Uniform Commercial Code of such State.''.

(9) Section 435(a)(5) (20 U.S.C. 1085(a)(5)) is amended—

(A) in subparagraph (A)(i), by striking ''July 1, 2002,'' and inserting ''July 1, 2004,''; and

(B) in subparagraph (B), by striking ''1999, 2000, and 2001'' and inserting ''1999 through 2003''.

(10) Subparagraphs (A) and (F) of section 438(b)(2) (20 U.S.C. 1087–1(b)(2)) are each amended by striking the last sentence.

(11) Section 439(d) (20 U.S.C. 1087–2(d)) is amended by striking paragraph (3).

(e) AMENDMENT TO PART C OF TITLE IV.—Section 443(b)(2)(B) (42 U.S.C. 2753(b)(2)(B)) is amended by inserting ''(including a reasonable amount of time spent in travel or training directly related to such community service)'' after ''community service''.

(f) AMENDMENT TO PART D OF TITLE IV.—Paragraph (6) of section 455(b) (20 U.S.C. 1087e(b)), as redesignated by section 8301(c)(1) of the Transportation Equity for the 21st Century Act (112 Stat. 498) is redesignated as paragraph (8), and is moved to follow paragraph (7) as added by 452(b) of the Higher Education Amendments of 1998 (112 Stat. 1716).

(g) AMENDMENTS TO PART E OF TITLE IV.—

(1) Section 462(g)(1)(E)(i)(I) (20 U.S.C. 1087bb(g)(1)(E)(i)(I)) is amended by inserting ''monthly'' after ''consecutive''.

(2) Section 464(c)(1)(D) (20 U.S.C. 1087dd(c)(1)(D)) is amended by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively.

(3) Section 464(c)(2)(A)(iv) is amended by inserting before the semicolon at the end the following: '', except that interest shall continue to accrue on such loans and such interest shall be eligible for cancellation under section 465''.

(4) Section 464(h) is amended—

(A) in paragraph (1)(A)—

(i) by inserting '', and the loan default has not been reduced to a judgment against the borrower,'' after ''defaulted on the loan''; and

(ii) by inserting after ''held by the Secretary,'' the following: ''or if the borrower of a loan under this part who has defaulted on the loan elects to make a single payment equal to the full amount of principal and interest and collection costs owed on the loan,''; and

(B) by adding at the end the following new paragraph:

''(3) SPECIAL RULE.—At the discretion of the institution or the Secretary, for the purpose of receiving the benefits of this subsection, a loan that is in default and reduced to judgment may be considered rehabilitated if—

''(A) the borrower makes 12 on-time, consecutive, monthly payments of amounts owed on the loan, as determined by the institution, or by the Secretary in the case of a loan held by the Secretary; or

''(B) the borrower makes a single payment equal to the full amount of principal and interest and collection costs owed on the loan.''.

(5)(A) Section 465(a)(2) (20 U.S.C. 1087ee(a)(2)) is amended—

(i) in subparagraph (A), by striking ''section 111(c)'' and inserting ''section 1113(a)(5)'';

(ii) in subparagraph (C), by striking ''With Disabilities'' and inserting ''with Disabilities''; and

(iii) in subparagraph (F), by inserting before the semicolon at the end the following: '', including full-time prosecutors and public defenders earning $30,000 or less in adjusted gross income''.

(B) The amendment made by subparagraph (A)(iii) shall be effective on the date of enactment of this Act, except that such amendment shall not prevent any borrower who, prior to the date of enactment of this Act, was receiving cancellation of indebtedness under section 465(a)(2)(F) of the Higher Education Act of 1965 from continuing to receive such cancellation.

(6) Section 467(b) (20 U.S.C. 1087gg(b)) is amended by striking ''(5)(A), (5)(B)(i), or (6)'' and inserting ''(4)(A), (4)(B), or (5)''.

(7) Section 469(c) (20 U.S.C. 1087ii(c)) is amended—

(A) by striking ''sections 602(a)(1) and 672(1)'' and inserting ''sections 602(3) and 632(5)'';

(B) by striking ''qualified professional provider of early intervention services'' and inserting ''early intervention services''; and

(C) by striking ''section 672(2)'' and inserting ''section 632(4)''.

(h) AMENDMENTS TO PART F OF TITLE IV.—

(1) Section 471 (20 U.S.C. 1087kk) is amended by striking ''subparts 1 or 2'' and inserting ''subpart 1, 2, or 4''.

(2) Section 478(h) (20 U.S.C. 1087rr(h)) is amended—

(A) by striking ''476(b)(4)(B),''; and

(B) by striking ''meals away from home, apparel and upkeep, transportation, and housekeeping services'' and inserting ''food away from home, apparel, transportation, and household furnishings and operations''.

(3)(A) Section 479A(a) (20 U.S.C. 1087tt(a)) is amended by inserting ''a student's status as a ward of the court at any time prior to attaining 18 years of age,'' after ''487,''.

(B) The amendment made by subparagraph (A) shall be effective for academic years beginning on or after July 1, 2001.

(i) AMENDMENTS TO PARTS G AND H OF TITLE IV.—

(1) Section 482(a) (20 U.S.C. 1089(a)) is amended by adding at the end the following new paragraph:

''(5) The Secretary shall provide a period for public comment of not less than 45 days after publication of any notice of proposed rulemaking published after the date of the enactment of the Higher Education Technical Amendments of 2000 affecting programs under this title.''.

(2) Section 483(d) (20 U.S.C. 1090(d)) is amended by striking ''that is authorized under section 685(d)(2)(C)'' and inserting '', or other appropriate provider of technical assistance and information on postsecondary educational services, that is supported under section 685''.

(3) Section 484 (20 U.S.C. 1091) is amended—

(A) in subsection (a)(4), by striking ''certification,,'' and inserting ''certification,'';

(B) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking ''section 428A'' and inserting ''section 428H'';

(ii) in subparagraph (A), by inserting ''and'' after the semicolon at the end thereof;

(iii) in subparagraph (B), by striking ''; and'' and inserting a period; and

(iv) by striking subparagraph (C);

(C) in subsection (d)(3), by inserting ''certifies that he or she'' after ''The student''; and

(D) in subsection (l)(1)(B)(i), by striking ''section 521(4)(C) of the Carl D. Perkins Vocational and Applied Technology Education Act'' and inserting ''section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998''.

(4)(A) Section 484(r)(1) is amended by inserting after ''controlled substance'' the following: ''during any period of enrollment for which the student was receiving assistance under this title''.

(B) Section 484(r) is further amended—

(i) by redesignating paragraph (3) as paragraph (5); and

(ii) by inserting after paragraph (2) the following new paragraphs:

''(3) CONSEQUENCES OF FAILURE TO ANSWER.—Any student who fails to answer a question of the common financial aid form developed under section 483 that relates to eligibility or ineligibility under this subsection shall be treated as ineligible until such question is answered.

''(4) NOTICE.—The Secretary shall require each institution of higher education that participates in any of the programs under this title to provide each student upon enrollment with a separate, clear, and conspicuous written notice that advises students of the penalties contained in this subsection.''.

(C) The amendments made by this paragraph shall be effective for academic years beginning on or after July 1, 2001.

(5)(A) Section 484B (20 U.S.C. 1091b) is amended—

(i) in subsection (a)(1), by inserting ''subpart 4 of part A or'' after ''received under'';

(ii) in subsection (a)(3)(B)(ii) by inserting ''(as determined in accordance with subsection (d))'' after ''student has completed''; and

(iii) in subsection (b)(2)—

(I) in subparagraph (B)(ii), by striking ''subject to—'' through to the end of such subparagraph and inserting ''subject to the procedures described in subparagraph (C)(ii).''; and

(II) by amending subparagraph (C) to read as follows:

''(C) GRANT OVERPAYMENT REQUIREMENTS.—(i) Notwithstanding subparagraphs (A) and (B), but subject to clause (ii), a student shall not be required to return 50 percent of the total grant assistance received by a student under this title for a payment period or period of enrollment. A student shall not be required to return amounts of less than $50.

''(ii) Subject to clause (iii), a student shall be permitted to repay any grant overpayment determined under this section under terms that permit the student to maintain his or her eligibility for further assistance under this title, including a period during which no payment is due from the student—

''(I) for 6 months, beginning on the day the student withdrew; and

''(II) while the student is pursuing at least a half-time course of study, as determined by the institution.

''(iii) Clause (ii) shall not apply to a student who is in default on any repayment obligations under this title, or who has not made satisfactory repayment arrangements with respect to such obligations.''.

(B) The amendments made by subparagraph (A) shall be effective for the academic year beginning July 1, 2001, except that, in the case of an institution of higher education that chooses to implement such amendments prior to that date, such amendments shall be effective on the date of such institution's implementation.

(6) Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is amended by striking ''mailings, and'' and inserting ''mailings, or''.

(7)(A) Section 485(f)(1) (20 U.S.C. 1092(f)(1)) is amended by adding at the end the following new subparagraphs:

''(I) A statement of policy concerning the handling of reports on missing students, including—

''(i) the policy with respect to notification of parents, guardians, and local police agencies and timing of such notification; and

''(ii) the institution's policy for investigating reports on missing students and for cooperating with local police agencies in the investigation of a report of a missing student.

''(J) A statement of policy regarding the availability of information, provided by the State to the institution pursuant to section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), regarding sexually violent predators required to register under such section. Such statement shall include, at a minimum, the following:

''(i) An assurance that the institution shall make available to the campus community, through its law enforcement unit or other office, all such information concerning any person enrolled or employed at the institution.

''(ii) The means by which students and employees obtain access to such information.

''(iii) The frequency at which such information is updated.

''(iv) The type of information to be made available.

''(K) A description of campus fire safety practices and standards, including—

''(i) information with respect to each campus residence hall and whether or not such hall is equipped with a fire sprinkler system or other fire safety system;

''(ii) statistics concerning the occurrence on campus of fires and false alarms in residence halls, including information on deaths, injuries, and structural damage caused by such occurrences, if any, during the 2 preceding calendar years for which such data are available; and

''(iii) information regarding fire alarms, smoke alarms, fire escape planning or protocols (as defined in local fire codes), rules on portable electrical appliances, smoking and open flames, regular mandatory supervised fire drills, and any planned improvements in fire safety.''.

(B) The amendment made by this paragraph shall be effective for academic years beginning on or after July 1, 2001.

(8) Section 485(f) is further amended—

(A) in paragraph (3), by inserting after the first sentence the following: ''In addition, each such institution shall make periodic reports to the campus community regarding fires and false fire alarms that are reported to a local fire department.'';

(B) in paragraph (5)—

(i) by striking ''paragraph (1)(F)'' and inserting ''subparagraphs (F) and (J) of paragraph (1)'';

(ii) by striking ''and'' at the end of subparagraph (B);

(iii) in subparagraph (C), by striking ''education, identify'' and all that follows through the end and inserting the following: ''education, identify—

''(i) exemplary campus security policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus crime; and

''(ii) fire safety policies, procedures, and practices and disseminate information concerning those policies procedures and practices that have proven effective in the reduction of fires on campus; and''; and

(iv) by adding at the end the following:

''(D) not later than July 1, 2002, prepare and submit a report to Congress containing—

''(i) an analysis of the current status of fire safety systems in college and university facilities, including sprinkler systems;

''(ii) an analysis of the appropriate fire safety standards to apply to these facilities, which the Secretary shall prepare after consultation with such fire safety experts, representatives of institutions of higher education, and Federal agencies as the Secretary, in the Secretary's discretion, considers appropriate;

''(iii) an estimate of the cost of bringing all nonconforming residence halls and other campus buildings into compliance with appropriate building codes; and

''(iv) recommendations concerning the best means of meeting fire safety standards in all college facilities, including recommendations for methods of funding such costs.''; and

(C) in paragraph (12)(A), by inserting before the semicolon at the end the following: ''(other than in dormitories or other residential facilities reported under subparagraph (D))''.

(9) Section 485 is further amended by adding at the end the following new subsection:

''(h) NEW OR REVISED REQUIREMENTS.—For any new requirement for institutional disclosure or reporting under this Act enacted after April 1, 2000, the period for which data must be collected shall begin no sooner than 180 days after the publication of final regulations or guidance. The final regulations or guidance shall include any required data elements or method of collection (or both). The Secretary shall take reasonable and appropriate steps to ensure that institutions have adequate time to collect and prepare the required data before public disclosure or submission to the Secretary.''.

(10) Section 485B(a) (20 U.S.C. 1092b(a)) is amended—

(A) by redesignating the paragraphs following paragraph (5) (as added by section 2008 of Public Law 101–239) as paragraphs (6) through (11), respectively; and

(B) in such paragraph (5)—

(i) by striking ''(22 U.S.C. 2501 et seq.)),'' and inserting ''(22 U.S.C. 2501 et seq.),''; and

(ii) by striking the period at the end thereof and inserting a semicolon.

(11) Section 487(a)(22) (20 U.S.C. 1094(a)(22)) is amended by striking ''refund policy'' and inserting ''refund of title IV funds policy''.

(12) Section 491(c) (20 U.S.C. 1098(c)) is amended by adding at the end the following new paragraph:

''(3) The appointment of members under subparagraphs (A) and (B) of paragraph (1) shall be effective upon publication of the appointment in the Congressional Record.''.

(13) Section 498 (20 U.S.C. 1099c) is amended—

(A) in subsection (b)(5), by striking ''institution,'' and inserting ''institution (but subject to the requirements of section 484(b)),'';

(B) in subsection (c)(2), by striking ''for profit,'' and inserting ''for-profit,''; and

(C) in subsection (d)(1)(B), by inserting ''and'' at the end thereof.

(j) AMENDMENTS TO TITLE V.—

(1) Section 504(a) (20 U.S.C. 1101c(a)) is amended—

(A) by striking ''(1) IN GENERAL.—''; and

(B) by striking paragraph (2).

(2) The amendments made by this subsection shall be effective on the date of enactment of this Act.

(k) AMENDMENT TO TITLE VI.—Section 604(c) (20 U.S.C. 1124(c)) is amended by striking ''this part'' and inserting ''this title''.

(l) AMENDMENTS TO TITLE VII.—

(1) Section 701(a) (20 U.S.C. 1134(a)) is amended by striking the third sentence and inserting the following: ''Funds appropriated for a fiscal year shall be obligated and expended for fellowships under this subpart for use in the academic year beginning after July 1 of such fiscal year.''.

(2) Section 714(c) (20 U.S.C. 1135c(c)) is amended—

(A) by striking ''section 716(a)'' and inserting ''section 715(a)''; and

(B) by striking ''section 714(b)(2)'' and inserting ''section 713(b)(2)''.

(m) AMENDMENT TO TITLE VIII.—Section 857(a) of the Higher Education Amendments of 1998 (112 Stat. 1824) is amended by striking ''1999'' and inserting ''2001''.

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

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

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4504, as amended.

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

There was no objection.

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

Mr. Speaker, today we are considering the Higher Education Technical Amendments of 2000. Most of you will recall that just over 2 years ago we met here on a bipartisan basis to consider the Higher Education Amendments of 1998. That legislation was subsequently enacted into law on October 7, 1998, and now greatly benefits students by providing the lowest student loan interest rates in almost 20 years, as well as by making needed improvement to important student aid programs like Work-Study, Pell grants and TRIO.

First, I want to express my thanks to the gentleman from Pennsylvania (Chairman GOODLING) for his leadership on that bill and for the years of leadership he has shown on all education matters during his time here in the Congress.

I also want to thank the committee ranking member, the gentleman from Missouri (Mr. CLAY), the former ranking member of the subcommittee, the gentleman from Michigan (Mr. KILDEE), and the current ranking member of the subcommittee, the gentleman from California (Mr. MARTINEZ), for their cooperation in bringing this bill to the floor and for the great work that they have done on the other bills that we have been working on.

These amendments which we crafted together have been a great success, and our continued efforts on this legislation will only improve on those results. The legislation we are considering today makes numerous technical corrections, but it also includes some significant policy changes that we believe are necessary to ensure that the Higher Education Act is implemented in the way we intended.

Although we could not include all the changes on everyone's wish list, we did try to include those improvements that will benefit students and families who are struggling to pay for a college education.

An important change included by the committee impacts the eligibility of historically black colleges and universities to participate in the Federal student aid programs. These institutions play a vital role in providing access to post-secondary education for students who might not otherwise enroll in higher education. In the 1998 amendments, we required some of these institutions to submit plans and implementation strategies that would result in default rate reductions at their institutions. However, we did not provide sufficient time for the affected institutions to take the actions outlined in the default management plans to reduce their cohort default rates. This bill is correcting that mistake.

H.R. 4504 also includes three new provisions all related to campus security. The first provision is based on H.R. 3619, introduced by the gentleman from New Jersey (Mr. ANDREWS), that requires institutions of higher education to have a policy related to the handling of reports on missing students, including the notification of parents, guardians and local police.

The second provision is based on H.R. 4407, introduced by the gentleman from Arizona (Mr. SALMON), which requires institutions to have a policy regarding the availability of information provided by the State under the Violent Crime Control and Law Enforcement Act with respect to registered sexually violent predators.

The third provision was an amendment offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) that requires institutions to include in their annual security report a description of campus fire safety practices and standards. All of these provisions will result in greater awareness of potential security risks on campus, and I, for one, believe that more information is better.

Additionally, this legislation will improve the regulatory process for institutions of higher education and other program participants. We continue to hear reports that the Department does not give the public enough time to comment on or to implement complex student aid regulations. For that reason, we have established minimum time periods for certain activities.

First, the bill requires the Department of Education to allow a minimum of 45 days for comment after the publication of a notice of proposed rule making. Second, it prevents disclosure or reporting requirements from becoming effective for at least 180 days after

final regulations are published. Although some groups would have preferred a longer period of time, the committee believes that these time frames provide a reasonable period of time for action without causing disruptive delays in the regulatory or implementation process.

Most importantly, the bill clarifies and strengthens provisions in the Higher Education Act regarding the return of Federal funds when students withdraw from school. Specifically, it will correct the Department interpretation so that students will never be required to return more than 50 percent of the grant funds they receive. In addition, it will provide students with a limited grace period for repayment to help students who are unable to repay immediately upon their withdrawal and it will set a minimum threshold for grant repayment of $50.

All of these steps will aid students who withdraw from college for emergency or financial reasons. It is our hope that these changes will allow a low-income student to make another attempt to obtain a post-secondary education in the future, which is, of course, what we are trying to do with this whole education process.

This legislation will improve the implementation of the Higher Education Amendments of 1998 which we worked very hard to enact in the last Congress, and I urge every Member of this Congress to support it.

Finally, I would like to thank our Education staff members, Sally Stroup and George Conant on the majority side, and Maryellen Ardouny and Marshall Grigsby on the minority side, for all of the work they have done to make this bill possible at this time.

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

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

Mr. Speaker, I rise in support of the bill, the Higher Education Technical Amendments Act of 2000. In October of 1998, as the chairman has already said, after 2 years of debate and compromise, the Congress passed and the President signed the Higher Education Amendments of 1998.

Among other things, this bipartisan legislation reduced student loan interest rates to the lowest level in 17 years, established the performance-based organization to administer Federal student aid programs, and it authorized programs to help disadvantaged elementary and secondary students graduate from high school and enter college. It authorized new programs to strengthen the quality of the elementary and secondary teaching force, and expanded the loan cancellation for individuals teaching in low-income schools.

However, since its enactment, approximately a year and a half ago, as the chairman said, several technical errors, such as misnumbered paragraphs and incorrect punctuation, have been brought to the attention of the Committee on Education and Workforce.

In addition, it has become apparent as a result of the negotiated rule making process that, in few instances, clarifying language is necessary in order for the 1998 amendments to be implemented as Congress intended. Therefore, today we are considering H.R. 4504, the Higher Education Technical Amendments of 2000.

In addition to renumbering paragraphs and changing colons to semicolons, the bill does a number of things to improve the Higher Education Act and benefit students. For instance, it modifies the Student Support Service Program under TRIO to allow grantees to use funds for college completion grants and requires 33 percent matching funds used for this purpose. It extends the Gear Up grant award period to 6 years to allow grantees to serve a cohort of students beginning in the sixth grade. It allows work-study funds to be used for travel training, and it eliminates the 2-year waiting period Hispanic-serving institutions must observe before applying for another grant under title V, similar to the legislation recently passed by Congress and signed into law to eliminate the wait-out period for tribal colleges and Native Alaskan and Hawaiian institutions.

□ 1445

Most importantly, it adjusts the title IV refund policy to make it easier for low-income students who are forced to withdraw from school to reenter when their circumstances improve. I believe that the small number of changes in the bill and the very technical nature of most of them are testimony to the outstanding job that the gentleman from California (Mr. MCKEON), the gentleman from Michigan (Mr. KILDEE), and members of the committee did in 1998. I urge my colleagues to support the bill, which will improve the excellent piece of legislation we passed in 1998, and allow the Department and community to continue implementing the Higher Education Act as Congress intended.

In closing, I would like to say thank you to Sally Stroup, George Conant, Marshall Grigsby, and Mary Ellen Sprenkel of our staff for all their hard work on H.R. 4504 and the underlying bill.

I would also like to take a moment to express my deepest sympathy for John Oberg, special assistant of higher education at the Department of Education. John, who has done an outstanding job of representing the administration on issues concerning higher education for the past 6 years, lost his wife last week in a car accident.

John, our thoughts are with you during this very difficult time.

Once again, I urge Members to support this resolution.

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

Mr. MCKEON. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. PETRI), a staunch member of the committee.

Mr. PETRI. Mr. Speaker, I would like to thank the gentleman from California (Mr. MCKEON) for allowing me the opportunity to speak in support of this bill.

Mr. Speaker, we are here today to consider the Higher Education Technical Amendments of 2000. As most will recall, about 2 years ago we enacted on a bipartisan basis the Higher Education Amendments of 1998. Millions of students have since benefited from our efforts, and the minimal number of technical amendments that we are considering today is testimony to the fact that the bill was well written.

The legislation we are considering today makes necessary technical changes, as well as a few policy changes, that the members of the Committee on Education and the Workforce believe are necessary to implement the act as intended. In writing this legislation, the members, with the guidance of our chairman, have worked to ensure that the bill is bipartisan; that it will benefit students; and that it will be signed into law.

One notable benefit to students is the way this bill improves the Perkins loan program. It modifies the loan rehabilitation programs to provide the benefits of loan rehabilitation to a borrower with a defaulted loan who pays his or her loan in full with a single payment if the defaulted loan has not been reduced to judgment.

It also clarifies that loans in deferment for a student who performs a service resulting in loan cancellation is reimbursed for interest and not just for principal. Additionally, this legislation improves the regulatory process for schools and other program participants. This is important because the committee continues to hear reports that the Department does not give the public enough time to comment on or to implement complex student aid regulations.

To address this, the bill requires the Department of Education to allow a minimum of 45 days for comment after the publication of a notice of proposed rulemaking. It also prevents disclosure or reporting requirements from becoming effective for at least 180 days after final regulations are published.

Another significant element of this bill is the change to the return of Federal funds provision to help students who withdraw before the end of a term. It corrects the Department's interpretation and clarifies that students are never required to return more than 50 percent of the grant funds that they receive. However, considering that we in Congress have worked hard to help our Nation's students meet some of their needs in order to attend the college or university, I for one would hate to see us being taken advantage of, or the taxpayer being taken advantage of. It is theoretically possible for a person to get a Pell grant to enroll in a low-cost local program with the full intention of

dropping out almost immediately and pocketing half of the grant money.

One thing I have learned in my years in Congress is that if there is a theoretical way for people to take advantage of the Federal Government, some people will find it and will do it. To address this concern, I intend to ask the General Accounting Office to conduct a study to determine whether or not this is a significant problem.

Again, I would like to thank the gentleman from California (Mr. MCKEON) for allowing me to speak in support of the bill before us, and I urge all of my colleagues to vote in favor of the legislation.

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

Mr. McKEON. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER), a strong member of the committee.

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

Mr. SOUDER. Mr. Speaker, I thank the gentleman from California (Mr. MCKEON) for his excellent leadership in the higher Committee on Education and the Workforce and also our distinguished ranking member for his years of work in this committee as well.

Mr. Speaker, I rise today to talk about two clarifications and one addition to the Higher Education Technical Amendments to the so-called Souder amendment to the Higher Education Act. This amendment probably has caused more controversy on our college campuses than all but few things in the Higher Education Act, and this is an attempt to clarify some things that I believe were misunderstood or had implementation problems at the Department of Education.

First, let me thank former Congressman Gerald Solomon. For years he led this effort to hold students accountable for drug use if they were going to use taxpayer money to fund a student loan. What my amendment attempted to do was a very simple process and that said, if one abuses drugs, that is if they are convicted, not alleged but if they are convicted of using drugs or dealing drugs, they would lose their student loan for one year.

If they went through drug treatment and took a drug test and passed it twice, they could get back even within that year. Our goal was not to get kids tossed out of college. Our goal was to get kids off drugs. If it happened twice, they lost their subsidized student loan for two years. If it happened three times, they are out. For drug dealing it was one and two.

Now this caused a big rhubarb. The question was, is this punishing people who have already been punished once? As if our courts actually do more than slap on the wrist. But besides that, the question is not punishment; the question is treatment. How do we move to prevention, and how do we get those who are abusing drugs on to treatment and to help them with their problem?

There is also the question as taxpayers, is why should we be underwriting students who are abusing and convicted of drug use in college? In my five trips to Colombia, I have looked and listened to leaders in Colombia, leaders in Mexico. I have heard people back home and around the country say there is only so much we can do about interdiction. What is being done in America about the drug problem?

This is an effort to actually do prevention and to hold people accountable.

Now there were a couple of problems in implementation that occurred in the Higher Education Act. One, there was limited pre-testing of the question. Secondly, the poorly framed question caused tremendous confusion in incoming freshmen and others in 1999. Hundreds of thousands of students left the question blank, which would have stopped the system to enforce it and yet they cannot have questions left blank. There was also no auditing. There was no checking of those who said that they had not been convicted of a drug crime, or who left it blank, which is irresponsible enforcement. It is basically a toothless bill without that.

Now there was a misunderstanding as well. All the way through the whole debate, I never said anything differently than what I said today, which is that if one is going to take a student subsidized loan they should be held accountable. Yet for some unusual reason, and I am not faulting them for doing it because it was their decision to do so, the Clinton administration interpreted this to mean that anybody prior to going into college who had been convicted once, twice, or three times of a drug crime was, therefore, either in violation of either clause one, clause two or clause three, which meant that many teenagers around the country who had been convicted of a drug crime all of a sudden were either being suspended for 1 year, 2 years or out on drug loans.

It meant people that were coming back in mid-life or adulthood all of a sudden were not eligible, theoretically, at least for student loans. There was nowhere in any record that suggested that any of us were advocating a reachback provision. The language was very explicit, I believed, which is if one takes taxpayer dollars, then they are expected to behave legally.

Now, what we need to do is to try to reach to those students who often are young people or middle-aged people who are coming back, who have had a tough time in life, who have been convicted of a drug crime, and now they want to go to college. The goal here is not to punish them.

I am a big supporter of GEAR UP, where we have technical amendments in this bill related to GEAR UP, and there is an unfortunate amendment later in the Labor HHS bill that would strike some of the clauses in GEAR UP which I oppose because I believe it is important to reach out to low-income students. We also need to have accountability.

What these amendments do are, one, first off one is only covered when they receive the loan and they are accepted into a university, or coming back after an absence. In other words, there is a short period of time while one is not in school, where they would be covered.

Also, if it is a continuous process, presumably one would be covered. In other words, if one took the January semester break off or a summer break; but they are in a continuous flow of college, they would be held accountable in that period. But the goal here is not if one drops out for 5 years to cover that period or to cover their whole years in high school.

The goal is while one is clearly going to college and has been approved for a student loan.

Secondly, we have made it clear now that we have had our trial run. If one leaves this blank, they will not get a loan until they fill out that question.

Now, a third part that the gentleman from California (Mr. GARY MILLER) added, which I think was a very wise additional amendment, was to make sure that all students understand that it is clear to the information to the Department of Education that if one is convicted of a drug crime, they cannot get a student loan, or they will be kicked off of a student loan.

Now lastly, we had some discussions with the Department of Education. I want to make it clear that we did not put some amendments in because I believe they are moving ahead on this. One is to get the question better drafted. I am encouraged, but that question should be pre-tested better than they have pre-tested it in the past because as a parent whose kids have gone through college, the forms are very confusing; and it is very important if they are going to be held accountable to have that question clear.

Secondly, an auditing process, because without an auditing process this amendment is toothless. If we are going to attack the drug problem in this country and hold people accountable and help kids get into treatment and get their lives straightened around, there has to be an auditing and accountability process. We are either serious about the drug problem or we are not.

We need to make sure that we do not just focus on interdiction, which I believe is important, or border control, which I believe is important, or legal accountability, which I believe is important, but to have real prevention and treatment programs; and these amendments will help this become an even better process and hopefully help many students in this country understand that this problem is real.

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

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

Mr. Speaker, I would like to make just a couple more comments. In addition to the committee staff that I

thanked earlier, I would like to thank my legislative director, Karen Weiss, for all of the work that she has done on this bill. This may be the last time that we stand as a subcommittee on the floor with legislation during this Congress; and if so, I want to again thank the gentleman from California (Mr. MARTINEZ), the ranking member of this committee. He has been a joy to work with. He really has the people of this country at heart. He has served a lot of time in this Congress and done an excellent job, and I just want to let him know that I appreciate greatly the ability that he has brought to this Congress and the opportunity that we have had to work together.

Mr. GOODLING. Mr. Speaker, we are here today to consider the Higher Education Technical Amendments of 2000. Many of my colleagues will remember that in the last Congress we enacted the Higher Education Amendments of 1998 on a bipartisan basis. That bill was one of the most important pieces of legislation we considered for students and their parents. I want to thank Chairman MCKEON again for his leadership on that bill. Throughout that process he kept members focused on our goal of improving our student financial aid system. Millions of students have since benefited from our efforts, and the minimal number of technical amendments that we are considering today is testimony to the fact that the bill was well crafted.

The Department of Education has issued a majority of the final regulations implementing the 1998 amendments. In most cases our intent was followed, but in a few important instances, it was not.

For example, I feel very strongly that the department is not following our intent with respect to direct loan origination fees. The 1998 amendments were designed to provide students with the best possible deal under very tight budget constraints, and I believe we succeeded in doing that. However, the law uses the word ''shall'' and it is very clear in directing the Secretary to collect a four percent origination fee on direct student loans. This is confirmed in legal opinions from the Congressional Research Service and the Comptroller General. It was not our intent to change that, and in my view the department's decision to arbitrarily interpret ''shall'' to mean ''may'' sets a very dangerous precedent. The fact that this legislation does not address this issue should not be taken as an endorsement of the department's actions.

The legislation before us today does make a needed change to the ''return of federal funds'' provisions in the Higher Education Act to help students who withdraw before the end of a term. By correcting the department's mistaken interpretation, we will ensure that no student is required to return more than 50 percent of the grant funds he or she received. I know there are those who would like us to go further. However, doing so would increase mandatory spending, and in many instances, would result in students leaving school with increased student loan debt, which I cannot support.

H.R. 4505 includes three new provisions all related to campus security. The first provision is based on H.R. 3619, introduced by Representative ANDREWS of New Jersey, and requires institutions of higher education to have a policy related to the handling of reports on missing students, including the notification of parents, guardians and local police.

The second provision is based on H.R. 4407 introduced by Representative SALMON of Arizona, It requires institutions to have a policy regarding the availability of information provided by the state under the Violent Crime Control and Law Enforcement Act with respect to registered sexually violent predators.

The third provision was an amendment offered by Representative ROUKEMA of New Jersey that requires institutions to include in their annual security report a description of campus fire safety practices and standards.

All of these provisions will result in greater awareness of potential security risks on campus, and I, for one, believe that more information is better.

Finally, I want to thank Mr. CLAY and Mr. MARTINEZ for their efforts in crafting this bipartisan legislation. This bill will not satisfy everyone completely. But it does make necessary technical and policy changes that will improve the implementation of the Higher Education Amendments of 1998, and it does so in a way that will benefit students.

I urge my colleagues to support this legislation.

Mr. SALMON. Mr. Speaker, I thank Chairman GOODLING and Chairman MCKEON and their staffs for all of their hard work on the Campus Protection Act, which will close a loophole in federal law that restricts the ability of colleges and universities to notify students of the presence of convicted sex offenders on campus. I am thrilled that the campus security legislation has been incorporated into H.R. 4504, the Higher Education Technical Amendments Act of 2000.

What peaked my interest in this matter was a column Tamara Deitrich wrote for the East Valley Tribune on a sex offender roaming the campus of Arizona State University (ASU), which is located in my District. The sex offender secured a work furlough to study and do research at ASU, where about 23,000 young women attend classes. Campus law enforcement officials at ASU expressed concern that Federal law hampered their ability to adequately warn students about this threat. To me, it's unconscionable that women on campuses do not receive notification when a rapist or sex offender is enrolled.

S. Daniel Carter of Security on Campus, an expert in campus security matters, carefully evaluated the Campus Protection Act. The following is an excerpt from his letter:

For too long colleges and universities have used the Family Educational Rights and Privacy Act (20 USC Section 1232g) to withhold public safety information from their students and employees that any other citizen would be able to get freely. This is a situation that denies them equal protection under the law and unnecessarily puts their lives and safety at risk. The addition of a requirement to the campus security section of the Higher Education Act of 1965 that schools publicly disclose information about registered sex offenders who are either enrolled or employed by the institution should ensure that FERPA is not misinterpreted to preclude the release of this critically important information. The language included in H.R. 4504 is designed to clarify this point . . .

I thank S. Daniel Carter for his contribution to this effort and am delighted that the founders of his organization and the family most responsible for the original campus security law—the Clery's—endorse the Campus Protection Act.

The Campus Protection Act adds a new section to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to clarify that sex offender information of all enrolled students and employees not only can be released, but when received, must be released. This will ensure that the same information about sex offenders available to other state citizens is available to college students. Additionally, the Act sensibly provides that universities develop a policy statement regarding the availability of this information as part of their annual crime statistics report.

Without a clear statement that schools are obligated to release this information, questions will remain about the legality of releasing sex offender information. Schools that withhold information because of this uncertainty unnecessarily put their students at risk.

Under the Campus Protection Act, colleges are only obligated to report information the state provides. This is not an undue burden or mandate, but authority that most campus security offices, such as the ASU unit, will welcome. The colleges maintain full discretion on how to disclose sex offender information.

The Campus Protection Act will aid campus law enforcement agencies and, more importantly, increase campus safety. In her letter endorsing the bill, Detective Sally Miller of the Santa Rose Junior College District Police Department writes: ''I wish to indicate my full support of [your bill] which provides direction and legal tools for college and university law enforcement agencies to educate and inform our communities about sexual predators currently hidden within our communities. These amendments . . . are vitally important to allow college and university police departments to adequately provide for the safety of our students and staff from sexual predators.''

Passage of H.R. 4504 will close the sex offender campus loophole once and for all and I urge my colleagues to support it.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and pass the bill, H.R. 4504 , as amended.

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

A motion to reconsider was laid on the table.

## RECOGNIZING IMPORTANCE OF STRONG MARRIAGES FOR A STRONG SOCIETY

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 280) recognizing the importance of strong marriages and the contributions that community marriage policies have made to the strength of marriages throughout the United States, as amended.

The Clerk read as follows:

H. RES. 280

Whereas one of every two marriages ends in divorce;

Whereas children living with a single mother are six times more likely to live in poverty than are children whose parents are married;

Whereas married adults, on average, live longer, have fewer emotional problems, and are less likely to engage in alcohol or drug abuse;

Whereas visionary communities have adopted community marriage policies to empower couples for healthy, lifelong marriage and to foster an environment that has the greatest likelihood of ensuring the well-being of our citizens, especially our children;

Whereas a community marriage policy is a set of guidelines for premarital preparation and community support for marriage to which individuals, the community, clergy, and congregations voluntarily commit; and

Whereas a successful community marriage policy is one that urges clergy, congregations, and the broader community to—

(1) encourage premarital preparation education;

(2) train mature married couples to serve as mentors to the newly married;

(3) evaluate current practices that may unwittingly undermine marriage formation and stability;

(4) implement policies that promote marriage; and

(5) volunteer time, expertise, and resources to support initiatives that promote marriage and stable families: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the importance of strong marriages for a strong society;

(2) commends communities that have established community marriage policies for their efforts to support marriage and prevent the problems of divorce; and

(3) encourages other communities in the United States to develop voluntary community marriage policies to enable community members, such as clergy, business leaders, public officials, and health professionals, to work together to strengthen marriages and provide stable environments for children.

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

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

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 280.

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

There was no objection.

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

Mr. Speaker, I rise today to address the issue of marriage and its benefits for individuals, for communities and for our Nation. There have been considerable discussion about the state of marriage in this Nation over the past half century because there has been such dramatic changes in our Nation and in the institution of marriage.

□ 1500

If we look at the details of what has happened to marriage in this half century and what has happened as a result, we find some very interesting things.

As an example, there has been a great deal of debate in America about the growing gap between rich and poor; and almost all of it focuses on the changing job force, the cost of living, and the tax and regulatory structure that hamstrings businesses and employees.

But analysis of social science literature demonstrates that the root cause of poverty and income is definitely linked to the presence or absence of marriage. Among other problems, broken families earn less and experience lower levels of educational achievement.

Let's consider some of the statistics that have been offered: in 1950, 12 out of every 100 children, in other words, 12 percent, entered a broken family. By 1992, 58 percent, or 58 out of every 100 children born, entered a broken family. Children living with a single mother are six times more likely to live in poverty than are children whose parents are married.

Of families with children in the lowest quintile of earnings, 73 percent are headed by single parents. Ninety-five percent in the top quintile are headed by married couples.

In 1994, over 12.5 million children lived in single-parent families that earned less than $15,000 per year. Only 3 million children lived in single-parent families with annual incomes greater than $30,000.

Three-quarters of all women applying for welfare benefits do so because of a destructive marriage or live-in relationship. Those who leave the welfare system when they get married are the least likely to return to the welfare system.

Co-habitation doubles the rate of divorce. Co-habitation with someone other than one's future spouse quadruples the rate of divorce.

Divorce reduces the income of families with children by an average of 42 percent, and almost 50 percent of those families experience poverty. Married couples in their mid-50s amass four times the wealth of divorced individuals, $132,000 versus $33,600.

I think this illustrates some aspects of the current situation. But let us also consider, research that has been done on marriage and happiness and particularly marriage and health.

University of Chicago demographer Linda Waite found that life expectancy is more adversely affected by being unmarried than by being poor, overweight, or having heart disease.

Similarly, scholars at the National Institutes for Health Care Research recently compiled a lengthy report showing that divorced men are particularly likely to experience health problems. When compared to married men, divorced males are twice as likely to die prematurely from hypertension, four times as likely to die prematurely from throat cancer, twice as likely to die prematurely from cardiovascular disease, and seven times as likely to die prematurely from pneumonia. In other words, being married is healthy.

Why does marriage offer such extraordinary health benefits? The previously mentioned demographer, Linda Waite, states that marriage provides individuals a network of help and support which can be particularly beneficial in dealing with stress and in recovering from illness and accidents.

Of course the long-recognized linked between stable marriage and greater wealth is not simply due to the fact that married men have stronger incentives to work hard. It is also due to the fact that married-couple households benefit from role specialization and from pooling resources.

Another interesting aspect, Washington State University researcher Jan Stets reports that women in co-habiting unions are more than twice as likely to be the victims of domestic violence than married women.

Data from the National Institute of Mental Health shows that co-habiting women have rates of depression that are more than three times higher than married women and more than twice as high as other single women. On and on the statistics go.

I think a very important item to mention is that research reviews by UCLA Professor Robert Coombs and others find that the longer lives of married people cannot be explained by the fact that healthy people are more likely to get and stay married. The state of marriage itself is more important in fostering good health.

Now, that is very important to recognize because an immediate response of many people to all the statistics that I have given here is that we simply have not done a controlled experiment. The problem, they would say, is simply that the healthier people and the happier people are the ones more likely to get married and stay married.

But as I said here, the research by Robert Coombs of UCLA indicates that is simply not true. The state of marriage itself is more important in fostering good health.

The conclusion is that marriage is healthy. It is good for couples. It is good for children, good for communities, good for the Nation. It improves health, well-being, and makes children's lives, on average, more stable.

The question is what can we do to encourage marriage if marriage is so wonderful? Is there some magic wand we at the Federal level can wave and solve that particular problem? I think it is important to recognize that we cannot do a great deal at the Federal level. But we can certainly encourage community-level activity, particularly activity that is having a good effect.

I want to make it clear I am not up here to condemn divorce; I am simply pointing out that marriage can be a positive factor in many lives and that we should try to encourage those who are married to stay married and those who are not married to become married.

An example of a way to handle this appropriately is to mobilize religious

and community support. Something that has emerged in this country, which is very good and has had a positive influence, is something called a community marriage policy.

Let me cite some material from a recent report, ''Toward More Perfect Unions: Putting Marriage on the Public Agenda,'' a report from the Family Impact Seminar, reported by Theodora Ooms. She notes that perhaps the most promising and innovative marriage-strengthening strategy bubbling up from the community level is the community marriage policy. This is a strategy rooted in the religious sector and was originally conceived of and promoted by Michael McManus, a syndicated columnist and author of ''Marriage Savers.''

In the community marriage policy initiative, clergy and congregations in a community get together and agree upon a set of guidelines.

A particularly good example of such a community marriage policy is that of the Greater Grand Rapids, Michigan, area which I represent. I do not say that just because I represent it.

In the words of the report Family Impact Seminar report, the best community marriage policy is taking place in Greater Grand Rapids, Michigan, where, in 1996, the community launched an ambitious community-wide mobilization designed to support children-strengthening marriage.

The initiative has some core funding, an executive leader, Dr. Roger Sider, and institutional support from Pine Rest, a Christian Community Mental Health Center.

I should point out in an aside that Pine Rest is more than just a center; it is the second largest private community member health facility in the United States.

What distinguishes the Grand Rapids community marriage policy is that it involves a high caliber and breadth of community leadership, including many civic leaders and health professionals as well as the clergy. They have taken pains to be inclusive of many different views of marriage.

For example, they have been careful to listen to and accommodate the concerns of feminists working with battered women and minority leaders working with single-parent families.

Let me emphasize that this community marriage policy is voluntary; but the Grand Rapids one is unique in that it has involved the broader community, not just the religious community.

In Grand Rapids, pastors, rabbis, priests, judges, doctors, lawyers, counselors, elected officials, business leaders, educators and concerned citizens are being asked to find ways that they can strengthen and support marriages throughout their life cycle.

The chairman of the 50-person steering committee is Bill Hardiman, a good friend of mine, and the mayor of Kentwood, the second largest suburb of Grand Rapids. He has put many hours into this and has done exceptional work.

After more than a year of careful planning, in the spring of 1998 the initiative began implementation, starting by offering training to ministers and courses to others.

The Greater Grand Rapids Community Marriage Policy has set itself a goal of reducing the divorce rate by 25 percent by the year 2010, a very ambitious goal; and they are well on the way to achieving that. It will also establish some interim benchmarks of progress towards this goal.

So the purpose of this resolution is to commend community marriage policies throughout this land; and, in particular, although it is not specifically stated in the resolution, I want to commend the Greater Grand Rapids community in developing their community marriage policy. It has worked well. It holds great promise. We hope that it will achieve a great increase in the stability of marriages in our community and eventually throughout our Nation.

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

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

Mr. Speaker, I rise in support of H. Res. 280, which recognizes the importance of strong marriages and community marriage policies. I think it is a wonderful thing if communities try to encourage strong marriages.

Our communities have changed so drastically over the past 3 years, today it is a fast-paced world and places constant stress on families and couples alike.

But today, most married couples, young married couples, one finds both of the couples working, dedicated to a career or a job, and that is a hectic life style. The hectic life style that many young couples are leading make it difficult for them to focus on family and each other, thereby putting a strain on their relationship and putting their marriage at risk.

This resolution, I commend the gentleman from Michigan (Mr. EHLERS) for bringing it forth, bringing attention to a need for strong healthy marriage and community support to make that a reality.

This support, in the form of community marriage policies and other efforts to ensure a network of help for couples, can greatly contribute toward more harmonious and happy marriages, especially churches and community-based organizations.

Those who are contributing that support are various members of our community, including those organizations, as I mentioned, religious and those people's community-based organizations that put forth counseling service.

In closing, I want to thank again the gentleman from Michigan (Mr. EHLERS) for bringing this resolution to the House today and urge Members to support it.

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

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

In closing, Mr. Speaker, I have outlined some of the reasons that our nation should consider as we try to strengthen marriages in our country. The benefits of health, the benefits of stability, the benefits for our Nation and particularly for our children and their education.

I have stated that the purpose of the resolution is simply to commend communities throughout the entire Nation that have established community marriage policies. But I would like to point out that the Congress itself should focus on ways to undue the bias against marriage in certain Federal programs.

This House has already passed the elimination of the marriage penalty in our income tax, and we hope that that will soon pass the other body and be signed into law by the President. The earned income tax credit should also not have a marriage penalty, which it presently has.

There are other issues in poverty programs and many other programs in the Federal Government where one can detect some antimarriage bias. I think we as a Congress should address those issues.

In addition State governments, with their responsibility for the marriage laws, should do what they can to encourage proper premarital counseling and especially proper counseling of individuals considering divorce.

In the State of Michigan, we have done that through a State law which sets up a mechanism for counseling at the local level, using funds from marriage license fees. Churches and local communities, through initiatives such as community marriage policies, also should encourage this.

In summary, we have demonstrated there are substantial effects of divorce on children. There are substantial effects of divorce on the health of individuals. And we have also outlined a number of the benefits of marriage.

It is very important that we as a Nation and as a Congress emphasize the importance of stable marriages for the well-being of our Nation, our citizens, and especially our children.

□ 1515

This resolution is one small way we can do that, and I urge the adoption of the resolution.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the resolution, House Resolution 280, as amended.

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

A motion to reconsider was laid on the table.

## DISTRICT OF COLUMBIA RECEIVERSHIP ACCOUNTABILITY ACT OF 2000

Mr. DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3995) to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government, as amended.

The Clerk read as follows:

H.R. 3995

*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 ''District of Columbia Receivership Accountability Act of 2000''.*

***SEC. 2. SPECIAL RULES APPLICABLE TO RECEIVERS WITH RESPONSIBILITIES OVER DISTRICT OF COLUMBIA GOVERNMENT.***

*(a) IN GENERAL.—Each District of Columbia receiver shall be subject to the requirements described in section 3.*

*(b) DISTRICT OF COLUMBIA RECEIVER DEFINED.—In this Act, a ''District of Columbia receiver'' is any receiver or other official who is first appointed by the United States District Court for the District of Columbia or the Superior Court of the District of Columbia during 1995 or any succeeding year to administer any department, agency, or office of the government of the District of Columbia.*

***SEC. 3. REQUIREMENTS DESCRIBED.***

*(a) PROMOTING FINANCIAL STABILITY AND MANAGEMENT EFFICIENCY.—Each District of Columbia receiver who is responsible for the administration of a department, agency, or office of the government of the District of Columbia shall carry out the administration of such department, agency, or office through practices which promote the financial stability and management efficiency of the government of the District of Columbia.*

*(b) COST CONTROL.—Each District of Columbia receiver who is responsible for the administration of a department, agency, or office of the government of the District of Columbia shall ensure that the costs incurred in the administration of such department, agency, or office (including personnel costs of the receiver) are consistent with applicable regional and national standards.*

*(c) USE OF PRACTICES TO PROMOTE EFFICIENT AND COST-EFFECTIVE ADMINISTRATION.—Each District of Columbia receiver who is responsible for the administration of a department, agency, or office of the government of the District of Columbia shall carry out the administration of such department, agency, or office through the application of generally accepted accounting principles and generally accepted fiscal management practices.*

*(d) PREPARATION AND SUBMISSION OF BUDGET.—*

*(1) CONSULTATION WITH MAYOR AND CHIEF FINANCIAL OFFICER.—In preparing the annual budget for a fiscal year for the department, agency, or office of the government of the District of Columbia administered by the receiver, each District of Columbia receiver shall consult with the Mayor and Chief Financial Officer of the District of Columbia.*

*(2) SUBMISSION OF ESTIMATES.—After the consultation required under paragraph (1), the receiver shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia for the year, the receiver's estimates of the expenditures and appropriations necessary for the maintenance and operation of the department, agency, or office for the year.*

*(3) TREATMENT BY MAYOR AND COUNCIL.—The estimates submitted under paragraph (2) shall be forwarded by the Mayor to the Council for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act, the Council may comment or make recommendations concerning such estimates but shall have no authority under such Act to revise such estimates.*

*(4) EXCEPTIONS.—This subsection shall not apply with respect to—*

*(A) any department, agency, or office of the government of the District of Columbia administered by a District of Columbia receiver for which, under the terms of the receiver's appointment by the court involved, the Mayor and the Council may revise the annual budget; or*

*(B) the District of Columbia Housing Authority receiver appointed during 1995.*

*(5) EFFECTIVE DATE.—This subsection shall apply with respect to fiscal year 2001 and each succeeding fiscal year.*

*(e) ANNUAL FISCAL, MANAGEMENT, AND PROGRAM AUDIT.—*

*(1) IN GENERAL.—An annual fiscal, management, and program audit of each department, agency, or office of the government of the District of Columbia administered by a District of Columbia receiver shall be conducted by an independent auditor selected jointly by the receiver involved (or the receiver's designee) and the Mayor (or the Mayor's designee), and each District of Columbia receiver shall provide the auditor with such information and assistance as the auditor may require to conduct such audit.*

*(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to—*

*(A) any department, agency, or office of the government of the District of Columbia administered by a District of Columbia receiver for which, under the terms of the receiver's appointment by the court involved, audits are conducted by an auditor selected jointly by the parties to the action under which the receiver was appointed; or*

*(B) the District of Columbia Housing Authority receiver appointed during 1995.*

*(f) PROCUREMENT.—*

*(1) IN GENERAL.—In carrying out procurement on behalf of the department, agency, or office of the government of the District of Columbia administered by the receiver, each District of Columbia receiver—*

*(A) shall obtain full and open competition through the use of competitive procedures; and*

*(B) shall use the competitive procedure or combination of competitive procedures which is best suited under the circumstances of the procurement.*

*(2) EXCEPTIONS.—*

*(A) ALTERNATIVE METHODS FOR CERTAIN PROCUREMENT.—Notwithstanding paragraph (1), a District of Columbia receiver may use alternative methods to carry out procurement if—*

*(i) the amount involved is nominal;*

*(ii) the public exigencies require the immediate delivery of the articles or performance of the service involved;*

*(iii) the receiver certifies that only one source of supply is available; or*

*(iv) the services involved are required to be performed by the contractor in person and are of a technical and professional nature or are performed under the receiver's supervision and paid for on a time basis.*

*(B) HOUSING AUTHORITY.—Paragraph (1) shall not apply with respect to the District of Columbia Housing Authority receiver appointed during 1995.*

***SEC. 4. CLARIFICATION OF APPLICABILITY OF ANTI-DEFICIENCY ACT.***

*Nothing in subchapter III of chapter 13 of title 31, United States Code may be construed to waive the application of the provisions of such subchapter which apply to officers or employees of the District of Columbia government to any District of Columbia receiver.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. DAVIS) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. DAVIS).

GENERAL LEAVE

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3995, the bill under consideration.

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

There was no objection.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3995, the District of Columbia Receivership Accountability Act of 2000. The Subcommittee on the District of Columbia, which I chair, of the Committee on Government Reform, is currently examining the status of the City's agencies that are overseen by court-appointed receivers. Presently, there are three outstanding agency receiverships: the Child and Family Services; the Commission on Mental Health Services; and the Corrections Medical Receiver for the District of Columbia Jail.

Each of these agencies has languished in receivership for a substantial period of time and has continued to be plagued by systematic problems in the delivery of expected services. Since these agencies are under the authority of the court system and not the District Government, expedient congressional action is necessary to induce comprehensive reforms within the receivership to return them to the jurisdiction of the District Government.

The Child and Family Services agency was brought under the glare of the public spotlight with the tragic death of young Brianna Blackmond. While Brianna was under the care of the Child and Family Services agency, her life was tragically cut short, at 23 months, by a blunt force trauma injury to the head. As the proud father of three children myself, I can say that stories such as Brianna's stab us in the heart and leave us wondering in amazement at how this could have happened.

Unfortunately, Brianna's death is not a story of a one-time case slipping through the cracks of an otherwise well-functioning child welfare system. Brianna is just one example of many heart-wrenching stories of children adversely affected by the systemic problems of the District of Columbia's child welfare system.

The two other district agencies in receivership have also demonstrated extreme deficiencies in their operations. The Commission on Mental Health Services agency has actually become worse since becoming a receivership. There are currently more mentally ill homeless people on the streets than ever before. Group homes for the mentally ill are poorly run and neglected,

and treatment is difficult to come by. The lack of improvement in their services has recently led the receiver to resign.

The D.C. Jail Medical Services receivership's financial management is in dire straits as well. For example, the receiver recently issued a contract to a private entity which had the D.C. contract as its only contract and had never been in the business, at a cost of three times the national average.

This year alone, these three agencies combined will cost the District of Columbia taxpayers $352 million in court-controlled spending. In answer to these deafening receivership problems, the gentlewoman from the District of Columbia (Ms. NORTON) and I have joined together to introduce H.R. 3995, the District of Columbia Receivership Accountability Act of 2000 to provide management guidance to these receiverships and make them more accountable to the District of Columbia Government and the City's taxpayers. I would like to commend the gentlewoman from the District of Columbia for her leadership and compassionate interest in repairing these ailing District agencies.

Specifically, the bill places affirmative duties on all the receivers in the areas of best practices. Each receiver should conduct all operations consistent with the best financial and management practices by regional and national standards.

Annual audit by independent auditor. Each receiver must submit to an annual financial and program audit conducted by an independent auditor selected jointly by the receiver involved with the mayor.

Controlling costs. Each receiver must ensure that costs are consistent with applicable regional and national standards. This requirement may be waived in a few exceptional circumstances.

Consultation with City officials on the budget. In preparing the annual budget for the entity in receivership, the receiver must consult with the mayor and the chief financial officer of the District of Columbia. After this consultation, the receivers must prepare and submit their budget to the mayor for inclusion in the City's annual budget. The council may comment and may make recommendations on the receivers' budget estimates.

Procurement practices. When entering into contracts, each receiver must fully comply with generally accepted procurement practices.

Mr. Speaker, the District of Columbia Receivership Accountability Act of 2000 is a significant step towards inducing progressive reforms within the receiverships in order to return them in proper working order to the District of Columbia. I urge all my colleagues to join me in voting to support this vitally needed piece of legislation.

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

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

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

Ms. NORTON. Mr. Speaker, I want to thank the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN) for their support of H.R. 3995 the District of Columbia Receivership Accountability Act of 2000 and for the attention they have consistently shown to moving bills that affect the Nation's capital. With so much of the District's vital affairs dependent upon actions by the Congress, I particularly appreciate the attention that the chairman and ranking member have given to the City's bills and concerns.

I particularly want to thank the subcommittee chairman, the gentleman from Virginia (Mr. DAVIS), for his consistently strong leadership on District of Columbia matters and for his support in moving this bill, in particular, forward. H.R. 3995 was passed unanimously by the Subcommittee on the District of Columbia on May 5, 2000 and the full Committee on Government Reform on May 18, 2000.

I appreciate the quick action and serious attention the subcommittee chairman has afforded problems in receiverships that control three D.C. functions. When the chair learned of these problems, he asked me to join him in initiating a GAO study of the District's receiverships, beginning with the receivership for the Child and Family Services agency. We began there because of the tragic and clearly preventable death of the infant Brianna Blackmond; the confusion and uncertainty in assessing responsibility for the child's death; and evidence of disarray the tragedy brought to public view that could mean other children under the care of the receivership may not be safe.

I appreciate as well the concern of the majority whip, the gentleman from Texas (Mr. DELAY), who came personally to testify before the Subcommittee on the District of Columbia in the first of our three public hearings on the outstanding D.C. receivership, the foster care receivership.

In addition, the D.C. jail receivership appears to have excessive costs and irregular procurement practices. And the mental health receivership had problems that were so severe that the receiver had to be replaced. The public housing receivership will end this year and the agency will be returned to District of Columbia control. That receiver, David Gilmore, stands out for the success of his tenure, which took a very complicated agency with the longest history of failure and dysfunction and reformed all of its functions; operations, social services, physical infrastructure, and public safety.

Action by the Congress on the receiverships is necessary because the courts and not the District of Columbia Government have control over the functions. H.R. 3995 responds to the early evidence we have received regarding basic deficiencies in D.C. receiverships by placing best practice requirements on agencies in receivership in the District of Columbia in seven areas:

One. Financial stability and management efficiency. Receivers must carry out the administration of the agency under receivership through practices which promote the financial stability and management efficiency of the District of Columbia.

Two. Cost controls. Receivers must ensure that costs incurred in the administration of the agency are consistent with applicable regional and national standards.

Three. Best practices. Receivers must carry out the administration of the agency through the application of generally-accepted accounting principles and generally-accepted fiscal and management practices.

Four. Budget preparation. Receivers must consult with the District of Columbia mayor, chief financial officer, and city council prior to submitting the agency budget.

Five. Annual audit. Receivers must submit to an annual fiscal and management audit by an independent auditor selected jointly by the receiver and the city.

Six. Procurement. Receivers must use best procurement practices that foster full and open competition.

Seven. Anti-Deficiency Act. This provision clarifies that the Anti-Deficiency Act applies to District agencies in receivership.

Mr. Speaker, this legislation is noncontroversial and strongly supported by the mayor and the city council of the District of Columbia. I urge passage.

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

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I also want to thank the majority whip, the gentleman from Texas (Mr. DELAY), for his interest and his understanding and his leadership on the bill. He was a very active participant in helping to move this legislation forward and craft it so it would achieve the goals that we all had in mind, and that is to prevent problems like we had with Brianna Blackmond in the future.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 3995, as amended.

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

A motion to reconsider was laid on the table.

## SCHOOL GOVERNANCE CHARTER AMENDMENT ACT OF 2000

Mr. DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4387) to provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by voters of the District of Columbia.

The Clerk read as follows:

H.R. 4387

*by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. WAIVER OF CONGRESSIONAL REVIEW PERIOD FOR SCHOOL GOVERNANCE CHARTER AMENDMENT ACT OF 2000.**

Notwithstanding section 303 of the District of Columbia Home Rule Act or any provision of the School Governance Charter Amendment Act of 2000, the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by a majority of the registered qualified electors of the District of Columbia voting in a referendum held to ratify such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. DAVIS) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. DAVIS).

GENERAL LEAVE

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4387, the bill under consideration.

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

There was no objection.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4387, introduced by my colleague, the gentlewoman from the District of Columbia (Ms. NORTON), waives the 35-day congressional review period on the upcoming June 27 referendum. It will allow the results of that referendum to be enacted immediately. If the referendum is successful, the District of Columbia may move forward with the creation of a hybrid school board. This waiver will allow candidates for the new school board to be on the ballot for the November 7 election. H.R. 4387 will allow the choice that District residents make on June 27 to go forward without the delay it would otherwise face due to our own shortened legislative calendar.

The mayor and the D. C. Council have come together to craft this compromise referendum that will return accountability to the D.C. school board and to the District of Columbia schools. The new school board will be comprised of five elected and four mayoral-appointed members. I believe this reasonable compromise will remove much of the politics that has characterized the D.C. school boards in the past.

Most of all, this was not crafted from Congress, this was crafted from the city itself and the city leaders working together. I think if we want to continue to have democracy to be successful in the city, we have to allow them this flexibility. So I am eager that once this referendum is passed, or whatever happens to it, that we can move ahead and enact it immediately in time for the November 7 election.

I hope that the new school board will return to its primary mission of oversight and management of the schools. It is my goal to assist the city in returning accountability to the schools. For too long the education system has not worked for the children of the Nation's capital. The mayor and the council have worked together to ensure that this situation does not continue. I commend them for their dedicated efforts to achieve reform.

I also want to thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON) for his expeditious consideration of this waiver. I urge passage of this legislation so that the District may move forward on June 27.

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

□ 1530

Ms. NORTON. Mr. Speaker, I very much appreciate the action of the chairman of the full committee in moving this bill forward. Had it not moved, there would have been a cascading effect on a referendum that is required in order to settle the matter of the school board in the District of Columbia, the central issue facing the City at this time.

The School Governance Charter Amendment Act of 2000 waives the congressionally mandated 35-day layover period for a D.C. referendum that will be considered by the voters in the special election of June 27. The referendum restructures the D.C. School Board to have five elected and four appointed members.

This local legislation is a result of an agreement between D.C. Mayor Tony Williams and the City Council. If the referendum passes, H.R. 4387 would waive the layover period so that candidates can seek signatures and run for the new board without legal challenge. This waiver is necessary because petitions for signature will be available on July 7 and the expiration of the 35-legislative-day congressional layover period may not come until early October. The waiver of the layover period will allow elections of the new school board to proceed without legal challenge on November 7.

H.R. 4387 is also noncontroversial and was unanimously passed in subcommittee and full committee. It has the full support of the mayor and the City Council of the District of Columbia. I strongly urge passage.

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

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just summarize. Again, I thank the gentlewoman for taking the lead on an issue that was very controversial at one point in terms of how we structure the school system in the District. There is no question that it has failed.

I think we need to understand that before there was an elected D.C. Council, before there was an elected mayor, there was an elected school board. This has been a long Democratic tradition in the city.

We also, though, recognize there is a need for accountability in the decisions being made at the school system. I think when we got all the entities together, this was the compromise that they have worked out. They are going to submit it to the voters. I do not think anything could be clearer or fairer than that. We just need to give it a chance to succeed.

So, again, I thank my colleague for stepping up to the plate on this. I know this has been an issue of some controversy in the city, but it is that kind of leadership that is going to turn this city around.

Mr. Speaker, I urge adoption of this measure.

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

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

Mr. Speaker, I thank the gentleman for his remarks. I want only to note that at a time when it was not clear that the mayor and the City Council would come together, the chairman stepped back and let them see if they could reach an accommodation. They did reach an accommodation that is now before the people of the District of Columbia and they will decide.

I thank the gentleman very much for his work on this bill and on so many other bills for the District of Columbia.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Virginia (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 4387.

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

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 3 o'clock and 33 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1927

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. FOSSELLA) at 7 o'clock and 27 minutes p.m.

## REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 761, ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–670) on the resolution (H. Res. 523) waiving points of order against the conference report to accompany the Senate bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4578, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–671) on the resolution (H. Res. 524) providing for consideration of the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. OBEY. Before we move into the Committee of the Whole, I thought that an understanding was being reached about the sequence of an amendment. Is that not correct?

Mr. YOUNG of Florida. If the gentleman will yield, it is our understanding based on our agreement of last week that we would take the Obey amendments as they appeared in the bill.

Mr. OBEY. The problem is that one of the Members who would offer those amendments is called away to another meeting and so we wanted to ask unanimous consent before the House went into the Committee that that amendment be taken out of order simply so that she could leave.

Mr. YOUNG of Florida. If the gentleman will yield further, is that one of the amendments that we had agreed to in the unanimous consent?

Mr. OBEY. Yes.

Mr. YOUNG of Florida. Mr. Speaker, I would find no objection to accommodating that Member. But I expect that the same agreement of the time limitation would still apply.

Mr. OBEY. Yes, absolutely.

Mr. YOUNG of Florida. I have no objection to that.

## ORDER OF CONSIDERATION OF AMENDMENT NO. 10 DURING FURTHER CONSIDERATION OF H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. OBEY. Mr. Speaker, I ask unanimous consent that it be in order to consider amendment No. 10 notwithstanding that portion of the bill may have been passed in the reading of the bill for amendment, but otherwise subject to the order of the House of June 8, 2000.

□ 1930

The SPEAKER pro tempore (Mr. FOSSELLA). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

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

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

□ 1930

IN THE COMMITTEE OF THE WHOLE

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

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Thursday, June 8, 2000, the amendment by the gentleman from Ohio (Mr. TRAFICANT) had been disposed of, and the bill had been read through page 19, line 21.

Mr. HOYER. Mr. Chairman, I move to strike the last word. I rise to enter into a colloquy with our distinguished chairman of the full committee, the gentleman from Florida (Mr. YOUNG), who is standing in for our distinguished subcommittee chairman, the gentleman from Illinois (Mr. PORTER).

Mr. Chairman, is the gentleman from Florida (Mr. YOUNG) prepared to enter into that colloquy with me?

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will yield, the answer is affirmative.

Mr. HOYER. Mr. Chairman, first, I would like to thank the gentleman from Illinois (Chairman PORTER) for his outstanding leadership of the subcommittee and because we have the unique opportunity of having the chairman of the full committee here, I also want to thank him for his leadership of the full committee.

Mr. Chairman, this is not in the colloquy, but I want to say with great assurance there is not a fairer, more thoughtful chairman of any standing committee in the Congress of the United States than the gentleman from Florida (Mr. YOUNG), who chairs the Committee on Appropriations.

It is with great affection and great respect that I rise and thank him for participating in this colloquy.

Mr. Chairman, I am concerned about the funding level for the Centers for Disease Control and Prevention of childhood immunizations. The operations and infrastructure account, which provides grants to States for outreach and education on immunization, has, Mr. Chairman, as you know, decreased from $271 million in 1995 to $139 million in 2000, almost cut in half.

While this bill increases funding for the operations and infrastructure account by $15 million this year, it is my hope that this funding would increase by an additional $60 million for a total of $75 million.

Mr. Chairman, I am also concerned about the vaccine purchase account within the Childhood Immunization Program at CDC. The President requested, as you know, an increase of $10 million this year and funding has remained level. I would like to see funding in this account increased by the $10 million President Clinton requested, plus an additional $10 million on top of that.

I would like to thank the gentleman from Florida (Mr. YOUNG) for his hard work on this bill, and I would like to thank the gentleman from Illinois (Mr. PORTER), in his absence, for his hard work on this bill.

Given the constraints of the budget resolution, the gentleman from Illinois and the gentleman from Florida have done an outstanding job of writing what has proved to be a difficult bill for Members on both sides of the budget debate.

It is my hope, Mr. Chairman, that we may work together on this account in conference.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and the gentleman from Illinois (Mr. PORTER) and I both appreciate the leadership of the gentleman from Maryland (Mr. HOYER) on this issue.

As the gentleman knows, our allocation was not nearly as high as we had hoped, and we prepared the best bill that we could while under the current budget constraints.

With that said, I agree that the operations on infrastructure portion of the

program provides the important funding for State immunization initiatives, and the gentleman from Illinois (Mr. PORTER) and I both would be very happy to work with the gentleman from Maryland (Mr. HOYER) on this issue as we move forward in the process.

Mr. HOYER. Mr. Chairman, reclaiming my time, I yield to the distinguished gentleman from Texas, (Mr. GREEN), a very good friend of mine and someone who has been tireless in working towards increased funding for immunizations.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I thank my colleague from Maryland (Mr. HOYER) for organizing this colloquy this evening.

Mr. Chairman, I am grateful for your pledge to work to increase funding for section 317, the immunization program.

The gentleman from Pennsylvania (Mr. GREENWOOD) and I have introduced the resolution calling for an increase in section 317 funds for children's immunizations, and I am pleased that thanks to the efforts of the gentleman from Florida (Chairman YOUNG) and the gentleman from Illinois (Mr. PORTER) and the gentleman from Maryland (Mr. HOYER), this year's Labor, HHS bill does include a slight increase in section 317 funding. However, much more is needed.

While immunization rates in most States are improving, we are not doing as much as we could do if one of four American children are not receiving the immunizations that he or she needs. In Houston, which I represent, and Chicago over 44 percent of the children are not getting one or more of the immunizations.

Section 317 infrastructure funds are used by the States and cities to identify needs, conduct community outreach, establish registries, open clinics, deal with disease outbreaks, and undertake educational and tracking efforts, among other things.

These infrastructure funds have been reduced rather dramatically, as my colleague, the gentleman from Maryland (Mr. HOYER), mentioned in the past 5 years from 271 million to 139 million.

The need for increased infrastructure funding is particularly important in light of the recent Journal of the American Medical Association survey that shows over 50 percent of American children are either under or overvaccinated.

The JAMA study shows that 21 percent of toddlers receive at least one extra immunization, while 31 percent missed at least one. In other words, close to 50 percent of American children are receiving too few or too many vaccinations.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 5 additional minutes.)

Mr. HOYER. Mr. Chairman, I yield to my friend, the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Again, section 317 funding increase is supported by the American Academy of Family Physicians, the American Academy of Pediatrics, the American Public Health Association, and this increase is also supported by the Association of Maternal and Child Health Programs, Every Child by Two, the Association of State and Territorial Health Officers, and the Association of County and City Health Officials.

Most important, an increase in the 317 funds, Mr. Chairman, is supported by the gentleman from Florida (Mr. YOUNG), and our subcommittee chairman, the gentleman from Illinois (Mr. PORTER), and my good friend, the gentleman from Maryland (Mr. HOYER).

Again, I want to thank the chairman for his support; and hopefully in conference committee we will get that additional funding if we can see the allocations increase.

Mr. HOYER. Mr. Chairman, reclaiming my time, I thank the gentleman from Texas (Mr. GREEN) for his comments. Mr. Chairman, I also want to thank him and congratulate him for his work on this subject.

Obviously, we have talked a lot about in the previous decade, previous century about prevention, about how health care would be much cheaper if we prevented illness as opposed to treating illness. Nothing has been so successful, I think, in that regard as has childhood immunization.

We have, in effect, eliminated some diseases that have afflicted children and human beings for centuries really; and, therefore, this investment in immunizations plays an incredible dividend. It is probably as good an investment as we can possibly make, so not only is it the right thing to do to keep children healthy and to protect them from diseases, but it is also, from a financial standpoint, a very worthwhile investment that saves us a very geometric savings for every dollar invested.

I thank the gentleman for his leadership and would be glad to yield to him for any comment he might have.

Mr. GREEN of Texas. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding. I see our colleague, the gentleman from Illinois (Mr. JACKSON) from Chicago, and knowing that both Houston and Chicago, 44 percent of our children are either getting more or less the immunizations they need.

I know in my own district in Houston, our population turns so quick, that we may do a great immunization program 2 or 3 years ago, but we have so many new children who are coming in to urban areas in our country that this money, this infrastructure money will help create a registry so we will know that a child does not overimmunize or hopefully not underimmunize, and we will get those immunizations and the registry will help the States.

I know the State of Texas is supporting this, and State health commissioners and, of course, our cities to provide that registry so we will spend a dime today and save us a dollar tomorrow.

Mr. HOYER. Mr. Chairman, reclaiming my time, I think the gentleman makes a very cogent observation. I had the opportunity to meet just within the last 30 days with the Secretary of the Department of Health in Maryland, and he made that exact point, needing such a registry. So that not only would it assist school officials and health officials, but it would preclude children from being overimmunized, as well as making sure that children who are not get that which they need. So that it has both sanguine effects from that standpoint.

I appreciate the gentleman's observations.

Does the gentleman from Texas want additional time?

Mr. GREEN of Texas. Mr. Chairman, I thank the gentleman from Maryland for his efforts on the committee, and, again, I thank the chairman of the full committee, the gentleman from Florida (Mr. YOUNG), and the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER) for the efforts and the commitment to try and have more money during conference process.

Mr. HOYER. Mr. Chairman, reclaiming my time, I had the opportunity to meet a little earlier today with representatives of PerkinElmer, a corporation which is a high-technology company based in Wellesley, Massachusetts; and we talked about neonatal screening for treatable, inherited disorders.

I mention that only in the respect that, again, we were talking about prevention and early intervention. These dollars, as the gentleman from Florida (Chairman YOUNG) and the gentleman from Illinois (Chairman PORTER) have pointed out, are dollars well spent; and the only reason, as the gentleman from Florida (Chairman YOUNG) pointed out that they have not been included in this bill at this point in time is because the budget numbers were so very tight.

I want to thank the chairman, the gentleman from Florida (Mr. YOUNG) and I want to thank the gentleman from Illinois (Mr. PORTER) as well for their willingness to work with us over the next few months to try to increase substantially the numbers dedicated to the immunization program so that we can make sure that every child in America receives the shots and immunizations that he or she needs to ensure at least to the safety that we can accord with those immunization shots.

The CHAIRMAN. The Clerk will read.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that the bill through page 31, line 14, be considered as read, printed in the RECORD, and opened to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill from page 20, line 1 through page 31, line 14 is as follows:

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and section 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, and the Native Hawaiian Health Care Act of 1988, as amended, $4,684,232,000, of which $25,000,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: *Provided,* That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals: *Provided further,* That of the funds made available under this heading, $250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further,* That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further,* That for the collection of fees authorized by section 1128E(d)(2) of the Health Insurance Portability and Accountability Act of 1996 for the full disclosure of information under the Act sufficient to recover the full costs of operating the Healthcare Integrity and Protection Data Bank, and shall remain available until expended to carry out that Act: *Provided further,* That no more than $5,000,000 is available for carrying out the provisions of Public Law 104–73: *Provided further,* That of the funds made available under this heading, $238,932,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further,* That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further,* That $554,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: *Provided further,* That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $109,148,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act.

For special projects of regional and national significance under section 501(a)(2) of the Social Security Act, $30,000,000, which shall become available on October 1, 2001, and shall remain available until September 30, 2002: *Provided,* That such amount shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act: *Provided further,* That such amount shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grants: *Provided further,* That grants shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: *Provided further,* That the funds expended for such evaluations may not exceed 3.5 percent of such amount.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,679,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided,* That for necessary administrative expenses, not to exceed $2,992,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $3,290,369,000, of which $145,000,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided,* That in addition to amounts provided herein, up to $71,690,000 shall be available from amounts available under section 241 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: *Provided further,* That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: *Provided further,* That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: *Provided further,* That the Congress is to be notified promptly of any such transfer: *Provided further,* That notwithstanding any other provision of law, a single contract or related contracts for the development and construction of laboratory building 18 may be employed which collectively include the full scope of the project: *Provided further,* That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18: *Provided further,* That not to exceed $10,000,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 10 States.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $3,793,587,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,321,320,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $309,007,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,315,530,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,185,767,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $2,062,126,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,548,313,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $984,300,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $514,673,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $506,730,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $790,299,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $400,025,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $301,787,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $102,312,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $349,216,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $788,201,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,114,638,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $386,410,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $832,027,000: *Provided,* That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: *Provided further,* That $75,000,000 shall be for extramural facilities construction grants.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $50,299,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $256,281,000, of which $4,000,000 shall be available until expended for improvement of information systems: *Provided,* That in fiscal year 2001, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $78,880,000.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $342,307,000, of which $48,271,000 shall be for the Office of AIDS Research: *Provided,* That funding shall be available for the purchase of not to exceed 20 passenger motor vehicles for replacement only: *Provided further,* That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: *Provided further,* That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: *Provided further,* That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: *Provided further,* That all funds credited to the National Institutes of Health Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further,* That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act: *Provided further,* That, notwithstanding section 499(k)(10) of the Public Health Service Act, funds from the Foundation for the National Institutes of Health may be transferred to the National Institutes of Health.

BUILDINGS AND FACILITIES

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $178,700,000, to remain available until expended, of which $47,300,000 shall be for the National Neuroscience Research Center: *Provided,* That notwithstanding any other provision of law, a single contract or related contracts for the development and construction of the first phase of the National Neuroscience Research Center may be employed which collectively include the full scope of the project: *Provided further,* That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18.

AMENDMENT NO. 11 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer Amendment No. 11.

The CHAIRMAN. Is the gentlewoman from California (Ms. PELOSI) the designee of the gentleman from Wisconsin (Mr. OBEY)?

Ms. PELOSI. Yes, Mr. Chairman.

Mr. OBEY. Mr. Chairman, the gentlewoman most certainly is.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Points of order are reserved under the order of June 8. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Ms. PELOSI:

Page 31, after line 23, insert the following:

In addition, $600,000,000 for such purposes: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent that 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, is transmitted by the President to the Congress.

The CHAIRMAN. Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from California, (Ms. PELOSI) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

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

Mr. Chairman, I thank the distinguished ranking member, the gentleman from Wisconsin (Mr. OBEY), for allowing me to be the designee on this amendment.

Mr. Chairman, I would like to speak to this amendment, which would increase funding $600 million to reduce the demand for drugs here in America. Specifically, it would fund State and local drug treatment and prevention activities.

It recognizes that if America's drug controlled policy is to succeed, our policy must not focus only on supply reduction. We must balance our policy by including domestic efforts by including demand reduction services. We must address America's enormous drug treatment and prevention needs.

More than 5.7 million Americans are in severe need of substance abuse treatment, and 3.6 million lack needed treatment; 5.7, 3.6, just over 2 million Americans are receiving the substance abuse treatment, have access to treatment. And I am not even saying they have all that they need, but 3.6 have none.

Just 2 months ago, I offered a drug treatment amendment during the supplemental appropriations bill consideration. I tried to offer my amendment on the House floor for a straight up and down vote. At the time the chairman of the committee said this amendment should go through the regular process and not be dealt with on the supplemental.

It was said to wait for the appropriation subcommittee and the committee markups. They offered to work with me at the time through the appropriate process to fund domestic demand reduction strategies; however, this is the regular process. We had no success at the subcommittee/full committee and now is the time, the amendment is before this committee. I look for your support.

□ 1945

Please know that treatment and prevention are more effective than any other drug control options. A Rand Corporation study sponsored by the United States Army and the Office of Drug Control Policy determined that to reduce cocaine consumption, funds invested in drug treatment, drug treatment, were 23 times more effective than source country control. In addition, this is 11 times more effective, drug treatment and prevention, is 11 times more effective than interdiction at the border, and 7 times more effective than even law enforcement.

Certainly we want to reduce the supply and we want to interdict at the border and we must have a balance between treatment and incarceration, but this Rand Commission study says that treatment is 23 times more effective. In other words, if you wanted to reduce demand in the U.S. by 1 percent, you could spend $24 million by having treatment on demand in the U.S., or you could spend over $700 million in the source country in order to reduce demand by 1 percent in the U.S.

My amendment increases funding $600 million for the substance abuse block grant and community treatment services, it invests $400 million for the block grants and $200 million for local treatment services via competitive grants. It provides treatment for an additional 150,000 addicted individuals and proven prevention services to an estimated 690,000 youths. It expands existing service infrastructure.

This investment leverages additional local and State funds, it strengthens State and local coordination and helps integrate service delivery. The amendment focuses on youth, while allowing

communities to invest these funds according to local priorities. It helps our youth avoid a life of drugs and helps current drug users to turn their lives around. We must reduce domestic drug use and increase funding for drug treatment and prevention.

In September of 1999, America's drug czar, General McCaffrey, wrote an op-ed stating, ''It is a sad time when the number of incarcerated Americans exceeds the active duty strength of the Armed Forces. A Rand Corporation study,'' the one I referenced, and this is the McCaffrey quote, ''found that increasing drug treatment was the single-most cost-effective way to reduce domestic drug consumption.''

We know treatment and prevention are more effective than any other options. How cost effective is this? Each $1 invested in drug abuse prevention saves $15 in reduced health, justice and other societal costs. Each $1 invested in drug prevention will save communities $4 to $5 in costs for drug abuse counseling and treatment. The National Treatment Improvement Evaluation Study evaluated SAMSHA's substantive abuse treatment services and found significant and lasting benefits, including 50 percent decrease in drug and alcohol use 1 year after completing treatment, 43 percent decrease in homelessness, and 19 percent increase in employment.

Mr. Chairman, I contend this is a dollar well spent, and certainly an investment we should make. It is a small step. We still will have millions of people in our country not receiving the substance abuse treatment that they need, but it is a step in the right direction, and, as we consider giving all kinds of military assistance to Colombia in order to reduce drug consumption in the U.S., we must consider that $1 is worth $23 spent that way, $1 spent on treatment in the United States. So I urge my colleagues to support this amendment.

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

The CHAIRMAN. Before the Chair recognizes the gentleman from Florida (Chairman Young), the Clerk will read the subsequent paragraph which is being amended.

The Clerk read as follows:

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $2,727,626,000.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida is recognized for 15 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would point out to our colleagues that this amendment was offered in the full committee and it was debated at great length followed by a recorded vote. The amendment was not agreed to. It was not so much that we did not agree with what the gentlewoman would like to accomplish, but we did not have the money. The budget approved by this House and by the other body put a severe restriction on the funds available. If the gentlewoman would have offered some way to pay for this or offered an offset somewhere else in the bill, we might be more friendly toward the amendment, but, unfortunately, that is not the case.

I would like to point out also for the benefit of our colleagues, this bill provides the President's budget request for the Substance Abuse Block Grant, $31 million more than last year's level. I know it is not as much as the gentlewoman would like. It is not as much as I would like, but it was the best we could do, given the allocation that we had.

Mr. Chairman, I must oppose the amendment.

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

Ms. PELOSI. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations, to speak to this amendment, and would say to our distinguished chairman that if we did not have to have a very expensive tax cut, we would have enough money to meet the treatment needs in our country to reduce demand for drugs.

Mr. OBEY. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I think it is important to refresh our memories as to what is going on here. What is happening is that we are offering a series of amendments, but under the rule under which this bill is being debated we will not be able to get votes on those amendments. The reason we will not is because the majority party, in order to squeeze out enough room in the budget for their huge tax packages, they have scaled back substantially on virtually every domestic appropriation bill that we will bring to this floor. That is why this bill is $3 billion below the President on education, almost $2 billion below on worker protection and job training, and over $1 billion below on health care.

Mr. Chairman, what we are trying to do with this and other amendments is to illustrate that we think there ought to be a different set of priorities than those which are guiding the majority party. Last week the majority party passed a tax bill which, over the next 10 years, will give over $200 billion in tax relief to the richest 400 Americans in this society. I have nothing against those folks, but it seems to me that it is a much higher priority for this country to meet its education obligations, its health care obligations and its job training obligations.

What the Pelosi amendment is trying to illustrate is that this Congress and the administration are apparently both supporting an expensive new proposition to fight a drug war in South America, but that this Congress is refusing to add funding to the budget to deal with drug treatment here at home. When we have only 37 percent of the Americans who are presently in need of drug treatment able to get treatment because of insufficient drug treatment slots, it seems to me that we have a terrible imbalance in our Congressional priorities.

So I recognize this amendment is not going anywhere, because we cannot even get a vote on it under the rule, but I think this is just another example of the price we pay in terms of increased crime, in terms of increased drug addiction, because this Congress is hell-bent on providing some huge tax cuts for the wealthiest people in this society, while it is ignoring our needs to deal with the concrete problems that affect and afflict virtually every community in the country.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that the balance of my time be managed by the distinguished gentleman from Illinois (Mr. PORTER), the chairman of the Subcommittee on Labor, Health and Human Services and Education of the Committee on Appropriations.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

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

Mr. Chairman, I apologize to the Members for being late, but my plane was delayed. As I came over here and passed one of the television screens, I heard the gentlewoman from California saying that she could not offer this, she was told, in full committee markup, but that she could offer it here on the floor because this was regular order. But I suggest to the gentlewoman that if you do not offer an offset, it is not regular order. It is not fiscally responsible.

I just heard the gentleman from Wisconsin saying that we refused to add money. We funded this account, which is a very important account, at exactly the level the President of the United States requested. So I would ask the gentlewoman, she is adding $600 million. Where did that figure come from?

Ms. PELOSI. Mr. Chairman will the gentleman yield?

Mr. PORTER. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, the $600 million relates to what we think we could hopefully get passed here. If I just may say, with the gentleman's yielding, just to clarify what is here on the floor, when I offered this amendment at the time of the emergency supplemental, when no offset would have been required, it was rejected by the majority in the full committee saying that we should go through the regular

order, even though drug use in America is an emergency, and that is why we were having an emergency supplemental to send military assistance to Colombia. It was declared an emergency.

So then when they said go the regular order, we go to full committee and were defeated, and are now bringing it to the floor to point out the imbalance in our values, where we will give a tax cut instead of giving drug treatment to reduce drug consumption in America. So the $600 million relates to that.

Mr. PORTER. Mr. Chairman, reclaiming my time, the gentlewoman knows very well we are not in the process here of moving money from tax cuts to spending. That is not the regular order. The order here is that if you have an amendment to offer, you have to find an offset, because we live within limits.

Mr. Chairman, I very much agree with the gentlewoman that the President of the United States was wrong in allocating $1.6 billion to drug interdiction and crop eradication in Colombia. That money would have been better spent on treatment programs or prevention programs here at home.

The difficulty is that the gentlewoman is never willing to take the money from a lower priority and allocate it to a higher priority. It seems to me that the great flaw in the argument coming from the other side, on all of these amendments, is that you simply want to add money, without the responsibility for the bottom line of living within some standard. The standard is not what we need. We need a lot more in a lot of programs. The standard is that we have to live within a budget, and that is what we have to do. So we have to make the tough decisions over here, and over on that side you simply say, ''Let's add money to this, let's add money to that, let's add money to other program.'' There is a need; of course there is a need. But somebody has to be responsible that we do not go off the graph in spending.

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

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

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me simply say we tried to provide this funding on the same footing that the funding was provided for the drug war in South America. We were told by the majority party at that time, come back and deal with it on the regular bill. The gentleman from Florida (Mr. YOUNG) said that, the gentleman from Alabama (Mr. CALLAHAN) said that, the gentleman from Illinois (Mr. PORTER) said that, and several others.

Mr. PORTER. Mr. Chairman, reclaiming my time, if I may say to the gentleman, the gentleman did not do that. The gentleman had the opportunity, but he did not.

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, we did try to do it. We have tried on numerous occasions to cut back the amount of money that you are providing for your tax cuts, including the budget resolution we brought to the floor. All you would have to do to be able to fund this and every other amendment is to cut back your tax cuts by 20 percent.

Now, the rules of this House prevented us from getting a vote on that proposition, but that does not mean that we do not have an obligation and conscience to bring it up to demonstrate what we believe to be the skewed priorities of the majority.

Mr. PORTER. Mr. Chairman, reclaiming my time, the gentleman made that point over and over again, and I might agree with the point, but this is not the regular order. Regular order is to be responsible and to cut something if you want to increase something.

Ms. PELOSI. Mr. Chairman, if the gentleman will yield further, in fairness to the gentleman, since he is being so generous with his time, I want to use the first phase of my time from him to praise him for his leadership as chair of our subcommittee.

Mr. PORTER. Mr. Chairman, I thank the gentlewoman. Maybe that is all the time I will yield.

Ms. PELOSI. No, I was going to say so much more about the gentleman, but I have another amendment, so I will spend some time then, because we have been very pleased by his leadership on the committee.

So great a leader is the gentleman that he was very clever in this bill, Mr. Chairman, and I think it would be instructive to the Members of this House to know that in this bill there is money allocated for different programs, that the entire amount is designated to be emergency requirements pursuant to Section 251(b).

□ 2000

That says that one must adjust the caps if the President includes designation of the term as an emergency request.

Mr. PORTER. Let me reclaim my time.

Ms. PELOSI. This is an emergency request.

Mr. PORTER. Mr. Chairman, I want to reclaim my time and reserve it.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) controls the time. He must yield time.

Mr. PORTER. The gentlewoman can get the time from the gentleman from Wisconsin (Mr. OBEY). I have other speakers on my side. In fact, the gentlewoman better yield some time to us now.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. JACKSON), a very valued member of the Subcommittee on Labor, Health and Human Services, and Education.

Mr. JACKSON of Illinois. Mr. Chairman, this $600 million amendment adds $400 million to States through the substance abuse block grant program. It adds $200 million to local communities through competitive grants for critical substance abuse treatment services in collaboration with the States. That is what this amendment is about. It is very, very clear that these resources are necessary.

Now, what is also a bit confusing is that during the emergency supplemental markup the President of the United States requested of that committee $1.6 billion for the Colombian aid package. We sought during that hearing to add a comparable amount of money, not just on the supply side of the narcotics problem, but also on the demand side, because we know that to reduce cocaine consumption, funds invested in drug treatment were 23 times more likely and more effective than source country control, that they were 11 times more effective than interdiction and 7 times more effective than law enforcement in reducing cocaine consumption. So we sought to match that on this side.

Now during the course of that discussion, the majority added money for agricultural products, $4 billion, several billion in increased defense spending above the $300 billion appropriation, more than the Defense Department was even asking for, and the emergency supplemental for $1 billion on crop eradication in Colombia became a $14 billion bill in emergency supplemental that I believe is still stuck in the Senate.

Mr. Chairman, all we have sought to do under regular order, which the chairman of the full committee asked us to do, was to offer an amendment on the demand side of the problem in our own country. That amendment was flatly rejected by the full committee; and we are here today, Mr. Chairman, raising similar concerns to show the American people, but also to show the full committee, Mr. Chairman, that there are Members of Congress who want to do something not only on the supply side but also on the demand side.

I congratulate the gentlewoman for offering her amendment.

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the subcommittee.

Mr. CUNNINGHAM. Mr. Chairman, we went through this drill in the subcommittee, the same 10 amendments, the same increase in every single one of them, just to show that Republicans want to cut.

We have increased, including Head Start, education $2 billion, increased over last year.

Let me give a good idea. One of these amendments increases special education. When the Democrats had control of this House, they promised to increase special education up to 40 percent of the funding. The maximum they ever funded was 6 percent. Republicans, in 5 years, have doubled that spending for special education. This bill increases special education funding

$500 million; but yet we will see an amendment come forward to spend another billion dollars without any offsets, just to say that Republicans are cutting special education. That is the logic that they use.

Why? Every single one of these bills is brought forward just for the election coming up in November, to show how those mean Republicans want to cut education and cut the other socialized programs.

Well, there is a party with fiscal responsibility. There is a party also that wants to tax and spend and spend and spend, just like they did when they were in the majority.

Let us take a look at it. Look at education. It was a disaster when they left office. Education construction was destroyed. The infrastructure is terrible. We are last in math and science, because they put more money into it, just kept pouring more money, more money, more money, without any quality or responsibility into it.

We have changed that. Look over the 5 years, test scores are starting to go up but at the same time those that are entering colleges are still having to take remedial education. That is wrong. We need to do more in education. I agree with my colleagues on that. We have increased it $2 billion.

Now, how did they plan on paying for this? We will hear tax breaks for the rich, tax breaks for the rich. Well, I want to say, any tax relief limits the amount that they spend on these social programs. It will only be for the rich. We will never find them supporting tax relief. Every single bill. The same liberals fought against the balanced budget because it limited their amount of spending. They fought against welfare reform because it limited their amount of spending. They fought against the Social Security lock box because when they were in the majority for 30 years they took every dime out of the Social Security trust fund and put it up here for new spending, and then they increased taxes every year so that they could pass more for increased bureaucracy.

Now every one of these amendments we are going to see they want more, they want more, they want more. Every single appropriations bill, except for defense, they will increase. They will cut defense also to pay for more socialized spending.

Excuse me. I know I am not supposed to have this on the floor, but God says he does not want this amendment. I am sorry.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind the Member from California that personal electronic devices may not be used on the floor of the House and should be disabled when they are brought into the Chamber.

Mr. CUNNINGHAM. In 1993, they had the highest tax possible. They stole every dime out of the Social Security trust fund, even the gas tax. Does one think they put it in a transportation fund? Absolutely not. They put it in the general fund so they could spend more money. There was no hope of a balanced budget. Debts were destined to go up. The budget went beyond $200 billion every single year, but yet we will see the exercise here tonight from my colleagues on the other side to spend more money. Reject the amendments.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS), a champion fighting against substance abuse in our country.

Ms. WATERS. Mr. Chairman, I rise in support of the Pelosi amendment to increase drug treatment funding by $600 million. This Nation has a problem with drug addiction, and we cannot continue to incarcerate our way out of this health crisis. With less than 5 percent of the world's population, the United States has one quarter of the world's prisoners. The rapid expansion of the U.S. prison industrial complex has been fueled by the so-called war on drugs. While all of our communities are suffering, inner city, rural, black, white, Asian, Native American, name it, we have a problem.

I am stunned and outraged by a report that was released last week by the Human Rights Watch which said that African American men are imprisoned for drug crimes at 13 times the rate of white men even though black and white rates of drug use are similar, with overall far more white than black users.

This is an American problem. In our Federal system, 60 percent of the prisoners are drug law violators with no violent criminal history. According to the latest Bureau of Justice statistics, 55 percent of convicted jail inmates are using drugs in the month before the offense. Let us stop politicizing this. Let us do something about it. Support the Pelosi amendment.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the very distinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I agree with the gentlewoman from California (Ms. PELOSI). We must focus our health and drug control policy on drug use prevention and drug treatment. The fact is that millions and millions of Americans are in severe need of substance abuse treatment. We can start now. We can focus not only on supply reduction but also on demand reduction. To do this, we must focus on prevention and treatment. The funding provided by the Pelosi amendment will help our youth avoid a life of drugs, and it will help those that are currently drug users turn their lives around.

This investment will leverage additional local and State funds for important health services and will strengthen State and local coordination. This crucial amendment focuses on youth while allowing communities to act according to their own local policies. For each dollar invested in drug use prevention, we will save those communities 4 or 5 dollars. That is the offset we should account for.

Effective prevention programs engage youth interactively. I urge all my colleagues to support the Pelosi amendment.

Mr. PORTER. Mr. Chairman, I yield 3½ minutes to the gentleman from Oklahoma (Mr. ISTOOK), a member of the committee.

Mr. ISTOOK. Mr. Chairman, I thank the gentleman from Illinois (Mr. PORTER) for allowing me to speak on this amendment.

Mr. Chairman, the gentlewoman from California (Ms. PELOSI), in offering this amendment, correctly states that drugs are a huge problem in the United States. They destroy lives. They destroy lives of people who voluntarily get involved with drugs. I would hope that we would put some emphasis on self-responsibility into any debate such as this.

I know that the gentlewoman is wanting to give assistance through drug treatment programs to help people that have gotten themselves caught in drugs to get out of it. That is good, but it is not as though we are not doing anything. Among the multiple billions and billions of dollars of tax money that is spent to combat drugs, on top of the private plans and the private money that goes to combat them, but one part of the tax money that we already have is $2.7 billion for the very program to which the gentlewoman wants to add another $600 million. Yet to hear some people talk, one would think that we are not doing anything and that somehow the people who are not using drugs are responsible for those who are using drugs.

Now, we want to help them. We want to help them get out of that cycle, but it is not done by trying to say it is penny-pinching Republicans that somehow are at fault. No. It is the people who use drugs that are at fault, and we are trying to help them. We are trying to help society. We have a $2.7 billion substance abuse treatment program already. So let us not pretend that nothing is being done. For goodness' sakes, let us have some priorities. We have an overall budget of the amount to spend because one of the other things that has drained so much from this country is when we have had these massive Federal deficits that obscenely push debt on to our kids and our grandkids and destroy their futures, just as drugs destroy them. One of the drugs is addiction to Federal spending.

When we have had deficits of hundreds of billions of dollars each year, it is because people offer amendments that say let us just spend another $600 million; I do not know where it will come from, but let us just spend it.

They say, well, our proposal is do not lower anyone's taxes. We had a vote on lowering taxes in this House last week. It received bipartisan support; two-thirds of the House, on the estate tax,

on the death tax. That is one of many tax proposals. I know some people say look, do not give relief to people that have been supporting the highest level of taxes since World War II. We have an addiction here in Washington that many people have to spending and just spend and spend and spend.

□ 2015

That is every bit as damaging to this country as the addiction of people that are on drugs. We have got to break both of those habits. So we are funding substance abuse programs. We are funding huge amounts of it. But let us also make sure that we set an example and not have Washington politicians that are addicted to spending and say, to stop one addiction, we will feed another. That is not going to work.

This amendment, if the gentlewoman from California (Ms. PELOSI) wants to offer a cut someplace else to offset that spending, that might be in order. I cannot support the adoption of this amendment. I urge a no vote.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a Congresswoman who has worked very hard to fight substance abuse in our country.

Ms. SCHAKOWSKY. Mr. Chairman, of course, we have to be careful how we spend money, but it is not just how much, it is how wisely we spend the money. We might as well put our money on programs that we know work. We know that treatment and prevention are more cost effective than other options. Each dollar invested in drug abuse prevention saves $15 in reduced health and social and criminal justice and other societal costs. Each dollar invested in drug abuse prevention will save communities $4 to $5 for drug abuse, counseling, and treatment.

Recent studies show that substance abuse treatment services have lasting and significant benefits; 50 percent decrease in drug and alcohol use 1 year after completing treatment; 43 percent decrease in homelessness; 19 percent increase in employment.

We can win a war on drugs. We know how to spend money. It is not with helicopters in Colombia, but it is with the Pelosi amendment.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) has 1½ minutes remaining. The gentleman from Illinois (Mr. PORTER) has 30 seconds remaining.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from Ohio (Mrs. JONES), who is a former prosecutor, member of the freshman class, who knows of what she speaks on this substance abuse challenge in our country.

Mrs. JONES of Ohio. Mr. Chairman, I thank the gentlewoman from California for yielding me this time. It is important that we invest money in treatment. Having served as a judge for 10 years and a prosecutor for 8 years, I have seen how treatment works.

We spend a lot of money building jails to keep people in jail and spend no money for treatment. People go to jail with an addiction. They come out of jail with an addiction. It is important that we as a country recognize the need for treatment, the demand for treatment, and put money in treatment. That is where it works. We know it works. We spend money building jails. Let us spend some money on treatment.

Ms. PELOSI. Mr. Chairman, I yield myself 1 minute to close.

Mr. Chairman, my colleagues have very eloquently pointed out what a good investment that treatment on demand and prevention are to our people in need of substance abuse treatment in our country. They have also pointed out that it is a wise investment, that it saves money, that it is 23 times more effective than a source country control that we are proposing that is being proposed in the supplemental bill.

But I want to make another point, Mr. Chairman; and that is that this Committee of the Whole could make this $600 million investment and save us a great deal of money in the short and long run.

We could follow the lead of the gentleman from Illinois (Mr. PORTER), our distinguished chairman. In this bill, he has reported out of the committee $500 million worth of spending that has been designated emergency, that has not required any offset as long as there is a request of an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act.

So this is not going afield. It is following the example. If the Republicans could find this emergency standing for their priorities, why cannot we do it for people who need help in our country on the substance abuse side?

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

Mr. Chairman, we can agree about the importance of drug treatment and drug prevention; and for that reason, we funded this account at the exact amount that the President asked us in his budget to fund it.

Someone said a minute ago, we are spending no money on drug treatment. We are spending $1.631 billion on drug treatment. It is a lot of money. I would readily admit there is more need there, but we are funding at the level the President requested. We are acting within our responsibility. That is our job. That is what we are doing.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member desire to be heard on the point of order?

Ms. PELOSI. Mr. Chairman, regretfully, the gentleman from Illinois (Mr. PORTER) is correct on his point of order. The Republican majority has not allowed us to bring this bill, this amendment, to the floor in the same fashion that other priorities that the gentleman put in the bill coming out of full committee received protection under emergency standing.

This $600 million for treatment in demand is at least as important as the priorities that received that emergency status coming out of the full committee. So the idea that this should not apply, we should not be able to bring this here because we do not have an offset we just want to be treated like the Republican priorities. By that, I do not mean the Republican priority of giving a tax cut to the wealthiest 1 percent of our people, giving a $200 billion tax cut to 400 Americans, to 400 Americans when we have 3.5 million people in our country who need substance abuse.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) will confine her remarks to the point of order.

Ms. PELOSI. Further to the point of order, there is a lot of money in the supplemental bill, if that ever sees the light of day, for treating the drug abuse problem in our country by sending military assistance to Colombia. We think this is a better way.

So I wish that it were in order. But I have to concede that the gentleman from Illinois (Mr. PORTER) is correct. The Republicans protect the tax cut, they protect their own spending priorities, but they do not protect that.

Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me, first of all, acknowledge the gentleman from Wisconsin (Mr. OBEY), the ranking member, for his kindness and hard work on this issue along with the gentleman from Illinois (Mr. PORTER), chairman of the committee.

The gentleman from Illinois (Mr. PORTER) knows that I testified in front of the subcommittee on the issue of mental health services for children. So I had intended during this process, this appropriations process, to offer an amendment to do more than what the administration has done. Frankly, I do not think it is enough.

The administration asked for $86 million, and I know that the bill has funded children's mental health services at $86 million, but let me explain why I have come to suggest that we need to do more. We will look forward to working with the gentlewoman from California (Ms. PELOSI), who is ably a member of the Subcommittee on Labor,

Health and Human Services, and Education, and the gentleman from Wisconsin (Mr. OBEY), who has done a phenomenal job as it relates to mental health across the board on expressing the consternation about dealing with mental health, period, in this Nation.

First all, we have the question of parity and stigma. So I want to raise the issue of what is happening to our children. I fully believe that Columbine and Jonesboro, the 6-year-old little boy that shot his 6-year-old classmate, the 13-year-old boy that shot his teacher, the little boy in Pontiac, Michigan, who shot someone at age 11, and the tragedy that has happened in my own 18th Congressional District where, just yesterday, on Sunday, a 14-year-old girl shot and killed a 16-year-old boy tends to, not only the issue of guns, but it deals with the holistic approach to children.

We need better mental health services for our children. My amendment was to add $10 million more to mental health services for children. It is because of articles like this on the front cover of Ebony, ''Out of the Closet, the Mental Health Crisis in Black America.'' It comes to the hearing that was held in my district with Senator PAUL WELLSTONE, ''Panel told of mental health ills,'' when over 30 witnesses talked about the crisis that they feel in their own families, with their own children, or setting the National Congress for Hispanic Mental Health, and the Hispanic community is crying out for more resources, or the Mental Health Awareness Campaign that shows that we need to do something about people in crisis.

Today more than 13.7 million children suffer from mental health problems. The National Mental Health Association reports that people who commit suicide have a mental or emotional disorder. The most common is depression.

Although one in five children in adolescence has a diagnosable mental, emotional, or behavioral problem that could lead to school failure, substance abuse, violence or suicide, 75 to 80 percent of these children do not receive any services in the form of specialty treatment or some form of mental health intervention.

That is why we must increase the funding for comprehensive children's mental health services to reach the 75 to 80 percent of children suffering from mental illness.

Both the National Mental Health Association and the Federation of Families for Children Mental Health Services support increased funding for children's mental health and agree that we need to focus this Nation's attention and intervention measures so that we can prevent tragedies like Columbine, Paducah, Littleton, and Jonesboro.

I, too, believe that there can be relief for those who need some form of tax relief. But I do believe that we are, if you will, harvesting dollars for big tax cuts, rather than looking at the basic quality-of-life needs of our children.

The grant programs funded under the Comprehensive Community Mental Health Services programs are critical to ensure that children with mental health problems and their families have access to a full array of quality and appropriate care in their communities. They simply do not have it.

Some of the testimony that came was the frustration of parents that said I do not know where to go. I cannot leave out of my apartment or my rental house and go down the street to a community health clinic and get the kind of mental health services that I need. That stifles the opportunity to heal and to cure these children who need us to listen and need us to protect them and need us to heal them. To date, there have not been sufficient funds to award grants to communities in all of the States.

The story of Kip Kinkle, the 15-year-old student who shot his parents and went to school to kill several others, is tragic, yet illuminating. For 3 years before this horrendous event, Kip suffered from psychosis and he heard voices. Yet, no one did anything to address this situation. No teacher sent him to the nurse, and no one asked his parents to take him to a doctor to find out what was wrong.

When they did, what they talked about was that he was using profanity in class. He was, but he was responding to the voices in his head.

Kip Kinkle needed help. He needed help in his school. He needed help at home. This is not to blame the parents. It is to provide the kind of resources that are necessary.

I have worked diligently to bring attention to this most devastating problem.

As I indicated, I want to applaud the leadership of the gentleman from Wisconsin (Mr. OBEY) for his forward-thinking leadership in years past. Mr. Chairman, I would simply say that, again, I am gaveled down on a important issue; but I am gratified to have the opportunity to make the case.

Mr. Chairman, I rise today to offer this Amendment to increase the funding for the Substance Abuse and Mental Health Services Administration by $10 million dollars by decreasing the funding for the Chronic and Environmental Disease Prevention under the CDC.

For technical reasons, I realize that this Amendment does not specifically earmark the funds for comprehensive children's mental health services, but that is the intent of the Amendment. Children's Mental Health needs to be a national priority in this country today.

Currently, we spend 10 times the amount on research into childhood cancer, than on children's mental health, yet one of five children is affected by some sort of mental illness.

Today, more than 13.7 million children suffer from mental health problems. The National Mental Health Association reports that most people who commit suicide have a mental or emotional disorder. The most common is depression.

Although one in five children and adolescents has a diagnosable mental, emotional, or behavioral problem that can lead to school failure, substance abuse, violence or suicide, 75 to 80 percent of these children do not receive any services in the form of specialty treatment or some form of mental health intervention.

This is why we must increase the funding for comprehensive children's mental health services to reach this 75 to 80 percent of children suffering from mental illness.

Both the National Mental Health Association and the Federation of Families for Children's Mental Health Services support increased funding for children's mental health and agree that we need to focus this nation's attention on intervention measures so that we can prevent tragedies like Columbine, Paducah, Littleton and Jonesboro.

The grant programs funded under the comprehensive community mental health services program are critical to insure that children with mental health problems and their families have access to a full array of quality and appropriate care in their communities. To date, there have not been sufficient funds to award grants to communities in all the states.

The story of Kip Kinkle, the fifteen year-old student who shot his parents and went to school to kill several other students is tragic, yet illuminating.

For three years before this horrendous event, Kip suffered from psychosis and heard voices, yet no one did anything to address this situation. No teacher sent him to the nurse and no one asked his parents to take him to a doctor to find out what was wrong.

I have worked diligently to bring attention to this most devastating problem in our society by holding not one, but two hearings on children's mental health. The first was through the Congressional Children's Caucus and the second, in my district in Houston along with Senator PAUL WELLSTONE.

At the joint hearing in Houston we had over 30 witnesses to speak on the need to increased diagnostic services for children's mental health. Additionally, we discussed the link between suicide and mental health disorders.

According to the 1999 Report of the U.S. Surgeon General, for young people 15–24 years old, suicide is the third leading cause of death behind intentional injury and homicide.

Persons under the age of 25 accounted for 15 percent of all suicides in 1997. Between 1980 and 1997, suicide rates for those 15–19 years old increased 11 percent and for those between the ages of 10–14, the suicide rates increased 99 percent since 1980.

Within every 1 hour and 57 minutes, a person under the age of 25 completes suicide. The fact that 8 out of 10 suicidal persons give some sign of their intentions also begs the question, why do we not make children's mental health a national priority.

We know that more teenagers died from suicide than from cancer, heart disease, AIDS, birth defects, strokes, influenza and chronic lung disease combined.

Because childhood depression is so very prevalent, we must recognize the dire need for increased services to treat our youth. Almost 12 young people between between the ages of 15–24 die everyday by suicide.

Nationwide, 20.5 percent of high school students have stated on self-report surveys that they have seriously considered attempting suicide during the preceding 12 months. These are just some of the alarming statistics related to children's mental health.

Last week's killing of a Florida teacher by a 13-year-old honor student is just a most recent attempt in a series of increasingly violent attacks perpetrated by adolescents in the past few years. Columbine, Littleton, and Paducah are just a few indicators that the possible lack of access to mental health services has resulted in an increase of children becoming involved in criminal activity and becoming involved in the juvenile justice or child protective systems.

Our children need to be listened to . . . they need to be heard. Children are complex human beings. Although they are young, they send us signals when they are troubled; the real tragedy occurs when adults do not listen to those signals or provide them with the help that they need. Effective mental health resources in our communities and schools can help in many instances prevent these acts of violence and suicide among our youth.

I urge my colleagues to support this amendment that provides the additional funding necessary to address mental illness so that our children will not continue to suffer needlessly because of a lack of mental health resources.

Mr. Chairman, I include for the RECORD the Houston Chronicle article entitled ''Panel Told of Mental Health Ills,'' as follows:

PANEL TOLD OF MENTAL HEALTH ILLS

SUICIDE ATTEMPTS BY CHILDREN CITED

(By Janette Rodrigues)

Alma Cobb trembled with nervous tension Thursday as she told a roomful of strangers the ways her 14-year-old son, David, has tried to commit suicide since his first attempt at age 5.

But her voice was surprisingly firm.

''He tried to hang himself, stab himself and electrocute himself,'' Cobb testified during a hearing Thursday on children's mental health needs called by U.S. Rep. Sheila Jackson Lee, D-Houston.

A transcript of the hearing will go into the congressional record. Jackson Lee and Sen. Paul Wellstone, D-Minn., who also attended the hearing, hope to use the transcript in getting Congress to pass legislation improving children's mental health services.

Studies estimate that 13.7 million American school children suffer from mental health, emotional or behavioral problems. In the Houston area alone, more than 178,000 will need mental health care during their school years.

Suicide and entry into the juvenile criminal justice system are by-products, advocates say, of a society that shuns the issue and hasn't exerted the political will to address preventable problems.

Cobb's story and that of other such parents, services providers and mental health professionals was compelling, and sometimes moving.

But what Cobb has experienced is startling.

Her daughter, Clara, 14, also suffers from emotional and behavioral disorders. She first tried to kill herself at age 7. She and her brother have been absent from school because of their diagnosed mental illness and numerous hospitalizations related to suicide attempts.

Despite documentation of that fact, Cobb said later, the district where her children attend school considered her children truants, not sick, and fined her more than $3,000 and took her to court.

''Sometimes, my children can't attend school because of their mental illness and suicide attempts, but schools don't understand it,'' Cobb said, ''They just understand their regulations.''

Regina Hicks, deputy director of child and adolescent services for the Harris County Mental Health/Mental Retardation Authority, is familiar with the Cobb family's story. The children receive services through the agency.

Hicks said their struggle with the school district is unusual but, unfortunately, not unheard of in cases involving children.

Studies show that at least one in five children and teens in America has a mental illness that may lead to school failure, substance abuse, violence or suicide.

Most such schoolchildren don't receive adequate help because of the stigma attached to their condition, the lack of early intervention and scarce resources, mental health care professionals and service providers told the hearing.

Speaker after speaker voiced the need for increased funding.

''In Texas, we must be particularly concerned that the state budget for children's mental health services has remained virtually flat since 1993, despite growth in both population and need,'' said Betty Schwartz, executive director of the Mental Health Association of Greater Houston.

''Current budget discussions offer little hope for improvement in the coming legislative session.''

Harris County Juvenile Court Associate Judge Veronica Morgan-Price said the piece of MHMRA's budgetary pie for juveniles is small.

She and others spoke of their frustration that the juvenile justice system has become a surrogate for mental health facilities.

Many said it's the norm in Harris County for mentally ill juveniles to get adequate help only after they commit an act that ends with them in a detention facility.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the bill through page 37, line 2 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 32, line 1 through page 37, line 12 is as follows:

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, $123,669,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: *Provided,* That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed $99,980,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $93,586,251,000, to remain available until expended.

For making, after May 31, 2001, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2001 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2002, $36,207,551,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $70,381,600,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $1,866,302,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, and together with administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: *Provided,* That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further,* That $18,000,000 appropriated under this heading for the managed care system redesign shall remain available until expended: *Provided further,* That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2001 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: *Provided further,* That, for the current fiscal year, not more that $630,000,000 may be made available under section 1817(k)(4) of the Social Security Act (42 U.S.C. 1395i(k)(4)) from the Health Care Fraud and Abuse Control Account of the Federal Hospital Insurance Trust Fund to carry out the Medicare Integrity Program under section 1893 of such Act.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2001, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $2,473,800,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2002, $1,000,000,000.

For making payments to each State for carrying out the program of Aid to Families

with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary: *Provided,* That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,100,000,000, to be available for obligation in the period October 1, 2001 through September 30, 2002.

For making payments under title XXVI of such Act, $300,000,000: *Provided,* That these funds are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That these funds shall be made available only after submission to Congress of a formal budget request by the President 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.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), $423,109,000: *Provided,* That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act for fiscal year 2001 shall be available for the costs of assistance provided and other activities through September 30, 2003.

For carrying out section 5 of the Torture Victims Relief Act of 1998 (Public Law 105–320), $10,000,000.

The CHAIRMAN. Are there any amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), in addition to amounts already appropriated for fiscal year 2001, $400,000,000; and to become available on October 1, 2001 and remain available through September 30, 2002, $2,000,000,000: *Provided,* That of the funds appropriated for each of fiscal years 2001 and 2002, $19,120,000 shall be available for child care resource and referral and school-aged child care activities: *Provided further,* That of the funds provided for fiscal year 2002, $172,672,000 shall be reserved by the States for activities authorized under section 658G of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), such funds to be in addition to the amounts required to be reserved by the States under section 658G.

AMENDMENT NO. 12 OFFERED BY MR. HOYER

Mr. HOYER. Mr. Chairman, I offer amendment No. 12 as the designee of the gentleman from Wisconsin (Mr. OBEY).

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. HOYER:

Page 37, line 19, after the dollar amount, insert the following: ''(increased by $417,328,000)''.

Page 39, line 10, after the dollar amount, insert the following: ''(increased by $600,000,000)''.

Page 39, line 17, after the dollar amount, insert the following: ''(increased by $600,000,000)''.

Page 49, line 20, after the dollar amount, insert the following: ''(increased by $400,000,000)''.

Page 50, line 11, after the dollar amount, insert the following: ''(increased by $416,000,000)''.

Page 50, line 12, after the dollar amount, insert the following: ''(increased by $416,000,000)''.

Page 50, line 17, after the dollar amount, insert the following: ''(increased by $416,000,000)''.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment of the gentleman from Maryland (Mr. HOYER).

The CHAIRMAN. The Chair would advise that, under the unanimous consent agreement propounded by the gentleman from Illinois (Mr. PORTER) on June 8, all points of order against each of the designated amendments to be offered by Rep. OBEY or his designee shall be considered as reserved pending completion of debate thereon.

Mr. PORTER. Mr. Chairman, I am aware of that, if I may advise the Chair; but I simply want to reserve the point in the RECORD.

The CHAIRMAN. The point of order is reserved.

The gentleman from Maryland (Mr. HOYER) is recognized for 15 minutes.

Mr. HOYER. Mr. Chairman, I yield myself 7 minutes.

□ 2030

Mr. Chairman, this amendment adds $416 million to the bill for title I grants, $600 million to the bill for Head Start, $400 million to the bill for the 21st Century After School Centers, and adds $417 million to the bill for child care development block grants.

Mr. Chairman, before I start, I want to respond to a couple of the allegations that have been made from the other side. First of all, that somehow we are forced to do this. I want to say first to the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER), who rises on the floor and says, gee whiz, we are forced to do that, and if the rest of us are responsible we will have to live within these limits. Let me tell my colleague something I learned a long time ago, and that is to not accept the premise of those who are arguing against me.

The premise of the gentleman is incorrect, Mr. Chairman. It is irresponsible to accept the parameters that have been placed on this bill. It is irresponsible to the children that I am going to talk about and the families that I am going to talk about to live within the parameters of the bill.

Why do we have those parameters? Not because they are in a rule, not because they were given to us by some extrinsic force, they are in the rule because of the majority party's tax cut. Now, they may not like that, but that is the fact. That is the fact.

Now, let me tell my colleague from California, who talks about fiscal responsibility. A, I support defense; B, I supported the welfare reform; and, C, as the gentleman knows, I supported the balanced budget amendment. But the fact of the matter is I did so with the premise that we would keep sufficient revenues to meet our responsibilities.

The most fiscally irresponsible administration in the history of this country was under Ronald Reagan. Hear me now. Here are the facts. Back in 1950, 125 percent of GDP we were in debt. That came down. It came down to less than 23 percent, 24 percent. It flattened out for a few years and then, guess what happened on Ronald Reagan's watch? It went through the ceiling, and added $4 trillion to the debt.

Do not preach to this side of the aisle about fiscal responsibilities, my colleagues. At no time did we have the votes to stop a Ronald Reagan veto of spending. At no time. This is Ronald Reagan's spending. It was not a question of fiscal responsibility, it was what he wanted to spend the money on. He wanted to spend the money on defense. I happened to think he was right.

Where he was not right was doing the same thing my colleagues are doing this year. He wanted to cut and did cut revenues precipitously. But he did not have the courage of his tax-cutting convictions, because the courage of his tax-cutting convictions would have been to cut spending. But he did not want to do that because he may have paid a political price for it.

Now, let me tell my colleagues what this amendment does, quickly. We add, as I said, $416 million for title I. The conference agreement on the Republican budget resolution requires $7 billion in cuts, or 6 percent below the fiscal year 2000 level, last year's level. Premising large tax cuts on unrealistic spending cuts makes the conference agreement a fiscally unsound and risky budget plan.

That is why we are here, Mr. Chairman. I am offering an amendment today to fix a few of the problems. We do not have offsets within this bill because the offset premise that the gentleman from Illinois wants us to accept would be incorrect for us to do, because it is irresponsible for the gentleman to have forged, well, the gentleman did not do it, he did not vote for it, and we admire the gentleman for that, but the fact of the matter is many of the gentleman's colleagues did. They fashioned these numbers. My amendment, as I said, adds a total of $1.8 billion.

Now, that sounds like a lot of money. But let it not surprise anybody that that figure is approximately the figure that has already been adopted by the Republican majority in the Senate. So if we are irresponsible, I guess our colleagues in the Senate over there are as well.

We ask for increases for title I funding. Head Start, 21st Century After School Centers and the child care and development block grant. The four parts to my amendment do this: Adds $416 million, as I said, to title I.

Now, that $416 million means that 650,000 children in America who qualify for services, and who are not now getting it, 650,000 disadvantaged children, will get services if my amendment passes. That is not paper, that is not rhetoric, those are real kids from real families who need help to compete in this world economy. Is the tax cut more important than those 650,000 kids?

We add $600 million to Head Start, a program everybody says works, making the total increase for fiscal year 2001 equal to $1 billion. That is an additional 50,000 low-income children who will be served and 3,000 infants and toddlers who will be served. That is 53,000 children. This is not about rhetoric and numbers, this is about real kids.

We add $400 million to the 21st Century After School Centers. We all know that crime is up after school. Why? Because kids do not have families at home. This amendment will allow 900 additional communities above the gentleman's bill to establish 3,000 centers serving 1 million children. Is that irresponsible, I ask my chairman? Is it fiscally responsible to tell those 1 million kids to get out on the street; that we do not have enough money in the richest Nation on the face of the Earth to provide them with those centers? Those children, 1.6 million children, will be denied service because of the Republican tax cut.

Lastly, we add $417 million for the bill for child care and development block grant for 2001 funding. Eighty thousand more children will be served if we pass this amendment.

My colleagues, we are talking about real kids here and programs that work. The chairman says and said in the committee when we marked this bill up that he thought this funding is okay. He told me that I was probably right, that we probably need to do this, but that we cannot do it because of the constraints. Those constraints are self-imposed.

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

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes in opposition to the amendment.

Mr. PORTER. Mr. Chairman, I yield 6 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, first of all, I was kind of surprised. I thought there was an overwhelming Democrat majority during the Reagan years. We cannot blame him for vetoing, because he vetoed very few bills. So there is no argument about we did not have the votes to override his veto.

But I want to compliment the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER), since he has become the chairman of this subcommittee. When I think of the amount of money that has been spent prior to his coming on as chairman, and the fact that no one paid any attention about whether it was a quality program or was not, my hats are off to him.

Let us talk about a couple of the areas. Child care and development block grant, $1.6 billion for fiscal year 2001. That is a $400 million increase over last year. Let us talk a little bit about Head Start and how we denied children for 12 years any opportunity of getting a head start because the only thing my colleagues wanted to talk about was that we must cover more, we must cover more. No one paid any attention to whether there was any quality in the program. What a tragedy.

It was not until 1994 that we were able to get anybody to think about quality. I was able to get 25 percent of any new money at that time toward quality. But it was not until 1998 that we really got serious about it. Yet every study, every study told us over and over again that the children are not getting a head start. Why? It became a jobs poverty program. It became a baby-sitting program. What a tragedy, because we could have done something to help them. Many of them would not be in special education today because they would have had the reading readiness programs that they should have had at that time.

But, again, it was not until 1998, until we seriously thought about quality rather than quantity. And I want to thank this Secretary, because she is the first Secretary who has shut down 100 Head Start programs. I could not get anybody to do that. Thank goodness. Rather than coming up, as she was instructed to do, she was to come up every time and say we must cover more, we must cover more, we must cover more, she did not say that. Because every time I would say, we need to talk about quality, and she would say, that is correct.

So, again, we put a lot of money into Head Start, and the chairman again is increasing Head Start. It will be up to $5.7 billion. And finally, hopefully, they will be quality programs.

Then technology in the 21st Century Community Learning Center program. Again, we have seven technology programs on the books, five of which are funded. When we just had a reauthorization program, they offered amendment after amendment to add a couple more technology programs. No one paid any attention to the fact that having five spread over every agency we were accomplishing very little.

So if we get the other body to act, we will be talking about one technology program. So if they need to improve the preparation of the teacher to use the technology, they can do that. If they need hardware, they can do that. If they need software, they can do that. But instead of spreading them out over five different programs, spread over every agency downtown, we are going to make a real difference.

But, again, we are looking at a $2 million increase, $2 million above the President's request, in the area of technology.

Then, when we talk about 21st Century Community Learning Centers, funded at $600 million, $147 million above last year, we need to understand that, more importantly, this program just started in 1995 and it was at $750,000. Now we are at $905 million.

We just had a hearing, and in that hearing all sorts of questions were being raised as to whether as a matter of fact they are using the money the way the Congress intended it to be used. So, again, I cannot compliment the chairman enough for his efforts not only to bring more money to all of these programs but to insist that there are quality in those programs.

Title I, same story. Child after child after child denied an opportunity to get a part of the American Dream because, again, no one paid any attention to quality. One of the largest school districts, maybe the largest, used 55 percent of their title I money for teacher aides. And guess what? Sixty-some percent of those did not even have a high school diploma. To make matters worse, they were teaching without any supervision. So we have tried to change and redirect that.

So, again, hats off to the gentleman from Illinois (Mr. PORTER). He has done an outstanding job to not only give us more money but to give us quality in programming.

Mr. HOYER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I just wanted the gentleman from Pennsylvania (Mr. GOODLING) to remind me who was in charge of the Department of Education from 1981, as he was lamenting that nobody cared about quality and that nobody cared about whether these were operating effectively on behalf of children. Who was in charge of the Department of Education, Department of Human Services from 1981 to 1993?

Congress was not in charge. We did not run them. The fact of the matter is, as the gentleman pointed out, the first Secretary to tell a Head Start program it could not operate because it was not doing what we wanted for children was Donna Shalala. The gentleman was correct on that.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from Hawaii (Mrs. MINK).

□ 2045

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I strongly support the amendment of the gentleman from Maryland. We have given so much lip service and a lot of discussion nationwide about the importance of education. For years this has been the national dialogue coming from the grassroots. But in those days when we were talking about education, it was always there is a deficit, we cannot possibly add to the funding for education.

Finally, we now have a surplus. And what do we do? We come to the floor with a self-inflicted strait jacket ordained from somewhere that we cannot spend this money as the national electorate would want us to spend it.

Certainly we are for quality education. Certainly we are for quality Head Start and all the other programs. But quality costs money. It seems to me that it is absolutely tragic and reprehensible that the appropriators come to the floor and discuss to cut $1.8 billion from the President's request. It means thousands of people are going to be denied the opportunity to have help in Head Start, in child-care programs, in after-school programs, in math instruction and reading, all the things that will narrow the divide between the poor and the rich children of this society.

We always talk about equal educational opportunity. The place to do it is for the poor children in the early-education programs and in child care.

Mr. PORTER. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), a valued member of our subcommittee.

Mr. WICKER. Mr. Chairman, I thank my subcommittee chairman for yielding me the time.

Mr. Chairman, this is really an amendment about four important programs: to add money to title I, grants to LEAS, to Head Start, 21st Century After-School Centers, and child care CCDBG for fiscal year 2001.

But as with most of these amendments, from my Democratic colleagues, it turns out to be an opportunity for discussion about Republican tax cuts. And for my friend, the gentleman from Maryland (Mr. HOYER), just a few moments ago, it turned out to be an opportunity to denounce the record of President Ronald Reagan, who did lead this Congress in 1981 to cut taxes on the American people so that they could keep a little more of their money.

My friend from Maryland suggests, and I believe I am quoting him correctly, that President Reagan was willing to do without revenues, to cut back on revenues, so that he could cut taxes.

Well, I have here in my hand a document entitled Table B–80, Federal Receipts and Outlays. It is for the past 60 past years, 1940 to the year 2000. And it shows very clearly, when we talk about total revenue to the Nation, that, back in 1981, when President Reagan persuaded a Democrat House to go along with the Senate of the United States in cutting taxes, that revenues then were $678.2 billion per year.

This document, put out by the Department of the Treasury and the Office of Management and Budget, and I defy any Member of this House of Representatives to show me that it is incorrect, shows that, under the Reagan years after those tax cuts, revenues went up each and every year after these tax cuts that had been denounced by my friend from Maryland.

In 1982, revenues went up from $678 billion to $745 billion dollars. They went up in 1983. They went up in 1984. Until in 1989, the last year of the Reagan administration, revenues, not spending, but revenues to the Federal Government, even after these substantial tax cuts, had virtually doubled to $1.143 trillion. And this is even after the tax cuts that Democrats supported and that Republicans supported in 1981.

What it shows, and what it has shown every time is that when we have cut taxes on the people of America, that they have used the money wisely, that the economy has grown. It happened again in 1997. It happened as far back as the 1960s, when President Kennedy cut taxes. Every time we cut taxes, there is an enhancement of economic activity and revenue increases.

Now, also, another point that my friend, the gentleman from Maryland (Mr. HOYER), made is that President Reagan had an opportunity to veto the spending that occurred during his term in office. And that is true. But I will tell my colleagues one thing that President Reagan did not have an opportunity to veto is the increase in entitlement spending that went on from fiscal year 1981 to fiscal year 1989.

And as the gentleman from Maryland (Mr. HOYER) well knows, that is where the growth in Federal expenditures came, not in appropriation bills that President Reagan could or could not have vetoed, but in entitlement spending.

So I will just say to my friends that, while we are hearing tonight and we heard last week, we can and undoubtedly we will hear again tomorrow before this bill is passed and probably we will hear on every appropriation bill, that we are having to cut back on important programs because Republicans want to cut taxes, actually the opposite is true. Every time we have cut taxes under Democrat Presidents, under Republican Presidents and even under this Democrat President, there has been more economic activity, there has been more revenue to spend, and the American people have been the beneficiaries thereof.

I defy anyone from the Democratic side of the aisle to dispute the fact that revenues went up during the Reagan administration.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL).

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

Mr. Chairman, we are talking about bipartisanship in terms of the estate tax. And indeed that is what happened. But how about some partisanship in terms of the education of our children? We cannot balance the budget on the backs of kids who cannot defend themselves.

I rise in strong support of the Hoyer amendment to significantly increase funding for our Nation's children.

Many of my colleagues have emphasized on both sides of the aisle that this amendment could be a lifeline perhaps. It will ensure that our children have a chance for a better education and growth opportunities.

In my hometown of Paterson, New Jersey, we have seen the tangible benefits of so many of the programs. These are not puristic victories. These are victories of substance with children who would have no other means of support in the classroom.

Our Head Start and after-school programs have brought thousands of children into nurturing environments. In an age of unprecedented wealth and the lowest peacetime unemployment rate, cities like Paterson and Passaic still have double-digit unemployment.

I understand tomorrow we even introduce an amendment to cut the after-school programs that are already in existence. This is unconscionable.

Mr. PORTER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would say to the gentleman who just spoke that the amendment of the gentleman makes additions in four different line items; items we have increased over the last year by almost a billion dollars.

There are no cuts here, none at all. They are important accounts. We gave them substantial increases, except in one case, $947 million of increases. I think we have done the very best we can within fiscal responsibility.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Chairman, I rise today in support of the Hoyer amendment.

Mr. Speaker, I only have a short amount of time, but I think there is something we should talk about very seriously.

After-school programs do work. Unfortunately, we are going to see cuts in New York State alone. I was in my schools this morning. And I know our schools want it, our parents want it, and certainly our children want it.

We are seeing more and more children being left alone after school. We can take that time, and we can use that time to make sure our children are enriched with academic programs, making sure they are in a safe environment, and certainly raising their intellect on everything else.

Why am I doing this? Why am I supporting this? Because I happen to think

that is one way of reducing crime, because I happen to think that is one way of making sure our young people do not go into drugs and alcohol and then violence.

This is a program that can work, it should work, and certainly we should be supporting this.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I would like to just re-edify that this bill increases education, if we include Head Start, $2 billion. There is no one wanting to take education away from kids. It increases it $2 billion over last year if we include Head Start.

If we take a look, it increases special education $500 million, not cut, but $500 million. Impact aid, which the President zeroed out, is increased under this bill, which is very important to Native Americans and also to the military.

Plus, the Ed Flex bill that we passed last year with bipartisan support gives the schools the ability to use the dollars as they see fit, not as Washington rules down the mandates which ties up the schools. That is one of the reasons the charter school movement that we pushed for years is so important.

So we have not cut education, Mr. Chairman.

Mr. HOYER. Mr. Chairman, I yield 45 seconds to the distinguished gentleman from Maryland (Mr. CARDIN).

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

Mr. CARDIN. Mr. Chairman, let me just speak to one part of the Hoyer amendment which deals with the Child Care and Development Block Grant.

The Hoyer amendment would provide an additional $418 million for this program. This is flexible funds to our States to provide for child care for our children.

The Subcommittee on Human Resources of the Committee on Ways and Means has held a hearing, and we found that affordable quality day-care is not available to too many children in our country. Only five States set the eligibility for the funds at the maximum allowed under Federal law, 85 percent of the median income.

Forty-five States are below that. My own State of Maryland set it at 40 percent. Only one out of every 10 children who are eligible today for the funds can get the money because of the lack of Federal funds.

The Hoyer amendment provides help for 80,000 children in this category. We should be supporting this amendment today.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. KINGSTON).

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

Mr. Chairman, what we are arguing about here is not crime, is not child care, is not education. What we are arguing is how much of an increase the House mark increases funding for all these programs.

What the Democrats are trying to do with the gentleman from Maryland (Mr. HOYER) is increase it further.

We certainly support after-school child care. We certainly support the block grants. We are a strong supporter of Head Start. That is why it has increased every year under Republican leadership.

But the Hoyer amendment fails to make the case as to why these funding levels were picked. Could he explain why he decided that when we go from $600 million on the 21st Century After-School Centers he goes to a thousand, why that level?

□ 2100

Was there scientific? Was there research? Was there testimony to that effect? No, there was not. All the Democrats are trying to do is increase our increase to show that they measure compassion by dollars spent. It is not going to do the job.

Mr. HOYER. Mr. Chairman, I yield 45 seconds to the distinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, if we can pass a defense appropriations bill that is $20 billion more than last year, if we can find the money for nuclear weapons, if we can find funding for a misguided missile defense system, surely, surely, we can pass the Hoyer amendment to help our most vulnerable children.

As I look at the provisions in this bill, I ask myself, who is taking care of our children? Where will our children go after school? Where will our children find the guidance they need? Who will help poor children prepare to enter school? The Hoyer amendment restores some of the most damaging cuts in H.R. 4577, cuts that deny nearly 2.4 million children the help that they need to get a better start in life.

Mr. HOYER. Mr. Chairman, I yield 45 seconds to the distinguished gentlewoman from Ohio (Mrs. JONES), whose predecessor I might say, Mr. Chairman, Louis Stokes, was one of the great leaders on our committee.

Mrs. JONES of Ohio. Mr. Chairman, I thank the gentleman for yielding me this time. Let me say this. The gentleman from Pennsylvania (Mr. GOODLING) said that the studies have shown that Head Start does not work so we should not give any more money to Head Start. The studies have shown that jail does not work so why do we keep building jails? If I adopt his perspective of spending more money on jails, then let us at least spend the same amount of money that we spend on child care and day care and Head Start, because Head Start works and our children ought to have at least the benefit of a great education in the beginning and hopefully they do not end up in jail.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time. I will close as I began. First of all, I do not adopt the premise it was an irresponsible budget that was adopted. The gentleman from Illinois has acknowledged that these expenditures are good. Secondly, the gentleman from Georgia asked, where do these numbers come from? Frankly they came from the President, adopted by the United States Senate, as well, and I think they ought to be adopted by us. Thirdly, I would say to my colleagues, this is about real children, disadvantaged children, 2.4 million children who will be served if this amendment passes that will not be served at the level you suggest.

Now, maybe you think there are not 2.4 million children in America who need help. Maybe you think like, as the gentlewoman from California (Ms. PELOSI) said, that it is those 400 people who are going to get $200 billion under the tax cut that are more important than those 2.4 million children. That is quite a balance; 400 very rich people getting $200 billion while we cut $1.8 billion in this amendment for 2.4 million children. What kind of Nation has that kind of priority? It is a Nation that will not long succeed. It is a Nation whose children will not compete effectively in world markets. It is a Nation who will see itself increasingly becoming a Nation of the rich and the poor. Let us adopt this amendment. Let us set our priorities straight. Let us act to help those 2.4 million children.

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

Let me say once again, the gentleman says that it is irresponsible not to adopt these amendments. The fact is the amendment are in violation of the budget resolution. The budget resolution was adopted by the majority of both Houses of the Congress. We have to live within it even though the gentleman does not feel bound by it.

Let me add that the gentleman could have offered responsible amendments that have offsets within the limits of that budget resolution and within the limits of our allocation but the gentleman chose not to. In fact, it is crystal clear year after year that nobody on that side of the aisle is willing ever to cut anything, but always add.

We have to operate within a budget resolution that is fiscally responsible. We have added $947 million, almost $1 billion to these four line items. We are doing the best we can. They are important priorities.

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

POINT OF ORDER

Mr. HOYER. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland will state his point of order.

Mr. HOYER. Mr. Chairman, the gentleman from Illinois has made a point. Mr. Chairman, would I have been in order to offer an amendment to add $1.883 billion to serve those 2.4 million

by reducing the tax cut that is proposed?

The CHAIRMAN. The Chair will not entertain a hypothetical question.

Mr. HOYER. Mr. Chairman, I am raising a point of order with reference to whether I would be in order to offer such an amendment.

The CHAIRMAN. The Chair will not address a hypothetical question.

Mr. HOYER. Shall I offer the amendment and then have it ruled on?

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of Budget Totals for fiscal year 2001 on June 8, 2000, House Report 106–660. This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the act.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to address the point of order?

Mr. HOYER. Yes, I do wish to address the point of order.

Mr. Chairman, I asked the point of order. I offered an amendment. The amendment under consideration by the Chair now as to whether or not it is in order is an amendment to add $1.883 billion to the bill for the purposes of including 2.4 million children within the ambit of the bill. This bill deals at its base with individuals who are getting child care services, getting Head Start services, getting educational services generally, getting before- and after-care at school. This would expand that.

Mr. Chairman, this is extraordinarily relevant to the provisions of this bill.

Mr. PORTER. Mr. Chairman, the gentleman is not addressing the point of order, if I may suggest.

Mr. HOYER. I am addressing the substance of the bill and the relevancy of my amendment, Mr. Chairman.

The CHAIRMAN. The gentleman will proceed.

Mr. HOYER. I am about to say that but for the tax cut, there would be revenues available to have paid for this amendment. I understand the Chair is going to rule it out of order because the Committee on Rules has not protected it and therefore has dictated the ruling of the Chair. I regret that, but more importantly than that, the 2.4 million children of America who will not be served regret that.

The CHAIRMAN. Are there further Members that wish to be heard on the point of order?

Mr. KINGSTON. Mr. Chairman, I want to make sure I understand on this point of order, though, and make it abundantly clear to all Members of the House that if this amendment had offsets to make up for these additional massive spending increases by simply taking the dollars and reducing them elsewhere in the bill, this amendment would, in fact, be in order.

The CHAIRMAN. The Chair will not address hypothetical questions.

The Chair is prepared to rule.

The Chair is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, that an amendment providing a net increase in new discretionary budget authority greater than $1 million would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentleman from Maryland (Mr. HOYER) on its face proposes to increase the level of new discretionary budget authority in the bill by greater than $1 million. As such, the amendment would violate section 302(f) of the Budget Act.

The point of order is sustained. The amendment is not in order.

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

Mr. Chairman, I would like to inquire of the gentleman from Illinois as to what his intention is with respect to proceeding with this bill at this point. As he knows, in the discussion which occurred that was attendant to the approval of the unanimous consent request last week, when he propounded that unanimous consent request, I would read from page H4106 in the CONGRESSIONAL RECORD. When the gentleman asked unanimous consent that the agreement be approved under which we are now operating, I said as follows:

> Mr. Speaker, reserving the right to object, I simply would note under my reservation, Mr. Speaker, that I have no objection to this arrangement, with the understanding that when the House returns to this bill, it will not be at a time when Members are still flying back to Washington on their airplanes, and that it will not be debated in the dead of night.

I did that because this is the major priorities debate for the session. We feel very strongly on this side of the aisle that if we cannot get votes on amendments, at least we ought to be able to debate them at a time when Members are here and someone is at least paying attention to the debate. And we offered to have other appropriation bills on the floor tonight rather than this one so that that could be accommodated and we could still finish the scheduled work this week. We had been told this morning that it was understood on the majority side of the aisle under those conditions this bill would come up this evening but that we would not proceed past 9 o'clock.

So I am asking the gentleman at this point what his intention is with respect to proceeding with the bill beyond this point since it is now 9:12.

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

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

Mr. PORTER. It is my understanding that we have pending to be completed this week in addition to this piece of legislation the appropriations for the Department of Interior and the appropriations for the Department of Agriculture, and that we also have pending a conference report on military construction. As the gentleman well knows, tomorrow morning we have in full committee the Commerce-Justice-State appropriation. There is a great deal of work to do. I do not know where we are going to get the time to get it accomplished unless we are willing to work to some reasonable hour. I would suggest to the gentleman that it would be appropriate if we would continue longer this evening and try to complete some of these additional amendments if we possibly could so that we can complete this bill by tomorrow, if possible.

Mr. OBEY. I would simply then observe, Mr. Chairman, that the unanimous consent agreement was agreed to with the understanding that is stipulated in the RECORD. There is no question about being willing to work, but it is not the fault of the minority that the majority party went home Friday without even getting a rule out of the Committee on Rules for the Interior bill, for instance, which could have easily been on the floor tonight.

I think what is going on here, not certainly on the part of the gentleman because I think in his heart of hearts he agrees with me, but I think what is going on here is a determination by the majority party to debate this bill at a time of day when it will be the least noticed of any major appropriation bill before the House. If we cannot rely on each other's word around here, and I am certainly not speaking about the gentleman from Illinois, but if we cannot rely on each other's word around here, then we do not have any civility at all left in this place.

PREFERENTIAL MOTION: OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I move that the Committee do now rise.

□ 2115

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were ayes 15, noes 17.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 202, not voting 45, as follows:

[Roll No. 255]

AYES—187

| | | |
|---|---|---|
| Abercrombie | Blumenauer | Conyers |
| Ackerman | Bonior | Costello |
| Allen | Borski | Coyne |
| Baca | Boucher | Cramer |
| Baird | Boyd | Crowley |
| Baldacci | Brady (PA) | Cummings |
| Baldwin | Brown (FL) | Davis (FL) |
| Barcia | Brown (OH) | Davis (IL) |
| Barrett (WI) | Capps | DeFazio |
| Becerra | Capuano | DeGette |
| Bentsen | Cardin | Delahunt |
| Berkley | Carson | Deutsch |
| Berman | Clay | Dicks |
| Berry | Clayton | Dingell |
| Bishop | Clement | Dixon |
| Blagojevich | Clyburn | Doggett |

Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gonzalez
Green (TX)
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—202

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

NOT VOTING—45

Andrews
Baker
Bateman
Campbell
Chenoweth-Hage
Coburn
Cook
Cox
Danner
DeLauro
DeMint
Dooley
Ewing
Fattah
Gephardt
Gillmor
Goodlatte
Gordon
Hansen
Hoeffel
Kasich
Largent
Lazio
Linder
Maloney (NY)
Martinez
McCollum
McIntosh
Metcalf
Myrick
Ney
Owens
Payne
Pickett
Sabo
Shuster
Stark
Toomey
Towns
Vento
Wamp
Watts (OK)
Waxman
Weldon (PA)
Wise

□ 2136

Mr. CANNON and Mr. BRADY of Texas changed their vote from ''aye'' to ''no.''

So the motion was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 24 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. OBEY:

Page 37, line 19, after the dollar amount, insert the following: ''(increased by $1,000)''.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OBEY. Mr. Chairman, I am in the process of offering an amendment to the child care section of this bill. It is my understanding that the gentleman from Florida (Mr. YOUNG) wanted to have a colloquy. Did the gentleman want to have that before I offered the amendment?

The CHAIRMAN. Without objection, the gentleman from Florida, Mr. YOUNG is recognized for 5 minutes on a pro forma amendment.

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word so we can have this colloquy.

Mr. Chairman, the gentleman from Wisconsin (Mr. OBEY) and I have been discussing the order of business for the balance of the evening and for the completion of this bill. I would like to say that this is the first time in 3 years that this bill has come to the floor as a separate independent individual piece of legislation, and I think it is important that we deal with it expeditiously.

Mr. Chairman, there are a substantial number of amendments that have been printed in the RECORD. I am satisfied that Members who have had them printed would probably want to offer them. I think it would not be a bad idea if Members would let their respective subcommittee leaders know whether or not they intend to offer those amendments.

I make this suggestion for this purpose: I understand that the gentleman from Wisconsin (Mr. OBEY) and many Members would like for the committee to rise and continue our work tomorrow. It is extremely important that we complete this bill tomorrow. Otherwise the rest of our appropriations schedule will fall considerably behind, and I do not think any of us want that to happen. So the gentleman from Wisconsin (Mr. OBEY) and I have been discussing how do we get out of here at a reasonable time tonight and also be able to complete this bill tomorrow?

Mr. Chairman, I would be happy to yield to the gentleman for his comments on this subject.

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

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the chairman for yielding to me.

Mr. Chairman, let me simply say this: On this side of the aisle, because this bill has not been on the floor for 3 years, we want to see this bill voted on. Speaking very frankly, politically, we would be delighted to finally see this House vote on this bill, and substantively we would also be delighted to see us vote on the bill and would like to see it done tomorrow.

We are operating under a unanimous consent agreement under which some 11 Democratic amendments have been laid out in the unanimous consent request with time limits attached to them. We would be very happy to attach time limits to all remaining amendments. We believe that 80 percent of the amendments on the Democratic side will not be offered. Of those that will be offered, our understanding from talking to most of the Members is that they will be offered and withdrawn after an explanation of what the Member was trying to do for 5 minutes. I know of only two or three amendments on our side that do not fit that category and on which we need to do further work, but we are willing to work out time limits on all of those.

The problem as we see it is that there is a significant number of amendments that on our list are tentatively listed to be offered by Members on your side of the aisle. We do not have the capacity to work with your Members to work out time agreements. We are happy to agree to time limits on those as well, but we cannot do the work on the majority side with your Members. Your leadership staff and you need to do that.

All we want is what I said when I agreed to the unanimous consent request on Friday, that when this bill is debated, it not be debated in the dead

of night, because it has been 3 years since this bill has been on the floor.

□ 2145

So I want to assure what I honestly believe would be best is if we could rise on this bill tonight, I do not know what the gentleman has scheduled for the remainder of the week in terms of the order but it seems to me that overnight your leadership staff, your committee staff ought to be able to get together with your members and reach an understanding so before we come back on this bill tomorrow we can enter into a unanimous consent request which we can both agree to, which would enable us to finish the bill tomorrow. That would be our goal as well, but if we waste 4 hours' time we are not going to get past this point in the bill tonight, I assure you. That does not do anybody any good, and I think the time would be better spent simply consulting with Members to see how much time they think they need on their amendment and whether they, in fact, need to offer it at all, that is legislation.

Mr. YOUNG of Florida. Reclaiming my time, let me suggest to the gentleman that the unanimous consent agreement that the gentleman and I developed last week, had a time limit on the specific amendments but there was no time limit on when the House would complete its business today.

Secondly, the time that we spent last week on this bill, and today, has been on amendments from your side of the aisle. There are a substantial number of amendments that will probably be offered from our side of the aisle that have already been printed in the RECORD, and certainly each Member has the option to offer those amendments. Now my suggestion would be that we take up the next amendment and during that time we sit down and see if we can develop another unanimous consent request to propound that would be agreeable to the House; that would put some time limits on the rest of the amendments as we did on the first series of amendments, and guarantee the Members that we will complete action on this bill by tomorrow night.

Also, tonight we would like to appoint conferees on the military construction bill, which would also become a vehicle for a large portion of the supplemental that the House passed very early in the year, which is important to very many Members who are serving here in the House.

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

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding. I simply want to repeat, and I am reading from page H4106 of the CONGRESSIONAL RECORD of June 8, when the unanimous consent request was propounded at that time under which we agreed to a time limit on the 11 amendments that we are now operating on, I said the following: I said, ''Mr. Speaker, reserving the right to object, I would note that I have no objection to this arrangement with the understanding that when the House returns to this bill it will not be at a time when Members are still flying back to Washington on their airplanes and that it will not be debated in the dead of night.''

We were then assured today that we would be out of here on this bill at least by 9:00 tonight. Now I am told something else and if that is the case, then as the gentleman knows, this unanimous consent request was offered because we had 160 amendments to the bill. If we are not going to stick to the agreement we had, we are going to offer all 160 amendments.

Mr. YOUNG of Florida. Reclaiming my time, I would ask the gentleman to read the next line and see who responded from our side to agree to the 9:00 adjournment tonight.

Mr. OBEY. The gentleman full well knows what conversations took place both publicly and privately. If we cannot count on the majority to keep their word, then we might as well know it now.

Mr. YOUNG of Florida. That is what I am asking the gentleman, who agreed on our side to the 9:00 adjournment tonight?

Mr. OBEY. Your leadership staff told us today.

Mr. YOUNG of Florida. It was not part of the RECORD that you just read, is that correct?

Mr. OBEY. You asked for a unanimous consent agreement. I told you under which conditions I would give it, and I told you both privately and we did it in the RECORD, as you well know.

Mr. YOUNG of Florida. Is the gentleman willing to try to work out a unanimous consent agreement that would complete consideration of this bill by tomorrow night, whatever time it might be?

Mr. OBEY. I told you, I am perfectly willing to put limits on every amendment, but I cannot control which amendments are going to be offered on your side of the aisle. We have done our work on this side of the aisle and identified Members who were going to offer amendments and they have largely agreed not to offer them.

Mr. YOUNG of Florida. Well, I understand what the gentleman is saying and, as I said earlier, all of the time so far on this bill has been spent on the amendments from your side. So there would obviously be time required on our side to offer amendments, but I am prepared to make a recommendation to my side of the aisle on a time limitation in order to complete this bill by tomorrow night, if you are willing to sit down and to try to reach an agreement on that.

Mr. OBEY. All I can tell the gentleman is that I want to finish tomorrow night, but I have no way of guaranteeing we are going to finish tomorrow night until I know what the plans are on the gentleman's side of the aisle with respect to amendments.

Mr. YOUNG of Florida. If we get a unanimous consent agreement, a unanimous consent agreement is binding.

The CHAIRMAN. The time of the gentleman has expired, the pro forma amendment of the gentleman from Florida (Mr. YOUNG) proceeding without objection, and now the gentleman from Wisconsin (Mr. OBEY) may proceed for 5 minutes on amendment No. 24.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, this is the first of 160 amendments that we intend to offer to this bill. This amendment adds $1,000 to the Child Care and Development Block Grant. I am offering this amendment because it is the only way under the rule under which this bill is being considered that we can have a discussion about the effect of the majority party's tax cuts on each and every individual program that delivers services to the people that we represent. The majority party has decided in the last 2 months to do the following: They have passed a minimum wage bill that provided $11 billion worth of benefits to minimum wage workers but they required, as the price for passage, that we also add $90 billion worth of tax benefits to people who make over $300,000 a year.

They took a tax bill which they called the marriage penalty and under the guise of providing relief for the so-called marriage penalty they produced a tax bill which gave 73 percent of those benefits to people who made over $100,000 a year. Then last week, the majority passed through this House an inheritance tax package that gave over $200 billion in potential tax relief to the wealthiest 400 people in this country.

Yet we are prevented, because of the budget resolution and the limits imposed by that resolution, we are prevented in the appropriations process from trying to make our case by demonstrating on a program by program basis what they have had to squeeze in order to do that.

What they have done on child care is to cut the President's request by 400-and-some million dollars. Now they say, well, that is not really a very deep cut in the President's budget, and it is no cut at all because of what we provided last year. They forget the fact that we are only providing child care to about 1 out of every 10 children who are presently eligible for assistance under Federal law.

I can only offer an amendment to add a thousand dollars to this.

The $417 million cut in the President's program means that 80,000 fewer children will be served. Under the rules, I can only offer an amendment raising this amount by a nominal amount, and I do so simply because at this point that is the only way that we can make our point about the misplaced priorities in the majority party's budget resolution.

I would have preferred that we go through this in a systematic fashion, have a short 30-minute debate on each of the major items in the bill at a time of day when we are not being buried, after this bill has been hidden from public view for more than 3 years, but that is not to be. So I guess instead of having the orderly subject by subject discussion that I had hoped we would have, we are going to have to offer a series of amendments to every line of this bill. In that way we will indicate our strong objection to what the majority party has done and our profound belief that their priorities are fundamentally misguided and misbegotten. It seems to me that child care, it seems to me that education, it seems to me that health care, it seems to me that job training are more important to the country than to provide giant tax cuts to the wealthiest people in this country.

I am all for targeted tax cuts, targeted at those who need it the worst, those who need it the most but certainly the 400 richest Americans are not among them and that is one of the points we are trying to debate and illustrate in comparative priorities this evening.

□ 2200

Ms. WATERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment of the gentleman from Wisconsin (Mr. OBEY), our ranking member, to add $1,000 to this particular item, Child Care and Development Block Grant.

I rise in support of this meager amount because we need to show a sign that we are willing to support the children of this Nation. At a time when we have a $179 billion surplus, we are cutting programs for children and families.

It seems to me in this well-performing economy where we are creating more and more millionaires day in and day out, we would be willing to support children and families. At a time when we can have Members wax eloquently about getting people off of welfare, it seems to me we would support families for safe and secure child care so that parents and single mothers in particular could go to work, could seek out additional educational opportunities, and feel comfortable that their children are being taken care of in safe environments. If we cannot support a meager $1,000 increase, then I think that we cannot be credible as we talk about trying to pass this appropriation from the floor of Congress.

It is important that we understand that most eligible children are denied assistance. Nationally, only one of 10 children who is eligible for child care assistance under Federal law receives any help.

No State is currently serving all eligible families. States are severely limiting access to assistance. Only five States set their income eligibility guidelines at the maximum level allowable under Federal law, 85 percent of their State median income in 22 States; a family of three earning $25,000 a year does not qualify for help. In three States, Alabama, Missouri, and South Carolina, a family of three earning $18,000 a year, 130 percent of poverty, cannot qualify for help.

It is unconscionable that we cannot agree from both sides of the aisle to do what we know we could do in this budget for children. Let me just add that, in addition to this cut, this denial of care for children in this block grant, the idea that we cannot support the President's budget for Head Start is appalling to me.

I worked in Head Start prior to coming to Congress. I served first as an assistant teacher and went on to become the supervisor of Parent Involvement and Volunteer Services. Head Start is the best thing that ever happened to this country. We empower children and families.

Last Friday, when I left here, I went to the 26th anniversary of one of the Head Start programs in my district, training and research. Ninety percent of the parents whose children were enrolled in the program that I attended last Friday were enrolled in school themselves. They were inspired by their involvement in Head Start to get back into school and to get an education so that they cannot only determine their children's educational destiny, but that they could better themselves and their families.

Head Start has been excellent for America. We have children who have had an opportunity for early childhood development who never would have had an opportunity. At one time in this country, early childhood education was only for the rich and the well off. For us not to support the President's budget on Head Start is again unconscionable.

This $1,000 amendment will show us for what we are if we do not support it. I am sorry that we have to be in a protracted debate about supporting child care and education and health care for children. This is America. This is an America that is doing extremely well.

I would ask all of my colleagues to please support this amendment in an indication that they care about children.

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

Mr. Chairman, I think it is important for members of the committee to realize what is going on tonight. It is hard to imagine that the author of the amendment is serious about adding a mere $1,000 to this very important program. But it does give Members on both sides of the aisle an opportunity to get up and talk about a program which both the majority and the minority in this House of Representatives feel very strongly about; that is the Child Care Block Grant.

But it also gives the minority party in this committee an opportunity to get up and say that there has been a substantial cut in child care appropriation when, actually, that is the farthest thing from the truth. The truth of the matter is that the Child Care Block Grant under this very bill that we are debating tonight has been increased by $400 million over the expenditure of last year.

Now, it is true that the President in his budget came up with an increase of over $800 million requested in his budget, and it is easy to request money in the national budget. But the fact of the matter is that this committee, in a responsible manner, provided a substantial increase to Child Care Block Grants. It is incorrect to come before this body and say that those funds have been cut; $400 million more than last year is an increase.

Now, the gentlewoman from California (Ms. WATERS), the previous speaker, also mentioned a very valuable program, Head Start. It is a program that is dear to my heart. It has been supported by Members of both parties. It has been supported by administrations of both parties.

But it is inaccurate to suggest, Mr. Chairman, that this committee has cut Head Start. Indeed, we did not give the President all of the money he requested. But the fact of the matter is that this bill that we are debating, although it does not touch on this amendment, this bill that we are debating increases Head Start again by $400 million.

$400 million more for Head Start in this bill, $400 million more for child care in this bill. That is hardly a cut. I just wish that we could get the facts straight and not be suggesting things that are not part of the bill.

I oppose the amendment because I do not believe it is offered seriously, but I hope that no one in this House or no one in this committee will be under the mistaken impression that these two programs have been cut. Indeed, they have received substantial increases thanks to the leadership of this subcommittee.

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

Mr. Chairman, I want to thank the gentleman from Wisconsin (Mr. OBEY), our ranking member, for bringing this amendment up because, not that I disagree with the gentleman from Mississippi (Mr. WICKER), because there are some increases in this legislation, the problem is that when we see the need that we have, the increases that they have are still not meeting the needs of our communities.

This is a great example of this one little amendment talking for $1,000 increase in child care grants that talk about where our priorities are here on this House floor. I am not faulting the Committee on Appropriations. I understand they have the rules they live by. We gave them those rules with the budget resolution that had the wrong priorities, Mr. Chairman.

Mr. Chairman, the reason this amendment is here is to talk about child care, and I will go into that. But let us talk about some of the other priorities that our appropriations process is leaving out, again not to fault the members of the committee or the chairman, because they are doing the best they can with the guidelines that we gave them.

Expanded educational opportunity. Trying to fix the infrastructure of our schools in our country. Prescription drugs for seniors may be a part of this, we do not know. Expanded health care for our children. Congress made an effort in 1997, the Balanced Budget Act, for the CHIPs program. We still have a long way to go.

Following the gentlewoman from California (Ms. WATERS) on the Head Start, granted there is more funding in this appropriations bill for Head Start, but it still falls very short of the need in my own district in Houston, Texas, and I am sure everywhere else in the country. There are so many children who are Head Start qualified that the money is not there because we are not willing to put our money where our mouth is.

That is just to talk about a few of the human needs, Mr. Chairman. Let us talk about other issues that we need to address: defense of our Nation, protection of our borders, continue to see our crime rate drop needs to continue the community policing that we hopefully will see in the appropriations bills that come.

The problem is our priorities are wrong. We spent last Friday talking about an estate tax cut which only benefits 2 percent of the people in this country, and then the amendments rejected that will take that down to 1 percent.

So that is why our priorities are wrong. That is what is wrong. That is why I am glad our ranking member came up with this amendment that talks about the new investment in child care that is needed.

States now cannot keep up with the need of child care assistance even with our TANF funds, and I know that from my own experience again in Texas. Most eligible children are denied assistance. Nationally, only one out of 10 children who are eligible for child care assistance under Federal law receives any help.

No State is currently serving all eligible families with child care. States have severely limited access to assistance. Only five States set their income eligibility guidelines at the maximum allowable under Federal law, 85 percent of their State median income. In nearly half the States, 24 States, a family earning $25,000 a year does not qualify. In three States, Alabama, Missouri, South Carolina, a family of three earning $18,000, 130 percent of poverty cannot qualify for help.

Even with low eligibility cut-offs, States have long waiting lists. California has 200,000 families that are waiting. In Texas, we have 36,000 families that are waiting for child care assistance.

That is why this amendment is so important. It gives us the opportunity to talk about our priorities. We need to put our priorities in the needs of our country, because those children that need that child care, Mr. Chairman, those are the ones hopefully that will be serving here someday. We need to prepare them for that. All of us were prepared when we were growing up.

Today's children need even extra help with what we do, whether it is child care, whether it is Head Start, whether it is quality education. Again, most of the funding comes from the local level, but we can help our local communities and provide assistance and smaller class sizes and building reconstruction.

The limited resources lead to inadequate policies and force parents to have to make really difficult choices. Assistance policies keep quality care out of the reach of low-income children. Nearly one-third of our States are paying rates based on out-of-date market surveys, making it unaffordable for programs serving low-income children that invest in quality.

When one thinks about it, despite expert recommendations, over a third of our States, of our parents, pay 10 percent of their income. When one says 10 percent, that does not sound like much. But if one has a poor family, how much of that is housing? How much of that is health care? How much of that is utilities? How much of that is transportation hopefully to get to that job from the welfare reform bill that we passed on this floor.

Basic health and safety protections are lacking in many States. Only 10 States meet the national recommendation for child-staff ratios in their licensing requirements.

□ 2215

And only 10 States require all family child care providers to meet any requirements and regulations.

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

Mr. Chairman, consider the case of Sue and Dan Williams. I am going to change the name a little bit, but they are real people. Sue was on welfare for several years, trapped in the hopeless welfare cycle and then during welfare, because of welfare reform, decided, okay, it is time to get a job. And she was a little scared about it, but she got a job and needed to have some child care. And that is a mother's primary concern, which it should be. And we all admire mothers for that. That is why in the welfare reform bill there was $20 billion in child care for people like Sue and Dan Williams for their children, $20 billion.

In addition to that, when the senior citizens and their family have to live with them, there is dependent care, a tax credit for families like that. There is social services, block grants. There is child care to States and entitlement programs to the tune of $8.8 billion in Federal support for the child care programs through the year 2001.

These programs are strongly, strongly supported by Congress on both sides of the aisle, programs such as Head Start, Even Start, the Campus-Based Child Care, IDEA Services for Preschoolers and Infant Programs for after school.

Mr. Chairman, I have been to some of these after-school programs. These children are learning things. They are learning life skills. They are learning to work with each other. They are learning play acting and things that build their self-esteem. These are very good programs.

The chairman of this committee has worked hard to support this stuff. He has gone out in the field. He has not stayed in the ivory tower of Washington and waited for the White House to hand down some irresponsible number, some risky scheme from the Gore-Clinton administration. He has gone out and said, how do these programs actually work? How do they affect real people?

This is not a matter of political rhetoric. This is not a matter of, well, we are going to spend more money than them. It is a matter of Sue and Dan Williams and their children and their parents and caring for them. I think the committee and the chairman of the committee have done the right thing on this.

What I would say to my colleagues across the aisle, we keep hearing how, well, if we have to have more money, well, maybe we do, but maybe we ought to look at the efficiency of these programs, as well. Is it possible under the Clinton-Gore model that too much of the money is being squandered by wasteful Washington bureaucrats? Is it possible that a lot of that money never leaves Washington, D.C., and if we go down to HUD or if we go down to some of these Federal Government agencies we can find the money on the sixth floor, third office down to our right because it never gets out of that bureaucrat's hands and to the streets where it can help the children of the Williams.

That is what the committee mark is all about. The committee has made a significant commitment in this and will continue to. Think about Head Start alone increased by $400 million, 8 percent above last year's in order to serve an additional 20,000 kids. Think about the level. It is the highest in the 35-year history. That is very, very significant. The Child Care Development Block Grant is increased by $400 million, 34 percent.

The gentleman from Illinois (Chairman PORTER) has gone out and reviewed these programs. He has asked the bureaucracies to be more efficient. But he has also said we have got to help as many children as possible and he has done it in the best interest of America's kids.

It is sad to me that people would come up with arbitrary numbers to irresponsibly use children as a pawn in some political chess game. It upsets me. Because they know in their heart of hearts this money comes from Social Security, it does not come from some other area. If they want to spend this money irresponsibly, they have to go home and tell our seniors, well, do you know what we did? We did what we did for 40 straight years, we dipped back into that Social Security Trust Fund. And they should not be doing that, Mr. Chairman, because Social Security should be handled on a bipartisan basis.

It is not a matter of Democrat versus Republican. It is a matter of putting our seniors first. That is why I do not think we should just irresponsibly and arbitrarily come up with numbers to increase programs for political purposes. We have to do what is best for children. We have to do what is best for seniors.

That is why I support the mark of the gentleman from Illinois (Mr. PORTER) on this and I think we should reject, respectfully reject, the Obey amendment.

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

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

Mr. ROEMER. Mr. Chairman, we have heard the old adage over and over again about a billion dollars here and a billion dollars there and pretty soon we are talking about real money.

This amendment is a real amendment because we are talking about a thousand dollars to people that in three States, a family of three making $18,000 a year, cannot qualify for help to get child care for their family.

Mr. Chairman, I hope that the Members in this body are listening because I am sure that people out in the country are listening. A thousand dollars to them, when they are making $18,000 a year and they are working sometimes two and three jobs and the most important thing in the world to them is their children, this amendment is important.

Yes, it is important because we are talking about differences in priorities tonight at 10:20 Washington, D.C., time. And maybe we will be here until 2:20 and maybe we will be here all day tomorrow talking about education. I hope we are. This is the most important issue to me and the single most important reason why I picked the Committee on Education and the Workforce to serve on in this body.

A thousand dollars to a family of three making $18,000 a year in three States where they cannot qualify for any help to get child care to take care of their children while they work, this idea behind this amendment can help some real people with real problems address their dire need for quality and affordable child care.

We have heard some people on the other side of the aisle talk about, oh, this bill does not cut anything, it does not cut programs that make a difference for working people or people concerned about getting their children educated.

Let us talk about some real cuts. The adult job training program is cut by $93 million below last year's appropriated level. The dislocated workers, $207 million cut below last year's appropriated level. That is $300 million, Mr. Chairman, when we are in a world economy today where we are engaging in trade, where we all know that we are going through the information and knowledge revolution in America today, where businesses are all saying the most important thing we can do in Washington is help them with doing more in education, and where our workers, whether they be underskilled or unskilled or whether they be dislocated because of trade, that we do something to help these workers make sure that, as we engage in trade with Mexico and China and other countries, that we make sure we help our working families get trained for new jobs if they are dislocated from an old one.

That is fairness. That is help in education in the new economy.

Now, I also hear Mr. Chairman, and I think the gentleman from Illinois (Mr. PORTER) is absolutely with us on this point, that we need more resources if we are going to get more accountability and quality in our education programs.

I was a fighter for more charter schools, and we did that. I fought for more public choice in education, and we are doing that. I fought and authored the bill last year for education flexibility to give our local schools more choice over what they do with Federal money. We are doing many of these things, giving the local school more quality programs to pick from but they choose what they want to do.

Why can we not deliver more resources for dislocated workers, underskilled workers, who need to move from a toolbox to a robotic arm in a computer. Let us help these workers out in this new economy with these new challenges and this new workplace that we are creating. Let us help our children in inner-city schools and rural schools in Indiana. As we improve accountability, as we improve the quality of these programs, let us get more resources for our local schools to determine whether they want to use that money for school construction, whether they want to use that money for new curriculum ideas, whether they want to use that money to try to develop more professional training programs to get their teachers skilled on the technology of the future.

So we are hopeful that we can work with the gentleman from Illinois (Mr. PORTER), who I think wants more resources for these education programs, to fight for these programs.

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

Mr. Chairman, we should first realize that this amendment is not an amendment that has an offset. The only amount involved here is a thousand dollars. And the reason it is offered is simply to gain time to make the points that the minority wishes to make. The reason the amendment is in order is that there is a small amount of unobligated budget authority and outlays from which to draw these small amendments.

The point that the minority continues to make is that we are not spending enough money on matters that they think are priorities. I simply want to take this time, Mr. Chairman, to point out all of the ways where we are meeting needs by making very substantial increases in many programs that we think are very, very important.

Let me begin with community health centers, which we have funded at $1.1 billion dollars. That is $31 million above the President's request. The Job Corps at $1.4 billion. That is $7 million above the President's request. Graduate medical education we have doubled to $80 million. We have funded Ricky Ray Hemophilia at $100 million, a 33-percent increase. We have funded Ryan White AIDS at $1.725 billion. That is $130 million above last year and also above the President's request.

We funded the CDC at $3.3 billion. That is $189 million above the President's request and $369 million greater than last year. We have funded infrastructure needs at CDC at $145 million. That is above the President's request. We funded Head Start at $5.7 billion, a $400-million increase, or 7.5 percent increase this year. We funded special education at $6.255 billion. That is a half-billion-dollar increase over last year.

□ 2230

We funded Pell Grants at the President's requested level, a $200 increase to the maximum grant, to $3500. We have increased after school centers by $146 million to $600 million. We have funded Impact Aid at $215 million above the President's request and $78 million above last year. We have increased child care $400 million over last year, at $2 billion in forward funding subject to a sequester to stay within the budget cap. We have increased the National Institutes of Health by $1 billion over last year and funded it at the President's request.

The point that the minority is making that we are underfunding accounts is simply not a valid point. There are not any cuts in the bill. If there are, they are very small ones. In almost all cases there are increases, and in some cases that I have just described substantial increases over the amounts that the President has requested.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 196, not voting 56, as follows:

[Roll No. 256]

AYES—182

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

NOES—196

Aderholt
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Condit
Cooksey
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Everett
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Fletcher
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Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gibbons
Gilchrest
Gilman
Goode
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Nethercutt
Northup
Norwood
Nussle
Ose
Packard
Paul
Pease
Petri
Pickering
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
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Schaffer
Sensenbrenner
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Sherwood
Shimkus
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Simpson
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Smith (MI)
Smith (NJ)
Smith (TX)
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Stump
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Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—56

Andrews
Archer
Baker
Bateman
Boehner
Campbell
Coburn
Cook
Cox
Danner
DeLauro
DeMint
Dingell
Dooley
Emerson
Fattah
Ganske
Gekas
Gephardt
Gillmor
Goodlatte
Gordon
Gutierrez
Hall (OH)
Hansen
Hefley
Hoeffel
Kasich
Linder
Maloney (NY)
Martinez
McCarthy (MO)
McCollum
McIntosh
Metcalf
Myrick
Ney
Owens
Oxley
Payne
Pelosi
Peterson (PA)
Pickett
Pitts
Roukema
Sabo
Shuster
Stark
Stearns
Toomey
Towns
Vento
Watts (OK)
Waxman
Weldon (PA)
Wise

□ 2327

Mr. HUTCHINSON changed his vote from ''aye'' to ''no.''

So the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 256, I was unavoidably detained. Had I been present, I would have voted "aye."

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

Mr. Chairman, the majority and minority have come to an agreement on the further course of this bill. At the appropriate point, I will move that the Committee rise. The debate will begin tomorrow morning. Under that agreement, there should be no further votes this evening and the intention of both sides is that we proceed until the bill is completed sometime tomorrow.

□ 2330

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

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

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

Mr. Chairman, I would like to ask at which point it is appropriate for me to withdraw the amendment now pending.

The CHAIRMAN. Does the gentleman from Wisconsin (Mr. OBEY) ask unanimous consent to withdraw his amendment?

Mr. OBEY. Yes, Mr. Chairman.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. SPRATT. Mr. Chairman, I rise in opposition to the deep cuts that this bill makes in Medicare contractor management. The funding is not just inadequate, it is grossly inadequate, so inadequate that it is bound to impair the quality of service delivered to millions of elderly and disabled Americans—many of whom rely solely on Medicare for their health insurance.

Although the Administration requested $1.3 billion for contractor management, an increase just over 4%, the committee rejected any increase and instead cut funding by 6%. In years past, when there were funding cutbacks and shortfalls, HCFA ordered Medicare contractors to cut service to beneficiaries. Medicare payments for patient care were delayed. HCFA told its contractors to cut back human contact and make more use of voice mail. Voice mail menus are frustrating for everybody, but imagine how exasperating they are for an elderly person who wants a knowledgeable, caring person to answer a question about Medicare or solve a problem.

The demands placed upon contractors will only be aggravated by elderly and disabled Americans who are the victims of the managed care companies pulling out of Medicare + Choice. In just one Medicare + Choice company that recently announced its pullout, there are over 100,000 elderly and disabled Americans. They will have no choice but to move back to the fee-for-service program, and this will increase the work load for Medicare contractors far more than anyone previously predicted.

In making its budget request, the Administration assumed a 3.5% increase in claims. The pull-out of Medicare + Choice firms will add to that; and if funding is cut by 6%, the cuts cannot help but strain the Medicare contractors, who are already stretched out, and degrade the services they provide to elderly and disabled Americans and their healthcare providers. This cut in funding will:

Curtail beneficiary and provider outreach programs that educate and answer questions. Delay responses to telephone calls, written inquiries, and reviews of ''medical necessity.'' Postpone waste, fraud, and abuse investigations. Make it difficult for contractors to respond to HCFA initiatives.

As a consequence, elderly and disabled Americans will not receive the level of customer service they expect and deserve. More providers who participate in Medicare but are increasingly vocal in their dissatisfaction will leave the program. And if Medicare contractors, who pride themselves on their business and want to deliver a good product and good

service do not have the resources to administer the program, they too will exit the business. Many of them already have, and more of them will if this cut in funding goes through.

For all these reasons, we should meet the President's modest request for Medicare contractor management, and undo these self-defeating cuts. If their purpose is to impair Medicare fee-for-service, and make beneficiaries cynical about Medicare and seek another program, they may achieve that effect. But if our purpose is to give the elderly and disabled a Medicare program with the care, service, and attention they need, these cuts should be reversed, and the President's request should be filled.

Mr. HINOJOSA. Mr. Chairman, I will get to the point, who could not support Head Start, a program that provides comprehensive developmental services for America's low-income children—ages birth to five years?

Research has told us time and again that this is the most critical stage of a child's mental and emotional development. Adding $600 million would provide additional services to 53,000 additional low-income children.

I represent the third-fastest growing metropolitan statistical area in the U.S. and yet, we have one of the highest rates of poverty, and a very young population.

For almost 30 years, I have been involved with education issues. This experience has taught me that children, regardless of income level or race, have the same potential for high achievement and healthy development. We must give them that chance.

Head Start has successfully served 17 million children and their families since 1965 * * * Lets's not jeopardize that.

To my colleagues who say no to Head Start: I say is that your final answer? I hope not.

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

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

Overall, the bill provides $2.9 billion less than the President requested for the Department of Education, and $1.7 billion less for the Department of Labor. As the result, education, job training, workplace safety, and other programs are either frozen or cut, significantly reducing the level of services that can be provided.

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

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

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

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

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

## LIMITING CONSIDERATION OF AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATION ACT, 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 4577 in the Committee of the Whole pursuant to House Resolution 418 and the order of the House of June 8, 2000, no further amendment to the bill shall be in order except:

One, pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Two, the amendment printed in part B of House Report 106–657;

Three, the remaining amendments listed in the order of the House of June 8, 2000, as previously modified;

And four, the following additional amendments by the gentleman from Florida (Mr. YOUNG), regarding across-the-board reduction; the gentleman from Michigan (Mr. HOEKSTRA), regarding reductions in Education for the Disadvantaged, Impact Aid, School Improvement Programs, and Bilingual and Immigrant Education and increase in special education; further, by the gentleman from Colorado (Mr. SCHAFFER), regarding reduction in education research, statistics, and improvement and increase in special education; by the gentleman from Colorado (Mr. SCHAFFER), regarding reduction in Even Start and increase in special education for grants to States; by the gentleman from Colorado (Mr. SCHAFFER), regarding reduction in Job Corps Training and increase in special education for grants to States; by the gentleman from Colorado (Mr. SCHAFFER), regarding reduction in the United States Institute of Peace and increase in special education for grants to States; by the gentleman from Oklahoma (Mr. COBURN), regarding fetal tissue research; by the gentlewoman from Ohio (Ms. KAPTUR), regarding a report of the impact of PNTR on United States jobs; by the gentleman from Vermont (Mr. SANDERS), regarding NIH; by the gentleman from Ohio (Mr. HALL), regarding additional funding for Meals on Wheels; and the amendments printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XXVIII and numbered 1, 2, 3, 4, 5, 7, 182, 183, 184, 185, 186, 189, 190, 191, 192, 196, 198, and 201.

Each additional amendment may be offered only by the Member designated in this request or a designee or the Member who caused it to be printed or a designee; shall be considered as read; shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent; shall not be subject to amendment; and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

## REPORT ON H.R. 4635, DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida, from the Committee on Appropriations, submitted a privileged report (Rept. No. 106–674) on the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

## GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4577, and that I may include tabular and extraneous material.

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

There was no objection.

## APPOINTMENT OF CONFEREES ON H.R. 4425, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

Mr. HOBSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

### MOTION TO INSTRUCT CONFEREES OFFERED BY MR. OLVER

Mr. OLVER. Mr. Speaker, I offer a motion to instruct the conferees.

The Clerk read as follows:

Mr. OLVER moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4425, be instructed to disagree with the Senate amendment and provide funding for National Missile Defense Initial Deployment Facilities at a level equal to the lower level as provided in the House passed bill.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. OLVER) and the gentleman from Ohio (Mr. HOBSON) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

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

Mr. Speaker, this is a simple motion. It should not be controversial. These United States are on the verge of embarking on what could be a $60 billion National Missile Defense program. This House included more than adequate funding to start the early lead construction items of the National Missile Defense as it is now conceived. The other Chamber has funded this item at a substantially and unnecessarily higher level.

This motion instructs the conferees to insist on the more prudent level of spending in the House bill; 367 Members of the House supported this level of spending when we passed the bill several weeks ago, and it is important that we maintain our position.

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

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

Mr. Speaker, we have no objection to the amendment of the gentleman from Massachusetts (Mr. OLVER) and would urge its adoption.

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

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

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Massachusetts (Mr. OLVER).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

For consideration of the House bill, and Division A of the Senate amendment, and modifications committed to conference:

Messrs. HOBSON, PORTER, TIAHRT, WALSH, MILLER of Florida, ADERHOLT, Ms. GRANGER, and Messrs. GOODE, YOUNG of Florida, OLVER, EDWARDS, FARR of California, BOYD, DICKS, and OBEY;

For consideration of the Division B of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Florida, REGULA, LEWIS of California, ROGERS, SKEEN, CALLAHAN, OBEY, MURTHA, and Ms. PELOSI and Ms. KAPTUR.

There was no objection.

□ 2340

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. TERRY). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## INDIA IN NEED OF THIS COUNTRY'S ASSISTANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Michigan (Mr. BONIOR) is recognized for half the time until midnight as the designee of the minority leader.

Mr. BONIOR. Mr. Speaker, I take the well at this very late hour because I want to talk about an issue that is, I think, vitally important not only to this country but to the stability of peace in the world community.

I had the occasion to take a trip with my wife and several others to Pakistan in India, and to Kashmir about a month, or month and a half ago, and it indeed was one of the more interesting things I have done in my 28 years of political life. I came away more convinced than ever that the United States has a proactive role to play in helping with the challenges that are faced in South Asia.

I think everyone now is aware that South Asia is a nuclear flash point; that the Indian Government and the Pakistanis have fought now three times since partition in 1947 from the British, and as a result of those wars, the recent skirmish in addition to that in the Kargil region, which claimed a thousand lives this past summer, it is a very dangerous place, with both countries now having the nuclear capability to destroy each other and inflict incredible destruction on not only that region of the world but the planet in general. So it seems to me that we need as a Nation and as a world community to focus our attention more and more on bringing peace and stability to the people of Kashmir. It is clearly in their interest.

The people of Kashmir have suffered through 50 years of broken promises. If we recall our history, the United Nations called for a plebiscite on self-determination in Kashmir in 1948, but of course that has never been carried out, and this legacy of neglect has fostered distrust, it has fostered hopelessness among many in Kashmir, especially the Muslim majority, which has spawned a cycle of protest and of violence and of repression.

As many as up to 70,000 Kashmiris in the last decade have died as a result of this war that is going on in their country. It is an incredibly beautiful place. Lush green valleys, enormously pristine sparkling lakes surrounded by the Himalayas' snow-capped mountains. Its beauty is only contrasted by the pain and the suffering of indeed this brutal repression and war that is raging now that, as I have said, has claimed as many, some say up to 70,000 lives. A staggering total.

Indian security forces number in the neighborhood of somewhere between 500,000 and 700,000 troops in the States of Kashmir and Jammu, and they wage, along with the militants who are crossing the border and fighting in this region, a day-to-day campaign of terror and repression. And the Kashmiri people are caught in the middle. The human rights abuses are every bit as outrageous and repugnant as they have been in the Balkans as we have seen recently. The number of rapes and torture and all the things that go along with this type of international catastrophe is present in Kashmir.

Independent human rights' groups report on these rapes and these tortures. Often they are not allowed into Kashmir. Amnesty International is not, and

other human rights' organizations have had a difficult time getting in and verifying some of these atrocities. Common disappearances occur all the time. People lose their loved ones.

When we were up in Srinagar, which is the summer capital in Kashmir, we could just see the besieged nature of this once incredibly crystal beautiful land. The look of weariness and longing and hunger on the faces of the people beg for a solution and a way out of this quagmire of violence that they find themselves in.

And their most precious resource, their children, the Kashmiri children, are being driven away by this violence. When the young people are old enough to go, they go. So whole families are being broken up as a result of this.

Tourism, which could be as profitable and as abundant and as prosperous as anyplace in the world because of this incredible beauty is almost nonexistent. It is in ruins. We need to do something about this as a country.

When the young people in Kashmir start to immolate themselves, burn themselves alive, because of the hopelessness that they feel; that there is no way out of this, it speaks clearly and loudly to just what has happened and how far they have come on the road to despair.

Violent acts, such as the massacre of dozens of Sikh villagers in Kashmir during the President's visit to India have shown that the killings will continue unabated unless something is done to stop it.

Now, I would like to just briefly, in the short time that I have here before we adjourn, touch upon the significance of doing this for Pakistan, for India, and for the United States. For Pakistan, the meaning of the conflict in Kashmir goes really to the heart and the soul of people in Kashmir. The people of Pakistan feel a deep sense of kinship with their brethren in Kashmir. Muslim countries. Muslim areas both.

The crisis in Kashmir has drained Pakistan of its resources, leaving unmet needs for efforts to alleviate their poverty, their illiteracy, their health care needs, their infrastructure needs. I was told, and I do not know how completely accurate this is, but I have a sense that it is close to accurate, that of the budget in Pakistan, where they have roughly 130 million people, 60 percent of their budget goes to just servicing their debt. Imagine that, 60 cents on the dollar going to service the debt. Thirty percent goes to the military, nuclear development and their military establishment, and only 10 percent of their meager budget goes to dealing with the problems of illiteracy, health care, infrastructure, and all the things a civilized society would want to invest in.

With Indian troops and a nuclear capability amassed on one border, and with the Taliban ever present and presenting a threat on the other in Afghanistan, Pakistan has devoted much of its income to the military, and, as I say, to the development of nuclear weapons.

□ 2350

Stopping the incursions of militants into Kashmir is in the interest of the leaders of Pakistan so they can focus in on their internal concerns.

The SPEAKER pro tempore (Mr. TERRY). As there is no speaker for the majority on his designated time, the gentleman from Michigan (Mr. BONIOR) is recognized for 10 minutes.

Mr. BONIOR. Mr. Speaker, so unless confidence is restored with the Indian Government, a lasting peace will never occur.

I had the chance when I was there to meet with the Pakistani leaders. I met with General Musharraf, who is the chief executive of Pakistan, the head of state. I came to that meeting prepared to meet a military man who engaged in a coup and was not quite sure what to expect.

In my discussions with people in Pakistan, in my discussions with him in the meeting I had with him, I came away with the understanding that he wants to break the cycle of corruption and impotence on the people of the party politically, he wants to do something to change the internal dynamics of his country, and he wants to do it in a transition way that can lead to the reestablish of democracy in his country.

There are some signals and some signs that he is doing some things that will move in that direction. While I was there, they had the first human rights conference that they ever have had in Pakistan. And they dealt with the question of honor killings, which had been ignored for a very long time, where male members and heads of families would kill and beat and torture their wives if they suspected infidelity or thought perhaps it might even have occurred. This he has taken on strongly and has enforced since that conference.

He has taken on the question of child labor and moving in the direction of making sure that children are not abused at the work site and are provided an opportunity for an education.

In the area of empowering people, for the first time they are redoing all the roles of government in Pakistan, the voter roles. They have allowed the 18-year-olds to vote. And in November of this year, there will be under these new regimes of empowerment local elections throughout the country. And, of course, the supreme court recently ruled in Pakistan that there would be national elections within a 2½-year period in which General Musharraf has agreed to.

So on the democracy front, on the human rights front, on dealing with corruption, he has commissioned people within his government to act forcefully at trying to stop the corruption that is so endemic to that society and which was responsible to a large extent for the failures of the Bhutto and the Sharif governments.

So there is a strong movement to fight corruption, to establish an economic system that is fair and equitable and honest.

As my colleagues can tell, Mr. Speaker, I came away with some hope when I was not really expecting to. But I have watched, even in recent days, the minister in Pakistan who deals with the question of terrorism issue some statements. There was an article recently on Saturday in the New York Times that showed that they are on the offensive to deal with this important aspect of their national and international obligations.

So there are some things that are happening here. General Musharraf has offered on numerous occasions, and he did to me when I was with him in our visit, that he in fact wants to dialogue with the Indian leaders, with the Indian Government, and that he understands the necessity to stop this cycle of violence.

The sense of distress between the people of Kashmir and the Government of India and the tensions between India and Pakistan have stalled every diplomatic effort that has been made to stop these killings. But we have a chance now, because I think it is in everybody's interest to get this done, Pakistan, and it is in India's interest. And if I could just move to them for a second. Their government has a compelling interest to resolve this Kashmir question, as well.

India shares Pakistan's challenge with poverty, with illiteracy, with health care, with their infrastructure needs. They do not want 600,000 troops stationed in Kashmir. That takes an enormous amount of resources, and it drains their ability to deal with these other problems. They do not want this continuing and escalating violence in Kashmir. They want, it would seem to me, to resolve this issue, as well.

And there are some signs of hope. The Indian Government has allowed some Kashmiri political and civil leaders out of jail. I met with them when I was in Kashmir. I met with the conference leaders, some of whom just recently were let out of jail, and they are asking for a dialogue with the Indian Government. And while there has been intimations that that dialogue would occur, it has not. And I would encourage the Indian Government to engage in it.

Kashmiris must have a responsible role in deciding their own fate, and this will only occur when we continue to build confidence-building measures, such as opening preliminary discussions, allowing people to exercise their leadership, freeing them from jail, stopping the violence of incursions of militants across the border. These are all pieces that have to take place in order for this to come together.

The Indian Government, as I said, has participated in some of these. Other things they have not, they have not shown an interest. And we need, as a Government here in the United

States, to move them in that direction and to get them to stop the torture and the other repressive measures that they are taking in Kashmir against the Kashmiri people.

Now, I see a way forward but only if we, as the United States, are willing to invest more time and resources to bring these parties together. And I think we have an obligation to do that. I think we have a moral responsibility to do that.

During the war in Afghanistan, the United States armed Pakistan's neighbors and the militants. And then we sort of casually abandoned the region, and that left the region in a state of militarism with enormous amounts of weapons and ammunitions.

Now we have an obligation, it seems to me, to do our part to help establish stability in South Asia. It is in our interest to do so. The threat of nuclear conflict in South Asia is very, very real. We must reduce this threat and halt the arms race in South Asia. And unless Kashmir is addressed, that will not happen. We cannot make progress unless people in the world community are willing to tackle this issue.

The United States has called for democracy to take root in South Asia, but this will not happen on its own and it surely will not happen without a resolution to this very important question.

And by ''democracy,'' I am talking about not only democracy in form but I am talking about supporting democracy through helping Pakistan develop some of those institutions for democratic action, and we have ways to do that here. Instead of withholding support for Pakistan, who has been a great front for this country throughout its history, one of our best allies and best friends, instead of engaging in embargoes, we ought to be financially helping Pakistan move forward.

Because democracy works well when there is an economic component. When you give people a sense of home for their economic life, that works very well with establishing and enhancing the democratic life of a country. Democracy by itself, without any support economically, is going to be a very fragile democracy.

If we turn our attention away from the region, as we did after the war in Afghanistan, we risk further erosion, violence, and disillusionment.

We are, as a country, as a superpower, as a country that is engaged in the Middle East and in Ireland and in Africa and in other places recently, in Latin America, we have a role to play here. And as a long-standing ally of Pakistan as an emerging friend of India, we are in a position to bring people together. And given the stakes in South Asia, punitive economic sanctions, as I said, are clearly counterproductive.

While we have our differences, we must never forget that Pakistan, as I said, has been a long-standing ally of the United States. Democracy will be strengthened not by economic sanctions but by economic aid and by taking the know-how of our democratic institutions and trying to provide those kinds of expertise and know-how with those who are struggling for an expanded democracy in Pakistan.

So I think everything is in place to make this work. And because of the nuclear potential, the world needs desperately to focus in on this region. And because of the promise that was made to the Kashmiris over 50 years ago, we need to desperately take hold of this issue and focus our attention and try to develop a process by which we can reach some resolve.

People in Kashmir are exhausted from the violence. They are exhausted from the war. They are exhausted from the economic inactivity. We can make a big change in a very important part of the world if we will devote some of our energies, some our good will, some of our resources to making that happen.

So I look forward, as I told the President when I discussed this with him briefly at the White House, I look forward to working with him and our administration and our allies in bringing Pakistan and India together and bringing the Kashmiris into discussions so that both countries can live in peace and the Kashmiris can have the right to express their views and work for a better situation economically and politically and democratically for their people.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BALDWIN (at the request of Mr. GEPHARDT) for today on account of airport delays.

Mr. FATTAH (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mr. TOOMEY (at the request of Mr. ARMEY) for today and until 4:00 p.m. on June 13 on account of the birth of Bridget Kathleen Toomey.

Mr. WATTS of Oklahoma (at the request of Mr. ARMEY) for today and June 13 on account of attending a family funeral.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. OLVER) to revise and extend his remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

## SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred a follows:

S. Con. Res. 121, concurrent resolution, congratulating Representative Stephen S. F. Chen on the occasion of his retirement from the diplomatic service of Taiwan, and for other purposes; to the Committee on International Relations.

## BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1953. 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. 3639. 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''.

H.R. 2484. 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.

## ADJOURNMENT

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), under its previous order, the House adjourned until today, Tuesday, June 13, 2000, at 9 a.m. for morning hour debates.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8078. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Oriental Fruit Fly; Removal of Quarantined Area [Docket No. 99–076–2] received May 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8079. A letter from the Director, Office of Federal Housing Oversight, transmitting the Office's final rule—Implementation of the Equal Access to Justice Act (RIN: 2550–AA08) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8080. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—State Energy Program [Docket No. EE-RM–96–402] (RIN: 1904–AB01) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8081. A letter from the Special Assistant to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Establishment of a Class A Television Service [MM Docket No. 00–10] received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8082. A letter from the Bureau of Consumer Protection, Federal Trade Commission,

transmitting the Commission's final rule—DotCom Disclosures About Online Advertising—received May 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8083. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Greece [Transmittal No. DTC 013–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8084. A letter from the Chairwoman, Equal Employment Opportunity Commission, transmitting the Inspector General's Semiannual Report for the period ending March 31, 2000 and the Semiannual Management Report for the same period; to the Committee on Government Reform.

8085. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Redefinition of the Southern and Western Colorado Appropriated Fund Wage Area (RIN: 3206–AI95) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8086. A letter from the Director, Family-Friendly Workplace Advocacy Office, Office of Personnel Management, transmitting the Office's final rule—Agency Use of Appropriated Funds For Child Care Costs For Lower Income Employees (RIN: 3206–AI93) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8087. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Threatened Status for the Koala (RIN: 1018–AE43) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8088. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Concession Contracts (RIN: 1024–AC72) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8089. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—1999–2000 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018–AF52) received May 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8090. A letter from the Deputy Executive Secretary, Indian Health Service, Department of Health and Human Services, transmitting the Department's final rule—Currently Effective Indian Health Service Eligibility Regulations (RIN: 0917–AAO3) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8091. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management Plan [Docket No. 000307061–0061–01; I.D. 013100D] (RIN: 0648–AN46) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8092. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Catcher Vessels using Trawl Gear in the Bering Sea and Aleutian Islands [Docket No. 000211040–0040–01; I.D. 042400A] received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8093. A letter from the Deputy Assistant Administrator For Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 33 to the Northeast Multispecies Fishery Management Plan [Docket No. 000407096–0096–01; I.D. 040300C] (RIN: 0648–AN51) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8094. A letter from the Deputy Executive Secretary, Department of Health and Human Services, transmitting the Department's final rule—Refugee Resettlement Program Requirements for Refugee Cash Assistance and Refugee Medical Assistance—received March 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8095. A letter from the Secretary of Health and Human Services, transmitting the draft bill, the ''HCFA User Fee Act of 2000''; jointly to the Committees on Ways and Means and Commerce.

8096. A letter from the Assistant Secretary, Civil Works, Department of the Army, transmitting a draft bill entitled, ''Water Resources Development Act of 2000''; jointly to the Committees on Transportation and Infrastructure, Commerce, and Resources.

8097. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation relating to the management of the Department of Defense and to the transfer of naval vessels to foreign countries; jointly to the Committees on Armed Services, Government Reform, International Relations, and Intelligence (Permanent Select).

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURTON: Committee on Government Reform. H.R. 3995. A bill to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government: with an amendment (Rept. 106–6631). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 4387. A bill to provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by the voters of the District of Columbia (Rept. 106–664). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 4504. A bill to make technical amendments to the Higher Education Act of 1965; with an amendment (Rept. 106–665). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 4079. A bill to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education; with an amendment (Rept. 106–666). Referred to the Committee of the Whole House on the State of the Union.

Mr. GILMAN: Committee on International Relations. H.R. 4022. A bill regarding the sale and transfer of Moskit anti-ship missiles by the Russian Federation; with an amendment (Rept. 106–667). Referred to the Whole House on the State of the Union.

Mr. GILMAN: Committee on International Relations. H.R. 4118. A bill to prohibit the rescheduling or forgiveness of any outstanding bilateral debt owed to the United States by the Government of the Russian Federation until the President certifies to the Congress that the Government of the Russian Federation has ceased all its operations at, removed all personnel from, and permanently closed the intelligence facility at Lourdes, Cuba; with an amendment (Rept. 106–668). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCOLLUM: Committee on the Judiciary. H.R. 3048. A bill to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes; with an amendment (Rept. 106–669). Referred to the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 523. Resolution waiving points of order against the conference report to accompany the bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continuing expansion of electronic commerce through the operation of free market forces, and for other purposes (Rept. 106–670). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 524. Resolution providing for consideration of the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–671). Referred to the House Calendar.

Mr. ARCHER: Committee on Ways and Means. House Joint Resolution 90. Resolution withdrawing the approval of the United States from the Agreement establishing the World Trade Organization (Rept. 106–672). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 4601. A bill to provide for reconciliation pursuant to section 213(c) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt; with an amendment (Rept. 106–673 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALSH: Committee on Appropriations. H.R. 4635. A bill making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–674). Referred to the Committee of the Whole House on the State of the Union.

### DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on the Budget discharged. H.R. 4601 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 4601. Referral to the Committee on the Budget extended for a period ending not later than June 12, 2000.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WALSH:

H.R. 4635. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

By Mr. FATTAH (for himself, Mr. HOYER, Mr. DAVIS of Illinois, and Mr. OWENS):

H.R. 4636. A bill to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes; to the Committee on Government Reform.

By Mr. GIBBONS:

H.R. 4637. A bill to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the aquisition by the Secretary of the Interior of enviromentally sensitive lands in the State of Nevada; to the Committee on Resources.

By Mr. HUTCHINSON:

H.R. 4638. A bill to amend title 23, United States Code, to require States to providing Federal highway funds for projects in high priority corridors, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LAMPSON (for himself and Mr. LOBIONDO):

H.R. 4639. A bill to assure that recreation benefits are accorded the same weight as hurricane and storm damage reduction benefits as well as environmental restoration benefits; to the Committee on Transportation and Infrastructure.

By Mr. MCCOLLUM (for himself, Mr. SCOTT, Mr. GILMAN, Mr. KENNEDY of Rhode Island, Mr. WEINER, and Mr. CHABOT):

H.R. 4640. A bill to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 4641. A bill to provide trade adjustment assistance for certain workers; to the Committee on Ways and Means.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

349. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 288 memorializing the Congress of the United States to provide funding for increased Bovine Tuberculosis Testing and Research in Michigan and for Federal Indemnification and Financial Assistance for the Federal Indemnification and Financial Assistance for the Federally Required Destruction of Michigan Cattle; to the Committee on Agriculture.

350. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial No. 8019 memorializing Congress to continue to help meet the unique special needs of gifted students by including formula grants to states for gifted and talented education programs (HR 637 and S 505) in its consideration of the reauthorization of the Elementary and Secondary Education Act; to the Committee on Education and the Workforce.

351. Also, a memorial of the House of Representatives of the State of West Virginia, relative to House Concurrent Resolution No. 42 memorializing the West Virginia Congressional Delegation to take immediate legislative action to amend existing surface mining laws to reverse the effect of the decision in Bragg, et al. V. ROBERTSON, et al. on West Virginia mines and miners; to the Committee on Resources.

352. Also, a memorial of the House of Representatives of the State of West Virginia, relative to House Concurrent Resolution No. 5 memorializing the Congress of the United States to propose an amendment to the Constitution of the United States of America for submission to the states for ratification prohibiting federal courts from ordering a state or political subdivision thereof to levy or increase taxes; to the Committee on the Judiciary.

353. Also, a memorial of the House of Representatives of the State of West Virginia, relative to House Concurrent Resolution No. 68 memorializing the United States Congress to amend the Internal Revenue Code to exempt from federal income taxes the income received by the holders of bonds issued pursuant to the provisions of Senate Bill 175, the ''West Virginia Pension Liability Redemption Act''; to the Committee on Ways and Means.

354. Also, a memorial of the House of Representatives of the State of West Virginia, relative to House Concurrent Resolution No. 68 memorializing the United States Congress to amend the Internal Revenue Code to exempt from federal income taxes the income received by the holders of bonds issued pursuant to the provisions of Senate Bill 175, the ''West Virginia Pension Liability Redemption Act''; to the Committee on Ways and Means.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 363: Mr. HINCHEY.

H.R. 632: Mr. HEFLEY, Mr. ROMERO-BARCELO, and Mr. WEINER.

H.R. 914: Mr. LUCAS of Kentucky and Mr. BERMAN.

H.R. 1111: Ms. STABENOW.

H.R. 1202: Mr. LEWIS of Georgia, Mrs. JOHNSON of Connecticut, Mr. KENNEDY of Rhode Island, and Mr. GILCHREST.

H.R. 1248: Mr. QUINN, Mr. SHIMKUS, Mr. COSTELLO, and Mr. KILDEE.

H.R. 1271: Mr. ROTHMAN.

H.R. 1515: Mr. MOLLOHAN.

H.R. 1586: Ms. CARSON.

H.R. 1594: Mrs. CAPPS.

H.R. 1621: Mr. BENTSEN.

H.R. 1885: Ms. STABENOW.

H.R. 2000: Mr. FLETCHER and Mr. GILLMOR.

H.R. 2059: Mr. LANTOS.

H.R. 2451: Mr. BACHUS.

H.R. 2596: Mr. CALVERT and Mr. ENGILSH.

H.R. 2749: Mr. BILBRAY.

H.R. 2790: Mr. MOORE.

H.R. 2814: Mr. DEFAZIO.

H.R. 3059: Mr. SMITH of New Jersey.

H.R. 3100: Mr. SOUDER, Mr. DAVIS of Virginia, Mr. DICKEY, Mr. PAYNE, and Mr. METCALF.

H.R. 3301: Mr. WEINER.

H.R. 3327: Mr. POMBO.

H.R. 3463: Mr. PALLONE, Mr. GILMAN, Mr. HOLT, and Mr. GUTIERREZ.

H.R. 3633: Mr. HASTINGS of Washington, Ms. BERKLEY, Mr. MARTINEZ, and Mr. STRICKLAND.

H.R. 3677: Mr. CANADY of Florida.

H.R. 3697: Mr. SMITH of Texas.

H.R. 3732: Ms. LOFGREN.

H.R. 3844: Mr. CHABOT.

H.R. 3891: Mr. HOEFFEL.

H.R. 3915: Mr. BACA, Mr. RILEY, Mr. SNYDER, Mr. REYES, Mr. TALENT, Mr. LUCAS of Oklahoma, Mr. EHRLICH, and Mr. BARR of Georgia.

H.R. 4001: Mr. BRADY of Pennsylvania, Mr. MCDERMOTT, Mr. LANTOS, Ms. LEE, and Mr. JACKSON of Illinois.

H.R. 4071: Mr. WYNN.

H.R. 4079: Mr. HEFLEY, Mrs. BIGGERT, and Mr. ROYCE.

H.R. 4093: Mr. PASCRELL.

H.R. 4149: Mr. SHIMKUS, Mr. OXLEY, Mr. SHERMAN, and Mr. BARTON of Texas.

H.R. 4189: Mr. BLUMENAUER and Ms. HOOLEY of Oregon.

H.R. 4210: Mr. SISISKY.

H.R. 4246: Mrs. MORELLA.

H.R. 4248: Mr. WALDEN of Oregon and Mr. KNOLLENBERG.

H.R. 4271: Mr. WEINER and Mr. NORWOOD.

H.R. 4272: Mr. WEINER and Mr. NORWOOD.

H.R. 4273: Mr. WEINER and Mr. NORWOOD.

H.R. 4281: Mrs. MALONEY of New York, Mr. BLUMENAUER, Mr. NADLER, Mr. GEORGE MILLER of California, Mr. DEAL of Georgia, Mr. STARK, Mr. BAIRD, Mr. EVANS, and Mr. ACKERMAN.

H.R. 4283: Mr. KLECZKA, Mr. BARCIA, and Mr. UPTON.

H.R. 4328: Mrs. CHRISTENSEN AND Mr. BLILEY.

H.R. 4329: Mr. ENGLISH and Mr. FLETCHER.

H.R. 4357: Mr. BLAGOJEVICH.

H.R. 4395: Mr. POMEROY and Mr. SHAW.

H.R. 4410: Mr. BILBRAY and Mr. GILCHREST.

H.R. 4453: Mr. WYNN and Ms. LEE.

H.R. 4483: Mr. ROMERO-BARCELO.

H.R. 4492: Mr. BILIRAKIS, Mr. GONZALEZ, Mr. KENNEDY of Rhode Island, and Mr. ROMERO-BARCELO.

H.R. 4495: Mr. LANTOS, Mr. GEJDENSON, Mr. MATSUI, Mr. FROST, amd Ms. DEGETTE.

H.R. 4503: Mr. COBLE, Mr. DELAY, Mr. RILEY, Mr. HILLIARD, Mr. BACHUS, Mr. ISAKSON, Mr. WATTS of Oklahoma, Mr. SPRATT, Mr. WICKER, and Mr. NORWOOD.

H.R. 4504: Mr. SOUDER.

H.R. 4600: Mr. SHOWS.

H.R. 4601: Mrs. NORTHUP and Mr. GARY MILLER of California.

H.R. 4621: Mr. MCHUGH, Mr. KUYKENDALL, and Mr. NETHERCUTT.

H.J. Res. 56: Mr. BRADY of Pennsylvania.

H.J. Res. 90: Mr. TRAFICANT.

H. Con. Res. 321: Mr. GOODE, Ms. STABENOW, Mr. MATSUI, Mr. FRANKS of New Jersey, Mr. CHABOT, and Mr. CANADY of Florida.

H. Con. Res. 341: Mr. FRANK of Massachusetts, Mr. DEUTSCH, and Mr. LAFALCE.

H. Con Res. 343: Ms. CARSON.

H. Con. Res. 350: Mr. FARR of California.

H. Res. 280: Mr. MCKEON.

H. Res. 388: Mrs. MALONEY of New York.

H. Res. 461: Mr. KLINK, Ms. JACKSON-LEE of Texas, Mr. STARK, Mr. MCGOVERN, Mr. TIERNEY, Mr. TOWNS, Mr. COBURN, Mr. OLVER, Mrs. MORELLA, Mr. CAPUANO, Mr. MCNULTY, Mrs. CAPPS, Mr. HINCHEY, Mr. WAXMAN, Mr. BILIRAKIS, and Mr. DEFAZIO.

## PETITIONS, ETC.

Under clause 3 of rule XII,

89. The SPEAKER presented a petition of Board of Commissioners and Board of Equalizers, Ferry County, relative to Resolution No. 2000–16 petitioning the federal government to change the Endangered Species Act to provide incentives for the protection of

endangered species through empowering citizens and communities to freely and voluntarily assist in protection of endangered species; which was referred to the Committee on Resources.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

OFFERED BY: MR. GUTKNECHT

AMENDMENT NO. 27: Insert before the short title the following title:

**TITLE IX—ADDITIONAL GENERAL PROVISIONS**

SEC. 901. None of the amounts made available in this Act for the Food and Drug Administration may be expended to provide to any person (including a pharmacist or wholesale importer) a drug-importation warning letter issued pursuant to section 801 of the Federal Food, Drug, and Cosmetic Act.

H.R. 4577

OFFERED BY: MR. HOEKSTRA

AMENDMENT NO. 202: Page 50, line 11, insert after the dollar amount the following: ''(decreased by $116,000,000)''.

Page 51, line 21, insert after the first dollar amount the following: ''(decreased by $78,548,000)''.

Page 52, line 12, insert after the first dollar amount the following: ''(decreased by $158,450,000)''.

Page 53, line 5, insert after the dollar amount the following: ''(decreased by $30,765,000)''.

Page 53, line 17, insert after the first dollar amount the following: ''(increased by $383,263,000)''.

H.R. 4577

OFFERED BY: MR. SCHAFFER

AMENDMENT NO. 203: Page 64, after line 6, insert the following:

SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading ''DEPARTMENT OF EDUCATION–EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT'' for the research activities, and by increasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $10,356,700.

H.R. 4577

OFFERED BY: MR. SCHAFFER

AMENDMENT NO. 204: Page 84, after line 21, insert the following:

SEC. 518. The amounts otherwise provided by this Act are revised by decreasing the amount made available in title III under the heading ''DEPARTMENT OF EDUCATION–EDUCATION FOR THE DISADVANTAGED'' for the Even Start program, and by increasing the amount made available in title III under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $100,000,000.

H.R. 4577

OFFERED BY: MR. SCHAFFER

AMENDMENT NO. 205: Page 84, after line 21, insert the following:

SEC. 518. The amounts otherwise provided by this Act are revised by decreasing the amount made available in title I under the heading ''DEPARTMENT OF LABOR–EMPLOYMENT AND TRAINING ADMINISTRATION–TRAINING AND EMPLOYMENT SERVICES'' for the Job Corps program under the Workforce Investment Act of 1998, and by increasing the amount made available in title III under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $42,224,000.

H.R. 4577

OFFERED BY: MR. SCHAFFER

AMENDMENT NO. 206: Page 84, after line 21, insert the following:

SEC. 518. The amounts otherwise provided by this Act are revised by increasing the amount made available in title III under the heading ''DEPARTMENT OF EDUCATION–SPECIAL EDUCATION'' for grants to States, and by decreasing the amount made available in title IV under the heading ''RELATED AGENCIES–UNITED STATES INSTITUTE OF PEACE–OPERATING EXPENSES'', by $15,000,000.

H.R. 4577

OFFERED BY: MR. STEARNS

AMENDMENT NO. 207: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used in contravention of section 503(c) of title 10, United States Code.

H.R. 4578

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 10: Insert before the short title the following:

**TITLE V—ADDITIONAL GENERAL PROVISIONS**

SEC. 501. None of the funds appropriated or otherwise made available by this Act may be used to assess a fine or take any other law enforcement action against a person for failure to pay a fee for a vehicle pass imposed under the recreational fee demonstration program authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 16 U.S.C. 460l–6a note), regarding parking at trailheads and dispersed recreation sites in the National Forest System.

H.R. 4578

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 11: Insert before the short title the following:

**TITLE V—ADDITIONAL GENERAL PROVISIONS**

SEC. 501. None of the funds appropriated or otherwise made available by this Act may be used to enter into any new commercial agricultural lease on the Lower Klamath and Tule Lake National Wildlife Refuges in the States of Oregon and California.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 12. On page 66, line 21, strike ''$67,000,000'' and insert: ''$103,740,000''.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 13. On page 85, line 7, strike ''$98,000,000'' and insert: ''$125,000,000 of which $27,000,000 shall not become available until September 29, 2001''.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 14. On page 85, line 21, strike ''$100,604,000'' and insert: ''$110,344,000 of which $9,740,000 shall not become available until September 29, 2001''.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 15. On page 66, line 21, strike ''$67,000,000'' and insert: ''$84,260,000''.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 16. On page 85, line 7, strike ''$98,000,000'' and insert: ''$115,260,000 of which $17,260,000 shall not become available until September 29, 2001''.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 17: On page 52, after line 15, add the following new section:

SEC. ____. Any limitation imposed under this Act on funds made available by this Act related to planning and management of national monuments, designation of new wildlife refuges, or activities related to the Interior Columbia Basin Ecosystem Management Plan shall not apply to any activity which is otherwise authorized by law.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 18: On page 108, after line 3, add the following new section:

SEC. ____. Any limitation imposed under this Act on funds made available by this Act related to planning and management of national monuments, designation of new wildlife refuges, or activities related to the Interior Columbia Basin Ecosystem Management Plan shall not apply to any activity which is otherwise authorized by law.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 19: On page 52 strike lines 12 through 15.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 20: On page 108 strike lines 4 through 8.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 21: On page 108, strike lines 9 through 14.

H.R. 4578

OFFERED BY: MR. DOOLITTLE

AMENDMENT NO. 22: Insert before the short title the following:

**TITLE V—ADDITIONAL GENERAL PROVISIONS**

SEC. 501. None of the funds appropriated or otherwise made available by this Act to the Forest Service may be used—

(1) to purchase a motor vehicle for the use of Forest Service personnel that is painted in the base color identified as Federal Standard 595, color chip no. 14260, or painted in any other base color, except the color white as made available by the manufacturer; or

(2) to paint any Forest Service motor vehicle in any base color other than white.

H.R. 4578

OFFERED BY: MR. HILL OF MONTANA

AMENDMENT NO. 23: Page 56, line 5, before the period insert the following: '', of which $2,000,000 shall be for acquisition of Traveler's Rest, Montana''.

H.R. 4578

OFFERED BY: MR. HOEFFEL

AMENDMENT NO. 24: On page 102, strike Section 327.

H.R. 4578

OFFERED BY: MR. HOEFFEL

AMENDMENT NO. 25: On page 108, strike Section 335.

H.R. 4578

OFFERED BY: MRS. MALONEY OF NEW YORK

AMENDMENT NO. 26: Page 24, beginning line 6, strike ''transportation and gathering expenses, processing, and any contractor costs required to aggregate and market royalty production taken in kind at wholesale market centers'' and insert ''transportation and processing of royalty production taken in kind''.

H.R. 4578

OFFERED BY: MR. ROYCE

AMENDMENT NO. 27: Page 66, beginning at line 21, strike ''$67,000,000 shall not be available until October 1, 2001'' and insert ''$326,000,000 shall not be available until October 1, 2001''.

H.R. 4578

OFFERED BY: MR. SANDERS

AMENDMENT NO. 28: Page 67, line 16, after the dollar amount, insert the following: ''(reduced by $45,000,000) (increased by $20,000,000) (increased by $3,500,000) (increased by $9,500,000) (increased by $5,000,000) (increased by $7,000,000)''.

Page 67, line 19, after the dollar amount, insert the following: ''(increased by $23,500,000)''.

Page 67, line 24, after the dollar amount, insert the following: ''(increased by $20,000,000)''.

Page 67, line 25, after the dollar amount, insert the following: ''(increased by $3,500,000)''.

H.R. 4578

OFFERED BY: MR. SANDERS

AMENDMENT NO. 29: Page 69, line 10, after the dollar amount, insert the following: ''(reduced by $10,000,000) (increased by $10,000,000)''.

H.R. 4578

OFFERED BY: MR. SUNUNU

AMENDMENT NO. 30: Page 5, line 17, after the first dollar amount insert the following: ''(increased by $10,000,000)''.

Page 15, line 15, after the first dollar amount insert the following: ''(increased by $10,000,000)''.

Page 17, line 7, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 17, line 9, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 17, line 13, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 54, line 25, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 67, line 16, after the dollar amount insert the following: ''(reduced by $126,500,000)''.

H.R. 4578

OFFERED BY: MR. WU

AMENDMENT NO. 31: Page 53, line 14, insert after the dollar amount the following: ''(reduced by $14,727,000) (increased by $14,727,000)''.

H.R. 4578

OFFERED BY: MR. YOUNG (of Alaska)

AMENDMENT NO. 32: Insert at the appropriate place:

SEC. ____. Notwithstanding 36 Code of Federal Regulations 223, Subpart A and Subpart B, and associated provisions of law, the Forest Service shall implement the North Prince of Wales Island (POW) Collaborative Stewardship Project (CSP) agreement dated June 7, 1999, regarding a pilot project for negotiated salvage permits.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, MONDAY, JUNE 12, 2000 No. 72

# 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.

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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.

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## 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 _____.

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## 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.

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## 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.''.

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## 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.

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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.

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## 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.

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## 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.

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## 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.''.

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## 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.

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## 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.

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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.

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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.

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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.

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## 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.

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## 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.

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## 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.

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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.

# EXTENSIONS OF REMARKS

## BIGGER IS NOT ALWAYS BETTER

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Ms. SCHAKOWSKY. Mr. Speaker, recently, I asked the Congressional Research Service to provide information on the number and cost of mergers and acquisitions involving pharmaceutical companies over the last 5 years. The total: $375 billion. In the last 6 months alone, Monsanto announced it would pay $23.3 billion to buy Pharmacia and Upjohn, Glaxo Wellcome has pledged $76 billion to buy SmithKline Beecham, and Pfizer said it would spend $90.27 billion to buy Warner-Lambert.

I have been concerned about the effect of these mega-mergers on competition and prices. And I have been skeptical about claims that the increasing trend of drug companies buying other drug companies boosts research activities. A recent report by CenterWatch, a research entity focused on the pharmaceutical industry, confirms those fears.

According to its analysis of 22 mergers completed between 1988 and 1999, the number of drugs under development actually dropped by 34 percent during the first 3 years after the mergers. The median number of projects in development—from preclinical to late-stage testing—fell from 85 to 56 potential drugs. And, after a slight rise, the number of clinical trials also fell to 9 percent below premerger levels. In a Newark Star Ledger article, Ken Gatz, head of CenterWatch, stated that ''mergers are not meeting certain strategic R&D objectives and may even harm the industry's larger term ability to innovate.''

Drug companies argue that they cannot afford to lower prices to senior citizens and other consumers because it will hurt their R&D efforts. Yet, these same drug companies spent $375 billion to buy each other in mergers that have reduced R&D efforts. It is time that we reject these false claims. Congress must act now to expand Medicare to provide prescription drug coverage to all senior citizens and persons with disabilities. And it must use the power of Medicare to negotiate affordable prices. The pharmaceutical industry can certainly afford it, but our senior citizens cannot afford to wait.

[From the Star-Ledger, June 8, 2000]

DRUG-INDUSTRY MERGERS FAIL TO BOOST RESEARCH, DEVELOPMENT, STUDY FINDS

(By Edward R. Silverman)

Despite claims by drug makers that mergers can boost their output, a new study has found that the number of medicines under development actually declined by 34 percent during the first three years following completed deals.

The findings suggest that, rather than creating much larger companies capable of developing many more medicines, newly merged drug makers are instead trimming their product pipelines and, consequently, failing to become as productive as planned.

''A number of professionals believe that, in the long run, mergers create better companies,'' said Annick de Bruin, research manager at CenterWatch, a Boston-based research group that tracks the development of new pharmaceuticals and the clinical trials conducted to test these products.

''But in the short term, these mega-mergers cause disruptions in internal operations, and project cancellations with contract research organizations and with investigative sites'' that are chosen to test new medicines on patients, she said.

CenterWatch analyzed 22 mergers completed between 1988 and 1999 and found that, three years after deals were completed, the median number of development projects—from pre-clinical through late-stage testing—dropped to 56 potential medicines from 85.

Among the mergers examined were last year's combination of Astra and Zeneca; the Ciba-Geigy and Sandoz union, which formed Novartis in 1996; the Pharmacia and Upjohn merger the year before, and the Glaxo Holdings and Wellcome deal the same year.

The key areas looked at by the firm included drug-development spending; the number of original new drug applications filed with regulators; the number of new development projects generated, and therapeutic areas focused on by the newly merged companies.

In discussing the issue, CenterWatch noted that companies tout the benefits of mergers, such as cost cutting, that can make it easier to devote resources to generating higher revenue and profits—and higher stock prices.

However, the study also cited comments from drug company managers who explained that cost-cutting often extends into drug development, but usually isn't evident right away because of commitments made to Wall Street about upcoming products.

In fact, CenterWatch found that the number of clinical projects declines after a merger. Before a deal, companies carried an average of 43 projects. A year later, that rose by 10 percent, but then fell 9 percent below premerger levels two years on.

This drop represented a shortfall of $15 million to $20 million in funding, which would have been provided in the form of grants to academic investigators and contracts awarded to contract-research organizations, which conduct trials for drug makers.

''In my experience,'' one manager told CenterWatch, ''companies have gaps in their pipelines that they're trying to mask. These gaps won't be seen early in the merger. They sort of bubble up several years out.''

As for overall spending on research and development, CenterWatch found that annual growth in spending before mergers was 7.7 percent, it dipped to 3 percent a year later and returned to nearly 8 percent three years after deals were done.

''In the short term, mergers are not meeting certain strategic R&D objectives and may even harm the industry's longer-term ability to innovate,'' said Ken Getz, who heads CenterWatch.

## REECE DUCA RECOGNIZED FOR LIFETIME ACHIEVEMENT

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mrs. CAPPS. Mr. Speaker, I rise today to recognize a distinguished constituent, Mr. Reece Duca, for being the recipient of the Lifetime Achievement Award of the Alumni Association of the University of California, Santa Barbara. Mr. Duca graduated from UCSB in 1966, and has been a resident of Santa Barbara for many years. He founded and built the Learning Company into an internationally recognized leader in the development and marketing of educational software for schools and homes across the nation. The Learning Company was recognized by Forbes Magazine in 1992 as one the ''best small companies in the world.''

Reece Duca continues to pursue his passion for educational excellence through his involvement with UCSB and Stanford University, and his continuing role as an investor and advisor to start-up companies in the field of education and educational technology. One of his new companies is GlobalEnglish.com, an Internet-based educational technology company that delivers English instruction to 115 countries around the world.

I have known Reece as an active member of the Santa Barbara community. He is a person who acts on his principles and makes a lasting contribution to the success of those ideals. I also know Reece as a committed husband and father, who has been able to draw upon the wisdom and insights of his wife and children to improve his businesses and advance his goals.

Reece Duca prefers to describe his recognition as a ''half of a'' Lifetime Achievement Award, and knowing his as I do, I am confident that there is much more achievement left in this remarkable persons life. I consider the opportunity to represent him in Congress to be a great privilege.

Mr. Speaker, please join me in extending congratulations to Mr. Reece Duca for all of his exceptional accomplishments.

## IN MEMORY OF MARTINA O. MAKINDE

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. GILMAN. Mr. Speaker, it is with deep sorrow and regret that I report to my colleagues the passing last week of an outstanding humanitarian in my 20th congressional district of New York who dedicated her life to helping the elderly and the sick.

Martina Olubukola Makinde was a woman blessed with remarkable qualities and a generous heart which enabled her to spend her

life treating the elderly and the sick throughout the world. As a professional nurse, Martina worked with the elderly in numerous nursing homes and treated sick patients in hospitals and in other related health service establishments.

Since 1979, Martina served our community and a broader internationally-based community. Utilizing her skills in clinical and rehabilitative nursing, she worked with patients throughout New York and in her native country of Nigeria.

Martina was born in 1947 in Lagos State, Nigeria. After completing studies as a registered nurse in Nigeria and midwife studies in London, Martina relocated to the United States in 1977. Due to her love of nursing, she returned to school and earned her Bachelor of Science degree in Community Health at St. Joseph's College, NY and her Master of Science degree in Public Health from Long Island University.

Before completion of her Masters degree, Martina began her humanitarian services by serving the elderly as a Staff Nurse and then as Assistant Director of Nursing Services in the Jewish Home and Hospital for the Aged in New York. Soon thereafter, Martina decided to devote her services to a more under served group of patients as she returned to her native country to work with the Lagos State Ministry of Health in Nigeria. After gaining a more administrative understanding of the nursing/healthcare field, Martina returned to New York, where she assumed supervisory positions in the Jewish Home and Hospital for the Aged and in the Riverside Nursing Home. Martina finally completed her altruistic career as a Clinical Nurse Manager in the Beth Abraham Health Services in Bronx, New York where she devotedly served for the last 13 years.

Martina's love for nursing and helping those in need extended into her spiritual and personal life as well. As Martina developed spiritually, she became an active member of the Redeeming Love Christian Center in Nanuet, New York. In her final year, Martina joined her pastors in a ''To Israel With Love'' Pilgrimage. The extent of Martina's love for others was best displayed in her love for her family. She was a remarkable mother, wife, sister and friend. Her unconditional love for her husband, Mr. Sahib Ohiwafunsho Makinde, was paralleled only to the love of God. Her three beautiful children, Omoyeni, Omolewa, and Ifeoluwatobi, were her treasures as she raised them with the love and the kindness that only she possessed.

The memory of Mrs. Makinde is an inspiration to all, her humanitarian efforts having helped so many in our world-wide community.

Mr. Speaker, I invite my colleagues to join in extending our deepest sympathies to all of Martina Makinde's many loved ones, and to all who have been inspired by her remarkable efforts as a mother, a wife, friend, and humanitarian.

## DEATH TAX ELIMINATION ACT OF 2000

SPEECH OF

### HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2000*

Mr. CASTLE. Mr. Speaker, I rise today in support of H.R. 8, the ''Death Tax Elimination Act of 2000.'' This legislation pursues an admirable goal—a return to the principle of single taxation. Taxing the event of death makes little economic sense. It causes small businesses and farms to close or partially liquidate their assets to pay this tax, which can be as high as 55 percent. In turn, that leads to job loss for the employees of the business. Therefore, the benefits of this legislation flow to far more people than just business owners and their families.

Unfortunately, some taxes are a necessary evil. No modern, industrialized society can provide roads, a judicial system, or care for the needs of the poorest among us based on the goodwill and philanthropy of individual citizens. Yet, that does not give the Federal Government license to tax everything. By phasing out the death tax, a business' assets are still subject to taxation, just not double taxation. They are subject to capital gains tax when the next generation makes an informed, rationale business decision to sell the assets. This causes much less disruption in business operations and often allows employees to keep their jobs.

My only hesitation with this legislation is its potential impact on the budget. Earlier this year, the Congressional Budget Office projected a 10-year budget surplus of $888 billion assuming that discretionary spending increases at the rate of inflation. I am convinced that conservative economists, such as the Federal Reserve Chairman Alan Greenspan, are correct that paying down the national debt should be a high priority. This year, the House of Representatives has passed $180 billion in marriage tax penalty relief over the next 10 years, $123 billion in small business tax relief to accompany an increase in the minimum wage, and $23 billion in repealing the Social Security Earnings limit that punished working seniors. Because the first five years of death tax relief in this bill were already included in the small business tax relief package, the additional cost of this bill is $41 billion. In total, the House has passed $367 billion in tax relief, which does not endanger the budget surplus. As this legislation moves to the Senate and negotiations with the Clinton Administration begin, I will be paying close attention to the budgetary impact of a comprehensive tax package, and I will work to ensure we have a balanced, fiscally responsible package.

Mr. Speaker, I urge you to work closely with the Senate and the Clinton Administration to arrive at a balanced tax package that provides tax relief for our family farms and small businesses.

## A TRIBUTE TO LARRY SHARP, SAN BERNARDINO COUNTY BUSINESS LEADER OF THE YEAR

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. LEWIS of California. Mr. Speaker, I would like today to praise the efforts of Larry Sharp, the president of Arrowhead Credit Union, who has been named Business Leader of the Year by the San Bernardino County Sun for the success he has brought the credit union, and his commitment to community involvement for himself and his business.

Larry Sharp took over financial management of the San Bernardino County Central Credit Union in 1982, vowing to turn around within 24 to 30 months the troubled financial institution that served local government employees. Under his management, the credit union turned a profit within 18 months.

During Larry Sharp's 18-year tenure, what is now known as Arrowhead Credit Union has grown from 24,000 members with assets of $42 million to nearly 100,000 members and assets of $404 million.

But the credit union is much more than a financial success under Larry Sharp. It has become a community asset.

Under his leadership, Arrowhead Credit Union donated funds to create a classroom at California State University, San Bernardino, that helps students learn realtime securities trading just as if they were working for a broker.

The credit union has also given free space to create the Community Advancement Resource Center, which helps small businesses and start-ups. The credit union has set aside $250,000 for micro-loans for businesses using the center, which is a cooperative venture between the university's Center for Entrepreneurship, the Inland Empire Small Business Development Center and the U.S. Small Business Administration.

Arrowhead plans to open a branch this year on San Bernardino's West Side, whose primarily African-American and Hispanic residents have not been served by a local financial institution since 1984. And the credit union has pledged $20,000 a year to the CORE 21 program of the Inland Empire Economic Partnership to foster high-tech jobs in the area.

Mr. Speaker, it is clear that under Larry Sharp's leadership, Arrowhead Credit Union has shown the kind of leadership that helps a community prosper and grow along with its businesses. I ask you and my colleagues to join me in congratulating him on the well-deserved recognition as Business Leader of the Year.

## DR. FRANK MCCONNELL HONORED POSTHUMOUSLY WITH TEACHING AWARD

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mrs. CAPPS. Mr. Speaker, it gives me great pleasure to bring to your attention that Professor Frank McConnell was posthumously presented with the Outstanding Teaching Award by the Alumni Association at the University of California, Santa Barbara. Frank McConnell was a professor of English at UCSB for over three decades, and enjoyed a career that touched the lives of countless students who were inspired by his own love of literature.

As a member of the UCSB community, I knew Frank well, Mr. Speaker. I knew him to be passionate about the works he was teaching, engaging generations of students with his infectious love of books, writers, and their ability to communicate important ideas. There are many stories about Frank inspiring students to stay in school to finish their degrees, to major in English, and even to pursue a career in academia.

Frank also wrote a fiction and non-fiction, including a series of mysteries featuring a character he readily admitted bore a resemblance to himself: ''chain-smoking, hard-drinking, foul-mouthed.'' He was awarded a Guggenheim Fellowship, a Fulbright Professorship, and chaired the 1991 Pulitzer Prize fiction jury. Also over the course of his distinguished career, Frank was named the Mortarboard Teacher of the Year five times.

Frank McConnell, however, was not a ''typical'' academic. He could be flamboyant, colorful, and even eccentric. His classes did not end when the bell rang and the period was over. His students would follow him to the coffee shop, the student center, or the pizza parlors in Isla Vista. He helped make college fun and stimulating at the same time!

We miss Frank, and extend to his wife Celeste our best wishes for a quick recovery. She and Frank would have been proud of Celeste's son, Eric Friedman, who was raised from a young age by Frank. Eric received the award on behalf of Celeste—and Frank—and was himself a wonderful tribute to Frank's life.

Teachers, as you know well, Mr. Speaker, are among America's most important treasures. Frank McConnell was an exceptional gem, and his talent contributed in its own modest way to our Nation's greatness. I want to congratulate UCSB Chancellor Henry Yang and the UCSB Alumni Association for their emphasis on the value of teaching at a first rank research university, and for recognizing this exceptional and inspirational teacher, Professor Frank McConnell.

Mr. Speaker, I ask my colleges to stand and join me in paying special tribute to Dr. Frank McConnell.

## TRIBUTE TO THE LATE FRED CAPPS

### HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. WHITFIELD. Mr. Speaker, I rise with sadness and regret to call to the attention of the Members of Congress and the Nation the tragic murder of the Honorable Fred Capps of Burkesville, Kentucky.

Fred was a friend of justice, a dedicated and respected public official, and a personal friend. He served with distinction and diligence as Commonwealth's Attorney for Cumberland, Monroe, Adair and Casey counties in the southeastern tip of the First Congressional District from 1994 until his death on June 5, 2000. He was murdered in his home shortly after dawn by a gunman who was scheduled to be prosecuted by Mr. Capps later that day.

Heroically defending himself, his home and family, Fred was able to arm himself as the intruder shot his way into the Capps' home. Though severely wounded, Fred was able to return fire, mortally wounding the intruder, probably saving the lives of his wife and two children, who were at home during the shooting.

Fred Capps was an honest, hard-working prosecutor who brought honor to America's criminal justice system. His public contributions mirrored the way he lived his private life. He was dedicated to his wife Catherine and children John Steven and Lynda, to the law, and to his community. This tragedy reminds us again of the debt we owe to Fred Capps and his colleagues, whose commitment to law and order exposes them to the constant possibility of vengeance and violence. They deserve our support, our appreciation, and our prayers.

## DEATH TAX ELIMINATION ACT OF 2000

SPEECH OF

### HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2000*

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today in strong support of H.R. 8, the Death Tax Elimination Act. I am proud to have joined many of my colleagues as a co-sponsor of this long-overdue, corrective legislation. However, a few of my colleagues have called eliminating the death tax ''unfair.''

Mr. Speaker, what is fair about forcing a grieving family to worry about losing the family business or farm to the IRS, especially when they have just lost a loved one? Did the government put in the long hours and make the sacrifices to build this business or work this farm? Did the government work hard to leave a legacy to its children? The answer, Mr. Speaker, is clearly ''no'' but when a person dies in this country, an outrageous tax kicks in on the poor soul's estate.

The death tax is also ''unfair'' because it is a form of double taxation. Small business owners and family farmers pay taxes on their investments and work throughout their lifetime, including but not limited to income tax, capital gains tax, and even property tax. And those who claim this will only benefit the rich have not talked to farmers and small business owners in Oklahoma.

Mr. Speaker, it comes down to this. The harder you work, the more you sacrifice to invest in your farm or small business, and what is your reward if you succeed? Your reward is to give the government a larger piece of what you had hoped to pass on to your heirs. In fact, the government's take goes all the way to up to 55 percent—that is over half of the worth—of your estate. The government even imposes an additional five percent surcharge tax on top of this if your estate reaches $10 million or more—reaching a whopping marginal tax rate of 60 percent. Mr. Speaker, how did the government earn the right to over half of what you have spent a lifetime to build? How did the government become more entitled to your estate than your heirs?

The Republican Congress is working to repeal this unfair tax so that family businesses don't have to be sold to pay a tax bill, but instead can be passed down to children and grandchildren, and family farms can continue to exist. With this kind of tax penalty, it is no wonder that less than half of all family-owned businesses survive the death of a founder and only about five percent survive to the third generation. Under our current tax laws, it is cheaper for someone to sell a business before dying and pay the capital gains tax than to pass it on to his children. This is a grave injustice that cannot continue.

It has been said only in America can one be given a certificate at birth, a license at marriage and a bill at death. The death tax is contrary to the free-market principles on which this Nation was founded. We should be encouraging businesses, especially small businesses, not creating obstacles for their existence.

The Republican Congress has a track record of being pro-family and pro-business. We take family businesses very seriously. When mom-and-pop shops are closing up because of an outdated tax policy, it requires leadership and determination to remedy the situation. I am pleased to be a part of this effort.

No one should have to meet the undertaker and the IRS on the same day. The time is now to end, once and for all, the Federal death tax. The winners will be consumers, small businesses, family farms and loving families all over the country who have enough to think about when there is a death in their household. Paying Uncle Sam should not be part of the grieving process.

I urge my colleagues to support H.R. 8, the Death Tax Elimination Act.

## RECOGNIZING DANIEL L. WOODALL

### HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Daniel L. Woodall for being honored with the Unico Gold Medal of Achievement Award. Dan was chosen for his special contributions to humanity by the Philadelphia Chapter of UNICO. I am pleased to acknowledge his outstanding accomplishments.

Mr. Woodall began his association with Laborers' Local 135 in 1970 and has been active in many positions in the union. One of Dan's first leadership positions was in 1978 when he served as a delegate to the Philadelphia Laborers' District Council where currently he serves as the President. He has served as Trustee and Co-Chair for the Laborers' District Council Construction Industry Pension Fund and the Laborers' Education and Training/Apprenticeship Fund. He has also been Co-Chairman of the Chester and Montgomery County Building Trades Committee and was elected Alternate Vice-President for the Laborers' Eastern Pennsylvania States AFL–CIO. In 1999, Mr. Woodall was appointed by Governor Ridge to the Pennsylvania State Apprenticeship and Training Council, and currently serves on the Montgomery County Work Force and Investment Board for the Training and Employment Program.

Mr. Woodall is also involved in a variety of civic and charitable events in the local community. Some of his activities include raising funds for the Cerebral Palsy Labor All-Star Classic and participating in events for the Boys Town of Italy and Unico Salute to Labor. In short, Dan not only contributes significantly in the labor movement but is also a man of action and integrity in his community.

The Philadelphia Chapter of UNICO has wisely chosen Dan Woodall as the recipient of this award. Dan is truly a man who espouses quality union leadership, civic endeavors, family harmony and fits the Unico motto, ''Service Above Self.''

## RECOGNIZING CELI ADAMS

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Ms. WOOLSEY. Mr. Speaker, I rise today to recognize Celi Adams, a life-long resident of Petaluma, CA, who for the past 12 years has operated a program that provides free training for families and friends who struggle daily to provide home care for gravely ill loved ones. Ms. Adams was recently selected as a 2000 Community Health Leader by The Robert Wood Johnson Foundation. She is one of only ten individuals nationally to be selected to receive the nation's highest honor for community health leadership, which includes a $100,000 award to continue her work.

Ms. Adams, a former cancer nurse, first recognized the need to educate people around quality home care when she was part of a group caring for a close friend with AIDS. After this experience, she quit her nursing job and co-founded Home Care Companions in 1988. Initially operated out of her mother's spare bedroom, the agency offers a free 18-hour course that trains family members and friends of patients suffering from acute illnesses in basic home-care nursing skills. The course provides instructions on topics such as pain management, nutrition, bed care, and physical therapy, as well as educates both patient and care giver on how to navigate an often-complex medical care system and how to put their legal affairs in order. Since its inception, more than 2,000 people have participated in the training.

Originally targeted to AIDS care givers, Ms. Adams' program has expanded in recent years to include training on cancer, congestive heart failure and chronic obstructive pulmonary disease. Home Care Companions' training techniques have been taught to nurses in Japan and more recently to medical professionals in Africa. In 1997, they assisted in the development of an Australian AIDS home-care training program. Future plans for her agency also include training sessions on caring for frail elders and an outreach effort to help other groups start training programs in their own communities.

Borne out of her own personal experience with a dying loved one, Ms. Adams created a program that has touched the lives of many in her community and beyond. I am thrilled that Celi Adams was selected for this well-deserved award from the Robert Wood Johnson Foundation and I urge my colleagues to join me in congratulating her on this wonderful achievement.

Mr. Speaker, as one of her nominators aptly put it, ''She didn't do this for fame or glory. She did it for the best reason of all, because people in crisis need her help.''

## GARY GALLUP RECEIVES GRAVER SERVICE AWARD

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mrs. CAPPS. Mr. Speaker, I am pleased to report that my dear friend, Gary Gallup, a member of the class of 1961 at the University of California, Santa Barbara, was recently honored by the UCSB Alumni Association. He is the year 2000 recipient of the Chuck Graver Alumni Service Award for his steadfast commitment to his alma mater.

Gary Gallup was a founder of the UCSB Alumni Association, and served on its Board of Directors in its early years. Gary has worked hard to improve the stature of the campus which now ranks among the top universities in the nation for research and academic quality. It is certainly one of the most beautiful campuses, if I may be permitted a hometown boast!

Gary went on to join the UCSB Foundation over twenty years ago, and has since been involved in attracting private support that has been so important to the growth in size, quality, and stature of the university. Most recently, he served as chair of the Foundation, which expects to have a record setting year in fundraising.

His voluntary contributions of time and energy often go unnoticed and unrecognized in our complicated world of busy lives. It is therefore quite fitting and proper, and I am pleased to join with the UCSB Alumni Association, to provide recognition to Gary Gallup for his forty years of service and the important contributions he has made to the UCSB campus and the community it serves.

Mr. Speaker, please join me in commending Mr. Gary Gallup on his receipt of the Chuck Graver Alumni Service Award and his pledge to upholding the vision of the University of California, Santa Barbara. The campus and surrounding area is most fortunate to have such an asset to call upon.

## TRIBUTE TO THE 2000 STUDENT ADVISORY BOARD OF THE 14TH CONGRESSIONAL DISTRICT

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Ms. ESHOO. Mr. Speaker, I rise today to pay tribute to the Student Advisory Board of the 14th Congressional District of California. The Board is a group of exceptional high school students who live or attend school in my district and have been chosen from a competitive pool of applicants for a year-long research project.

This year the Board chose the issue of gun control as their research topic, a very timely topic for the students in light of the national tragedies we have witnessed.

On May 13, 2000, the Board made their final presentation in the Palo Alto City Council Chambers. It was well attended by elected officials, parents, friends and law enforcement officials. Everyone in attendance agreed that the Board's presentation was extraordinarily thoughtful and very informative. I was deeply impressed with the exceptional research done by the students and their work gives me hope for the future well-being of our nation.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to the Student Advisory Board of the 14th Congressional District of California thanking them for their superb work and their leadership and submit their report for the RECORD.

INTRODUCTION

THE STUDENT ADVISORY BOARD

We are a group of about twenty-five high school students who want to effect change in our country. We are all very active in our schools and our communities and view the Student Advisory Board as an opportunity to make a difference on a national level. If nothing else, we want to be heard. We are the next generation of leaders (and voters) and we want dramatic, aggressive improvement in areas in which we see fault.

WHY GUN CONTROL?

We have researched and debated the hot issue of gun control since October. We chose this topic because of the years' tragic events such as the Columbine shootings and the murder of a six-year-old by a seven-year-old peer. Alarming statistics that guns kill more teens than all natural causes combined hit home for the group. Unfortunately, it takes a tragic event such as Columbine or the assassination of Martin Luther King to make the nation aware enough to affect change. We want to reduce the 32,850 yearly gun related deaths in this nation and we believe that an aggressive, nationalized system of effective prevention and enforcement programs will reduce that number significantly.

OUR PROPOSAL

The Congresswoman Eshoo Student Advisory Board proposes an aggressive attack on both sides of the gun control issue. We propose a nationalized set of laws, regulated by the Alcohol, Tobacco and Firearm (ATF) preventing the unrestricted sale of guns and effectively enforcing the laws. To prevent gun crime, education about guns and their danger as well as laws restricting the sale of guns must be enacted on a national level to end the disparity between states. First, we propose that a D.A.R.E. type program be used in elementary and high schools to educate children about the dangers of guns. The success of the D.A.R.E. program to effectively reduce drug use in teens assures us that the same success can be achieved for guns. Secondly, we want to make gun laws the same regardless of where a gun is sold. Every state will have to follow the same federal regulations and every gun show dealer will be subject to the same restriction as a licensed gun store. Gunlock laws need to be consistent across the nation. There has already been progress this year: the Smith and Wesson Agreement, in its earliest form, is a landmark decision that is a step in the right direction. However, pressure from other gun companies and the NRA has forced Smith and Wesson to take back some of its' earlier promises. Also, Maryland recently passed a revolutionary new law making built-in locks mandatory by 2002. Thirdly, our plan includes the licensing of every gun dealer as well as owner. The NRA and other anti-gun control groups argue that we should not interfere with the law abiding citizens' right to bear arms (Second Amendment of the Constitution) by increasing the restrictions and making the process longer. We argue simply that a person who is legally allowed to purchase a gun may have to endure a more thorough background check or wait longer to receive their gun, but they are not giving up any freedoms by doing this. A legal gun owner will be allowed to walk away with a gun but they will have prevented a person not fit to own a gun from purchasing one by accepting the regulations as well. It is for the safety of the greater society that we ask legal gun owners to endure the longer process.

The second part of reducing gun crime in the United States is enforcement of the laws. We have identified and sited solutions to the many loopholes that currently plague the

system because of the strong anti-gun control lobby and pro-gun congress members. Also noted in the enforcement section are success stories, which show that tough enforcement programs such as Project Exile and The Boston Summer of Opportunity can work to effectively reduce the crime rate nationwide just as they did in their respective cities. We discuss current laws pertaining to guns, some bills that are currently in congress and funding methods. We stress, more than anything else, that tough enforcement of laws, public awareness of the consequences of gun related crimes and proper funding for these programs is essential in reducing the number of gun related deaths in this nation.

We hope that we will spark an interest in some of you to act on this proposal and we hope that we will provide you, Congresswoman Eshoo, with solid information to use in Congress to affect change on behalf of your student (and soon to be your voting) constituents. If we want to reduce gun-related crime, we need action. California Senator Feinstein has taken a step in the right direction. She introduced a bill requiring the licensing of most gun buyers. It would cover buyers of handguns and some semiautomatic weapons and would mandate that records for sales of each be kept. We feel that strong preventative action needs to be enacted along with strict enforcement of laws pertaining to gun control in order to finally reduce gun crime in the United States.

CONCLUSION

Gun related crime take the lives of 32,500 people every year. That is about ninety people per day and 3,000 of those people are under nineteen years old. The United States' position on gun control presently is to let states make most of the laws governing prevention and enforcement methods. The problems created by not having a national system of gun control account for many of the deaths in this nation. We propose a federally run and funded program that includes prevention methods as well as strict enforcement regulations. This is the only way to keep guns out of unacceptable hands.

National prevention efforts should include universal gun safety lock laws and funding for more research on ''Smart Gun'' technology. A D.A.R.E. style program focused on guns will be the key to educating children about guns so they can make good decisions later in life. Prevention is essential to reducing gun-related crimes and suicides.

Effective enforcement is the other aspect in the fight to reduce gun-related deaths in the United States. Without harsh punishments for criminals who use guns any prevention efforts will not be effective. Project Exile, a successful enforcement project in Richmond, Virginia, is a perfect example of a program that we feel should be utilized in high crime areas throughout the nation. Proper funding and identification of worthwhile programs is equally important. We have identified bills that are currently in the House of Representatives to encourage your support, Congresswoman Eshoo, for the types of bills presented. Lastly, we have shown successful programs such as the ''Summer of Opportunity'' in Boston, Massachusetts and important, landmark legislation such as the Brady Bill that are steps in the right direction.

The Congresswoman Eshoo Student Advisory Board feels that aggressive, nationwide change needs to take place to effectively reduce gun crime in the United States. We would like to mention positive efforts to educate and reduce gun crimes. The Million-Mom March taking place this Sunday, May 15 (Mothers Day) embodies many of the aspects of gun control that we support. Senator Feinstein's recent announcement of her bill to make gunlocks mandatory is also a step in the right direction. We hope that this report will provide the information necessary to enact change on the Hill. We hope that Congress and President Clinton can come to agreement on a truly successful program to reduce gun crime, especially in the wake of tragedies such as Columbine and the Michigan shooting of a six-year-old child. There is no better time to enact landmark legislation that embodies both the prevention and enforcement side of this problem.

## PERSONAL EXPLANATION

### HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. WHITFIELD. Mr. Speaker, although I was on the House floor throughout the proceedings for consideration of H.R. 8, the repeal of the federal estate tax, on Friday, June 9, 2000, I was not recorded as voting on that issue.

My vote was recorded to defeat LLOYD DOGGETT's Motion to Recommit H.R. 8, but my vote on final passage of H.R. 8 was not recorded.

I was a cosponsor of that legislation and it has been a part of my platform since my election to Congress in 1994. I am disappointed that my vote was not recorded because I have always and continue to be in favor of repeal of the federal estate tax.

## CLOSE THE 527 LOOPHOLE AND END THE DEATH TAX!

### HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. FRANKS of New Jersey. Mr. Speaker, on Friday, June 9, 2000, with my support, the House passed the legislation (H.R. 8) to eliminate the Death Tax.

For too long, exorbitant tax rates have made it difficult for Americans to pass their savings onto their children, and for small businessmen and farmers to keep their enterprises within the family.

That's why I cosponsored and voted in favor of the Death Tax Elimination Act (H.R. 8), which would phase out the estate and gift tax over a period of 10 years.

It is my hope that phasing out the death tax will make it easier for individuals and families to accumulate savings for future generations.

In addition, during debate on this important legislation, a motion was offered to address another important issue—campaign finance reform. I supported this motion.

Congress' failure over the years to address the issue of campaign finance reform hurts all of us. It undermines public confidence in this institution and cast a cloud over every action we take in this House.

I have been actively fighting for campaign finance reform in this House for a number of years—from authoring my own Independent Commission Bill to supporting a ban on soft money through Shays-Meehan to supporting today's motion to close the 527 loophole.

Recently, there has been an increase in anonymous campaign expenditures by third parties. Many of these organizations are classified by Section 527 of the tax code. These ''527'' organizations are currently free to participate in our electoral process, but are not required to disclose to the American voters from where their funds originate.

To establish disclosure requirements for individuals and organizations who wish to take an active role in affecting the outcome of federal elections is just plain common sense. Individuals and organizations who strongly believe in an issue or a candidate and are willing to back them up with the financial resources should not be allowed to hide behind a loophole.

Congress must act on legislation requiring disclosure for any group who wishes to participate of our federal electoral process.

## BATTLE OF THE BULGE

### HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. MICA. Mr. Speaker, not long ago I was privileged to take part in a ceremony in Orlando, Florida to commemorate the Battle of the Bulge and those who fought in that historic battle. The ceremony was conducted to dedicate an impressive new memorial erected to honor the 600,000 Americans who fought in the Battle of the Bulge during World War II.

The keynote speaker at the dedication was Brigadier General William E. Carlson (USA/Ret.), a distinguished and exceptional gentleman who resides in Winter Park, Florida. At the age of 12, General Carlson was a Congressional Page serving in the House of Representatives on that historic day when President Roosevelt asked a joint session of Congress for a declaration of war.

To commemorate the Battle of the Bulge Monument, General Carlson gave a moving and graphic description of the battle and the historic events which preceded it. His speech should be read by others so that this story will never be forgotten. In Washington we are working to build a long overdue monument to World War II and honor the heroes who fought in it. In Orlando, we are proud to honor our World War II soldiers with our monument to the Battle of the Bulge. Mr. Speaker, I am pleased to submit General Carlson's Battle of the Bulge speech for inclusion in the RECORD:

It was the 16th of September, 1944. Adolf Hitler had summoned a group of his senior officers to his study in the huge, underground bunker in the Wolf's Lair, Hitler's field headquarters, located deep in a pine forest in East Prussia.

Those summoned were his closest and most trusted military advisors. Among them was only one who wore the red stripes of the German General Staff. He was the head of the Operations Staff of the High Command of the Wehrmacht, General Alfred Jodl.

The officers were waiting when Hitler entered. Taking a seat, Hitler instructed Jodl to sum up the situation on the Western Front.

During the briefing, Jodl noted that there was one area of particular concern where the Americans were attacking and where the Germans had almost no troops: That area was the region of Belgium and Luxembourg called the Ardennes.

At the word ''Ardennes'', Hitler suddenly ordered Jodl to stop the briefing. There was a long pause. Then with firmness in his voice Hitler said, ''I shall go on the offensive here!'' and he slapped his hand down on the map—''Here, out of the Ardennes! The objective is Antwerp!''

With those words Hitler set in motion preparations for a battle that was to assume epic proportions: the greatest German attack in the West since the campaign of 1940.

Hitler named this Operations Plan Wacht Am Rhein. He personally selected this name to imply a defensive Operation, rather than an offensive operation, in order to deceive the Allies.

During the planning, the German General Staff made numerous changes to Hitler's original concept for the operation. When the battle began, the German code name for the operation was Autumn Mist.

A split second after five-thirty a.m. on Saturday, December the 16th an American soldier manning an observation post high on top of a water tower in the village of Hosingen telephoned his Company Commander. He reported that in the distance on the German side he could see a strange phenomenon: countless flickering pinpoints of light. Within a few seconds both he and his Company Commander had an explanation. They were the muzzle flashes of over 2,000 German artillery pieces.

The early morning stillness of the fog-shrouded forest was suddenly shattered with the thunderclap of a massive artillery barrage landing on the Americans.

Operation Autumn Mist was underway. The onslaught had begun.

The Americans called it the Battle of the Bulge.

The Battle of the Bulge lasted from the 16th of December 1944 until the 25th of January 1945. It was the greatest battle ever fought by the United States Army.

More than a million men participated in this battle including 600,000 American soldiers, 500,000 Germans, and 55,000 British. The American military force consisted of a total of three Armies with 33 Divisions. While the German military force consisted of two Panzer Armies with 29 Divisions. More than 120,000 Germans were killed, wounded or captured during the battle. Each side lost over 800 tanks.

Wars are planned by old men in council rooms far from the battlefield. But at the end of the most grandiose plans of the highest-ranking Generals is the soldier walking the point or manning the outposts. The monument we dedicate today is a monument to those soldiers.

The real story of the Battle of the Bulge is the story of those soldiers and the intense combat action of the small units—the squads, the platoons and the companies—and the soldiers who filled their ranks.

These are the men that made up the fighting strength of the divisions, engaged the Germans in combat and suffered the casualties.

Battalion Commanders and Company Commanders—young, lean, tough, battle-wise and toil worn. Fuzzy-cheeked lieutenants, grizzly NCO's, and seasoned troopers; battle-hardened and disciplined in automatic habits of combat never learned in school. And green replacements, fresh off the ships from home, marched off into battle for the first time and in their hearts was fear of the unknown.

Around their necks hung their dog tags and rosaries. On their heads was the steel pot and in their pocket was a picture of the girl back home.

Surprised, stunned and not understanding what was happening to him, the American soldier nevertheless held fast—he was as tenacious as the old junkyard dog until he was overwhelmed by the German onslaught, or until his commanders ordered him to withdraw.

The Battle was a very personal fight for them. Concerned with the fearful and consuming task of fighting and staying alive, those men did not think of the battle in terms of the big Picture represented on the situation maps at higher headquarters. They knew only what they could see and hear in the chaos of the battle around them.

They knew and understood the earth for which they fought, the advantage of holding the high ground and the protection of the trench or foxhole.

They could distinguish the sounds of the German weffers and the screaming sound of incoming German 88s. And they knew the fear of German artillery rounds falling around them without pattern in the snow.

They knew the satisfying sound of friendly artillery shells passing overhead. They were reassured by the sudden stabs of flame in the night as friendly artillery belched bullets into the air, spreading a glow of flickering light above the blackened trees of the snow-covered forest.

They knew the overwhelming loneliness of the battlefield, the feeling of despair, confusion and the uncertainty that prevails in units in retreat.

They knew first hand the violent pounding of the heart, the cold sweat, the trembling of the body and the stark terror that mortal combat brings. Even Mother Nature was their enemy with bitterly cold weather and over-cast skies. The days were short—daylight at 8 and darkness by 4. The nights were long and bitterly cold. Snow, knee-deep, covered the battleground. Overcast skies and heavy fog shrouded the snow-covered limbs of the fir trees in the dark forest.

GIs, their bodies numb, were blue-lipped and chilled to the bone.

At night, the German ground assault was assisted by artificial moonlight created by giant German searchlights bouncing their light off the low-hanging clouds casting an eerie, ghostly light in the fog, over the snow-covered field of battle.

Other nights were ablaze with more flame and noise than one thought possible for man to create.

For a brief moment in history, those men held our nation's destiny in their hands. In the end they did not fail us. They prevailed and the fires of hell were extinguished.

They blew the trumpets that tumbled the walls. Theirs was the face of victory. Super heroes—super patriots. Their legacy—victory in the greatest battle ever fought by the United States Army.

But the cost of victory was high. Young Americans answered the angel's trumpet call and were sacrificed on the altar of the god of war—brave heroes whose valor in many cases died unrecognized with them on the battlefield. Young warriors whose names the grim reaper carved on marble tombstones across our land.

It was a time of great sacrifice and in most cases the dead were hardly more than boys.

19,000 new Gold Stars were hung in the windows back home: Mothers who lost their songs; Wives who lost their husbands; And Children who lost their fathers.

Over 23,000 American soldiers were captured during the heat of battle. Prisoners of war who were forced to serve behind barbed wire, in silence and with courage, each in his own way, until the war ended.

Purple Hearts were awarded by the thousands. The snow turned red with American blood. The wounds of 81,000 young Americans in that battle left the 'red badge of courage' on the battlefield of the Ardennes.

We are reminded of what their journey through life has left behind for us: a great nation, a great state and a City Beautiful with freedom and prosperity unknown in the annals of history.

Today, in the quiet of an autumn breeze blowing across Lake Eola, we are gathered here to dedicate a monument and pay tribute to the men this monument represents.

As you look at the monument placed in this beautiful park, also look around you. Look at the old warriors gathered here—they were the vibrant youth of that time—men who were there on that battlefield 55 years ago today. Men like:

PFC Jim Hendrix who was awarded the Congressional Medal of Honor for heroic action during the battle.

Young, Fuzzy-cheeked lieutenants such as John Newell, a tank commander, and Bill Cain, platoon leader. They were in the armored column of old ''blood and guts'' Patton as they raced 150 miles under the severest of winter conditions in their valiant effort to relieve Bastogne.

Bob Stevenson, ''one of those damned engineers'', an accolade from the German SS Colonel Peiper, about our engineers for blowing bridges and building obstacles at every turn and bend in the road, obstacles that slowed the advance of his SS Panzer column.

Bob has with him today his WWII helmet that he wore during that battle, a helmet with a jagged shrapnel hole in the back of it, a helmet that probably saved him for the scythe of the grim reaper.

And Jim Mckearney, a Mortar Platoon Sgt. in the 101st Airborne Division who just days before had received a battlefield commission while fighting in Holland. As a new lieutenant leading a platoon in the defense of Bastogne, he and his platoon stood as firm as the solid granite pedestal of the monument we dedicate today. To this day he bears the scars of the wounds he received in that battle.

Young American men, hardly more than boys, men such as Harry Meisel and Earl K. Wood, our Orange County Tax Collector, men who wear an Ardennes Battle Star on their European Campaign ribbon for their participation in the battle.

And Angels of Mercy, such as Lieutenant Evelyn Gilberg, an Army Nurse who went to sleep at night sobbing, thinking about the mangled bodies of the young American Soldiers in the field hospital that she had cared for that day.

Men like the lone soldier in Chet Morgan's outfit, digging a foxhole atop a small knoll beside a road. A vehicle loaded with fleeing American soldiers came speeding down the road heading for the rear. The vehicle stopped and the soldiers hollered to him, ''the Germans are coming! Come on we have room for you!'' He looked up and in words his mother never taught him, replied: ''You can stop now because the Germans aren't going past this position while I'm alive! This is the 82nd Airborne Division area.''

These soldiers, and the thousands of others like them, are the soldiers who stood their ground in the days when the heavens were falling and the battlefield was in flames with all the fire and noise humanly possible for over a million warriors to create. These are the men who in the hours when the earth's foundation shook like an earthquake, stood their ground.

These are the men who followed duty's call and lived the code of the soldier. They sacrificed and paid the price for freedom. They stayed—and the earth became theirs again. They defended and what was abandoned—they recaptured. They saved the sum of all things we hold dear—and all this for love of their country—and the meager pay of a soldier.

Ask yourselves now—with head bowed—From where, Oh God, came such men as these?

Our Country was truly blessed.

Today we gather here to dedicate a monument. A monument that stands as a legacy to the Greatest Battle Ever fought By The United States Army and to those veterans who fought and won that battle with their blood and their courage.

But let also stand as a reminder to future generations of the high cost of freedom.

God bless the United States of America.

## REMEMBERING RUSSELL A. FREEMAN

### HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. DREIER. Mr. Speaker, this year California has lost one of its finest attorneys and the Congress has lost a good friend and adviser.

In mid March, Russell A. Freeman passed away at his home near Los Angeles. As the General Counsel of Security Pacific Corporation, Russ Freeman, in the mid-1980s and early 1990s, undertook many of the early steps at broadening the range of bank product and service offerings in order to strengthen the banking charter and meet customer demands. Much of his legal work set the intellectual and practical foundation for the landmark financial legislation that passed the Congress just this past year.

Security Pacific, based in Los Angeles, was the nation's fifth largest banking firm and produced many new business and consumer innovations. Moving from his native New York, Russ Freeman joined the bank in 1959 and rose from staff attorney to General Counsel. By his work there for some 33 years, he demonstrated those somewhat rare values today of loyalty and commitment.

Russ Freeman received many accolades and awards over the years, including Outstanding Corporate Counsel from the L.A. County Bar. More significant, however, Russ Freeman served as mentor to numerous attorneys who are now working in various financial and non-financial firms across the country. He instilled in these attorneys—and in his corporate and legal colleagues—a strong work ethic, a demand for excellence in legal analysis and the need to conduct one's work in a professional manner. And he communicated these values in a fashion that earned him the highest respect and regard. This represents an important legacy for the banking and legal communities. Russ represented his company with tenacity, honesty and creativity and he was a strong advocate for the banking industry.

Russ Freeman frequently provided input to me and to other members of the House and Senate on banking and financial issues. He brought the straight story, good or bad, and we relied on him for accurate information and new ideas. His vision reinforced the impetus in Congress to improve financial services regulation to the benefit of consumers and to keep our banking system the strongest in the world. We have lost a good friend with the death of Russ Freeman.

Our thoughts and condolences go out to his many friends and colleagues and, particularly, to his son, James, daughter, Elizabeth, and granddaughter, Katelynn.

## NON-PROFIT RELIEF ACT OF 2000

### HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. FATTAH. Mr. Speaker, today I am introducing legislation which will provide much needed postage rate relief for nonprofit mailers. The measure will protect nonprofit or preferred mailers from double-digit rate increases. My legislation is identical to legislation introduced in the Senate, S. 2686, on June 7, 2000, by Senator THAD COCHRAN, the Chairman, and Senator DANIEL K. AKAKA, the Ranking Minority Member of the Senate Subcommittee on International Security Proliferation and Federal Services. I am pleased to be joined in the introduction of this bill by Congressman STENY H. HOYER, Ranking Minority Member of the House Appropriations Subcommittee on Treasury, Postal Service and General Government, and Congressman DANNY K. DAVIS and Congressman MAJOR R. OWENS, both members of the Subcommittee on the Postal Service.

The practice of designating certain types of mail for preferred rates was initiated by the Congress over 50 years ago. In 1993, deficit reduction legislation eliminated federal financial support for nonprofit mailers, but mandated that nonprofit rates be lower than rates for commercial mailers.

In January of this year, the United States Postal Service (USPS) Board of Governors proposed postage rate increases for all classes of mail. The USPS formally filed the rate request which is pending before the Postal Rate Commission (PRC). Under the current rate request, rates for nonprofits will surpass rates for corresponding commercial mail. The USPS attributed the increase to inaccurate cost data. However, to its credit, the Postal Service has requested and proposed legislation to fix the ''rate anomaly.'' Without the legislation, the nonprofit periodical preferred rate will disappear.

The Alliance of Nonprofit Mailers, the Magazine Publishers of America, National Federation of Nonprofits, Direct Marketing Association, and the Association of Postal Commerce have worked with the USPS to draft an acceptable legislative solution to the nonprofit rate problem in the current rate case before the PRC. The compromise between nonprofit and commercial postage rates, is supported by the above organizations.

By locking in the current rate relationship between nonprofit and commerical postage rates, we will protect all categories of nonprofit mail from future rate shock. Specifically, the bill would set nonprofit and classroom Periodical rates at 95 percent of the commercial counterpart rate, excluding the advertising portion, set nonprofit Standard A rates at 60 percent of the commercial Standard A rates, and set Library and Educational Matter rates at 95 percent of the rates for the special subclass of commercial Standard B mail.

On behalf of local charities, hospitals, churches, educators, arts organizations, nonprofit publications, and a host of others, the original cosponsors and I, invite my colleagues to protect nonprofit mailers and support this bill.

## HONORING JOHN ''DOC'' TYNAN

### HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. MOAKLEY. Mr. Speaker, I rise to honor my very dear friend, neighbor, and former colleague in the Massachusetts Legislature, Representative John ''Doc'' Tynan who is celebrating his Eightieth Birthday.

Mr. Speaker, few people I've ever known could match the strength and character of Doc Tynan. Whether as the toughest, most tenacious All Scholastic Left End to play Football for South Boston High School, or as the man who's probably raised more money for local charitable organizations than anyone I've ever known, everything Doc Tynan does, he does one hundred percent. And no one could ever say that Doc isn't exactly the same fellow all the time. No matter who he's with or where he happens to be, Doc tells it like it is.

Not a lot of people know this, Mr. Speaker, but Doc Tynan was an Executive Officer and Bombardier in World War II. He flew a total of twenty-five missions, and commanded both Clark Gable and Jimmy Stewart. And, true to form, Doc survived five plane crashes in Europe. In fact, he only bailed out of planes twice. One time, his B–17 was shot down over Germany, but limped along as far as the English Coast. Major Doc Tynan parachuted out of the crippled plane in pitch darkness, not knowing where they were. He crawled to a house in the countryside and after identifying himself as an American soldier, he was taken to the hospital to treat his broken leg.

The other three times he stayed with the plane and did his level best to land. He is the recipient of the Distinguished Flying Cross and Air Medal with four clusters. No wonder, as a State Representative Doc made it to the Committee on Ways and Means in the Massachusetts House. If there's one thing you can say about Doc, Mr. Speaker, it's that when there's a job to be done, Doc Tynan has always been there with both the way and the means to not only get the job done, but to get it done to perfection, never for his own benefit, but for the good of others and the community he loves.

Among Doc's many accomplishments, he was the Democratic Whip in the Massachusetts House and chaired Committees on Veterans Services and Legislative Research. He was the Budget Director of the Massachusetts House, President of the South Boston Neighborhood House, Chairman of the Gate of Heaven Fund raiser, and a member of the Board of Trustees of the New England College of Optometry.

Mr. Speaker, I rise this evening to wish my very dear friend a very happy Eightieth Birthday and to thank him for everything he's done for the men and women and boys and girls of South Boston.

Happy Birthday, Doc!

## IN RECOGNITION OF THE MAKE-A-WISH FOUNDATION

**HON. TONY P. HALL**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 12, 2000*

Mr. HALL of Ohio. Mr. Speaker, on June 8, 2000 a reception was held in the Capitol to celebrate the twentieth anniversary of the Make-A-Wish Foundation. During the past two decades, this organization has fulfilled almost 80,000 wishes made by children who are ill.

The highlight of this reception was an inspirational address made by a remarkable seven-year-old named Ryan Davidson. Ryan, who had a brain tumor, is the 3,000th ''Wish Child'' of the Mid-Atlantic Regional Make-A-Wish Foundation. His speech follows:

REMARKS BY RYAN DAVIDSON MAKE-A-WISH 20TH ANNIVERSARY RECEPTION JUNE 8, 2000

Good afternoon ladies and gentlemen, my name is Ryan Davidson and I am seven years old. I go to Ashburn Elementary and I am in the first grade. Today I am well and feeling great! But I didn't feel good last summer.

Two weeks after kindergarten, I had a ton of really bad headaches. My mom gave me Tylenol but it didn't help. My headaches got worse and my left hand wouldn't work. I couldn't get a tight grip when I tried to hold stuff. My mom and dad took me to Dr. ''D'' in Ashburn. Dr. ''D'' said that I should go have an x-ray. We went to the hospital for the x-ray. I was scared of the big x-ray machine. After my x-ray the doctors said that I should go to Children's Hospital for more x-rays. I had to lay still alone in the machine. I had four x-rays in one day!

The doctors said that I had a brain tumor and had to stay over night. I was scared to stay by myself, so my mom stayed, too. Four days later I had my surgery. I was scared. Before the doctors put me to sleep, they told me to think about that green car going around the track. After my surgery, I woke up during another x-ray. The machine was moving forward and back. It was very loud and I was scared.

The next day, I was called the human ''Q-tip'' because I had a bandage that looked like the top of a ''Q-Tip''. I was in the hospital for five days. I still had stitches when I went home. A week later I had to get my stitches out. I had to go to sleep while I got the stitches out.

I still have to have MRI's.

Then in October, ''Make-A-Wish'' came. They asked lots of questions and asked me where I wanted to go. I wanted to go meet my favorite racecar driver, Bobby Labonte, and see the race. I knew he would be at a racetrack!

In the spring, we had a party for all the people who had helped while I was in the hospital. Near the end of the party, Make-A-Wish came back to grant my wish! They said, ''You're leaving next week to go to California!'' I started jumping up and down. Make-A-Wish got me a ton of stuff. Then on Wednesday, a limousine picked me up from school and took me to the airport. When we got there, we went to the cockpit. I got to sit where the Captain sits.

When we got to California and got off the plane, I felt a hat. It was our host, John! He got me balloons and when we got to the hotel, he gave me four Bobby Labonte cars.

On Friday, we went to practices and qualifying races. Bobby Labonte qualified 36th. On Saturday, I woke up early. We went to the track. When we got there we went to meet Bobby Labonte!

When we first got there, while we were waiting, I got to hold his racing helmet. Then when Bobby came out of the trailer, I got to spend almost 15 minutes with him. I asked him lots of questions about racing and he autographed two hats, a car, a tee shirt, and my racing uniform. Then he gave my sister, Mallory, and me each a team hat. It was the greatest day of my life!

The next day was race day! Bobby came in second! On Monday we left to go home. I had a lot of fun!

I hope you enjoyed my story. It has a very happy ending. Thanks Make-A-Wish for making my dream come true.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 13, 2000 may be found in the Daily Digest of today's RECORD.

### MEETINGS SCHEDULED

JUNE 14

9:30 a.m.

Indian Affairs

To hold hearings on S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture.

SR–485

Environment and Public Works

Clean Air, Wetlands, Private Property, and Nuclear Safety Subcommittee

To hold hearings on the environmental benefits and impacts of ethanol under the Clean Air Act.

SD–406

Commerce, Science, and Transportation

Communications Subcommittee

To hold hearings on S. 2454, to amend the Communications Act of 1934 to authorize low-power television stations to provide digital data services to subscribers.

SR–253

10 a.m.

Governmental Affairs

Business meeting to markup pending calendar business.

SD–342

Foreign Relations

Near Eastern and South Asian Affairs Subcommittee

To hold hearings to examine the future of Lebanon.

SD–419

Finance

Business meeting to markup S.662, to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program; H.R.3916, to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; and proposed legislation urging the President to initiate negotiations over the issue of foreign sales corporations at the July 20 meeting of the G-8 nations in Okinawa.

SD–215

Judiciary

Antitrust, Business Rights, and Competition Subcommittee

To hold hearings to examine the United Airways and U.S. Airways airline merger.

SD–226

3:30 p.m.

Foreign Relations

To hold hearings to examine the International Criminal Court, focusing on protecting american servicemen and officials from the threat of international prosecution.

SD–419

JUNE 15

9:30 a.m.

Environment and Public Works

Clean Air, Wetlands, Private Property, and Nuclear Safety Subcommittee

To hold hearings on the Environmental Protection Agency's proposed highway diesel fuel sulfur regulations.

SD–406

Commerce, Science, and Transportation

To hold hearings on the nomination of Delmond J.H. Won, of Hawaii, to be a Federal Maritime Commissioner; to be followed by a business meeting to consider pending calendar business.

SR–253

Energy and Natural Resources

To hold hearings on certain provisions of S. 2557, to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the Year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and the elderly.

SD–366

10 a.m.

Judiciary

Business meeting to consider pending calendar business.

SD–226

10:30 a.m.

Foreign Relations

To hold hearings to examine issues dealing with the changing threat of international terrorism, focusing on the report of the National Commission on Terrorism.

SD–419

2:30 p.m.

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold hearings on the United States General Accounting Office March 2000 report entitled ''Need to Address Management Problems that Plague the Concessions Program''.

SD–366

JUNE 20

9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings on pending business.
SD–430
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

JUNE 21

9:30 a.m.
Indian Affairs
To hold hearings on certain Indian Trust Corporation activities.
SH–216
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366
Commerce, Science, and Transportation
To hold hearings to examine the proposed United-US Airways merger, focusing on its effect on competition in the industry, and the likelihood it would trigger further industry consolidation.
SR–253

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on 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, planing, and construction of the Denver Water Reuse project; S. 1761, to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley; 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 the 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.
SD–366

JUNE 22

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine issues dealing with aviation and the internet, focusing on purchasing airline tickets through the internet, and whether or not this benefits the consumer.
SR–253

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine medical device reuse.
SD–430

JUNE 27

9:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings on S. 1016, to provide collective bargaining for rights for public safety officers employed by States or their political subdivisions.
SD–430

2:30 p.m.
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold hearings on the April 2000 GAO report entitled ''Nuclear Waste Cleanup—DOE's Paducah Plan Faces Uncertainties and Excludes Costly Cleanup Activities''.
SD–366

JUNE 28

9:30 a.m.
Indian Affairs
To hold hearings on S. 2283, to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes.
SR–485
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

JULY 12

9:30 a.m.
Indian Affairs
To hold oversight hearings on risk management and tort liability relating to Indian matters.
SR–485

JULY 19

9:30 a.m.
Indian Affairs
To hold oversight hearings on activities of the National Indian Gaming Commission.
SR–485

JULY 26

9:30 a.m.
Indian Affairs
To hold hearings on S.2526, to amend the Indian Health Care Improvement Act to revise and extend such Act.
SR–485

SEPTEMBER 26

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the Legislative recommendation of the American Legion.
345 Cannon Building

## CANCELLATIONS

JUNE 14

9:30 a.m.
Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

## POSTPONEMENTS

JUNE 14

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings on the National Marine Fisheries Service's draft Biological Opinion and its potential impact on the Columbia River operations.
SD–366

# *Daily Digest*

## HIGHLIGHTS

**House committee ordered reported the Energy and Water Development appropriations for fiscal year 2001.**

# Senate

## *Chamber Action*

***Routine Proceedings, pages S4237–S4972***

**Measures Introduced:** Two bills and one resolution were introduced, as follows: S. 2711–2712, and S. Res. 321. **Pages S4952–53**

**Measures Reported:** Reports were made as follows:

**H. Con. Res.** 251, commending the Republic of Croatia for the conduct of its parliamentary and presidential elections, with an amendment and with an amended preamble.

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

S. 2460, 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.

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

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

**S. Con. Res.** 117, 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.

**S. Con. Res.** 118, commemorating the 60th anniversary of the execution of Polish captives by Soviet authorities in April and May 1940. **Page S4952**

**Measures Passed:**

***Congratulating New Jersey Devils Hockey Championship:*** Senate agreed to 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. **Pages S4971–72**

**Defense Appropriations:** Senate resumed consideration of H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, taking action on the following amendments proposed thereto: **Pages S4946–50**

Adopted:

Stevens/Inouye Amendment No. 3317, to provide research and development funds for the Information Technology project. **Pages S4947–48**

Stevens Amendment No. 3318, to make a technical correction. **Pages S4947–48**

Stevens Amendment No. 3319, to make a technical correction. **Pages S4947–48**

Stevens Amendment No. 3320, to make a technical correction. **Pages S4947–48**

Stevens Amendment No. 3328, to adjust the cash balances available under the ''Foreign Currency Fluctuations, Defense'' account. **Page S4948**

Pending:

Boxer/Reid Amendment No. 3308, 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. **Pages S4946–47**

A unanimous-consent agreement was reached providing for a vote on the pending Boxer/Reid Amendment No. 3308 (listed above), to occur on Tuesday, June 13, 2000, at 2:20 p.m. **Page S4972**

A unanimous-consent agreement was reached providing for further consideration of the bill and further amendments to be proposed thereto, on Tuesday, June 13, 2000. **Page S4972**

**Appointment:**

***National Commission to Ensure Consumer Information and Choice in the Airline Industry:*** The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–181, appointed 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. **Page S4972**

**Messages From the House:** **Page S4952**

**Communications:** **Page S4952**

**Statements on Introduced Bills:** **Pages S4953–54**

**Additional Cosponsors:** **Pages S4954–55**

**Amendments Submitted:** **Pages S4956–69**

**Notices of Hearings:** **Page S4969**

**Additional Statements:** **Pages S4951–52**

**Enrolled Bills Presented (June 9, 2000):** **Page S4952**

**Adjournment:** Senate convened at 12:03 p.m., and adjourned at 4:11 p.m., until 9:30 a.m., on Tuesday, June 13, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4972.)

## *Committee Meetings*

No Committee meetings were held.

# House of Representatives

## *Chamber Action*

**Bills Introduced:** 6 public bills, H.R. 4636-4641, were introduced. **Page H4420**

**Reports Filed:** Reports were filed today as follows:

H.R. 3995, to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government, amended (H. Rept. 106–663);

H.R. 4387, to provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by the voters of the District of Columbia (H. Rept. 106–664);

H.R. 4504, to make technical amendments to the Higher Education Act of 1965, amended (Rept. 106–665);

H.R. 4079, to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education, amended (H. Rept. 106–666);

H.R. 4022, regarding the sale and transfer of Moskit anti-ship missiles by the Russian Federation, amended (Rept. 106–667);

H.R. 4118, to prohibit the rescheduling or forgiveness of any outstanding bilateral debt owed to the United States by the Government of the Russian Federation until the President certifies to the Congress that the Government of the Russian Federation has ceased all its operations at, removed all personnel from, and permanently closed the intelligence facility at Lourdes, Cuba, amended (H. Rept. 106–668);

H.R. 3048, to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, amended (H. Rept. 106–669);

H. Res. 523, waiving points of order against the conference report on S. 761, to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces (H. Rept. 106–670);

H. Res. 524, providing for consideration of H.R. 4578, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001 (H. Rept. 106–671).

H.J. Res. 90, withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, amended, adverse (H. Rept. 106–672);

H.R. 4601, to provide for reconciliation pursuant to section 213(c) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt, amended (H. Rept. 106–673, Pt. 1); and

H.R. 4635, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, (H. Rept. 106–674). **Page H4219**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Kuykendall to act as Speaker pro tempore for today. **Page H4177**

**Recess:** The House recessed at 12:31 p.m. and reconvened at 2:00. **Page H4177**

**Recess:** The House recessed at 3:33 p.m. and reconvened at 6:27 p.m. **Page H4193**

**Suspension—Proceedings Postponed:** The House completed debate on H.R. 4079, amended, to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education. Further proceedings on the motion to suspend the rules were postponed. **Pages H4178–81**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Higher Education Act Amendments:*** H.R. 4504, amended, to make technical amendments to the Higher Education Act of 1965; **Pages H4181–88**

***Importance of Strong Marriages:*** H. Res. 280, amended, recognizing the importance of strong marriages and the contributions that community marriage policies have made to the strength of marriages throughout the United States; **Pages H4188–90**

***Governing District of Columbia Court-Appointed Receivers:*** H.R. 3995, amended, to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government; and **Pages H4191–93**

***Waiving Congressional Review of DC School Board Referendum:*** H.R. 4387, to provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by the voters of the District of Columbia. **Page H4193**

**Labor, HHS, and Education Appropriations:** The House considered amendments to H.R. 4577, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001. The House began consideration of the bill on June 8. **Pages H4194–H4215**

Withdrawn:

Obey amendment no. 24 printed in the Congressional Record, was offered but subsequently withdrawn, that sought to increase funding for the child care and development block grant by $1,000. **Page H4209**

Points of order sustained against:

Pelosi amendment no. 11 printed in the Congressional Record that sought to increase funding for substance abuse programs by $600 million; and **Pages H4197–H4201**

Hoyer amendment no. 12 printed in the Congressional Record that sought to increase funding for the child care and development block grant, family service and Head Start programs, education reforms, and education for the disadvantaged by $1.8 billion; **Pages H4204–08**

The Pelosi and Hoyer amendments were considered pursuant to a unanimous consent agreement of June 8.

H. Res. 518, the rule that is providing for consideration of the bill was agreed to on June 8.

Rejected the Obey motion that the Committee rise by a recorded vote of 187 ayes to 202 noes, Roll No. 255. Earlier, the motion failed on a division of the question of 15 ayes to 17 noes. **Pages H4208–09**

Rejected the Obey motion that the Committee rise by a recorded vote of 182 ayes to 196 noes, Roll No. 256. **Page H4214**

**Order of Business—Further Consideration of Labor, HHS, and Education Appropriations:** Agreed that during further consideration of the bill pursuant to H. Res. 518 and the order of the House of June 8, no further amendment to the bill shall be in order except (1) pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; (2) the amendment printed in part B of House Report 106–657; (3) the remaining amendments listed in the order of the House of June 8, 2000, as previously modified; and (4) the following additional amendments: Representative Young of Florida regarding across-the-board reduction; Representative Hoekstra regarding reductions in Education for the Disadvantaged, Impact Aid, School Improvement Programs, and bilingual and Immigrant Education and increase in Special Education; Representative Schaffer regarding reduction in Education Research, Statistics, and Improvement and increase in Special Education; Representative Schaffer regarding reduction in Even Start and increase in Special Education for Grants to States; Representative Schaffer regarding reduction in Job Corps Training and increase in Special Education for Grants to States; Representative Schaffer regarding reduction in the U.S. Institute of Peace and increase in Special Education for Grants to States; Representative Coburn regarding fetal tissue research; Representative Kaptur regarding a report on the impact of PNTR on U.S. jobs; Representative Sanders regarding NIH; Representative Hall of Ohio regarding additional funding for Meals on Wheels; and the amendments printed in the Congressional Record and numbered 1, 2, 3, 4, 5, 7, 182, 183, 184, 185, 186, 189, 190, 191, 192, 196, 198, and 201. Each amendment may be offered only by the Member designated in the request or a designee, or the Member who caused it to be printed or a designee; shall be considered as read; shall be debatable for 10 minutes equally divided and controlled; shall not be subject

to amendment; and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. **Page H4215**

**Military Construction, Family Housing, and Base Realignment:** The House disagreed with the Senate amendment to H.R. 4425, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and agreed to a conference. **Page H4216**

Appointed as conferees for consideration of the House bill, and division A of the Senate amendment, and modifications committed to conference: Representatives Hobson, porter, Tiahrt, Walsh, Miller of Florida, Aderholt, Granger, Goode, Young of Florida, Olver, Edwards, Farr of California, Boyd, Dicks, and Obey. For consideration of division B of the Senate amendment, and modifications committed to conference: Representatives Young of Florida, Regula, Lewis of California, Rogers, Skeen, Callahan, Obey, Murtha, Pelosi, and Kaptur. **Page H4208**

Agreed to the Olver motion to instruct conferees to disagree with the Senate amendment and provide funding for national Missile Defense Initial deployment Facilities at a level equal to the lower level as provided in the House passed bill. **Page H4216**

**Senate Messages:** Message received from the Senate appears on page H4177.

**Referral:** S. Con. Res. 121 was referred to the Committee on International Relations. **Page H4218**

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H4221.

**Quorum Calls—Votes:** Two recorded votes developed during the proceedings of the House today and appear on pages H4208–09 and H4214. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 12 midnight.

# *Committee Meetings*

## ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

*Committee on Appropriations:* Ordered reported the Energy and Water Development appropriations for fiscal year 2001.

## INTERIOR APPROPRIATIONS

*Committee on Rules:* Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 4578, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered for amendment by paragraph. The rule waives clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in an appropriations bill) against provisions in the bill, except as otherwise specified in the rule. The rule waives clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation) against amendments offered during consideration of the bill. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Regula, Weldon of Florida and Dicks.

## CONFERENCE REPORT—MILLENNIUM DIGITAL COMMERCE ACT

*Committee on Rules:* Granted, by voice vote, a rule waiving all points of order against the conference report to accompany S. 761, Millennium Digital Commerce Act, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Bliley.

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## COMMITTEE MEETINGS FOR TUESDAY, JUNE 13, 2000

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Transportation, business meeting to markup proposed legislation making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, 10 a.m., SD–116.

Subcommittee on District of Columbia, to hold hearings on proposed budget estimates for fiscal year 2001 for the government of the District of Columbia, 11 a.m., SD–192.

Full Committee, business meeting to markup proposed legislation making appropriations for fiscal year 2001 for the Department of Transportation and related agencies, 2:15 p.m., SD–106.

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Securities, with the Subcommittee on Financial Institutions, to hold joint hearings to examine the Merchant Banking Regulations pursuant to the Gramm-Leach-Bliley Act of 1999, 9:30 a.m., SD–538.

Subcommittee on Financial Institutions, with the Subcommittee on Securities, to hold joint hearings to examine the Merchant Banking Regulations pursuant to the Gramm-Leach-Bliley Act of 1999, 9:30 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the practices of Internet network advertisers and steps that can be taken to improve consumers' privacy online, 10 a.m., SR–253.

*Committee on Environment and Public Works:* to hold hearings on the nomination of James V. Aidala, of Virginia, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency; the nomination of Arthur C. Campbell, of Tennessee, to be Assistant Secretary of Commerce for Economic Development; and the nomination of Ella Wong-Rusinko, of Virginia, to be Alternate Federal Cochairman of the Appalachian Regional Commission, 9:30 a.m., SD–406.

*Committee on Foreign Relations:* Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine recent developments in Tibet, 10 a.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine drug safety and pricing, 10 a.m., SD–430.

*Committee on the Judiciary:* to hold hearings to examine post-conviction DNA testing, 10 a.m., SD–226.

## House

*Committee on Appropriations,* to mark up Commerce, Justice, State, and Judiciary appropriations for fiscal year 2001, 10 a.m., 2359 Rayburn.

*Committee on Commerce,* Subcommittee on Finance and Hazardous Materials, hearing entitled ''Decimals 2000—Will the Exchanges Convert?'' 2:30 p.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled: ''Computer Insecurities at DOE Headquarters: DOE's Failure to Get Its Own Cyber House in Order,'' 9 a.m., 2123 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on the following bills: H.R. 3100, Know Your Caller Act of 1999; and H.R. 3180, Telemarketing Victims Protection Act, 11 a.m., 2322 Rayburn.

*Committee on Government Reform,* Subcommittee on Civil Service, hearing on FEHBP: OPM's Policy Guidance for 2001, 10 a.m., 2154 Rayburn.

*Committee on International Relations,* Subcommittee on Africa, hearing on Zimbabwe: Democracy on the Line, 10 a.m., 2172 Rayburn.

*Committee on the Judiciary,* hearing on H.R. 3575, Student Athlete Protection Act, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, hearing on H.R. 2929, Captive Elephant Accident Prevention Act of 1999, 9:30 a.m., 2237 Rayburn.

*Committee on Resources,* Subcommittee on National Parks and Public Lands, hearing on the following measures: H.R. 3693, Castle Rock Ranch Acquisition Act of 2000; H.R. 4420, to reauthorize the Southwestern Pennsylvania Heritage Preservation Commission; and H.R. 4579, Utah West Desert Land Exchange Act of 2000, 10 a.m., 1324 Longworth.

*Committee on Rules,* to consider a measure making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, 5 p.m., H–313 Capitol.

*Committee on Science,* hearing to review Science, Math, Engineering and Technology Education in Kindergarten Through 12th Grade and H.R. 4272, National Science Education Enhancement Act, 2 p.m., 2328 Rayburn.

*Committee on Transportation and Infrastructure,* hearing on the Proposed United-US Airways Merger, 2 p.m., 2167 Rayburn.

*Committee on Ways and Means,* hearing on legislation to cover prescription drugs under Medicare, 10 a.m., 1100 Longworth.

## Joint Meetings

*Commission on Security and Cooperation in Europe:* to hold hearings to examine the situation five years after the Dayton Agreement which ended the war in Bosnia-Herzegovina, 2 p.m., B318, Rayburn Building.

*Next Meeting of the* SENATE

9:30 a.m., Tuesday, June 13

Senate Chamber

**Program for Tuesday:** After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of H.R. 4576, Defense Appropriations, with a vote on the pending Boxer/Reid Amendment No. 3308, to occur at 2:20 p.m.

*(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)*

*Next Meeting of the* HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, June 13

House Chamber

**Program for Tuesday:** Consideration of H.R. 4577, Labor HHS, and Education Appropriations. (Complete consideration.)

Consideration of the conference report on S. 761, Electronic Signatures in Global and National Commerce Act (Rule waiving points of order).

Consideration of Suspensions:

(1) H.J. Res. 101—Recognizing the 225th birthday of the United States Army;

(2) H. Con. Res. 266—Benefits of Music Education;

(3) H.R. 3292—Establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana; and

(4) H.R. 4601—Debt Reduction Reconciliation Act of 2000.

## Extensions of Remarks, as inserted in this issue

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