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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 12, 2000

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

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

PRAYER

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

All powerful God, may we prove ourselves responsible for the task You set before us this day as Your servants.

We accomplish Your holy will when, as we persevere in doing good, we put to silence the idle chatter of the foolish.

May great works of justice rise from us to drown out all negativity and discontent.

Let us live as free people never using our freedom as a pretext for evil.

Rather, as servants of God, may we honor all people, love the communities we serve and fear—only You, now and forever. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. TERRY 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.

REA REDIFER

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

Mr. PITTS. Mr. Speaker, today I would like to congratulate a constituent of mine, Mr. Rea Redifer, an artist of the Brandywine tradition, on a lifetime of artistic accomplishment.

Mr. Redifer, who comes from Chester County, Pennsylvania, is a watercolorist, but he is also a writer and filmmaker who has focused his work around the life of Abraham Lincoln and the Civil War. He has won literary awards and even an Oscar nomination for his work.

His portraits of Lincoln are favorites of mine. A print of one hangs in my office. His paintings capture not only the likeness of Lincoln, but also the soul of the man. In Mr. Redifer's images we can see both the sadness and moral fortitude of the President.

I am glad to have arranged an exhibit of Mr. Redifer's work to be displayed in the Capitol for the next couple of weeks in the Rotunda of the Cannon House Office Building. I encourage all of my colleagues, congressional staff, and tourists to take a few moments to stop by and enjoy Mr. Redifer's fine artistic accomplishments.

Again, I congratulate Mr. Redifer on his wonderful artworks, and thank him for sharing them with us here at the Capitol.

INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, on June 29 and July 6 two articles appeared in the Washington Post about Joseph Cooke and his fight to regain custody of his two children.

Both articles, in error, stated that Joseph Cooke, whose children have been held in German foster care for over 8 years, was recently allowed a 2-hour visit. Unfortunately, Joseph did not get to see his children. However, his mother, Patricia, did get to see her grandchildren, but did so at a drastically limited time.

For 8 years this family struggled silently, attempting to bring about justice on their own. In February, Joseph joined me at an event where for the first time he spoke publicly about the abduction and wrongful retention of his children. It was a difficult day, but one that led to the outpouring of support and attention from the media and the American public that this issue deserves.

The retaliation by the German Youth Authority and the Weh family, and

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their attempts to control the behavior of wronged American parents, is exactly why we need to continue pressing for action on this issue. We cannot let American parents be bullied into keeping their mouths shut. The German Youth Authority should be ashamed of itself for using access to one's children as a means to avoid bad press.

THE MEANING OF THE TERM ''A DO-NOTHING CONGRESS''

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

Mr. BALLENGER. Mr. Speaker, I have been wrestling with the phrase of ''a do-nothing Congress.'' If by ''doing nothing'' the Democrats mean that we are protecting the social security trust fund from being raided to pay for other big government programs, then they are right.

Or if they mean we have stopped racking up the national debt and borrowing money from our children, yes, I guess they are right there, too.

If they call us ''the do-nothing'' Congress because we have worked to lower taxes on married couples and our Nation's seniors, then I guess they are right there.

But if the Democrats' best argument for saying that we do not do anything is that we have worked to restrain Federal spending, to protect the retirement security for seniors, stop increasing taxes on hard-working Americans, then I am willing to take that as a compliment from my friends on the other side.

UNCLE SAM GIVES MONEY AND TECHNOLOGY WHICH CHINA USES TO THREATEN AMERICA

(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, let us see if this makes sense: Uncle Sam gives billions to Russia, Russia uses our money to build missiles and warships, Russia then sells those missiles and warships to China, China then aims those Russian-made missiles, built with American cash, back at Uncle Sam.

Now, if that is not enough to ignite our plutonium, Uncle Sam is about to give more billions to Russia. I ask, is Uncle Sam a masochist or what, here?

The truth is, the policy ''Trust but Verify'' has turned into ''Pay and Pray.'' Beam me up. I yield back China's buying and spying and Russia's crying and lying.

AMERICA MUST PERSEVERE IN DEVELOPING A MISSILE DEFENSE SYSTEM

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

Mr. WICKER. Mr. Speaker, perseverance is a good thing, especially when it comes to national security. When our children fall off their bikes, we teach them to try again. When the Wright Brothers moved to Kittyhawk with a dream of flying, it took them 3 years of effort before their first flight. When President Kennedy set the goal of putting a man on the moon, it took us 8 years before Neil Armstrong took one giant leap for mankind.

We must now have the same perseverance toward developing a missile defense system. We have had three tests, the most recent of which was a disappointment, but the need to defend ourselves has not disappeared. Iran and North Korea are not going to stop developing nuclear weapons, and we should not stop developing a defense for a missile attack.

With determination and American ingenuity, we can develop a national missile defense system. I urge the President not to tie the hands of future administrations. We must persevere because the safety of Americans is at stake.

POLITICS OVER POLICY IN THE PRESIDENT'S OIL RESERVE STRATEGY?

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

Mr. TERRY. Mr. Speaker, this administration has now proposed stockpiling 2 million barrels of heating oil for the Northeast. He justifies using our Strategic Petroleum Reserve, which is our Nation's national security emergency oil reserve, because of a ''national emergency facing the Northeast.''

Mr. Speaker, I believe the national emergency seems to be that a certain senatorial candidate cannot get above 43 percent in the polls.

There is no arguing that the oil reserves are low, but at the same time, the price of natural gas has doubled across this Nation, which is the primary heating source in my State of Nebraska. The President has never visited Nebraska, but let me assure this administration that it is also cold in Nebraska.

Mr. Speaker, the American people can decide if this is another example of politics over policy.

THE MARRIAGE TAX PENALTY, AN INJUSTICE IN OUR TAX CODE

(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 am here today to talk about an injustice that exists in our current Tax Code. Mr. Speaker, I am referring to the marriage penalty tax. This insensitive provision actually increases taxes by up to $1,400 on working Americans like Ron and Judy Kingman out in rural Nevada, taxes on them simply because they chose to get married. How unfair can it be?

Mr. Speaker, over 25 million American couples are currently subjected to this tax. We can do better and we will do better. These couples should be able to use that tax overpayment toward a downpayment on a home, child care expenses, or investment for their own retirement. This money does not belong to the IRS, it belongs to our families and they deserve to get it back.

This week we have the opportunity to ease the marriage tax burden for married couples in this country. I urge my colleagues across the aisle to join in our Republican efforts to end the marriage tax penalty.

Let us do the right thing. Let us reform this tax. Let us eliminate the marriage tax penalty.

URGING MEMBERS' SUPPORT FOR LEGISLATION TO IMPROVE SCIENCE AND MATH EDUCATION IN AMERICA

(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, America is a wonderful country. I am very proud of the U.S.A. We are the best country in so many different ways. And I believe we should be the best in everything. We have the resources, the knowledge, and the energy to achieve it.

Today I want to mention one thing in which we are not the best. In fact, we are letting our kids down. The majority of jobs available today in our economy are jobs in science, math, engineering, technology, and, of course, computers. Yet, our science and math education in this country is among the worst of the developed countries, as demonstrated by test after test. Ninety-three percent of Americans are aware of this and say that they want better math and science education.

I happen to be a nuclear physicist. I have also worked in elementary school science education. Because of this, and because of my concern about education in this country, I have sponsored three bills which will improve math and science education in this country. I urge my colleagues to join me by cosponsoring these bipartisan bills; I guarantee they will help to improve math and science education in this country, and should make us the international leader in this category, just as we are in so many others.

I urge Members' support of these bills. Join with me and Governor George Bush in advocating improvement of math and science education in this country.

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MARRIAGE TAX PENALTY

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

Mr. STEARNS. Mr. Speaker, I rise today to ask a simple question: What has the support of the Republican party and the support of 80 percent of the American people? The answer is very simple, the repeal of the marriage tax penalty.

This ridiculous tax provision forces 25 million couples to pay an average of $1,400 each in extra taxes every year just because they are married for a working family. This $1,400 would be used to buy a home computer or used for 3 months of childcare, but instead of using this money for their family, these couples are forced to give it to the government.

Our Nation was founded in part because our Founding Fathers grew tired of unfair and ridiculous taxes. Well, I can think of no more unfair or ridiculous tax than the marriage tax penalty. This penalty must be repealed.

Surely everyone can agree that married couples should not be subject to extra taxes just because they are married. Married Americans deserve to be treated fairly. Let us repel the marriage tax penalty today.

MARRIAGE PENALTY

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, today the House is going to vote to end the marriage penalty. Right now married couples pay more in taxes than two single people living together; that is just not right.

Washington must stop penalizing the cornerstone of the American family. We should encourage marriage, not penalize it. We must restore families and the American dream.

Last year, President Clinton labeled the marriage penalty relief risky and even vetoed it. This year Democrats are encouraging him to veto it again. In my district alone, this bill will help end the marriage penalty for over 150,000 Americans. The President and his Democrat friends should stop playing election-year politics.

I say to the President, why do you not help us put American families first? Let us do it now.

STEPS TO PROTECT AND PRESERVE SOCIAL SECURITY

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

Mr. KINGSTON. Mr. Speaker, in Savannah, we are blessed. My wife's grandmother, 97-year-old Betty Carswell is still alive and in good health. She is on Social Security and she needs it.

When I was a boy, growing up down the street my good friend Ross Fox's dad died, and when he died, leaving Mrs. Fox with two young boys to take care of, Social Security was there to protect them. Yet today Social Security is in trouble.

By the year 2030, it will be out of money. There are six positive steps we can take, however, to protect and preserve Social Security. Number one is to have some principles, to say that the benefits for current retirees and near retirees will not be increased; number two, to lock away the Social Security surplus so that the money will not be spent on roads and bridges but used only for Social Security; number three, taxes for Social Security should not be increased; number four, the government should not invest Social Security funds in the stock market; number five, modernization of Social Security should not change the disability and survivors' components for friends like Ross Fox, who lose their loved one, their parents; number six, a portion of the Social Security account should be personalized so that younger people on a voluntary basis would have the option of putting theirs in an interest-bearing account which earns more money than Social Security.

Mr. Speaker, we can do this. We can have a good voluntary program to set up to protect and preserve Social Security. Our seniors need this and our future generations.

HOPE AND PRAY FOR PEACE IN THE MIDDLE EAST

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

Mr. CARDIN. Mr. Speaker, I want to express appreciation to President Clinton for bringing together the prime minister of Israel, Mr. Barak, and Mr. Arafat at Camp David. I know that we all hope and pray for peace in the Middle East. Mr. Barak has shown tremendous courage in putting peace first, in trying to find a way in which we can find true and lasting peace in the Middle East.

Mr. Speaker, I hope that Mr. Arafat and Mr. Barak will understand the historical significance of this meeting and will take advantage of this opportunity so that at least we can look forward to the future of peace in the Middle East.

OUTRAGEOUSLY HIGH DRUG PRICES

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to talk about an issue that every senior citizen knows about and, frankly, if we have had town hall meetings, we know about it as well, and that is outrageously high drug prices. My 82-year-old father, for example, takes a drug called Coumadin. It is a blood thinner. In the United States, the average price for that drug is $30.25, but the Europeans for the same drug made in the same plant under the same FDA approval pay only $2.85.

Mr. Speaker, in the information age, we can no longer keep this secret. Americans are paying double, triple and sometimes quadruple the prices that people around the rest of the world are paying for the same drugs, and it would be easy for us to say shame on the pharmaceutical companies. But the truth of the matter is this administration has had 8 years and what have they done about this? Well, they have sent thousands of threatening letters to senior citizens when they tried to import legal drugs into the United States.

Shame on the FDA. Shame on our Justice Department and shame on us. It is time for this Congress to take action to make certain that American senior citizens have access to world market prices for prescription drugs that they need. No senior should have to choose between getting the food they need and the drugs that they need as well.

STRIKE THE GAG RULE

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY of New York. Mr. Speaker, the gag rule has created a policy that increases the number of abortions and it also threatens the lives of many young women.

Last year, this body added in law an international family planning gag rule for other countries that is unconstitutional in America. What happened? Thousands of young women were denied the information they needed to plan or postpone their pregnancies, so thousands of 13-year-old girls, 14-year-old girls and 15-year-old girls got unsafe and often fatal abortions.

These abortions could have been prevented. No U.S. funds are used for abortions. International family planning saves women's lives so we should all support on both sides of the aisle an effort to strike the gag rule.

PERSONAL LOCKBOX BILL

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

Mr. SANFORD. Mr. Speaker, I just wanted to bring to everybody's attention the fact that today I am introducing a bill called the personal lockbox bill. I think it is built on common sense, because one of the things I have consistently heard from folks back home is the very simple idea that the first part of saving Social Security is making sure that Social Security taxes stay with Social Security. That is what this bill does because it takes the Social Security surplus, whatever

that happens to be, and simply rebates it back to the people paying Social Security taxes, not to go out and fix up the car or buy a refrigerator with it but instead to go into their own personal Social Security savings account that would be held by a fiduciary like the local bank.

Mr. Speaker, the individual could not get their hands on the money until they turn 65, but they would get a monthly statement and for the first time, because of the private property rights that come with an account like that, for the first time have a firewall created between political forces in D.C. and their Social Security surplus.

DEFENSE OF NATIONAL MISSILE DEFENSE

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

Mr. BARTLETT of Maryland. Mr. Speaker, I rise today in support of our National Missile Defense System. Last Saturday, the Ballistic Missile Defense Organization conducted a flight test over the Pacific. Unfortunately, a missile anomaly occurred which had nothing to do with the concept being tested. The booster simply did not separate from the kill vehicle and, therefore, the kill vehicle was not freed so that it could function.

Opponents of a National Missile Defense System thus have no basis for saying we should abandon our efforts. This was only the third of 19 planned tests. Successes and failures are to be expected as we perfect any defense system. This was not a concept failure.

Mr. Speaker, developing a missile defense system is one of the most civilized things we can do. When deployed, and God forbid, we need to use it, it only protects. It protects the people we love and does not destroy our enemy. This is the ultimate in defense.

Mr. Speaker, the so-called rogue nations are developing their capabilities to attack our people. As outlined by the Constitution, we, in Congress, have the obligation to provide for the defense of this country. We must go forward. We should not yield to political pressures. We must develop the National Missile Defense System.

U.S. ATTACKED BY KOFI ANNAN AT NOTRE DAME COMMENCEMENT

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

Mr. DUNCAN. Mr. Speaker, in this year's commencement speech at Notre Dame, Kofi Annan, the head of the United Nations, bitterly attacked the United States.

He said the U.S. was one of the ''least generous'' Nations in helping the world's poor. Actually, the exact opposite is true. No nation on the face of this Earth has even come close to the U.S. in what it has given to poor people around the world.

Mr. Annan called the U.S. ''shameful.'' Actually, U.S. taxpayers pay one-fourth of all U.N. costs and most of the costs of the so-called U.N. peacekeeping missions.

Mr. Speaker, most of our tax money for the U.N. is wasted to pay high salaries to U.N. bureaucrats who pay no Federal income taxes.

Interestingly, Mr. Annan has refused to release a copy of his financial disclosure as required by law or a copy of his own personal charitable giving for the past 5 years as requested by the Freedom Alliance.

Mr. Speaker, Mr. Annan is the one who should be ashamed, not U.S. taxpayers.

SKYROCKETING GASOLINE PRICES

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

Mr. SCHAFFER. Mr. Speaker, it is a great time of year to vacation in beautiful Colorado, but gas prices are still high. Energy Secretary Bill Richardson is on record saying that the Clinton-Gore administration was ''caught napping'' on the issue of skyrocketing gasoline prices.

Because of the administration's failed energy policies and inattention, Americans are being forced to pay outrageous prices at the gas pump, some cases $2.35 a gallon.

We all know how dangerous it can be when a driver falls asleep at the wheel, and now we can see how dangerous it is when an entire administration falls asleep at the wheel.

While this administration was napping, domestic oil production decreased to 17 percent, and this increased dependence on foreign oil has helped put us to this current predicament.

Perhaps, Congress should start a caffeine IV for Secretary Richardson and the other Rip Van Winkles over at the White House who are responsible for this policy diaster.

Mr. Speaker, I call upon the Clinton-Gore administration to wake up. The slumber party is over. Americans are tired of getting gored at the pump.

ACCUSATIONS OF A ''DO NOTHING CONGRESS''

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

Mr. WATTS of Oklahoma. Mr. Speaker, many of our friends in the Democrat party have been spending a lot of time lately accusing this of being a do nothing Congress, and I guess coming from a Democrat that is a tremendous compliment.

Do you know what it means when they accuse us of doing nothing? It means we are not raising taxes, that means we are not spending enough of the surplus. We have not raided the Social Security surplus. We are not making government regulations burdensome enough.

Mr. Speaker, I say to my friends I consider the definition of ''doing nothing'' as a badge of honor. And do you know why? Because my Democrat friends and the Vice President have a funny definition of accomplishments.

They do not consider it an accomplishment to end the unfair penalty on married couples. They do not consider it an accomplishment to end the earnings limit for working seniors. They do not consider it an accomplishment to say that the Federal Government or the IRS should not take half your farm when you die, half of your business when you die.

They do not consider it an accomplishment to make prescription drugs available and affordable to our senior citizens in the country. This is what we have done over the last several months.

Democrats may not consider these things to be accomplishments, but millions of Americans who work every day, get up, they pay their taxes.

DEATH TAX

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, the House passed a repeal of the death tax last month. We will continue to work to see that this unfair tax is repealed.

The American dream is about the opportunity of every citizen to build a better future for themselves and their children through hard work and personal initiative. It means building your own business, pouring your own sweat into a small farm to turn a profit, saving each day so you can leave something to your family.

Yet it is these Americans who are working so hard, playing the rules and paying taxes who, upon their death, become the victims of a tax that discounts their dedication, punishes their entrepreneurship, and denies their dying wishes.

Mr. Speaker, as a result of this death tax, only one-third of all small businesses and family farms are passed on after the first generation. This is not right. Where is the logic?

Why does the government have to grab someone's life savings out of their hands once they die? It is time we eliminate the death tax and reinvest in America, so the dreams and values of these folks can be carried on to future generations. We need to make sure that death tax gets buried.

THE JOURNAL

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8, rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 354, nays 50, answered ''present'' 1, not voting 29, as follows:

[Roll No. 386]

YEAS—354

Abercrombie	DeGette	Hutchinson
Allen	Delahunt	Hyde
Andrews	DeLauro	Inslee
Armey	DeLay	Isakson
Baca	DeMint	Istook
Bachus	Diaz-Balart	Jackson (IL)
Baldacci	Dickey	Jackson-Lee (TX)
Baldwin	Dicks	Jefferson
Ballenger	Dingell	Jenkins
Barcia	Dixon	John
Barr	Doggett	Johnson (CT)
Barrett (NE)	Dooley	Johnson, E. B.
Barrett (WI)	Doolittle	Jones (NC)
Bartlett	Doyle	Jones (OH)
Bass	Dreier	Kanjorski
Becerra	Duncan	Kaptur
Bentsen	Dunn	Kasich
Bereuter	Edwards	Kelly
Berkley	Ehlers	Kennedy
Berman	Ehrlich	Kildee
Berry	Emerson	Kilpatrick
Biggert	Engel	Kind (WI)
Bilirakis	Eshoo	King (NY)
Bishop	Etheridge	Kingston
Blagojevich	Evans	Kleczka
Bliley	Everett	Klink
Blumenauer	Ewing	Kolbe
Blunt	Farr	Kuykendall
Boehlert	Fletcher	LaFalce
Boehner	Foley	LaHood
Bonilla	Fossella	Lampson
Bono	Fowler	Lantos
Boswell	Frank (MA)	Largent
Boucher	Franks (NJ)	Larson
Boyd	Frelinghuysen	Latham
Brady (TX)	Gallegly	LaTourette
Brown (FL)	Ganske	Lazio
Brown (OH)	Gejdenson	Lee
Bryant	Gekas	Levin
Burr	Gephardt	Lewis (CA)
Burton	Gibbons	Lewis (GA)
Buyer	Gilchrest	Lewis (KY)
Callahan	Gillmor	Linder
Calvert	Gilman	Lipinski
Camp	Gonzalez	Lofgren
Canady	Goode	Lowey
Cannon	Goodlatte	Lucas (KY)
Capps	Goodling	Lucas (OK)
Cardin	Gordon	Luther
Castle	Goss	Maloney (CT)
Chabot	Graham	Maloney (NY)
Chambliss	Granger	Manzullo
Clayton	Green (TX)	Markey
Clement	Green (WI)	Martinez
Clyburn	Greenwood	Mascara
Coble	Gutknecht	Matsui
Coburn	Hall (TX)	McCarthy (MO)
Collins	Hansen	McCarthy (NY)
Combest	Hastings (WA)	McCollum
Condit	Hayes	McCrery
Conyers	Hayworth	McGovern
Cook	Herger	McHugh
Cooksey	Hill (IN)	McInnis
Cox	Hinchey	McIntosh
Coyne	Hinojosa	McIntyre
Cramer	Hobson	McKeon
Crowley	Hoeffel	McKinney
Cubin	Hoekstra	Meehan
Cummings	Holden	Meek (FL)
Cunningham	Hooley	Meeks (NY)
Danner	Horn	Menendez
Davis (FL)	Hostettler	Metcalf
Davis (IL)	Houghton	Mica
Davis (VA)	Hoyer	Millender-McDonald
Deal	Hunter	Miller (FL)
		Miller, Gary
		Miller, George
		Minge
		Mink
		Moakley
		Mollohan
		Moran (KS)
		Moran (VA)
		Morella
		Murtha
		Myrick
		Nadler
		Napolitano
		Neal
		Nethercutt
		Ney
		Northup
		Norwood
		Nussle
		Olver
		Ortiz
		Ose
		Packard
		Pallone
		Pascrell
		Pastor
		Payne
		Pease
		Pelosi
		Peterson (PA)
		Petri
		Phelps
		Pickering
		Pitts
		Porter
		Portman
		Price (NC)
		Pryce (OH)
		Quinn
		Radanovich
		Rahall
		Rangel
		Regula
		Reyes
		Reynolds
		Riley
		Rivers
		Rodriguez
		Roemer
		Rogers
		Rohrabacher
		Ros-Lehtinen
		Rothman
		Roukema
		Roybal-Allard
		Royce
		Rush
		Ryan (WI)
		Ryun (KS)
		Salmon
		Sanchez
		Sanders
		Sandlin
		Sanford
		Sawyer
		Saxton
		Scarborough
		Scott
		Sensenbrenner
		Serrano
		Shadegg
		Shaw
		Shays
		Sherman
		Sherwood
		Shimkus
		Shows
		Shuster
		Simpson
		Skeen
		Skelton
		Smith (MI)
		Smith (NJ)
		Smith (TX)
		Snyder
		Spence
		Spratt
		Stabenow
		Stearns
		Stenholm
		Stump
		Sununu
		Sweeney
		Talent
		Tanner
		Tauscher
		Tauzin
		Taylor (NC)
		Terry
		Thomas
		Thornberry
		Thune
		Thurman
		Tiahrt
		Tierney
		Toomey
		Towns
		Traficant
		Turner
		Udall (CO)
		Udall (NM)
		Upton
		Vitter
		Walden
		Walsh
		Wamp
		Watkins
		Watt (NC)
		Watts (OK)
		Waxman
		Weiner
		Weldon (FL)
		Weldon (PA)
		Weygand
		Wicker
		Wilson
		Wolf
		Woolsey
		Young (FL)

NAYS—50

Aderholt	Hastings (FL)	Rogan
Baird	Hefley	Sabo
Bilbray	Hill (MT)	Schaffer
Bonior	Hilleary	Schakowsky
Borski	Hilliard	Stark
Brady (PA)	Holt	Strickland
Capuano	Hulshof	Stupak
Clay	Kucinich	Taylor (MS)
Crane	LoBiondo	Thompson (CA)
DeFazio	McDermott	Thompson (MS)
Deutsch	Moore	Velazquez
English	Oberstar	Visclosky
Fattah	Peterson (MN)	Waters
Filner	Pickett	Weller
Ford	Pombo	Wexler
Gutierrez	Pomeroy	Wu
Hall (OH)	Ramstad	

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Ackerman	Frost	Sisisky
Archer	Johnson, Sam	Slaughter
Baker	Knollenberg	Smith (WA)
Barton	Leach	Souder
Bateman	McNulty	Vento
Campbell	Obey	Whitfield
Carson	Owens	Wise
Chenoweth-Hage	Oxley	Wynn
Costello	Paul	Young (AK)
Forbes	Sessions	

□ 1052

Mr. HILLIARD changed his vote from ''yea'' to ''nay.''

So the Journal was approved.

The result of the vote was announced as above recorded.

ISRAEL CANCELS SALE OF AWAC SYSTEM TO CHINA

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

Mr. CALLAHAN. Mr. Speaker, there has been quite a bit of interest in the last couple of months about the Israeli sale of an AWAC system to China. It was going to be a major discussion on the floor of the House today. I know many Members were concerned about that issue.

I wanted to tell them that I just received a call from the ambassador telling me that Mr. Barak has canceled the AWAC sale to China.

PROVIDING FOR CONSIDERATION OF H.R. 4810, MARRIAGE TAX PENALTY RELIEF RECONCILIATION ACT OF 2000

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 545 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 545

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4810) to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

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

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 545 is a modified closed rule providing for the consideration of H.R. 4810, the Marriage Tax Penalty Relief Reconciliation Act of 2000. For those Members who think they are experiencing deja vu, let me clear up any confusion. It is true that the House has already voted to provide relief from the marriage tax penalty. In fact, on February 10 of this very year, the House passed legislation that is identical to H.R. 4810 by a bipartisan vote of 268–158. Prior to that, the House twice passed marriage tax relief as part of a larger tax bill which the President unfortunately vetoed. So this is actually the fourth time that the 106th Congress will debate and vote to provide tax fairness to married couples.

It probably baffles the American people that it takes this much effort to

correct such a blatant inequity in the tax code, but rest assured the Republican majority is determined to keep at it and give the President another chance to sign this bill into law. Today, we will consider the Marriage Tax Penalty Relief Act under a reconciliation process which we hope will speed this legislation's path to the President's desk.

Under the rule, the House will proceed with 1 hour of general debate on the bill which will be equally divided between the chairman and ranking minority member of the Committee on Ways and Means. Even though the House has already thoroughly debated this issue and passed this legislation, the Committee on Rules decided to give the minority an opportunity to offer a substitute amendment which will be debated for 1 hour. The substitute amendment which is printed in the Committee on Rules report may be offered by the gentleman from New York (Mr. RANGEL) or his designee. All points of order against consideration of the bill and the amendment are waived. Not only will the minority have the opportunity to offer a substitute but they also will have the option of offering a motion to recommit, with or without instructions. So I think we can all agree that this rule is quite fair in its generosity to the minority.

Mr. Speaker, 'tis the season for holy matrimony and as wedding bells chime across the Nation this summer, many couples will celebrate their unions without suspecting that the Government has in store for them a tax on their marriage. If these newlyweds listen to the family-friendly rhetoric in Washington, they might think the Government is toasting to them as they create their new families. But instead of sending sentiments of congratulations and best wishes, the only thing the Government plans to deliver is a bigger tax bill. So let us hope these couples do not run out and cash the wedding checks that they receive from Grandpa Joe and Cousin Jane because they still have to pay Uncle Sam.

That is right, Mr. Speaker. The Federal Government sees marriage as an opportunity to increase taxes. Newlyweds may see their taxes rise by hundreds or even thousands of dollars based solely on the fact that they have walked down the aisle and said, ''I do.'' It is hard to understand why the decision to make a solemn commitment to another individual through the institution of marriage has anything to do with the rate at which one is taxed, but we should know by now that the Government has no qualms about taking every opportunity to make a grab for more of our hard-earned money. In fact, each year 42 million working Americans pay higher taxes simply because they are married. This policy is unfair and discriminatory, not to mention the fact that it undermines one of the most fundamental institutions of our society. And it makes little sense to add to the tax burden of newlyweds, especially when marriage is often a precursor to added financial responsibilities such as owning a home or having children.

□ 1100

I think we all know that despite all of our glowing talk about a robust economy, many families find that it is hard to make ends meet. Both spouses must work. Under the current Tax Code, working couples are pushed into a higher tax bracket because the income of the second wage earner, often the wife, is tacked a much higher rate.

Because of the marriage penalty, 21 million families pay an average of $1,400 more in taxes than they would if they were single or just living together. What kind of message does that send?

The Marriage Tax Penalty Relief Act will bring fairness to the Tax Code by doubling the standard deduction for married couples, expanding the 15 percent bracket so more of a couple's income is taxed at a lower rate, and increasing the amount that low-income couples can earn and still be eligible for the earned income tax credit. This fix will mean lower taxes for 25 million American couples, and that is 59,000 couples in my district alone.

But my Democrat colleagues will claim that we are doing too much, though I am not sure there is such a thing as too much fairness, Mr. Speaker. Still, they will want to differentiate between married couples and penalize some couples for their vows, but not others.

Under the Democrat's plan, the Government does not have to give these families as much money back, so the Government can keep and spend more. They may claim that this is a more responsible approach; but, Mr. Speaker, I would remind my colleagues that the Government is experiencing a budget surplus. We have already taken the Social Security and Medicare trust funds off the table and made a commitment to paying down the debt, and we still have money left over. If we cannot afford to fix this glaring inequity in our Tax Code today, then when would my Democrat friends suggest that we do it, and how is it responsible to let this penalty on marriage continue when the Government is swimming in surplus cash?

I do not claim to understand the logic, but this rule will give the Democrats the opportunity to make their case and offer their substitute.

So, Mr. Speaker, this is a fair rule that will give the Marriage Tax Penalty Relief Act the momentum it needs to move through the Senate and to the President's desk, so that he has another opportunity to do the right thing and give working families this needed break. There is absolutely no reason to continue this unfair policy, no more excuses.

It is time to either defend the marriage tax or eliminate it. I urge my colleagues to support this rule and the Marriage Tax Penalty Relief Reconciliation Act.

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

Mr. MOAKLEY. Mr. Speaker, I thank my dear friend, the gentlewoman from Ohio (Ms. PRYCE), for yielding me the customary half hour. I yield myself such time as I may consume.

Mr. Speaker, we all agree the marriage tax is unfair. It punishes people for getting married just when they are thinking of starting a family, and it really needs to be abolished. The question is how to abolish it.

There is a Democratic bill; there is a Republican bill. The central difference between the two bills is who is benefited.

The Republican bill will benefit the richest 25 percent of Americans, including a lot of people who do not even pay the marriage penalty in the first place. The Democratic bill benefits working families who really need it, working families with children who are trying to save for a home, who are trying to put their children through school, who are trying to make ends meet. They should not have to pay additional taxes just because they are married; and unless they are very rich, the Republican bill just does not work for them.

The reason the Republican bill will not work, Mr. Speaker, is because it increases the standard deduction without adjusting the alternative minimum tax. That means that millions of families would see no net reduction under the marriage penalty whatsoever under the Republican bill.

In yesterday's Washington Post, in the editorial, Mr. Speaker, it said, ''The cost of the bill is high: The bulk of the benefit would go to people already quite well off, and there are better uses for the money, to shore up Medicare, for example.''

By the year 2008, the year that the Republican bill finally goes into effect, 47 percent of American families with two children would get no relief whatsoever. The tax will have a new name, but it will cost a lot. Mr. Speaker, that is not what the American families need.

Millions of low- and moderate-income families, especially those with children, need help; and the Republican bill just does not do it.

The Democratic bill will, Mr. Speaker. The Democratic bill will focus its efforts on low- and moderate-income taxpayers by increasing the standard deduction for married couples until it is twice the size of the single people's deduction. It will also reduce the marriage penalty in the Earned Income Tax Credit and change the alternative minimum tax so that all of the promised tax cuts actually do take effect. It will mean real help to working families who need it.

Mr. Speaker, in yesterday's editorial in the Washington Post, the title was ''A Phony Issue.'' It says ''Congressional Republicans scheduled a vote

this week on a sizable tax cut, mainly for the better off, which they misleadingly describe as relief from the marriage penalty. The President has rightly indicated that he will veto this bill as it is likely to be presented to him. That suits the sponsors perfectly, and that vote is mainly intended as a frame for the national,'' well, that is something else. But I think the Washington Post says it much better than anyone else.

Mr. Speaker, I oppose the Republican bill.

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

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

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

Mr. DREIER. Mr. Speaker, I thank the distinguished gentlewoman from Columbus for yielding me time.

Mr. Speaker, let me say that my friend from south Boston, the distinguished ranking minority member of the Committee on Rules, and we are going to do our darnedest to see that he stays right in that spot, just as my friend, the gentleman from New York (Mr. RANGEL), will remain in his very important key spot as ranking minority member of the Committee on Ways and Means as we move into the 107th Congress.

Mr. RANGEL. Mr. Speaker, reserving the right to object, and I will not object.

Mr. DREIER. To object? I am happy to yield, if the gentleman wants to debate the issue.

But the fact is my friend from south Boston has talked about the Democratic bill, and I am proud to talk about the bipartisan bill, because what we have done here on this marriage penalty issue is we have put together a very strong bipartisan package, and there is recognition on both sides of the aisle that this issue needs to be addressed.

Republicans and Democrats alike voted strongly for this bill when we brought it up in February, and I suspect that later today when we cast the vote on this, we once again will see strong bipartisanship. So I am happy to have the leadership on the other side talk about their Democratic bills, and we on the Republican side are proud to embrace bipartisanship, because we know that that in fact is the best way to get things done for the American people.

Even in an election year, even in a election year there are some very basic principles that the American people share, and fairness happens to be one of them. That is what this is all about, is trying to bring about a modicum of equity; and we are doing it specifically to address the concern of those who are most impacted.

If you look at the cost for women, minorities, they are penalized greatly because of this marriage tax; and if you look at the cost, it is about $1,400 on average for those who are in that middle- and lower-income area.

So it seems to me that we have got a strong effort that has been put together here by the gentleman from Illinois (Mr. WELLER) and others on the Committee on Ways and Means who have been championing this issue for a long period of time.

It is all about equity and fairness. And guess what, Mr. Speaker? That is exactly what this rule is about too. The rule is a very fair one. It is a very equitable one. It allows my very good friend from New York (Mr. RANGEL) to offer his substitute motion. As was the case in the beginning when we took the majority in 1994, we are going to guarantee the motion to recommit.

So my Democratic colleagues will have two bites at the apple, and we will have one bite for the bipartisan package that we are moving forward here. It seems to me it is extraordinarily fair. We have turned ourselves inside out to accommodate the minority, and I know some of my Republican colleagues may not be too ecstatic about that, but we have done that; and I believe that in this instance, it is the right thing to do.

At the end of the day, Democrats and Republicans alike will join in support of the measure, so I hope the Democrats and Republicans alike will overwhelmingly support this rule.

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

Mr. Speaker, first of all, I do not disagree with the chairman. This is a fair rule; it is just not a fair bill. We get two bites at the apple, but they get five bites at the money.

Mr. Speaker, I yield 7 minutes to my dear friend, the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, I do not want to spoil the reputation of the chairman of the Committee on Rules by complimenting him on this floor too often, but it is strange and unusual that we would get a fair and equitable rule like this, and I would just like to rise to the occasion to compliment him.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, this is the second time we have given this identical rule. It is not out of character at all. We gave you this rule in February, so you know we are just continuing a long pattern of providing you with a great opportunity.

I thank my friend for yielding.

Mr. RANGEL. Mr. Speaker, reclaiming my time, I would like to strike that from the RECORD. This is the second time you have been fair.

Mr. Speaker, this gives us an opportunity to take a problem that we recognize as a serious problem of equity, and that is if two people filing separately can get a better tax break than someone that is married, then it is not the fair thing to do.

Why have we not taken care of this a long time ago? Why did we not follow former Congresswoman Barbara Kennelly from Connecticut as she led the fight to do it? One of the reasons was that it is difficult to be equitable when you do not have the funds to do it.

To talk about 3 or 4 years ago patching up something that the Tax Code was really unfair about and paying $100 billion in lost revenue was something unheard of. But now that the Clinton-Gore team's economic policy has clicked in and we find every day an increase in the revenue that we expect, it makes a lot of sense that we can come together, Republicans and Democrats, and see what we can do to repair an inequity in the law.

That is the problem. We do not come together, we do not discuss anything, and the Republican majority is so bent on making political statements that they are not concerned at all with what the President signs. All they are concerned with is that they are able to pass the bill in the House.

They learned a lot from their mistakes in the past, and that is putting together these tremendous irresponsible tax cuts of some $800 billion without even thinking about our Social Security system; paying down the national debt; repairing Medicare; and one of the things we are so concerned about, and that is allowing our older people who have access to health care but do not have access to the money to pay for the prescription drugs that are so important for their health.

All we are saying is why can we not deal with the Government's budget the way we do our own? We just cannot take the irresponsible, close-to-$1 trillion tax cut, and cut it up and say we are going to deliver it in small pieces. No. What we should do is to find out have we taken care of Social Security, are we working together to deal with the Medicare problem, do we have some kind of a bill that we can assure the people of the United States that, when we leave here, there would be an affordable drug program? Are we paying down the national debt? Then are we doing the things that we are sent here to Congress to do?

Already we have passed close to $500 billion in tax cuts. All at one time? Oh, no. The public relations divisions of the Republican Party have taken care of that. It does not come out of the tax writing committee; it comes out of the Speaker's office, out of the Committee on Rules. But if you want to talk about the Patients' Bill of Rights, they talk about tax cuts; you want to talk about minimum wage, they talk about tax cuts; you want to talk reforming pensions, they talk about tax cuts.

□ 1115

So here we are with the marriage penalty, both of us wanting to bring equity, but they enlarged the tax bracket for the 15 percent bracket, which causes us to lose another $100 billion in revenues and, worse than that, after 10 years, there is an explosion of the revenues that we lose. Should we give a tax cut? Yes, but not in these pieces that we come here with. We should have a comprehensive program that would do all of the things that we wanted to do. Why is it that every time our Republican colleagues steal a good idea from us, every time we agree with our colleagues that we should be working together, they have to pile on it an irresponsible tax cut to such an extent that it promises a veto.

So here we are again. We have a substitute, by any standard, that is fair. No one can challenge that what we do is take care of the inequity as it relates to the penalty.

In addition to that, we make certain that we make adjustments in the alternative minimum tax so that no one loses a benefit that is in the lower income, unlike the Republican bill. We make certain with the tax credits, the refundable tax credits, that the lower income people get a better break with that. So we do not concentrate, as our Republican colleagues do, on those that God has already blessed and they are still trying to give them additional fiscal blessings through the tax system.

Let us try to work together, not as Republican leaderships with Democrat minorities, but as representatives that truly represent the interests of the people of this country. When we do this, we will see that the President will join in and we will not have just House-passed bills, but we will have bills that will be accepted by the Senate and signed into law by the President of the United States.

The President has said, if you want to deal with this subject, put the drug issue as relates to affordable prescription drugs on your calendar, deal with it in a real way, the way we are going to do it, and we can do business.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman's instruction about what we should be doing as a Congress, but I am not sure where he has been, because he says we have not addressed Social Security. Well, have we? Of course we have. We have a lockbox. We have locked away the Social Security Trust Fund for the first time. Have we addressed Medicare? Yes, we have done the same thing. We have locked away those funds for the first time. Have we addressed prescription drugs for our seniors? Yes, we did. We voted on it just about a week ago.

So, Mr. Speaker now, once again, we will give the President his chance to sign the Marriage Penalty Tax Relief Act.

Mr. Speaker, I yield 6 minutes to the gentleman from Illinois (Mr. WELLER) who has worked so hard on this legislation.

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

Mr. WELLER. Mr. Speaker, I am so proud of the accomplishments of this Congress. We balanced the budget, the first time in 28 years; we are now balancing it for the 4th year in a row. We stopped the raid on Social Security just this past week. Sometimes I think my friends on the other side of the aisle have amnesia, because we have already passed prescription drugs, provided prescription drugs for our seniors, we are paying off the national debt with a plan we have adopted by the year 2013, already paying down the debt by $350 billion; and we are also working to make our Tax Code more fair, particularly more fair for working and middle class families.

We have often asked in this House, many of us, a pretty basic, fundamental question. That is, is it right, is it fair that under our Tax Code, married working couples pay higher taxes because they are married? Do we think it is right that 25 million married working couples, on average, pay $1,400 more in higher taxes just because they are married, compared to identical couples with identical incomes who live together outside of marriage. That is wrong.

We are fortunate that in February this House passed legislation with overwhelming bipartisan support, legislation that was initiated by myself and the gentleman from Indiana (Mr. MCINTOSH) and the gentlewoman from Missouri (Ms. DANNER), a Democrat, a bipartisan bill that had 233 cosponsors. It passed this House in February with the support not only of every House Republican, but 48 Democrats broke ranks with their leadership and voted to eliminate the marriage tax penalty for 25 million married working couples.

Unfortunately, in the Senate, the Democratic leadership has used every parliamentary procedure possible to block this legislation. We are now forced to move through the reconciliation process so that the majority can rule in the Senate.

The bottom line is, we want to eliminate the marriage tax penalty. It is wrong, it is unfair.

Let me introduce Shad and Michelle Hallihan. This is a photo of them when we introduced the bill a year-and-a-half ago to wipe out the marriage tax penalty. Shad and Michelle are two Joliet township high school teachers, they suffer the marriage tax penalty because they are both in the workforce and, of course, the marriage tax penalty of $1,400 that they suffer is a lot of money in Joliet, Illinois, the south suburbs of Chicago. Mr. Speaker, $1,400 for Michelle and Shad Hallihan, that is a year's tuition at our local community college, Joliet Junior College, which is our Nation's oldest. It is also 3 months of day care for a child.

That is why I think it is important to introduce a new photo of Shad and Michelle Hallihan. Since they were married at the time that we introduced the legislation, they have since had a baby, and if Al Gore and my friends on the other side of the aisle had their way, the child will probably be grown and out of college by the time we eliminate the marriage tax penalty.

Shad and Michelle have a little boy by the name of Ben. Little Ben has brought a lot of joy to their life, but because of the marriage tax penalty, there is $1,400 that goes out of the pocketbooks of Shad and Michelle and comes to Washington, money that they can use to take care of little Ben and $1,400. That is about 3,000 diapers. That is a lot of diapers for little Ben. Over 18 years, that $1,400 a year, if they just set that full amount in a college fund, that is over $25,000 that Shad and Michelle can invest in little Ben and little Ben's future for college. So the marriage tax penalty is real money for real people.

Shad and Michelle, the way they suffer the marriage tax penalty is the marriage tax penalty occurs when you have a husband and wife who are both in the workforce, they combine their income when they are married, file jointly, and when they combine their income, that means they are pushed into a higher tax bracket. If Shad and Michelle had chosen to stay single and just live together, they each, because of their income, would file in the 15 percent tax bracket. But they chose to participate in the most basic institution in our society which is marriage, and Shad and Michelle, because they are married, now pay in the 28 percent tax bracket. They suffer the marriage tax penalty.

We believe it is wrong. We want to help Michelle and Shad Hallihan as well as little Ben to make sure he has a future and they have the resources for this.

Mr. Speaker, under our bipartisan proposal, we do several things. We help those who do not itemize their taxes by doubling the standard deduction for joint filers at twice that of singles, and that helps about 9 million couples of those who suffer the marriage tax penalty. Those are the nonitemizers. Well, the rest, subtracting 9 from 25, that leaves 18 million couples who itemize their taxes who suffer the marriage tax penalty and they are people who are average folks, middle class, but they probably own a house. So if you own a home, you probably itemize your taxes, and the only way you can receive marriage tax relief is if we provide marriage tax relief as part of our proposal.

We do that by widening the most basic bracket, the 15 percent bracket so you can earn twice as much in the 15 percent bracket if you are a joint filer as a single person, and that is how we help Michelle and Shad Hallihan as well as little Ben prepare for his future by widening the 15 percent bracket.

I would also point out in our legislation that we provide marriage tax relief for those who participate in the

earned income tax credit, ensuring that they also participate and receive marriage tax relief. We also protect those who use the child tax credit for the alternative minimum tax. So we help both itemizers as well as non-itemizers, poor working families, and protect those from the AMT.

Mr. Speaker, I believe we need to eliminate the marriage tax penalty. I want to thank my friends on the other side of the aisle, particularly the 48 who joined with us, and I invite more Democrats to join with us in our effort to eliminate the marriage tax penalty.

I would point out that under the Democratic proposal, Michelle and Shad Hallihan would not receive any relief. If one itemizes their taxes, they would receive no relief under the Democratic proposal. If one is a homeowner and middle class and itemize your taxes, you receive no marriage tax relief under the Democratic proposal. Democrats say they do not want to help special interests, so I guess they say if you are middle class and you own a home and you itemize your taxes, you are stuck and you are still going to suffer the marriage tax penalty.

Mr. Speaker, we have a bipartisan proposal that helps those who itemize, primarily homeowners; we help those who do not itemize, we help those on earned income tax credit, and we help those who may suffer the alternative minimum tax. It is a good bipartisan proposal. I urge adoption of this rule, and I invite strong bipartisan support of our effort to eliminate the marriage tax penalty.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Members are reminded that they are not to characterize actions in the other body.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, I would just like to engage the gentlewoman from Ohio. When I make the remark on behalf of the minority that we would like to see Social Security and Medicare taken care of and the gentlewoman asked the rhetorical question, where have I been. We in the minority, we on the Democratic side do not really believe it is taken care of when the gentlewoman says that the Republican plan is to do something next year. I mean the Republicans have been in the majority now for half a dozen years, and they have not come close to sharing with us where we are going to go to pull the Tax Code up by the roots, to reform Social Security and privatize it, to reform the Medicare system.

So what I am saying is that our Republican colleagues are pretty good on supporting the ideas we come up with, but in terms of the record, if what they are saying is that they have taken care of Social Security, the rest of the country does not know it.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Once again, I do appreciate the instruction from my friend in the minority, but in the 6 short years that the Republicans have been in charge of this place, we have done more to shore up Social Security and Medicare and provide relief for seniors than in the 40 years preceding when the Democrats controlled the Congress.

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. TRAFICANT), our distinguished colleague.

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

Mr. TRAFICANT. Mr. Speaker, I support the rule and I support the bill.

America is supposed to be family oriented, family friendly. Who is kidding whom here today? America's tax policy penalizes achievement and penalizes marriage. America's tax policy promotes dependency and promotes promiscuity. America's tax policy actually subsidizes illegitimacy.

In addition to killing jobs, IRS commissioner after commissioner made the statement, and many Members have quoted it, the Tax Code is used as a behavior modification economic program, and I agree; behavior modification through and by a Tax Code of devious and manipulative machinations that should have no place in our country. If the founders wanted a Tax Code to modify behavior, they would have hired Sigmund Freud to write this thing.

Now, as far as what has been done in the last 6 years, there have been some significant reforms. The Republicans have included significant tax reforms, wage attachments have gone from 3.1 million in 1997 to 540,000 in 1999. Property liens have gone from 680,000 under the old plan to 160,000 under the new reformed plan. And listen to this, America: property seizures before the IRS reform bill passed here in this Congress through the leadership of the gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means, property seizures in 1997 were 10,037; 10,037 Americans lost their homes, their farms. In 1999, after the reform, 161.

Now, how could we make the claim that nothing is happening? I think it is out of hand. The Tax Code is out of control. In fact, I think the IRS is so screwed up, they could not find their posterior from some hole in the ground.

Finally, we should throw the income Tax Code out and, yes, tear it up by its roots, with a simple final retail sales tax, with the proper exemptions to save, and those people on the bottom end of the ladder and those seniors.

☐ 1130

Let me close by saying this, and why I support this bill. Congress should promote marriage. Congress should reward marriage. Congress should promote family. Congress should reward family. A Congress that overtaxes married couples does not reward nor promote family nor marriages.

I yield back the fact that we have in fact placed in the Tax Code mechanisms that seem to reward all that is wrong and penalize all that is right. I think the American people see it, the American people know it.

I am very comfortable voting for the rule. I will vote for this bill.

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

Mr. Speaker, I think, yes, the Washington Post editorial said it all titled ''A Phony Issue.'' Again I will quote: ''Congressional Republicans have scheduled votes this week on a sizeable tax cut mainly for the better off, which they misleadingly describe as relief from a marriage penalty. The President has rightly indicated that he will veto the bill as it is likely to be presented to him.''

As I said before, Mr. Speaker, by the year 2008, the year that the Republican bill fully goes into effect, 47 percent of American families with two children would get no relief whatsoever. The tax will have a new name, but many of the people it is intended to help it will not help.

This is not a bill that really helps all the people and does not change the tax brackets for the very rich so they get an added bonus under the so-called marriage penalty tax. I urge Members to vote for the rule and vote for the Rangel substitute.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to urge my colleagues to support this rule, the customary rule provided for tax legislation. The House has already passed virtually identical legislation to eliminate this marriage tax penalty. All we are doing today is using the reconciliation process to speed this legislation to the President's desk so we can give him a second chance to sign it.

Mr. Speaker, our society values marriage as a fundamental institution that strengthens our moral fiber. Marriage teaches us about love, family, commitment, and honor. How can we promote these ideals if we continue to allow the government to impose an unfair, discriminatory, and immoral tax penalty on individuals solely because they are married?

Today we have another chance to send a strong message, which is the right message, to hard-working families by voting to end the marriage tax penalty.

Mr. Speaker, the gentleman from Illinois (Mr. WELLER) who has been a champion of this legislation comes to the floor constantly with his charts of Shad and Michelle, and anybody who follows this legislation probably has come to know them as household names.

When he started, Shad and Michelle were just getting married. Now Shad

and Michelle have a son. Let us get this signed into law before Shad and Michelle are grandparents. I urge a yes vote on the rule and on the bill.

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

The previous question was ordered.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The Chair announces that he will reduce to 5 minutes votes by electronic device, if ordered, on two motions to suspend the rules on which further proceedings de novo were postponed yesterday which will immediately follow the vote on House Resolution 545.

The vote was taken by electronic device, and there were—yeas 407, nays 16, not voting 11, as follows:

[Roll No. 387]

YEAS—407

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NAYS—16

Conyers
Doggett
Filner
Frank (MA)
Gutierrez
Hilliard
Hinchey
Jackson (IL)
Kucinich
Miller, George
Oberstar
Obey
Pallone
Sabo
Udall (CO)
Woolsey

NOT VOTING—11

Ackerman
Campbell
Carson
Chenoweth-Hage
Forbes
McNulty
Owens
Slaughter
Smith (WA)
Vento
Wynn

□ 1155

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

Messrs. PAUL, REYES and DAVIS of Florida changed their vote from ''nay to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair will now put the question on two of the motions to suspend the rules on which further proceedings were postponed on Tuesday, July 11, 2000 in the order in which that motion was entertained.

Votes will be taken in the following order:

S. 1892, de novo;

H.R. 4169, de novo.

H.R. 4447 will be voted on later today.

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

VALLES CALDERA PRESERVATION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1892.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 1892.

The question was taken.

RECORDED VOTE

Mr. DUNCAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 377, noes 45, not voting 12, as follows:

[Roll No. 388]

AYES—377

Abercrombie
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin

Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOES—45

Archer
Bartlett
Brady (TX)
Chabot
Coble
Coburn
Cook
DeMint
Doolittle
Dreier
Duncan
Everett
Ganske
Gibbons
Goode
Goodlatte
Graham
Hastings (WA)
Hayes
Herger
Hostettler
Hunter
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kingston
Largent
Lewis (KY)
Manzullo
Paul
Pombo
Royce
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Shadegg
Terry
Thornberry
Toomey
Vitter
Wamp
Whitfield

NOT VOTING—12

Ackerman
Campbell
Carson
Chenoweth-Hage
Forbes
Houghton
McNulty
Owens
Slaughter
Smith (WA)
Vento
Wynn

□ 1206

Messrs. WAMP, GRAHAM and LEWIS of Kentucky changed their vote from ''aye'' to ''no''.

Messrs. STEARNS, HILLEARY and TANCREDO changed their vote from ''no'' to ''aye''.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BARBARA F. VUCANOVICH POST OFFICE BUILDING

The SPEAKER pro tempore (Mr. PEASE). The unfinished business is the question of suspending the rules and passing the bill, H.R. 4169.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 4169.

The question was taken.

RECORDED VOTE

Mr. HILL of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 1, not voting 15, as follows:

[Roll No. 389]

AYES—418

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen

Skelton	Taylor (MS)	Walsh
Smith (MI)	Taylor (NC)	Wamp
Smith (NJ)	Terry	Waters
Smith (TX)	Thomas	Watkins
Snyder	Thompson (CA)	Watt (NC)
Souder	Thompson (MS)	Watts (OK)
Spence	Thornberry	Waxman
Spratt	Thune	Weiner
Stabenow	Thurman	Weldon (FL)
Stark	Tiahrt	Weldon (PA)
Stearns	Tierney	Weller
Stenholm	Toomey	Wexler
Strickland	Towns	Weygand
Stump	Traficant	Whitfield
Stupak	Turner	Wicker
Sununu	Udall (CO)	Wilson
Sweeney	Udall (NM)	Wise
Talent	Upton	Wolf
Tancredo	Velazquez	Woolsey
Tanner	Visclosky	Wu
Tauscher	Vitter	Young (AK)
Tauzin	Walden	Young (FL)

NOES—1

Sanford

NOT VOTING—15

Ackerman	Doyle	Owens
Bachus	Evans	Slaughter
Campbell	Forbes	Smith (WA)
Carson	McNulty	Vento
Chenoweth-Hage	Metcalf	Wynn

□ 1213

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. OWENS. Mr. Speaker, earlier today, I was unavoidably absent on a matter of critical importance and missed the following votes:

On approval of the journal, I would have voted ''yea.''

On H.Res. 545, providing for consideration of H.R. 4810, the Marriage Penalty Reconciliation Act, introduced by the gentlelady from Ohio, Ms. PRYCE, I would have voted ''yea.''

On the bill, S. 1892, the Federal Land Transaction Facilitation Act, introduced by the gentleman from the other body from New Mexico, Mr. DOMENICI, I would have voted ''yea.''

On the bill, H.R. 4169, Naming the U.S. Post Office in Reno, Nevada as the Barbara F. Vucanovich Post Office, introduced by the gentleman from Nevada, Mr. GIBBONS, I would have voted ''yea.''

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 386, 387, 388, and 389. Had I been present, I would have voted ''yea'' on rollcall votes 386, 387, 388, and 389.

MARRIAGE TAX PENALTY RELIEF RECONCILIATION ACT OF 2000

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 545, I call up the bill (H.R. 4810) to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 545, the bill is considered read for amendment.

The text of H.R. 4810 is as follows:

H.R. 4810

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Marriage Tax Penalty Relief Reconciliation Act of 2000''.

(b) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

SEC. 2. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) of the Internal Revenue Code of 1986 (relating to standard deduction) is amended—

(1) by striking ''$5,000'' in subparagraph (A) and inserting ''200 percent of the dollar amount in effect under subparagraph (C) for the taxable year'',

(2) by adding ''or'' at the end of subparagraph (B),

(3) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.'', and

(4) by striking subparagraph (D).

(b) TECHNICAL AMENDMENTS.—

(1) Subparagraph (B) of section 1(f)(6) of such Code is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(2) Paragraph (4) of section 63(c) of such Code is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 3. PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET; REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.

(a) IN GENERAL.—Subsection (f) of section 1 of the Internal Revenue Code of 1986 (relating to adjustments in tax tables so that inflation will not result in tax increases) is amended by adding at the end the following new paragraph:

''(8) PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.—

''(A) IN GENERAL.—With respect to taxable years beginning after December 31, 2002, in prescribing the tables under paragraph (1)—

''(i) the maximum taxable income in the lowest rate bracket in the table contained in subsection (a) (and the minimum taxable income in the next higher taxable income bracket in such table) shall be the applicable percentage of the maximum taxable income in the lowest rate bracket in the table contained in subsection (c) (after any other adjustment under this subsection), and

''(ii) the comparable taxable income amounts in the table contained in subsection (d) shall be ½ of the amounts determined under clause (i).

''(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage shall be determined in accordance with the following table:

''For taxable years beginning in calendar year—	The applicable percentage is—
2003	170.3
2004	173.8
2005	183.5
2006	184.3
2007	187.9
2008 and thereafter	200.0.

''(C) ROUNDING.—If any amount determined under subparagraph (A)(i) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.''.

(b) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 of such Code is amended by striking subsection (h).

(c) TECHNICAL AMENDMENTS.—

(1) Subparagraph (A) of section 1(f)(2) of such Code is amended by inserting ''except as provided in paragraph (8),'' before ''by increasing''.

(2) The heading for subsection (f) of section 1 of such Code is amended by inserting ''PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET;'' before ''ADJUSTMENTS''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2002.

(2) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2001.

SEC. 4. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 32(b) of the Internal Revenue Code of 1986 (relating to percentages and amounts) is amended—

(1) by striking ''AMOUNTS.—The earned'' and inserting ''AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the earned'', and

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

''(B) JOINT RETURNS.—In the case of a joint return, the phaseout amount determined under subparagraph (A) shall be increased by $2,000.''.

(b) INFLATION ADJUSTMENT.—Paragraph (1)(B) of section 32(j) of such Code (relating to inflation adjustments) is amended to read as follows:

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined—

''(i) in the case of amounts in subsections (b)(2)(A) and (i)(1), by substituting 'calendar year 1995' for 'calendar year 1992' in subparagraph (B) thereof, and

''(ii) in the case of the $2,000 amount in subsection (b)(2)(B), by substituting 'calendar year 2000' for 'calendar year 1992' in subparagraph (B) of such section 1.''.

(c) ROUNDING.—Section 32(j)(2)(A) of such Code (relating to rounding) is amended by striking ''subsection (b)(2)'' and inserting ''subsection (b)(2)(A) (after being increased under subparagraph (B) thereof)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

The SPEAKER pro tempore. After 1 hour of debate on the bill, it shall be in order to consider an amendment printed in House Report 106–726 if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent.

The gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes of debate on the bill.

□ 1215

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4810.

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

There was no objection.

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

Mr. Speaker, here we are again. We are here again moving this Congress to do the right thing for married couples by eliminating the marriage tax penalty in the Tax Code.

This bill is identical to H.R. 6 that passed this House in February. Why are we here again? Because the blocking techniques of the Vice President, as President of the Senate and the minority leader in the other body, have prevented our bill from even being able to come up for a vote on the floor. And then they have the audacity to say we are a ''do-nothing'' Congress. They are forcing us to come back again and pass this bill under reconciliation, which procedurally cannot be blocked from coming up on the floor of the Senate by their delaying tactics.

I was somewhat surprised to see recent campaign ads touting Vice President GORE'S support for fixing the marriage tax penalty in the year 2000, because it sure does not match the Clinton-Gore White House 8-year ''do nothing'' record of stonewalled opposition to fixing this unfair tax. Since 1993, the Clinton-Gore White House has sent 25 million married couples an expensive gift from the IRS: A bill for $1,400 a year. That is not exactly the traditional Happy Anniversary card.

So here we are, at it again, trying to fix this once and for all. And this is a bipartisan bill, with 48 Democrats in the House voting with us in February on a bill that is the most complete and fairest way to get this job done. But despite this bipartisan support, I have a feeling we will still hear excuses from Democrats today as to why we cannot do it.

For whatever reason, they may say we should not help stay-at-home moms and dads. And, yes, this bill does that. But their plan actually denies relief to these important parents. In fact, the Democrat plan leaves millions of married couples at the altar, and that is wrong. Raising a child is the single most important job in the world, and we are right to provide families with relief who have only one wage earner.

Democrats will also complain that this is too much tax relief. Of course, they say that about almost every tax bill that we bring up. But again they are wrong. Fairness demands it because it is wrong to take money from the pockets of wage-earning Americans just because they are married. The money should not be coming to Washington in the first place.

Then they might say, oh, we should wait; the timing is just not right to fix the marriage tax penalty. And they are wrong again. We should fix the marriage tax penalty right now. Married couples should not have to wait 1 day longer to be treated fairly by the Tax Code.

So, Mr. Speaker, this all comes down to a matter of principle. The fact that married couples pay more in taxes just because they are married is simply immoral, it is unfair, it is unjust, and today, once again, we are moving to overcome the blocking tactics of the Democrats in the other body and to fix the marriage tax penalty and return a small sense of decency to the Tax Code.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that they are not to characterize actions in the other body.

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

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

I wish we did not characterize the actions of the President of the United States. I thought that the distinguished chairman of the Committee on Ways and Means was about to discuss tax policy with us, but he was not discussing principle, he was discussing politics. He was talking about the budgetary policies of the President and Vice President GORE.

I think we should be reminded that the only reason that we can even deal with reforming and providing equity for some of these tax provisions is that because of the Clinton-Gore budget policies we are now able to think in terms of surpluses instead of just deficits.

I would like to remind my colleague, too, that not one Republican ever voted for the Clinton-Gore 1993 budget. And when the vote was tied in the Senate, it took the Vice President to split that tie.

Now, when it comes to whether we are doing this thing in an irresponsible way, I used to think that that is what the Republicans were trying to do. When they had this $792 billion tax cut, they did not talk about paying down the national debt, they did not talk about our responsibility to Social Security, they did not talk about Medicare or affordable prescription drugs for our aged, and I, at that time, thought it would be irresponsible for them to move forward and just get enough political votes to pass a bill. I have changed my mind. It really is not irresponsible. It may be political.

But I have discovered that my Republican friends do not ask for these irresponsible cuts until first they find out that the President is going to veto it, and only then do they come out with not tax law but they come out with political statements. Whether we are talking about the minimum wage bill, the Patients' Bill of Rights, affordable prescription drugs, or whether we are talking about pension benefits, we can rest assured that when we Democrats try to work with them to remove the inequity to make the tax system more simple so that people can find it easier to file, they will find some way to entice the President to veto the bill.

Do they come back and ask to override the veto? Never, never, never, never. All they want to say in Philadelphia is that they passed the bill and the President vetoed it. I hope that the American people realize that the Congress, as any business or any family, before we just deal with revenue losers, we ought to take a look at the total package and the total responsibility.

I am so pleased that the President is willing to give my Republican friends a second chance by reconsidering getting a decent, affordable press description drug bill, and then he would consider reviewing once again the bill that they have sponsored in terms of removing the marriage penalty.

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

The SPEAKER pro tempore. Without objection, the gentleman from Illinois (Mr. WELLER) will manage the time of the gentleman from Texas (Mr. ARCHER).

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume, and I would say to the previous speaker that if he votes against this legislation, he will deny about 30,000 married couples in the 15th district in New York relief from the marriage tax penalty, and that is just not fair. We believe it is time to eliminate the marriage tax penalty once and for all.

Mr. Speaker, I am so proud of the accomplishments of this Congress. I am proud that we are now in the process of balancing the budget for the 4th year in a row. We locked away 100 percent of Social Security and stopped the raid on Social Security. We are on track to pay off the national debt by 2013, having already paid down the national debt by $350 billion. Just this past week we passed and sent to the Senate legislation providing prescription drug coverage available for all seniors under Medicare.

I am proud of those accomplishments. And of course part of our agenda is not only to accomplish those accomplishments, but also to bring fairness to the Tax Code. We have often asked in the House Chambers, many of us, is it right, is it fair that under our Tax Code 25 million married working couples, on average, pay almost $1,400 more in higher taxes just because they are married. Now, is that right, is that fair, that if a couple chooses to participate in the most basic institution in our society, marriage, that they are going to pay higher taxes if they work?

Unfortunately, under our Tax Code, that is true. If a husband and wife are both in the workforce, both the man and the woman are in the workforce, a two-income household, under our Tax Code they will file jointly and, because

of that, they will pay a marriage tax penalty. That is just wrong. We have made this a priority, to eliminate the marriage tax penalty suffered by 25 million married working couples.

I was proud a year and a half ago, when we introduced a bipartisan bill, legislation sponsored by myself and the gentleman from Indiana (Mr. MCINTOSH) and the gentlewoman from Missouri (Ms. DANNER), Republicans and Democrats, that 233 Members joined as cosponsors of our legislation to eliminate the marriage tax penalty. And I was so proud in February when this House passed our legislation with a bipartisan vote, which included every House Republican as well as 48 Democrats who broke rank with their leadership and supported our efforts to wipe out the marriage tax penalty for 25 million married working couples.

In the well, Mr. Speaker, I have a photo of three constituents from Joliet, Illinois, Shad and Michelle Hallihan. When we first introduced our bill almost a year and a half ago to eliminate the marriage tax penalty, Shad and Michelle were newlyweds. Because of delays put forth by the other party, using every parliamentary procedure to block passage in the Senate of our efforts to eliminate the marriage tax penalty, time has gone on, and now Michelle and Shad have a baby by the name of Ben.

For Michelle and Shad Hallihan, two public school teachers from Joliet, Illinois, the marriage tax penalty is real money. Michelle and Shad, their combined income is in the low $60,000 range, about $62,000. If they filed as single, chose not to marry, lived together and filed as single people, they would each pay in the 15 percent tax bracket. But because they chose to get married, Michelle and Shad Hallihan pay a marriage tax penalty.

Of course, when we think about Joliet, Illinois, $1,400 is a year's tuition at our local community college, Joliet Junior College; it is 3 months day care at a day care center for little Ben; and it is also a washer and dryer for their home. It is real money for real people.

I would point out that Ben, who is growing very rapidly, by the time he is 18, if we eliminate the marriage tax penalty for Michelle and Shad Hallihan, $1,400 over 18 years is over $25,000 that they can invest in a college fund for Ben for his future. It is real money for real people, and that is why we need to eliminate the marriage tax penalty.

I am proud our bipartisan proposal, which is essentially identical to what we passed out of the House earlier this year in February. And of course now we are working to protect ourselves from a filibuster in the Senate, which is why we have to vote on it again today.

We do several things. We help those who itemize and those who do not itemize. We help those who are poor working folks who utilize the earned-income tax credit. And we also protect parents from the AMT's impact on the child tax credit. We double the standard deduction for those who do not itemize to twice that of singles. That helps those who do not itemize their taxes.

And for those who do itemize, I would point out that it is likely they, of course, own a home, so that they have a mortgage and property taxes that they use to deduct, as well as to give money to their church or synagogue or institutions of faith and charity. So they itemize their taxes. And the only way to provide marriage tax relief for those who itemize is to widen the 15 percent bracket. So that those who are in the 15 percent bracket as joint filers can earn twice as much as single filers in the 15 percent bracket.

We provide marriage tax relief for those on earned-income tax credit, and again I would point out that we protect those who benefit from the child tax credit, the $500 per child tax credit from AMT.

The bottom line is we want to eliminate the marriage tax penalty. It is an issue of fairness for 25 million working couples, 50 million Americans; people like Michelle and Shad Hallihan, parents of little Ben.

Now, my friends on the other side of the aisle have realized they needed to respond and they are now offering an alternative, but I would point out that those who are middle class and homeowners are stuck with the marriage tax penalty. Under their proposal, middle class homeowners who itemize receive no marriage tax relief. They are left out because they think those individuals are rich, because they own a home. That is just wrong. We believe that suffering the marriage tax penalty is wrong no matter who the individual is. If couples are suffering the marriage tax penalty, it should be eliminated. That is the bottom line.

Mr. Speaker, let us eliminate the marriage tax penalty. Let us eliminate the marriage tax penalty in a way that benefits every one of those 25 million couples who suffer the marriage tax penalty. We have bipartisan legislation.

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

□ 1230

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the senior member of the Committee on Ways and Means.

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

Mr. LEVIN. Mr. Speaker, I favor a marriage penalty tax relief bill. That is why I say to my colleague on the Committee on Ways and Means, I am for the Democratic substitute, and I can face the thousands of voters in my district, whose numbers the Republicans like to cite for each of us in the House. We know our districts, and I know this bill that I am supporting; the Democratic substitute is the answer.

They are desperately, on the Republican side, trying to escape the ''do nothing'' label. It sticks and it sticks, and it will continue to be adhesive as long as they simply send bills that will be vetoed. They will never escape that label.

Why will this bill of theirs be vetoed if it were to pass? First of all, half of the relief in their bill goes to those who do not pay a marriage penalty. So they attach the marriage penalty label, though more than half of the money does not apply to that situation.

Secondly, many families with kids will not get the full relief that the bill promises because of the way they have shaped it.

Thirdly, the lion's share, and this is important, of the money goes to the top quarter of the tax filers.

Fourthly, look at the out-year projections. Assuming the AMT is eventually applied, and the chairman of the committee has promised that, the 20-year cost of their bill is $700 billion. $700 billion. That plays lightly with the future of my grandchildren and with the need to address Medicare and Social Security.

So if this bill is not what it says it is, if it is tilted against low- and middle-income families, if it shortchanges millions of families with children, and if it could break the bank, why this bill?

The answer is contained in the chairman's original speech. Pure politics. Philadelphia is what is on their mind.

The chairman of the Ways and Means Committee said, here we go again; and I say, there they go again passing a bill that will be vetoed by the President of the United States.

We can do better. The Democratic substitute does better, and that is why so many of us are going to vote for it and against the Republican bill.

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

Mr. Speaker, I would say to the previous speaker, if he votes against this legislation wiping out the marriage tax penalty, he will vote to deny 120,000 married taxpayers in the 12th District of Michigan relief from the marriage tax penalty. That is just not fair. We need to work together to eliminate the marriage tax penalty as it affects everyone once and for all.

Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH) a distinguished member of the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Illinois for yielding me the time.

Mr. Speaker, today this House can take another important step toward tax fairness for the American people.

When couples stand at the altar to marry and each says ''I do,'' not contained in their vows is any acknowledge of an additional payment in taxes. And yet that is what we have, my colleagues, for average Americans, for working Americans, a penalty in our Tax Code, roughly $1,500 a year.

Rather than talk about politics or political conventions or gamesmanship, Mr. Speaker, to the American

people this is not a game. These are people who work hard, who play by the rules, who every week sit around their kitchen table trying to make ends meet; and they need to be able to keep $1,500 of their own money.

Now, it is true my friends on the left, in a half-hearted way, offer a substitute. But again it points out, I guess, a legitimate difference, Mr. Speaker. My friends on the left honestly believe that the highest and best use of the money of the taxpayers of America is in the coffers of Washington, D.C., spent by Washington bureaucrats.

And that is fine. They are certainly entitled to that point of view. And to the extent that they now join us in talking about debt relief and paying down the national debt, they now join us in talking about prescription drug benefits, they now join us in wanting to strengthen and save Social Security, we appreciate that.

What we say, Mr. Speaker, is not for partisan purposes. In fact, we hold out the hand of bipartisanship with bipartisan sponsorship of this legislation. We invite our colleagues to join with us for real marriage penalty relief for America's working couples.

And, Mr. Speaker, we do something more. We invite the President of the United States to join us. Because here is a chance to do something good for every working couple in America, to strike this blow for tax fairness.

No, far from being irresponsible, this is one of the most responsible things we can do in a bipartisan fashion to reaffirm our belief in the institution of marriage, to reaffirm that we value the contribution of working families, to reaffirm that the money belongs to the people, not to the Washington bureaucrats.

Join with us, my colleagues. Mr. Speaker, let us again pass this marriage tax penalty relief. The American people deserve a divorce from high taxes. They deserve to have a chance to hold on to more of their own money.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), a distinguished member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time.

Mr. Speaker, just before I launch into my formal remarks here, when I was listening to the Republican leadership talk about tax equity and talking about the metamorphosis of their tax proposals over the last 6 or 7 years, has there been a greater hoax perpetrated on this House than their argument that they were going to simplify the Tax Code, they were going to pull it out by its roots, they were going to fundamentally restructure the Tax Code of America? Well, under their sponsorship and stewardship, thanks to them, it is more complicated than ever.

Yesterday, the Washington Post ran an editorial about the marriage tax penalty. It was accurate in its analysis, but no one is going to pay much attention because we have moved beyond worrying about tax policy. The marriage penalty and the marriage bonus, the singles penalty and the singles bonus, all derived not from some nefarious scheme embedded in our Tax Code but from the fact that we have a progressive tax system.

If two individuals, one working and one not, get married, their total tax payment under the current system goes down. They have a marriage bonus. They had a singles penalty.

If two individuals get married, both working and both making about the same amount of money, they have a marriage penalty. They had a singles bonus. It stems from the progressive nature of our tax system.

Putting that aside, we made a clear decision to get rid of the marriage penalty. That decision should be advanced on a broad bipartisan basis. However, that is not the choice here. The choice is to send the President a bill he will surely veto.

The President has said he would sign a Republican version of the marriage tax cut if they would accept his version of a prescription drug benefit for senior citizens. The Republican leadership said, no thanks, because it does not fit the Philadelphia political agenda.

But what is most annoying is the fact that the Republicans are using the alternative minimum tax to deny millions of Americans any relief under their bill. The promise of their bill is to cut taxes by about $250 billion, but that will result in an increase in the alternative minimum tax of $65 billion. That is why this bill is said to cost $180 billion.

Make no mistake, it is deliberate. The interaction between the regular tax system and the alternative minimum tax is well known. Taxpayers in a State like Massachusetts claiming State and local tax deductions will most certainly be denied the promised relief that we have been told under the Republican version of this bill because personal exemptions and State and local tax deductions are not deductible against the minimum tax.

The Democratic substitute makes sure that everyone who is promised relief in the bill actually gets it. Our proposal is far superior, and the President will sign it.

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

Mr. Speaker, I say to the previous speaker, elimination of the marriage tax penalty is not only an issue of tax fairness, it is an issue of tax simplification, and that if he chooses to vote against this legislation, he will vote to deny 122,000 married taxpayers in the 2nd District of Massachusetts relief from the marriage tax penalty. That is not fair.

I invite him to join the 48 Members of the Democratic party on the other side of the aisle who voted with Republicans to eliminate the marriage tax penalty once and for all.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON) a very distinguished and senior member of the Committee on Ways and Means.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, marriage is a cherished institution in America; and we ought to promote it, not discourage it. So we intend to do just that today.

Right now married couples pay more in taxes than two singles living together. That is just wrong. Washington needs to stop penalizing the cornerstone of our society, the American family.

This year my wife and I will celebrate 50 years of marriage. My wedding day was one of the happiest in my life. And back then, I have to tell my colleagues, I was not worried about having to hold the wedding reception at the IRS office.

Today, in my district alone, 150,000 Texans are penalized for just being married. By repealing the marriage penalty, we are going to restore the American family tradition and the American dream.

Republicans in the House have spent the past few years passing tax bills to eliminate the marriage penalty, but every time the Clinton-Gore administration vetoed them all.

Enough is enough. It is time to repeal the taxes on American values. Let us start by saying ''I do'' to repealing the tax on marriage.

Mr. Speaker, the time has come to sign this legislation and, for once, put American families first.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT), a distinguished member of the Committee on Ways and Means.

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

Mr. MCDERMOTT. Mr. Speaker, my colleague, the gentleman from Massachusetts (Mr. NEAL), referenced an editorial in the Washington Post, and I include for the RECORD the editorial from July 11 entitled: ''A Phony Issue.''

[From the Washington Post, July 11, 2000]

A PHONY ISSUE

Congressional Republicans have scheduled votes this week on a sizable tax cut mainly for the better off, which they misleadingly describe as relief from a ''marriage penalty.'' The president has rightly indicated that he will veto the bill as it is likely to be presented to him. That suits the sponsors perfectly, in that the vote is mainly intended as a frame for the national nominating conventions that will be held during next month's congressional recess.

The Republicans seek to score political points as the tax-cut party. But on this one, the merits are on the president's side, and our sense is that the politics may be as well. The marriage penalty is a phony issue; the cost of the bill is high; the bulk of the benefit would go to people already quite well off, and there are better uses for the money—to shore up Medicare, for example. The president can be expected to make good use of all

those points; he has set his own stage for that in advance.

The tax code does not penalize married couples. To the contrary, as a matter of long-standing policy it is tilted in their favor. A married couple at a given income level owes less income tax than a single taxpayer at the same level. The so-called penalty arises when two single people, each with income, marry. Their combined income is likely to move them into a higher tax bracket. That's what the fight is about; the issue is not the treatment of marriage but the progressive nature of the income tax. The marriage issue is a veil. If the sponsors succeed, you can bet their next target will be the ''singles penalty'' that they themselves will have helped to accentuate by lowering the taxes of married couples relative to single payers. The widow's penalty, they'll call it.

The proposed cuts are not even confined to people paying a ''penalty'' as the sponsors define it. About half of married couples—those in which one spouse earns the bulk of the income—receive a marriage ''bonus'' in that their taxes are less than if both were single. But they too would benefit; the sponsors hardly want to be accused of slighting the ''traditional'' family in which the mom stays home. About half the savings in the bill would go to such families.

The cost of the legislation would be a quarter-trillion dollars over 10 years. The president has said he would trade the Republicans. This bill for his Medicare prescription drug benefit, which carries a similar price tag. It's the wrong trade; a drug benefit does not redeem the defects of this bill. The politicians, including the president, say there's plenty of money for both, but the budget surpluses to which they point are projections only, and in some ways highly artificial. Among much else, they assume that future politicians will exercise precisely the kind of discipline that these are prepared to abandon. An easing of fiscal discipline would likely also cause the Federal Reserve to tighten monetary discipline; this is a vote for higher interest rates at one remove.

The marriage penalty is little more than a slogan, a bumper sticker masquerading as serious tax policy. The vote this week is a political stunt that would mainly solve a nonproblem while weakening the government's ability to fulfill its long-term obligations. The right vote is emphatically no.

Mr. Speaker, this editorial lays it out very clearly. And that is why we are here. We are all here about politics. This is not about any kind of policy.

The editorial says that they know that they are going to send this bill to the President, he is going to veto it, and that ''that suits the sponsors perfectly, in that the vote is mainly intended as a frame for the national nominating conventions that will be held during next month's congressional recess.''

Now, this bill was written for me. I came to Congress, I was divorced, and I married somebody who has a job. This bill gives me a great tax benefit because our combined income is up around $100,000 because that is as high as it goes. If they have a combined income of $60,000, that is their wife makes 30 and they make 30, they will get $218.

But my wife and I, because we make considerably more than that, we are all the way up to the maximum, we will get a benefit of $1,150. Oh, and we do not have any kids. That is important. If they have kids, they are going to lose this on the AMT.

The Treasury says that by 2008, half the people in this country who are getting the benefit will lose it because if they have kids they lose it under the AMT.

□ 1245

Now, the reason I am going to vote against this bill, which would be in my particular financial interest, in my pocket, is this: I have a mother. I have a mother who is one of the 9 million widows in this country who lives on $8,000 a year. She is not getting anything from this. And this majority has consistently refused to deal with Social Security, which my mother lives on. That is her only income. They have refused to do anything about shoring up Medicare, which is the only health care system she has. And they will not give her a financial benefit for her prescription drugs.

Now, the President has made a deal, I think a bad deal, but it is not a bad deal for my mother. He says, we will take the Republican plan if you will give my mother a real pharmaceutical benefit. The Republicans say, ''Nope, we ain't doing that.'' We are going to give your mother a little voucher and send her out there and let her look around for some insurance company like all the HMOs that have been pulling out of the State of Washington, and we are going to say, find one that will stand still long enough to give you a pharmaceutical benefit.

That is not a real benefit. I want my mother to have the benefit the President has promised. So I am going to vote for the Democratic alternative and hope the Republicans come to their senses.

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

I would remind my good friend and colleague from Washington State that it was a Republican Congress that for the first time locked away 100 percent of Social Security and Medicare, stopping the raid. It was a Democrat Congress that raided the Social Security trust fund for 30 years.

I would also say to the previous speaker that if he votes against this effort to eliminate the marriage tax penalty, he will vote to deny 106,000 married taxpayers in the seventh district of Washington relief from the marriage tax penalty. That is not fair. I invite him to join the 48 Democrats earlier this year who broke with him and voted with the Republicans to eliminate the marriage tax penalty.

Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. MCINTOSH), one of the leaders, a proven leader in the effort to eliminate the marriage tax penalty, one of the chief sponsors of the Weller-McIntosh-Danner Marriage Tax Elimination Act.

Mr. MCINTOSH. Mr. Speaker, let me take a moment to commend the gentleman from Illinois for his tremendous leadership on this. His ceaseless efforts, particularly to shepherd it through the committee now twice, has been enormously important in making sure that this bill will come to the floor and that families will get their marriage penalty tax relief.

When I ran for Congress, I pledged to Hoosiers in my district that I would fight for more freedom, to cut their taxes and to strengthen their families as the centerpiece of our community. When I discovered that the Tax Code discriminates against marriage, I knew that by eliminating the marriage penalty, Congress could both cut taxes and strengthen the family. I made eliminating the marriage penalty my highest priority ever since.

It is unbelievable to most Americans that our Tax Code punishes them because they are married and they choose to work. Two constituents of mine, Sharon Mallory and Darryl Pierce, both work in a factory in Indiana. They wanted to get married, but they learned from their H&R Block representative that they would give up a $900 tax refund and be penalized $1,800 if they decided to get married.

Sharon Mallory wrote me a letter and said, ''Darryl and I would very much like to be married, and I must say it broke our hearts when we found out we can't afford it.'' Mr. Speaker, that letter broke my heart. I vowed to never stop fighting until this anti-family marriage penalty tax was eliminated. I have fought on the front lines for Darryl and Sharon and for 600,000 Hoosier families, 1.2 million Hoosiers, who will save over a billion dollars as a result of this marriage penalty relief and for 25 million Americans all over this country who want us to do the right thing.

The alternative bill, Mr. Speaker, does not help stay-at-home moms. It does not help stay-at-home dads. It does not help homeowners who do not qualify for the alternative. It does not help Darryl and Sharon Mallory. With record surpluses, this is the best chance we have to provide real tax relief and to help families at the same time. Let us put partisanship aside.

One of the things that I have noticed is that nobody stands up and says that it is a good idea to punish marriage and let us have a marriage penalty tax, but there are a lot of excuses for not doing it. Let me ask my colleagues on the other side to put aside partisanship and join us in getting this done. President Clinton has already indicated he could sign this bill. Of course he has got his conditions, but he said he could sign it. Vice President Gore is already campaigning on marriage penalty relief. So do not be left holding the bag here on the House floor. Join us in a bipartisan effort to do what is right for the American family and then we can be proud that we have helped to eliminate the marriage penalty for many Americans and reduce it for all families in this country.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN), a distinguished

member of the Committee on Ways and Means.

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

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from New York (Mr. RANGEL) for yielding me this time.

Mr. Speaker, the approximately 100,000 people who live in the Third Congressional District of Maryland that are affected by this bill are going to be somewhat perplexed by the debate that is taking place. About half of this 100,000 are currently paying a marriage penalty for being married. That is wrong. And they have their Congressman here today speaking up and saying that we should do something to help that approximately 50,000 that are paying a marriage penalty for being married. These are couples that have approximately the same income that are paying a penalty under our tax code for being married.

The other half are receiving a bonus today. These are individuals that are actually paying less taxes by being married than they would if they were filing single returns. These are couples in which one spouse has a much higher income than the other spouse. If they were living together without the benefit of marriage, they would actually be paying more taxes. They have a marriage bonus. They are not calling me. They are not writing me asking me to provide more relief because they are married. They are already getting the bonus.

The problem with the Republican bill is that it spends $182 billion and one-half of that is going to the people that are already receiving a marriage bonus. This is not the first tax bill that we are considering in this body. We have already been considering estate tax repeal that spends $69 billion over 10 years and then explodes in cost. And the list goes on and on and on.

The problem is we cannot afford to continue to spend money to deal with a problem that spends much more than we need to to deal with the issue. We have seniors who need prescription medicine coverage under Medicare. We have schools that we need to reduce class size and modernize. There are other priorities that we need to deal with.

This Congressman is interested in helping the people who pay a marriage penalty that live in my district. We can do that for one-half the cost of this bill. It is in the interest of all of my taxpayers, those that are paying a penalty, those that are receiving a bonus, that we do it right. The Democratic substitute is better targeted.

We should be working together, Democrats and Republicans, to figure out how we can target the relief to those that are paying the penalty and, therefore, we can do other priorities in addition to just this one. That is what we should be doing. But unfortunately this is more about a political message than it is about helping the 50,000 plus people in the Third Congressional District of Maryland that are truly paying a marriage penalty and deserve some relief by this body and unfortunately will not get it because of our inability to work together on a bill that could be signed by the President.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume. I note my friend's comments about one-half of the relief going to those who do not suffer the marriage tax penalty. If they analyzed their own bill, what they do with the standard deduction provides a similar proportion of those who do not suffer the marriage tax penalty some relief.

I would also say to the previous speaker that if he votes against this legislation to eliminate the marriage tax penalty, he votes to deny 132,000 married taxpayers in the third district of Maryland relief from the marriage tax penalty. That is just not fair. I want to invite my friend from Maryland to join the 48 other Democrats who have broken with their leadership and are supporting efforts to eliminate the marriage tax penalty once and for all.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), a senior and respected member of the Committee on Ways and Means.

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

Mr. CAMP. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time and for his leadership on this issue.

I represent the middle part of Michigan. In my district alone, there are 106,000 people paying more taxes simply because they are married. The Vice President is trying to criticize the Congress as a ''do nothing for the people'' Congress. Yet he probably will not mention that this is the second time we have had to pass this bill because the President and some congressional Democrats think we are doing too much for 28 million American couples.

Earlier this year, the President said he supported marriage penalty relief, but here we are today, 6 months later, again passing marriage penalty relief. Yet he continues to threaten American families with a veto. The President does not mention that his own proposal and the Democrat substitute, I might add, does not do one bit for a working couple who saved enough last year to buy a home. Why? Because those people itemize. They fill out a different tax form. To not help those people is simply not fair.

I for one am proud that we are able to take this step forward and fix this glaring inequity. Let us strengthen families. I urge a ''yes'' vote on H.R. 4810.

Mr. RANGEL. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas (Mr. DOGGETT), a distinguished member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, of course, our tax laws should not discriminate against marriage. And if ending such discrimination, if ending the marriage penalty were the true purpose of this initiative, it would have already been law and married couples would have benefited from it for a number of years, at least 3. Indeed, last year we Democrats again came to this House, and we offered more marriage tax penalty relief than our Republican colleagues. They were much more concerned with loading up their trillion-dollar tax cut with special interest provisions like the chicken manure tax subsidy and so forth that was really the mainstay of their effort last year rather than helping married couples.

Again this year, we offered to work with them in a bipartisan fashion to create true marriage tax penalty relief. They have rejected that. They have done so, I must say, with some rather unusual arguments in favor of their proposal. This indicates, I suppose, what sheltered lives some Republicans live. Why, they have told us that the Tax Code is encouraging people to live out of wedlock; that it is encouraging illegitimacy. I hate to expose them to a rude awakening about premarital relations in this country, but I just have a feeling that the fine print of the Tax Code is not the first thing that young people look to before they decide on their living arrangements or their relations with the opposite sex. I think if they continue arguing that, they will only demonstrate that they are even more out of touch with what is happening in this country than they do by their usual endeavors here most every day.

Leave it to the House Republicans to take something we all agree with, that there should be no discrimination in our tax code, and turn it from a workable, bipartisan plan into a total political ploy. You will remember the first time they came out here, they just happened to package it up in a loving way on Valentine's Day to present to the American people. That is the kind of political grandstanding with little action behind it that has characterized this entire Congress.

I think that the only illegitimacy associated with this bill is its mislabeling. It is not marriage tax penalty relief. Over half of the dollar benefit in this bill goes to people who do not incur a marriage tax penalty, people who gain tax advantages because they are married and filing a joint tax return. I have been extremely fortunate to be married to the same woman who has put up with me for over 31 years, my parents together over 55 years. I value the institution of marriage. But there are many folks that have not been as lucky. Some of them are widows or widowers. Some of them are victims of domestic violence. Some of them are single mothers that are trying to do as good a job as we tried to do for our family to rear their children. Why should our tax laws discriminate against those individuals? That is exactly what this bill does. Not

every family has the good fortune to be married. Some choose to remain single for a variety of reasons. My feeling is that our tax code ought not to discriminate for or against someone depending on their marital status.

This bill could also be called the Single Mothers Tax Penalty Act, or the Widow and Widowers Tax Penalty Act. The gentleman from Illinois seems to have so many statistics on those individuals that are going to benefit from this act, I wonder if he has statistics on how many will be discriminated against by a bill that accords over half of its benefits to people that do not suffer any marriage tax penalty. Unfortunately, instead of crafting bipartisan legislation, we have another political ploy that would produce more bad public policy.

□ 1300

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

Mr. Speaker, I would say to my friend from Texas, the previous speaker, if he votes against this legislation, this bipartisan legislation to eliminate the marriage tax penalty, he will vote to deny 116,000 married taxpayers in the 10th District of Texas relief from the marriage tax penalty. By voting for the Democrat substitute, one votes to discriminate against those who itemize, particularly middle-class, married couples who own a home.

I also want to extend an invitation to my friend from Texas to join the 48 Democrats who broke with their leadership this spring and vote in a bipartisan way to eliminate the marriage tax penalty.

Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Tennessee (Mr. WAMP).

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

Mr. WAMP. Mr. Speaker, I thank the gentleman for yielding me time, and I thank him for just outstanding leadership, and all of the cosponsors of this legislation.

Mr. Speaker, in the 35 counties in east Tennessee, 200,000 people are adversely affected by the marriage tax penalty. More than 110,000 couples pay approximately $1,400 per year more in taxes simply because they are married. That is not right, and the fundamental issue here is whether or not we are going to reduce the tax burden on the middle-class folks in this country.

When I was born in 1957, if you add up the Federal, State, and local tax burden on my parents when I was born, it was not collectively, combined, more than 10 percent of every dollar that they made. Today, it is almost 50 percent.

In my lifetime the level of taxation in this country has gone from less than a dime of a dollar to almost half of every dollar you make. At what point are we going to roll this back? The fundamental issue is, it is time in a budget surplus to roll some of the taxes back from the middle-class taxpayers in this country.

If we do not do it now, with these record surpluses, my question is, when are we going to? If we do not sign the bill into law now, when will it happen? Because I would suggest if we do not do it now, it is not going to happen, and it is important that we continue to persist.

I am grateful that some people do not make everything out to be partisan. This is not about Republicans and Democrats, this is just about regular folks saying some taxes, death taxes and the marriage tax penalty, are unfair, they should be eliminated, never should have been there to begin with. And if you are not going to wipe those taxes out at a time of unprecedented surpluses and a good economy, when are you going to do it? It is not going to happen.

I believe in tax relief. I do not mind saying so. I also believe in tax fairness, in tax equity. There are 65 provisions in the Tax Code that penalize people just because they are married. Well, that is nonsensical. Our Tax Code is out of hand, to begin with. It is way too big and complex, it needs to be dramatically overhauled, and that will come, I hope, soon, but not between now and November.

This is today. This is now. We can pass this conference report, after all the debate that has taken place; we can send it down the street with some bipartisan support, and the President can sign it into law. I call on him to do that.

I call on all of our colleagues to come together and get some taxes, just one step at a time, off the back of middle-class America. Some people play class war with taxes. This is just regular people. These are the regular people you run into at the Food Lion in east Tennessee. Cut their taxes. Eliminate the marriage tax penalty.

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

Mr. Speaker, I would like to join with the speaker that was in the well and hope that the leadership of the House could come together with some type of package to present to the President that could be signed into law that would include a decent affordable drug package. There is an opportunity to do this.

I also agree with the gentleman that the present Tax Code is in the shape that most tax writers, as well as other Members of Congress, should be ashamed of.

The majority has been there for over half a dozen years. They talk a lot about pulling it up by the roots; but obviously, like with Social Security and Medicare, they have not been able to get enough discipline on their side to do anything about it. But that does not mean that something as important as a tax cut should be handled in the manner in which they are handling it.

I think that we should try to do it in a bipartisan way, not to do it in a piecemeal way, to agree to the cuts we are going to have, and to allow the other bills that we are talking about, whether they are the minimum wage bill, whether they are the Patients' Bill of Rights bill, whether it is pension bills, not just try to stack up on each and every decent piece of legislation a tax cut.

I think there is plenty of room for us to work together on, so that at the end of the day we can say in a bipartisan way that we have come to a meeting of the mind. There will be enough for us to debate at the polls come November, but certainly on these important tax issues, we should have to agree that whether it is the Republican majority today, or the Democratic majority next year, we cannot get anything done unless we work together in a bipartisan way. Neither one of us will enjoy the substantial margins that would allow us just to work our will. We are going to have to work in a bipartisan way if we are going to get any progress now or next year, so why not begin to think about working together this year.

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

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

Mr. Speaker, of course, I want to once again remind my good friend from New York, the ranking member of the Committee on Ways and Means, that this legislation, when it passed the House earlier this year, it received bipartisan support. Forty-eight Democrat Members of the House joined every House Republican to vote yes to eliminate the marriage tax penalty for 25 million married working couples.

I would also point out to the previous speaker that if you vote against our effort to eliminate the marriage tax penalty in a bipartisan way, you will vote to deny 60,000 married taxpayers in the 15th District of New York relief from the marriage tax penalty. That is just not fair.

Again, I want too extend an invitation to my friend from New York to join us in a bipartisan effort, join those 48 House Democrats who voted with Republicans, to eliminate the marriage tax penalty.

Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Florida (Mr. FOLEY), a distinguished Member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, I offer my congratulations to the gentleman from Illinois (Mr. WELLER) for his phenomenal leadership on this very important issue.

We have heard a lot of debate today about saving Social Security and Medicare and prescription drug coverage; and it is interesting if you think for a moment, the President and Vice President have been in office for 8 years, and now in the last 3 months or 5 months of their term in office, they come up with all these plans to rescue Medicare, Social Security, add prescription drug coverage. Those are important issues,

and the Republicans take them seriously. We on the Committee on Ways and Means have been working on these very, very important issues.

Regrettably, when you talk bipartisan legislation, or at least when they claim it from the other side of the aisle, it is only bipartisan if it is their idea and their way. But the remarkable thing about this process on this floor is that after all of the baying at the moon about what a lousy idea this marriage tax penalty elimination is, we will be joined by numerous Democrats who recognize that the marriage penalty is in fact a penalty on marriage. Like estate tax relief, when we talked about it, we were derided for hour on hour on hour, and ultimately we had 95 brave soldiers join us in passing this very important piece of legislation.

Taxing two hard-working Americans who are married is a shame. It is abomination. Now, they use those words in their press conferences, but I do not hear them uttering them on the floor today.

Now, I just ask Americans who are watching today, hearing this debate and wondering what it is all about, there is a lot of rancor from one side and a lot of boasting on our side about the great importance of this bill; and I think at the end of the day, we win the debate. But more importantly, stay tuned, because the President will join us and support us and probably sell out his side of the aisle in order to make a deal on his legacy. And the Vice President, against tax cuts at the beginning of the year, now embraces $500 million of tax cuts.

So I just suggest to everybody, wait around for a little while and sooner or the later the parade follows leadership on issues important to the American taxpayer.

Now, the gentleman from Illinois (Mr. WELLER) is not bankrupting the system with this bill. We will have money for prescription drug coverage. We will have money for Social Security reform. In fact, we lockbox Social Security and protect it for now and into the future, instead of, as they were for 40 years, borrowing out of the money and using it to pay their bills, or actually not even paying their bills, putting us in deeper debt and deeper deficit. We are in a financial quagmire because of their leadership. Now we have been in charge for 6 years, and finally advancing bills that are helping the American family.

I urge my colleagues to vote against this bill and go to church this Sunday and explain your actions to your fellow parishioners, why you voted to continue to tax the sanctity of marriage. I am single, so I am not going to have a big argument from what I will save in my tax bill.

But to those of you who feel compelled, go to church next Sunday and stand up in the choir and praise the Lord first, and secondly say but I voted against you who are married, because I think you should have an added burden. Not only are you trying to raise children, pay the mortgage, buy a new washer and dryer, but the Government thinks because you are married, we should take a few more bucks out of your pocket and then spend it in Washington, because you know Washington knows best.

Save marriage, end the penalty, let Americans prosper.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Members are reminded that their remarks are to be directed to the Chair and not to other persons who may be viewing the proceedings of the House.

Mr. RANGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I am not as much troubled by what I hear today, as by what I do not hear. What I do not hear is any of the participants reminding the American people that because of actions that Congress has taken during our lifetimes, our Nation is $5 trillion deeper in debt than the day that any of us were born; that we are the beneficiaries of those expenditures; that our Nation won the Cold War; that it built the interstate highway system; that it built the intercostal canal system; that it did a lot of good things for all us. And now it is time, when we have the opportunity because of some small surpluses to pay the bills, we seem intent on doing those things not to pay them.

In a search to give some Americans a break, we are going to see to it that all Americans continue to have $1 billion a day of their tax money squandered on paying interest on that debt; $1 billion a day.

I hear my colleagues talking about this enormous surplus, as if somehow this building is awash in cash. Well, if it exists, why are you delaying the pay of the people who serve our Nation in crummy places like Bosnia and Korea, people who are at sea right now, under the sea, on the sea on aircraft carriers for 6 months at a time, why are you delaying their pay from September 29 of this year to October 1, making them go an extra weekend when they cannot buy baby formula or diapers?

Do you know why? Because you are trying to disguise the true nature of the debt. You took that $2.5 billion pay period and you shifted it to the next fiscal year so it would look like the surplus is bigger than it really is.

Mr. Speaker, why are we not as intent on paying down the debt that was incurred in our lifetime as we are in trying to score political advantage against each other come November 2? The Nation that the gentleman from New York (Mr. RANGEL) fought for, the Nation that the gentleman from Texas (Mr. ARCHER) fought for and so many Members of this body fought for is worth saving. If we do not pay our bills while we have this brief opportunity, the first time in 30 years that we actually have a surplus, then we never will.

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

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

Mr. Speaker, I want to say to my good friend from Mississippi, who I share many of his concerns on behalf of our friends, I would point out many of our military men and women suffer the marriage tax penalty, and invite him to join with us in a bipartisan efforts to eliminate the marriage tax penalty.

Mr. Speaker, to close, I yield the balance of my time to my good friend, the gentleman from Georgia (Mr. COLLINS), a leading and respected member of the Committee on Ways and Means.

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

Mr. Speaker, like 144,000 other taxpayers in the 3rd District of Georgia, I wear a wedding band.

□ 1315

It is a symbol of my marriage. But, due to the Tax Code, it is an excuse to raise more revenue, and that is not right.

Under today's Tax Code, 25 billion married couples pay higher taxes as a result of saying, I do. Today's bill will change that. It will allow both wives and husbands to each take a full standard deduction, and it will broaden the lower tax bracket so that lower- and middle-income couples will not be punished or pushed into a higher tax bracket when their incomes are combined.

The Marriage Penalty Tax Relief Act of 2000 will provide American families relief from the excessive taxation which has been caused by our government's excessive spending. Now that a balanced budget and reforms that the Federal Government has done in the past few years, we have a positive cash flow. It is time to reduce the tax burden on working Americans. Ending the unfair marriage penalty is an important step in that direction.

Mr. Speaker, my hope is that we will not stop there. American families are also paying far too much for gasoline, which is a necessity for most households. My hope is that we will look at repealing some of the Federal excise taxes which contribute to the high cost of gasoline.

But today, Mr. Speaker, we are considering relief from the marriage penalty. I had hoped that we would have made the tax relief in this bill effective for the tax year 2000 instead of the year 2001 so families could get immediate relief. Hopefully, in the conference we will be able to accomplish the change in the effective date for the taxable year 2000.

Mr. Speaker, despite the delay in implementation, this is a good bill that will correct an injustice in the Tax Code. I urge the House to pass this legislation. I urge the President to sign this bill into law, and I call on Members of the House and Senate to resist the temptation to use tax relief for married couples as a pawn in some political game.

Mr. BLUMENAUER. Mr. Speaker, I came to Congress to help make our communities more livable—to make families safe, healthy and economically secure. Clearly, affording needed tax relief to America's working families is part of that effort. This bill, however, skews priorities: Rather than focusing on the working people who need help the most, the bill offers the most relief to those who already have lobbyists working for them.

First of all, we ought to be making things easier for families, not more difficult. One big problem for them is that a growing number are being forced into the Alternative Minimum Tax, which was originally intended to ensure that very wealthy people paid at least some income tax. Just last week, I was confronted back home with a farmer who has 10 children that he works hard to support. Taking the tax credits for his children triggers the AMT for him, and no one would confuse him with Bill Gates.

This bill not only fails to solve the problem, it actually makes things worse. In every year, a larger percentage of families are shut out from the full benefits of the bill, exceeding 50 percent by 2010.

It's not that hard to fix this. The Democratic alternative, which I support, would offer $89.1 billion in marriage penalty relief. It would fix the AMT problem, making sure that families actually get the tax relief they've been promised. It would direct an additional $10 billion to low- and moderate-income families. Even better, it would cost less than half of what the Republican bill does.

With that additional revenue, we could address other pressing priorities. More than 11 million American children have no health insurance. Many of their grandparents pay staggering sums for the prescription drugs that prolong and improve their lives. We have children with special educational needs that Congress has promised to fund—but Congress can't find the money for them. Sadly, in my own state, one in five children suffers from hunger sometime during the year. I believe these issues deserve our attention just as much as adjusting the tax schedule.

For that reason, I will vote for the alternative that offers the most direct and targeted tax advantages for American families. Unfortunately, the majority has rejected the opportunity for commonsense reform in favor of political theater. The bill the House will pass today will rightly be vetoed by the President. It is going nowhere—and it shouldn't go anywhere. At $182 billion, the cost of admission to this political sideshow is just too high.

Mr. BUYER. Mr. Speaker, once again this House has before it legislation to eliminate the penalty on marriage that is found in the income tax code.

Quite simply, marriage should not be taxed.

As the financial pressures of families result in both spouses entering the labor force, an increasing number have become subject to the marriage penalty. A major reason why so many joint filers face this added burden is that the very first dollar earned by the lower-earning spouse is taxed at the marginal rate of the higher-earning spouse, not necessarily at the lower 15% rate faced by single filers. This problem was exacerbated in 1993, when the Clinton tax measure increased the number of tax brackets from three to five.

The Congressional Budget Office has estimated that over 20 million married couples pay higher taxes than they would if they were single. This ''tax'' on marriage averages nearly $1,400 per couple. This $1,400 could be used by families to save for college or retirement, make car payments, or pay for tutoring.

Middle income families are hit the hardest by this penalty and they need this legislation for tax relief. I urge the House to pass this legislation.

Mr. POMEROY. Mr. Speaker, I rise in opposition to H.R. 4811 and in strong support of the Rangel substitute. Unlike the underlying bill, the Rangel substitute alleviates the marriage penalty while preserving the necessary resources to enact other tax cuts for working families, to pay down the debt, and to protect Social Security and Medicare.

About half of all married couples pay more in income taxes because they are married than they would if they were single. The other half pay either the same or less. The Rangel substitute provides $90 billion in targeted relief to couples who pay the marriage penalty. The Republican bill, by contrast, funnels more than half the $182 billion in tax benefits to couples who receive a marriage bonus and ⅔ of the tax benefit to households earning more than $75,000 annually.

With finite resources available, the Republican bill must be viewed in term of its opportunity costs. The more than $100 billion in this legislation that is unrelated to marriage penalty relief could be used to enact significant tax cuts for working families. Rather than increasing tax bonuses for higher income people, Congress should help families cope with their core pocketbook issues such as reducing the cost of college, increasing the affordability of health insurance, and encouraging savings for retirement. In my view, these areas, along with marriage penalty relief, should be the tax cut priorities.

The current budget projections will accommodate significant tax cuts along with an aggressive plan to pay down the debt and to strengthen Social Security and Medicare. Paying down the debt and in turn reducing interest rates is perhaps the most significant tax cut Congress could offer. Lower interest rates would cut mortgage payments on a $100,000 house by $2,000 annually. Likewise, the cost of farm operating loans, car loans, and student loans would all be reduced.

Finally, before allocating surplus for tax cuts, Congress should set aside sufficient resources to shore up the long-term future of Social Security and Medicare. The current surplus projections afford us a rare opportunity to strengthen these programs for the Baby Boom generation and beyond. We must also reserve adequate resources to enact a guaranteed drug benefit as part of the Medicare program so that seniors will not be forced to choose between their prescriptions and their food and shelter.

In sum, there are a host of priorities that deserve our support, including marriage penalty relief. It is critical, however, that this relief be targeted so that we may enact other tax cuts for working families, pay down the debt, and protect Social Security and Medicare.

Mr. UDALL of Colorado. Mr. Speaker, when we considered a basically identical bill in February, I voted for it, although I was very reluctant to do so.

I was reluctant because that was not the best time for this bill, and that was not the best bill for the job.

It wasn't the right time because we had not yet adopted a budget resolution and so a tax bill—or a spending bill, for that matter—should not have been considered then. Now, of course, we have a budget resolution in place. So, today at least the time is right.

But this still is not the best bill for the job because in some areas it does too little, and in others it does too much.

It does too little because it does not adjust the Alternative Minimum Tax. That means it leaves many middle-income families unprotected from having most of the promised benefits of the bill taken away. The Democratic substitute would have adjusted the Alternative Minimum Tax, which is one of the reasons I voted for that better bill.

The Republican leadership's bill does too much in another area. Because it is not carefully targeted, it does not just apply to people who pay a penalty because they are married. Instead, a large part of the total benefits under the bill would go to married people whose taxes already are lower than they would be if they were single. In other words, if this bill were to become law as it now stands a primary result would not be to lessen marriage ''penalties'' but to increase marriage ''bonuses.''

And, by going beyond what's needed to end marriage ''penalties'' the bill—if it were to become law—would go too far in reducing the surplus funds that will be needed to bolster Social Security and Medicare.

Those were and remain the reasons for my reluctance to vote for this bill. They are strong reasons then and they are strong reasons today.

In fact, if voting for the bill today would mean that it would be law tomorrow, I would vote against it. But that isn't the case, fortunately. The Senate still has a chance to improve this bill. So, I will reluctantly vote for the bill because I favor eliminating the marriage penalty.

I am prepared to give the Republican leadership one last chance to correct the bill's deficiencies rather than simply to insist on sending it to the President for the promised veto. I hope that the Republican leadership will allow the bill to be improved to the point that it merits becoming law—meaning that it will deserve the President's signature.

But if they miss that opportunity, and insist on sending to the President a bill that falls short of being appropriate for signature into law, I will vote to sustain a veto.

Mr. STARK. Mr. Speaker, I rise today in opposition of H.R. 4810, the Marriage Tax Penalty Relief Reconciliation Act of 2000. This is yet another bill in a series of legislation brought to the floor to help America's wealthy. Yes, we have entered an era of budget surpluses, but the surpluses must not be squandered on those who don't need it—the wealthiest U.S. income-earners. I support targeted marriage tax relief such as the Democrats have provided in our substitute amendment today. I also support increasing the earned income tax credit for the working poor who really do need the tax break. The Democrats have provided for this in the substitute bill as well. And the Democratic substitute makes sure that nobody will be denied the relief because of the AMT. The Republican bill does not.

The Republicans have brought the estate tax, marriage penalty tax, medical savings accounts, and the telephone excise tax to the

floor for consideration, and next week they plan to bring pension reform to the floor as well. Not a single one of these provisions will provide relief for middle and lower income working families. This Congress has already spent $471 billion on tax cuts for the wealthy and plans to spend another $54 billion on increasing pensions for the wealthy next week. This Congress can be charged with recklessly spending half a trillion dollars on the wealthiest Americans and there may be more to come. This is an irresponsible use of the hard-earned tax funds lower and middle-income earners contribute to their federal government.

I. MARRIAGE PENALTY TAX

This bill should target tax relief for those who need it most. Unfortunately, the GOP proposal actually helps wealthy Americans, not simply those facing a tax penalty due to marriage by implementing a tax bracket change favorable to those in the top brackets. There are nearly as many families that receive ''marriage bonus'' as receive marriage penalties in the U.S. As much as half of the $182 billion in tax relief in the GOP bill will go to families who receive the bonus and are not hurt by the marriage penalty. This bill's costliest provision, expanding the 15% tax bracket, only benefits taxpayers in the top quarter of the income distribution. This accounts for 65% of the plan's total cost, or nearly $100 billion. This bill's title implies that it helps those who are faced with a marriage penalty when it truthfully benefits the wealthy.

II. ESTATE TAX

The estate tax repeal—and the numerous other tax measures passed by the House—should be scrutinized with a measure of fairness. It hardly seems fair to come to the floor of the House week after week to provide hand over fist full of tax break dollars to the wealthiest U.S. taxpayers, when we haven't even addressed Medicare's solvency. The estate tax bill is the most egregious of all of the tax bills that have come before the House for a vote. It spends the most amount of money—$105 billion—on not just the wealthy, but the very wealthy. Ninety percent of the tax cut benefits will to go to those in the top 1% income group—those earning $319,000 per year and with estates over $20 million. Clearly this is a tax break for the rich.

III. PENSION REFORM

The Ways and Means Committee is scheduled to markup the pension reform bill tomorrow and it's expected to be on the floor sometime next week. While many of my colleagues would like to believe that this package of reforms will help to increase pension coverage for working Americans it will do exactly the opposite. Trickle down economics didn't work for Reagan and it won't work for pensions. This bill will directly help those executives who earn $200,000 per year. This bill will purely benefit the rich when not one provision is included to help increase pension coverage for low and middle-income workers.

IV. MEDICAL SAVINGS ACCOUNTS

The Republicans want to appear as though they are helping the average American worker so they decided to include medical savings accounts (MSAs) in the Patients Bill of Rights. The greatest savings from MSAs will help workers who have little or no health care expenditures. It allows people with low health costs to avoid taxes through essentially a new form of an IRA. And the Republicans go even further by allowing people to withdraw money from their MSA without any tax penalty if they maintain the deductible of $1,000 for individuals and $2,000 for families. This isn't a health proposal at all—it's just more money for the rich.

V. TELEPHONE EXCISE TAX

While this isn't a bill to directly help wealthy Americans, its primary purpose is to help wealthy corporations. This is just another fiscally irresponsible way for the Republicans to reduce federal revenues for the vital programs that the working families of this country rely on. The leadership of the 106th Congress doesn't care if it squanders another $20 billion in tax revenues by repealing the telephone excise tax. The GOP doesn't care if we have enough money to save Social Security and Medicare for future generations or to give our seniors a Medicare prescription drug benefit.

The Democratic substitute bill targets those workers who need it most. The Democratic substitute addresses the marriage penalty by giving married couples a standard deduction twice that of single people. In addition, low-income married couples face a marriage penalty in the earned income tax credit. The Democratic substitute would reduce those penalties by increasing the income level at which the credit begins to phase out by $2,000 in 2001 and by $2,500 in 2002 and thereafter. It would also repeal the current reduction in the EITC and refundable child credit by the amount of the minimum tax. The Democratic substitute is the responsible way to address the marriage penalty tax without pandering to the wealthiest 2% of U.S. earners. I urge my colleagues to support the Democratic substitute and oppose H.R. 4810.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to state my opposition to this bill being adopted in its current form. We should offer relief from the tax burdens, which may be imposed by our nation's current marriage tax policy only to those who are in need of help.

As founder and co-chair of the Congressional Children's Caucus, I do share many of the leadership's concerns regarding the promotion of stable and secure marriages in our society. After all, the foundation of any civilization is the strength of its families. Therefore, I believe that we should seriously consider passing legislation that will provide true relief for those pending marriages which are threatened by our nation's current marriage tax policy.

For this reason I have joined my fellow Democratic colleagues in voicing opposition to H.R. 4810, the Marriage Penalty Tax elimination Reconciliation Act as it is written because it does less than what it is being purported to do. For example, it will not provide marriage penalty tax relief for the poor of our society who face many hurdles to finding stable footings upon which to build lives for their children and families. In addition to this concern, H.R. 4810 provides a tax break mostly to the very wealthy. This fact alone taints the image that many in this body would like to project to Americans, that our actions have the altruistic intent of only helping those young people in our communities who are just starting out in life and who would like to marry.

I would suggest to those Americans who eagerly await our actions in this matter pay close attention to what this body is actually attempting to do. Our efforts today should not be based on tax cut slight-of-hand and short-sided actions on the issue of marriage.

All of us present understand that the institution of marriage is very important. I personally believe that it is sacred, and for this reason we should be very careful about what we do as a legislative body, in an area that is after all a personal decision. We should be very sure that any legislative changes made to any benefit for our citizens has the effect of supporting the institution of marriage in real and meaningful ways.

I would ask my colleagues to remember the struggle shared by them and their spouses when they first married. For this reason, I am very supportive of Congressman's RANGEL's substitute amendment to this bill. I applaud Congressman RANGEL's attempts to reach some middle ground on this issue with the majority, and thank him for bringing before this body an opportunity to have a rational discussion regarding the marriage tax policy of our nation. As the bill is currently written, the tax penalty to the federal government should this bill become law would be $182 billion in lost government revenue.

Like the bill, the Rangel substitute would reduce the marriage tax penalty by increasing the basic standard deduction for a married couple filing a joint income tax-return to twice the basic standard deduction for an unmarried individual, and adjusts the Alternative Minimum Tax in an attempt to ensure that the benefits of the standard deduction change would not be nullified. However, an added benefit of the Rangel substitute is that it will also reduce the marriage tax penalty by modifying the tax code in order to make more married couples eligible for the Earned Income Tax Credit beginning in 2001. Additionally, the Rangel substitute will increase the income level at which the credit begins to phase out by providing $2,000 in 2001 and $2,500 in 2002 and subsequent years. I would add that unlike the bill, the substitute does not provide for an increase in the upper limit of the 15% tax bracket. I would hope that this body not endorse a tax cut for the wealthy under the guise relief tax relief for newly married young couples.

This body did not do all that it could have done to promote the stability of marriage among our nation's senior population with the passage, of what was called, the senior's prescription drug benefit bill that was passed prior to the July 4, break that legislation merely gave insurance companies more money. If the marriages of our elderly poor are shattered due to the high cost of health care and in particular the financial stress created by the unfair cost of prescription drugs then the security of their marriages as well as their lives together are threatened. We should take the opportunity presented to us through the consideration of the Rangel substitute to make amends for some of the lack of attention given to real life problems through the adopting of a marriage penalty relief bill that will provide real tax relief to real people.

Mr. KIND. Mr. Speaker, I rise today in opposition to H.R. 4810, the Marriage Tax Penalty Relief Reconciliation Act of 2000. This bill is the exact marriage penalty relief bill that was passed in February. So I must ask why are we wasting valuable time debating legislation that has already been considered and which the president threatened to veto last February? It is time that we provide tax relief for those couples that are truly penalized and then use the remaining time in this session to do what the

American public is asking for; providing prescription drug coverage, paying down the national debt and strengthening Social Security and Medicare.

While I support tax relief for those couples who are penalized, I do not, support H.R. 4810 which would provide tax relief half of which will to go those couples who benefit from a marriage bonus rather than a marriage penalty under the current tax code. Further, this bill would cost $182.3 billion over the next ten years and would give the lion's share of its tax cuts to higher-income families. The average tax cut for families with incomes less than $50,000 would be about $149 per year, while families with incomes over $75,000 would get an average tax cut of nearly $1,000 per year. That is why I oppose H.R. 4810 and support the substitute offered by Representative Rangel, which is fairer and more fiscally responsible.

The substitute would do a better job of fixing the marriage penalty, and cost less than half as much as H.R. 4810. It would assure that the Alternative Minimum tax (AMT) does not deny the tax relief the bill promises. The AMT ensures that everyone pays at least a minimum tax. Under H.R. 4810, many married couples with children will not get the advertised tax relief because they fall under a complex set of AMT rules. When this bill was drafted behind closed doors, it ignored the effect of the AMT. As a result, by 2008, nearly half of the American families with two children would be under the minimum tax and receive nothing or less than what H.R. 4810 promised.

Like the bill, the substitute would reduce the marriage tax penalty by increasing the basic standard deduction for a married couple filing a joint income tax return to twice the basic standard deduction for an unmarried individual. The substitute also would reduce the marriage tax penalty by modifying the tax code in order to make more married couples eligible for the Earned Income Tax Credit (EITC) beginning in 2001. It would increase the income level at which the credit begins to phase out by $2,000 in 2001 and by $2,500 in 2002 and thereafter.

Mr. Speaker, I urge my colleagues to do what is right for the American people and oppose H.R. 4810 and support the substitute that provides genuine relief for our citizens who are truly penalized.

Mr. PASTOR. Mr. Speaker, with great regret, I rise today in opposition to H.R. 4810. The regret is not only because I must oppose this bill, but because my friends on the other side of aisle are unwilling to enact true and meaningful reform that benefits all American citizens. Instead, we are being presented with proposed legislation that will assist couples making more than $75,000 a year at the expense of strengthening future financing of Social Security and Medicare and modernizing Medicare by including affordable prescription drug coverage.

On the surface, this bill appears to be a blessing for all married couples but there will be millions of unhappy tax payers next April 15th when they learn that they will not benefit from the promises being made today.

Who will benefit? Two-thirds of the actual benefits in this package will go to the 30% of married couples making more than $75,000 a year. Review of the bill by financial analysts indicate that the average tax cut for couples receiving more than $75,000 would be $994 a year, compared to a tax cut of only $149 for couples making less than $75,000 a year.

Perhaps the most egregious flaw in this bill is that makes no modifcation to the Alternative Minimum Tax which places a floor on the total amount of deductions which couples may file for each year. By not adjusting that figure, many middle-class families with children will not receive a dime from the sham ''benefits'' contained in this bill. I believe that it is those very families with children who most deserve a marriage tax benefit.

H.R. 4810 proposes to remove $50.7 billion over five years and $182.3 billion over ten years from the federal budget. We are already scrounging for funds in an effort to pay down the national debt and shore up the Social Security and Medicare funds. Where will this put us in ten years when today's middle-aged married couples are ready to retire?

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 4810, the Marriage Penalty Tax Elimination Reconciliation Act. This bill will have a positive effect, in particular, on middle and lower income married couples.

At the outset, this Member would like to thank the distinguished Chairman of the House Ways and Means Committee from Texas [Mr. ARCHER], for introducing this legislation.

It is important to note that H.R. 4810 has the same provisions as H.R. 6, which passed on the floor of the House on February 10, 2000, by a vote of 268–158, with this Member's support. However, the Senate has been unable to reach the 60 vote threshold on a cloture vote to close debate on marriage penalty legislation. As a result, the House is now considering the marriage tax penalty as the first reconciliation bill, a status which will allow debate and amendments to be limited in the Senate.

While there are many reasons to support H.R. 4810, this Member will enumerate two specific reasons. First, H.R. 4810 takes a significant step toward eliminating the current marriage penalty in the Internal Revenue Code. Second, H.R. 4810 follows the principle that the Federal income tax code should be marriage-neutral.

1. First, this legislation, H.R. 4810, will help eliminate the marriage penalty in the Internal Revenue Code in the following significant ways:

STANDARD DEDUCTION

It will increase the standard deduction for married couples who file jointly to double the standard deduction for singles beginning in 2001. For example, in 2000, the standard deduction equals $4,400 for single taxpayers but $7,350 for married couples who file jointly. If this legislation was effective in 2000, the standard deduction for married couples who file jointly would be $8,800 which would be double the standard deduction for single taxpayers.

THE 15 PERCENT TAX BRACKET

It will increase the amount of married couples' income (who file jointly) subject to the lowest 15 percent marginal tax rate to twice that of single taxpayers beginning in 2003, phased in over six years. Under the current tax law, the 15 percent bracket covers taxpayers with income up to $26,250 for singles and $43,850 for married couples who file jointly. If this legislation was effective in 2000, married couples would pay the 15 percent tax rate on their first $52,500 of taxable income, which would be double the aforementioned current income amount for singles.

2. Second, H.R. 4810 will help the Internal Revenue Code become more marriage-neutral. Currently, many married couples who file jointly pay more Federal income tax than they would as two unmarried singles. The Internal Revenue Code should not be a consideration when individuals discuss their future marital status.

Therefore, for these reasons, and many others, this Member urges his colleagues to support the Marriage Penalty Tax Elimination Reconciliation Act.

The SPEAKER pro tempore (Mr. PEASE). The time for general debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the Nature of a Substitute offered by Mr. RANGEL:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Marriage Tax Penalty Relief Reconciliation Act of 2000''.

SEC. 2. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) of the Internal Revenue Code of 1986 (relating to standard deduction) is amended—

(1) by striking ''$5,000'' in subparagraph (A) and inserting ''twice the dollar amount in effect under subparagraph (C) for the taxable year'',

(2) by adding ''or'' at the end of subparagraph (B),

(3) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.'', and

(4) by striking subparagraph (D).

(b) INCREASE ALLOWED AS DEDUCTION IN DETERMINING MINIMUM TAX.—Subparagraph (E) of section 56(b)(1) of such Code is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which be such deduction but for the amendment made by section 2(a) of the Marriage Tax Penalty Relief Reconciliation Act of 2000.

(c) TECHNICAL AMENDMENTS.—

(1) Subparagraph (B) of section 1(f)(6) of such Code is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(2) Paragraph (4) of section 63(c) of such Code is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 3. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT.

(a) IN GENERAL.—Subsection (a) of section 32 of the Internal Revenue Code of 1986 (relating to credit for earned income) is amended by adding at the end the following new paragraph:

''(3) REDUCTION OF MARRIAGE PENALTY.—

''(A) IN GENERAL.—In the case of a joint return, the phaseout amount under this section shall be such amount (determined without regard to this paragraph) increased by $2,500 ($2,000 in the case of taxable years beginning during 2001).

''(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2002, the $2,500 amount contained in subparagraph (A) shall be increased by an amount equal to the product of—

''(i) such dollar amount, and

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

If any increase determined under the preceding sentence is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.''

(b) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 of such Code is amended by striking subsection (h).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

The SPEAKER pro tempore. Pursuant to House Resolution 545, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 30 minutes.

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

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

As I have pointed out earlier, there comes a time that we should be talking about legislation that does not just pass the House, but is signed into law. What we have done is to recognize that there is an inequity that exists when certain couples pay more taxes than they would pay if they were not married, and that is why we double the standard deduction to take care of this inequity.

We too would like to give more dramatic tax cuts, but not just to give $200 billion out at a time, but to take a look and to see that the tax cuts are targeted, that they are fair and that they are equitable, but at the same time that we have fulfilled our responsibility to the Social Security, the Medicare system, and that we pay down some part of our Federal debt. This is so important when we think of the trillions of dollars that we are still in debt and the billions of dollars that we pay every year in interest.

Mr. Speaker, it would just seem to me that if we could come together and compromise, to make certain we take care of the problem without trying to make political statements, that the House of Representatives will be in better shape not as Republicans, not Democrats, but as lawmakers that are able to say that in the House, the people govern.

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

The SPEAKER pro tempore. Does the gentleman from Illinois (Mr. WELLER) claim the time in opposition?

Mr. WELLER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. WELLER).

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

I would like to briefly respond to my good friend from New York, and I respect his efforts to offer a proposal addressing the marriage tax penalty, and I would point out that even though he means well, his proposal falls short.

Unfortunately, under the Democratic alternative, there is a very large group who suffer from the marriage tax penalty who are left out, essentially discriminated against under the Democratic alternative, and they are those who itemize their taxes. I would point out that those who primarily itemize their taxes are middle-class families, middle-class married couples who itemize their taxes because they give money to charity, their church or their synagogue, their temple, institutions of faith and charity, or they own a home. So if we think about it, we think about our constituents back home, married couples who, of course, suffer the marriage tax penalty and whether or not they own a home and, of course, I have thousands of married couples who suffer the marriage tax penalty and own a home. Under the Democrat proposal, they would be left out. They would still have to tough out suffering the marriage tax penalty.

Let us remember, what is the average marriage tax penalty? The average marriage tax penalty is $1,400. Here in Washington, $1,400 is a drop in the bucket; it is nothing to those who want to spend money here in Washington. But for families back home in Illinois and the Southside of Chicago and the south suburbs where I have the privilege of representing, it is real money. Fourteen hundred dollars is a year's tuition at our community college, it is 3 months of day care at our local child care center, it is a washer and a dryer. Frankly, for someone who just had a baby such as Michelle and Shad Hallihan, two public schoolteachers from Joliet, if they are able to set that full marriage tax penalty every year, that is $25,000 that they could set aside for their little child, Ben.

The bottom line is, if we want to help those who suffer the marriage tax penalty, we should help those who itemize taxes, such as those who give to charity, those who give to their church or their synagogue, as well as those who own a home.

So clearly, I rise in opposition to the Democrat alternative. The bipartisan effort which was supported by every House Republican, as well as 48 Democrats who broke ranks with their leadership, and again, I want to extend an invitation to those who did not support us this spring to join with us in an even greater bipartisan effort to eliminate the marriage tax penalty.

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

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in support of the Democratic substitute and in opposition to the base bill we have before us concerning tax relief.

I think what stuns me the most is how time and time again, the majority party proves its preference for clinging to a political sound bite that they hope will translate into Election Day results rather than actually seizing golden opportunities to accomplish something good for the American people.

How much more clear could it be that the vast majority of this body, as well as the Senate and the President, are eager to bring about genuine marriage tax relief for the average American family? We could come to the floor this afternoon and in very short order develop the compromise that would bring meaningful support and tax equity to millions of Americans. Sadly, we choose instead to continue a charade.

The other thing that amazes me is the level of inconsistency reflected from one message of the day to the next. On one day, this House loves to congratulate itself on its commitment to debt reduction. The next day it is tax relief for small businesses. Another day, we swear our support for Social Security and Medicare, while doing nothing about Social Security and Medicare. Then, we promise a huge tax cut not only for middle- and low-income married couples, but we also sneak in wider tax brackets to benefit on this folks.

Now, I think most of these things are worthy, and, in fact, should be among our highest priorities. But it is just not possible to have 10 different number one priorities.

The blue dogs looked at the whole picture and realistically balanced each concern with the other, rather than pandering to the ''cause du jour.'' We do not live in the political fairy land which believes in a Budgetary Godmother who can wave her magic wand and grant all of our expensive wishes.

Mr. Speaker, I am proud of the Democratic substitute on the floor today. It would accomplish what the name implies: genuine tax relief for couples who have been penalized by virtue of marriage. It corrects the flaw in the Republican bill, the AMT problem which would deny relief to nearly half of middle-income American families with two children by the time the bill would be fully phased in. It also endorses the idea that lower-income, married couples deserve relief by adjusting their earned income tax credit. Just as importantly, the Democratic substitute ensures that we will have resources for other priorities, such as debt reduction, strengthening Social Security and Medicare, estate tax relief, prescription drug coverage, and

providing relief to our rural hospitals. The Democratic alternative and motion to recommit will guarantee that estate tax relief does not come at the expense of raiding the Medicare trust fund or taking away resources needed for Medicare prescription drug coverage.

Mr. Speaker, we have the opportunity to actually accomplish good today. Will we choose that path, or will we continue to choose rhetoric over solutions? Vote for the Democratic substitute and strongly oppose the base bill.

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

I would say to my good friend from Texas that if he chooses to vote against our effort to eliminate the marriage tax penalty, he will vote to deny 114,000 married taxpayers in the 17th district of Texas, many of whom are ranchers and farmers, relief from the marriage tax penalty, and that is just not fair. I would extend an invitation to my good friend from Texas.

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. WELLER, Not this time, Mr. Speaker.

Mr. STENHOLM. Mr. Speaker, if the gentleman from Illinois (Mr. WELLER) is going to use my name and my district, I would ask the gentleman to yield.

Mr. WELLER. Mr. Speaker, I extend an invitation to the gentleman from Texas to join us in a bipartisan effort and to join the 48 Democrats who already voted for this legislation.

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that I be allowed to yield 30 seconds to the gentleman from Texas (Mr. STENHOLM).

The SPEAKER pro tempore. The time is controlled by the gentleman from Illinois (Mr. WELLER). The Chair will be glad to extend an opportunity shortly.

Mr. WELLER. Mr. Speaker, I yield 3 minutes to the gentleman from Montana (Mr. HILL), my good friend, and a leader in the effort to eliminate the marriage tax penalty.

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman for yielding me this time.

I am sure if my colleagues or the public is listening in on this debate, they are kind of confused, because Republicans and Democrats are both coming to the floor and they are saying they want to provide marriage tax relief and both are saying that it is unfair.

Folks, what we need to understand is that the Democratic leadership plan could best be labeled ''Marriage Penalty Tax Relief Light.'' The reason for that is that the Democrat leadership plan wants to create new discriminations in the code. They want to, for example, discriminate against stay-at-home moms or stay-at-home dads, or they want to discriminate against the people who own a home, but might have a mortgage against it, but provide tax relief for those people who own a home, but who would not have a mortgage against it.

Basically, what the Democrats are saying is that we will support your plan, if you will shift the marriage penalty from some families and impose it on other families.

Now, this bill is not just about tax relief, it is also about tax fairness. The Republican plan says, let us do this. Let us treat all families basically the same, if they have the same level of income.

Mr. Speaker, this Republican tax package started out as part of our budget. We said that we wanted to balance the budget and pay down the national debt. That was opposed by the Democrat leadership. We said we wanted to set aside 100 percent of Social Security in a lockbox. That was opposed by the Democrat leadership. We passed a prescription drug plan, $40 billion for seniors, also opposed by the Democratic leadership, and now we have a tax plan, a tax relief plan for all American families, and that is opposed by the democratic leadership as well.

Mr. Speaker, 90,000 families in my district, and the gentleman from Illinois (Mr. WELLER) does not have to tell me how many, because I know, are going to get an average of $1,400 in tax relief from this bill, and they need it. I urge us to support the Republican plan, I urge us to oppose the Democrat substitute for tax relief light.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM) to give him an opportunity at least to respond to the accusations made by the gentleman from Illinois (Mr. WELLER).

Mr. STENHOLM. Mr. Speaker, in response to the gentleman from Illinois (Mr. WELLER), my good friend, it may be true, and I assume the gentleman's numbers are correct, but I also have 116,000 Social Security recipients in my district. In all due respect, the Republican tax bill and the entire other tax package will jeopardize the future of Social Security and Medicare. And just as the gentleman in his own district, he has 92,000 senior citizens that he is willing to put at risk for this continued charade that we have today.

With all due respect, we have to have a balanced package, and we cannot do all of those things which the gentleman from Illinois and others contend we can do. We must map some priority choices, and I resent the fact that the gentleman from Illinois would imply that what I am voting for today does not eliminate the marriage tax penalty in the 17th district because it does, and the gentleman from Illinois (Mr. WELLER) knows it.

□ 1330

Mr. RANGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. BONIOR), the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I thank my friend, the gentleman from New York (Mr. RANGEL), for yielding time to me. I do not think I will need 4 minutes, but I appreciate the courtesy.

Mr. Speaker, I have 61,000 good reasons to reform the marriage penalty. That happens to be the number, 61,000, of couples in my district being stuck with the marriage penalty today. What they will tell us is that taxing marriage is not just unfair, it is irrational, so why on Earth would any couple be forced to pay a penalty for getting married?

But if we listen closely to what they are saying to us, they are saying something besides, do not tax my marriage. They are saying, yes, we want a tax cut, but once we get it we do not want to have to spend it paying for our parents' prescription medicine.

They are right. That is why we have offered an alternative. We are cutting the marriage penalty for the middle-class couples, I think a better alternative than what the Republicans have offered, because it is fair, it is more equitable, it deals with the concerns of working men and women in this country, working couples.

But we are saying, let us just not stop there. Let us invest in providing an affordable prescription drug benefit through Medicare. If we do this right, and the offer has been made by the President, if we do this right, we can provide tax relief for married couples and affordable medicine that older Americans deserve. Even more, we can do it without busting the budget. We can do it within the confines of fiscal responsibility.

Mr. Speaker, let us make sure that the tax relief that we provide goes to the couples who have earned it, not to the big drug companies who want it.

I urge my colleagues to vote for the substitute and vote against passage of this bill. When we get into conference, as we will, as we get into a final discussion of this issue as well as other tax issues, as well as the prescription medicine, prescription drug bill, we will be able to facilitate the needs of both of those very important constituencies that we represent, and we will be able to do it within the confines of a balanced budget, reducing our national debt, getting the debt gone so we can have some fiscal solvency in our national life, as well as making sure that Medicare and social security are solvent at the same time, and providing tax relief for the people who need it in this country.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume. I would remind my good friend, the minority whip, that the balanced budget we are working on this year not only locks away 100 percent for social security, but it pays off the national debt before 2013, the same year the President has set as a goal, and also sets aside $40 billion for prescription drug coverage under Medicare, legislation we passed just a few short weeks ago.

I would also note to my good friend, the gentleman from Michigan, that if

he chooses to vote against our bipartisan efforts to eliminate the marriage tax penalty, he will vote to deny 122,000 married taxpayers in the Tenth District in Michigan relief from the marriage penalty.

That is just not fair. Let us work together. I would extend an invitation to join with the 48 Democrats who broke with their leadership and voted in a bipartisan way to eliminate the marriage tax penalty.

Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Florida (Mr. WELDON), a family advocate and leader in the effort to eliminate the marriage penalty.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding time to me, and I commend him for solid work on this issue.

Mr. Speaker, I rise in very strong support for the Republican bill and in opposition to the Democratic substitute. Mr. Speaker, I believe it is immoral to have a Tax Code that discourages people from getting married. It is immoral to have a Tax Code that encourages people to live out of wedlock.

I saw it firsthand in my medical practice where I had couples coming in to see me as patients who were living outside the bonds of marriage, and when I would ask them why, the reason I heard most often was because their taxes would go up.

It particularly disturbed me to see it in senior citizens, who knew that they were setting a bad example for their children and their grandchildren, and they would most often cite to me that their taxes would go up $1,000 to $1,400 if they were to get married. Our tax relief package provides that necessary relief so we would not have a Tax Code encouraging people to live outside of wedlock.

The Democratic substitute will provide about $210 worth of marriage tax penalty relief to those same couples, and it does not get the job done, in my opinion. We will not relieve this immoral feature of our Tax Code with their substitute, so that is why I am encouraging people to vote against it.

I would like to address head-on two of the big complaints that we are hearing today, one of which is that when we expand the 15 percent tax bracket for married couples filing jointly so that they do not suffer a marriage penalty, we provide tax relief to some married couples where the mother stays home and takes care of the kids.

I say, what is wrong with that? Is that not a middle-class tax cut? Did President Clinton not campaign in 1992 on welfare reform, balancing the budget, and a middle-class tax cut? What is wrong with providing those same families with a stay-at-home mom or stay-at-home dad some relief from their taxes?

Do not all the psychologists tell us that one of the best things to make sure kids do well in school and we have a lower incidence of juvenile delinquency is to have parents that are more involved? Should we not be encouraging parents to take more time to stay at home and be with their kids?

Another thing that I want to address head-on, and we heard this from one of the previous speakers, is that, oh, we are better off using this money for something else.

I heard that argument in 1997 when we passed the $500 per child tax credit and the capital gains relief. We passed those, and all the naysayers said, well, the money will be gone. We will not see that money anymore. We could better use it to spend on this or that.

What happened? Well, revenue into the Treasury went up. Indeed, those same arguments went on in 1980 when Ronald Reagan lowered taxes. The same arguments went on in 1960 when Jack Kennedy lowered taxes. Every time we lower taxes, revenue into the Treasury goes up, it does not go down. It is not a zero sum game.

The parents who get that money are going to spend that money. They are going to create jobs, stimulate the economy. We pass this tax package and it will be the best way for us to make sure that Medicare is solvent and that we can have a prescription drug plan, because revenue into the Treasury will go up, it will not go down. It is not a zero sum game.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA), a distinguished member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman from New York for yielding me the time.

Mr. Speaker, here we go again. We passed a bill that would cost us, once fully phased in, $50 billion a year to provide relief to 2 percent of taxpayers when we cut the estate tax. The 2 percent of the taxpayers happen to represent the 2 percent wealthiest taxpayers in America, and 98 percent of all American families would not participate in any of that tax cut. That will cost about $50 billion once it is fully phased in.

This bill, which purports to provide relief for married couples, would cost about $30 billion per year as well once it is fully phased in. When we start adding it up, we start to realize that if we do do all of these things, we will not have money to do some other things.

Like what? Well, we are fighting on this floor these days to try to figure out a way to provide seniors with a way to pay for not an estate tax, when we have a massive estate and we are trying to avoid taxes on it, but trying to help them pay for basic coverage for drugs that they need, prescription drugs that they need, just to continue a healthy lifestyle as seniors.

We cannot get there. We have not done that yet. Yet, we will not have the money to pay for the cost of helping seniors afford prescription drugs so they do not have to make the decision between their prescription drugs or their rent or their prescription drugs or their food because we are going to spend it on giving a tax cut in the estate tax repeal bill that will benefit only the 2 percent richest families in America.

We are now talking about doing a marriage tax penalty relief that will benefit in many cases families that are not even being penalized. About half of the benefits of this bill go to families that are not even being penalized, so-called penalized, under the marriage penalty because they are families where there are two income earners, and one of the income earners happens to be very high earning and the other very low earning, but because this is a bill that gives an across-the-board cut to anyone who is married, even those who are benefiting from the Tax Code, and that includes that working family where there is one very high-earning spouse and the other a low-earning spouse, we are still going to give them a benefit, when in fact what we are trying to do is make sure there is no so-called penalty for any couple that decides to get married as compared to two people who stay single to live together.

How unfortunate that what we are planning to do is to provide tax cuts and not help seniors, unfortunate that we are looking to do tax cuts that benefit mostly wealthy folks and not help seniors, trying to do this and not protect young people who are trying to go on to school and perhaps make it on to college; do these tax cuts that help mostly wealthy individuals, and not help shore up our Armed Forces, where we have Armed Forces personnel, some of our men and women in uniform, who are on food stamp programs because we cannot give them enough money.

Why do we not start to do the right things first, get rid of those things that we need to do first, work on passing legislation that deals with the important parts of getting our seniors their benefits, getting our men and women in the Armed Forces the monies they need in their salaries, and then we go on to do the tax cuts that will benefit all people, not just the wealthy?

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

I would say to my good friend, the gentleman from California, that if he chooses to vote against our bipartisan effort to eliminate the marriage tax penalty, he will vote to deny 88,000 married taxpayers in the 30th District in California relief from the marriage tax penalty. That is just not fair.

Let us work together. I invite my friend from California to join the 48 Democrats who broke with their leadership and supported our bipartisan efforts to eliminate the marriage tax penalty.

Mr. Speaker, I am happy to yield 3½ minutes to my good friend, the gentlewoman from Wyoming (Mrs. CUBIN), who has been a real leader on behalf of families.

Mrs. CUBIN. Mr. Speaker, this is a good day. This is a good day for Americans because we are moving one day

closer to eliminating the marriage tax penalty. It is a good day for working women.

I am a working woman. Many working women have a large portion of their salaries eaten up by this unfair tax that is placed upon them only because they are married.

Garth Brooks is one of my favorite entertainers of all time. The reason I started liking him was because he sings a song called ''Shameless.'' I cannot help but think of Garth Brooks when I am sitting here listening to this debate today, because it seem to me that the speakers on the other side are shameless.

One on the other side said, ''We should not be passing this tax cut because we should be reducing the debt.'' The others are not quite so shameless because they say, ''We should not be passing this tax cut. We know better how to spend your money, so let us spend the money. We will spend it on other programs.''

The truth is, if there is money in Washington, it will be spent. So our choice is not whether or not we pay down the debt or cut taxes. After the President vetoed the $792 billion tax package last year that we passed, within 48 hours every single penny of that was spent.

So let us get honest, it is not between paying the debt and tax cuts, it is between giving people's money back to them, and it is their money, they know how to spend it best, or our arrogance, saying we know how to spend their money for them better than they do.

Over the past several weeks I have had the pleasure of attending weddings in my hometown of Casper, Wyoming. In both cases, as in the case with almost every young married couple these days, both the bride and the groom were starting bright futures in our Nation's work force. It is very satisfying to me to know that, along with my colleagues in the 106th Congress, I would have the opportunity to ensure that these young, ambitious, and hard-working couples would not have to shoulder an additional tax burden just because they took the marriage vows.

Unfortunately, I cannot say the same for the 45,000 married couples in my home State of Wyoming, or the 25 million married couples across the United States that are currently subjected to that tax every year.

Marriage is a sacred institution, it is not a taxable institution. Today we will have the opportunity to vote on a measure that will level the playing field for hard-working husbands and wives.

This legislation also includes specific provisions to assist our Nation's lowest income families. Washington should not be in the business of penalizing families but in providing them with more freedom, more choice, and more opportunity. I urge my colleagues to vote against the substitute and for the bill.

Mr. RANGEL. Mr. Speaker I yield 30 seconds to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, since I believe the previous speaker made at least one reference towards me, I would like to point out that the Constitution of the United States says that no money shall be drawn from the Treasury except by an appropriation by Congress. The Presidents cannot spend money that we do not allow them to.

If this Congress truly believes in reducing the debt, then we can put a line in the budget saying *x* number of dollars will go towards reducing the American debt. That is what I am for. I hope Members will join me.

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

Mr. Speaker, this whole concept about if we do not give the money back to the taxpayers that it is going to be spent by the Congress, I do not know what is in the water on the other side of the aisle, but the Republicans happen to be in charge of the Congress. It is almost like a serial killer saying, stop me before I kill again.

If they cannot control themselves in terms of this spending, then let the whole world know it before November, but do not say, we are going to waste the taxpayers' money. It will not be ''we,'' it may be ''thee.''

□ 1345

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, I want to thank the gentleman from New York (Mr. RANGEL), my colleague and the ranking member of the committee for yielding me time that he has given to me.

Mr. Speaker, I have a record in support of reducing the tax burden for American families, one that I am very proud of here in this Congress. Today, I rise in support of Mr. RANGEL's Marriage Tax Penalty Relief Proposal.

The Rangel proposal provides greater marriage penalty tax relief and yet it maintains our budget discipline. For example, the proposal doubles the standard deduction for couples. It expands the Earned Income Tax Credit so vital to people who live in the area I represent.

It mitigates the harmful effects of the alternative minimum tax so that families with children will actually receive these benefits.

Under the Rangel proposal, a family with two children will receive almost $300 a year in tax relief.

Mr. Speaker, I have worked in the financial markets and my colleagues on Wall Street tell me that the Republican bill will devour one-fourth of the projected on-budget surplus, monies that we really need to direct at Social Security, prescription drug coverage, Medicare, and, most importantly, to pay down the debt.

Marriage penalty relief needs to be addressed, but not with the Republicans bill, not this large, skewed to the wealthy bill.

Mr. Speaker, I urge my colleagues to support the proposal of the gentleman from New York (Mr. RANGEL).

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

Mr. Speaker, I would like to remind my good friend, the gentlewoman from California (Ms. SANCHEZ) that while she claims that the Democrat proposal provides more marriage tax relief than the bipartisan proposal, I would point out according to the Joint Committee on Taxation that the bipartisan proposal provides $51 billion of marriage tax relief over 5 years, while the Democrat provides only $38 billion; 38 is less than 51. It is simple math.

Mr. Speaker, I would also ask the previous speaker, the gentlewoman from California (Ms. SANCHEZ) to note that if she chooses to vote against our effort to eliminate the marriage tax penalty, she will vote to deny 101,000 married taxpayers in the 46th District of California relief from the marriage tax penalty. That is just not fair. I want to extend that invitation for her to join the 48 House Democrats who broke ranks with their leadership in order to join in a bipartisan effort to wipe out the marriage tax penalty.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Illinois (Mr. WELLER) for yielding me the time.

Mr. Speaker, I am pleased to rise today in strong support of H.R. 4810, the Marriage Tax Penalty Elimination Reconciliation Act.

This legislation increases the standard deduction for married couples to twice that of single filers. Moreover, it expands the 15 percent tax bracket to twice that for single taxpayers, phasing the increase in over a 6-year period. In all, the bill provides over a 10-year period more than $182 billion in tax relief.

Mr. Speaker, this measure also provides an increase to the earned income tax credit, EITC, for working poor families, by raising by $2,000 the amount of income a couple filing jointly may earn before the EITC benefits begin to phase out.

Currently, the Tax Code punishes married couples where both partners work by driving them into a higher tax bracket. Moreover, by prohibiting married couples from filing combined returns whereby each spouse is taxed using the same rate applicable to an unmarried individual, this Tax Code penalizes marriage and encourages couples to live together without any formal legal commitment to each other.

The CBO further found that most severely affected by the penalty were those couples with near equal salaries and those receiving the earned income tax credit.

This portion of the current Tax Code simply does not make sense. It discourages marriages. It is unfair to female taxpayers and disproportionately affects the working and middle-class populations who are struggling to make ends meet. For these reasons, this marriage tax needs to be repealed and, accordingly, I urge our colleagues to support this timely, appropriate legislation.

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

Mr. Speaker, the Republicans consistently use this word bipartisan, bipartisan, bipartisan. To be bipartisan, it would mean that they have some type of an agreement with the Democrats, and certainly that would include the President of the United States.

Mr. Speaker, to say that we have some Democrats and not enough to override a veto hardly seems to be a truly bipartisan effort.

It reminds me of the story that someone who asks what was the recipe of this very delicious horse and rabbit stew, and they said it was equal part rabbit and equal part horse; that is, you put in one horse and you put in one rabbit, and that is not exactly equal. Neither is having a handful of Democrats something that my colleagues can call bipartisan.

If my colleagues want to be bipartisan, let us sit down with the leadership of your side and our side and the President of the United States and get something that is not a political statement but something that we can go home so proud that we have something signed into law that brings relief and not something that makes people in Philadelphia feel good.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, we are not legislating today, we are choreographing for the upcoming Republican National Convention in Philadelphia. If we were legislating today, we would be doing as my colleague, the gentleman from New York (Mr. RANGEL) just said, we would be sitting down in a bipartisan fashion and trying to figure out a way in which we could fix H.R. 4810, the bill before us today, that could get a true bipartisan vote for it, and would address some of the flaws in the underlying bill.

For instance, the underlying bill does nothing about the alternative minimum tax, and the gentleman knows very well that there are many American families who actually do suffer a marriage tax penalty but also have children, two or more children, I have two children, I assume I would be subject to this at some point, that they would hit the AMT, and they would not get any benefit, if any at all, of what is proposed in H.R. 4810, but the bill does not take care of it.

The Democratic substitute does, perhaps that is something my colleagues might want to pick up in their bill.

Second of all, the underlying bill goes far beyond the efforts to address the marriage tax penalty, because we know from studies, nonpartisan studies, that about 48 percent of Americans suffer from a marriage tax penalty, about 42 percent get a marriage bonus, and the underlying bill does not just try to address the marriage tax penalty, it gives an additional bonus to those who are already getting a bonus under the Tax Code.

Mr. Speaker, why is that under the manacle of the marriage tax penalty; that should be addressed, but the other side does not want to do it, instead they come up and say, oh, we want to take care of them too. That is not addressing what the underlying bill is; Democrats, in our bill, try to fix that.

Finally, the President has put a pretty good offer on the table. He said if we want to have a marriage tax penalty bill, he would be willing to work with us on that, but let us have a prescription drug plan under Medicare for senior citizens.

Mr. Speaker, I just spent a week back in my district having senior citizen town hall meetings. I heard time and time again about the rising costs of pharmaceuticals, the rising demand for prescription drugs among senior citizens and the fact that they cannot pay for it. And the Republicans have fought tooth and nail against bringing a bill. When they finally did bring a bill to the floor, it was a bill that would subsidize insurance companies to do something they did not want to do, quite frankly, under your standard, in fact, exceeding your standard of, quote, unquote, bipartisanship, there was bipartisan opposition to the Republican bill that they put on the floor.

The President has laid an offer on the table. Mr. ROTH, the gentleman from Delaware, in the other body, has put a bill on the floor that is like the President's bill and the Democratic bill to try and address this, but the Republican leadership in the House does not want to have anything to do with it because they do not want to legislate.

They want to go to Philadelphia, have a convention, say, look what the Democrats will not let us do, even though we are in the majority. If you give us a President and give us complete control of the Congress, look at what we will do.

We have already seen what my colleagues cannot do and what my colleagues do not want to do, and that is what this debate is about today.

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

Mr. Speaker, I would remind my good friend, the gentleman from Texas (Mr. BENTSEN) that not only does our balanced budget this year provide $40 billion for prescription drugs and that we passed it 2 weeks ago, but also point out when he talks about a portion of the relief here going to those who do not suffer the marriage tax penalty, the Democratic alternative, one half of the relief it provides goes to those who do not suffer the marriage tax penalty, so same goes.

Mr. Speaker, I would also point out to my good friend, the gentleman from Texas (Mr. BENTSEN) that if he chooses to vote against this bipartisan effort to eliminate the marriage tax penalty, he will vote to deny 122,000 married taxpayers in the 25th district of Texas relief from the marriage tax penalty, and that is just not fair.

I want to extend an invitation to my good friend from Texas (Mr. BENTSEN) to join the 48 Democrats who broke with their leadership and supported our bipartisan effort to eliminate the marriage tax penalty earlier this year.

Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. LEWIS), a good friend and distinguished member of the Committee on Ways and Means.

Mr. LEWIS of Kentucky. Mr. Speaker, where did we get the marriage penalty tax? Where have we had the tax burden placed on our shoulders in this country, where the average family pays 40 percent of their income in local, State and Federal taxes, a big chunk that of the Federal taxes, where did we get all of these taxes?

When I came here to Congress in 1994, the Democrats had control of the Congress. In 1995, Republicans won the majority. And since 1995, we have not passed one tax increase, not one. We have cut taxes, but we have not passed a tax increase.

Where did we get all of these taxes that are burdening and pressing down on the American people today? One of the worst taxes is the marriage penalty tax. Where did we get them?

Mr. Speaker, the Democrats controlled, our friends on the left, controlled this House for 40 years. And also when I got here, we had a debt of $5½ trillion, and the spending was going up. The deficits were $200 billion.

I think they have never seen a tax that they did not like. I do not think they had ever seen an opportunity to spend more money that they did not like. They love taxes. They love big spending, and every time we try to do any tax cuts in this House, it is always a battle. It is always a fight. They never want to cut taxes. Why? Because, friends, there is not enough money in this world, I think, for them to spend.

There is not enough projects for them to think up to spend the taxpayers' money. Mr. Speaker, it is time to start cutting taxes.

I remember also in 1995 when we wanted to balance a budget, they fought us every inch of the way. I remember in 1995, when we wanted to cut taxes, they fought us every inch of the way, fought us all the way up until finally in 1997, the President finally signed into law a Balanced Budget Act that cut taxes. Actually, we balanced the budget. You know what? We have been paying down debt. We paid down

$140 billion since 1997 in paying down the debt.

Mr. Speaker, they said it could not be done. They said we could not balance the budget. They said we could not cut taxes, but it has been done. We have walled off Social Security.

Medicare was going to go bankrupt in 2 years, in 2 years, from 1995. We reformed Medicare. Finally, in 1997, the President signed it into law, and Medicare now is safe for 25 years, 25 years into the future.

□ 1400

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

Mr. Speaker, well I hope the gentleman from Kentucky (Mr. LEWIS), when he is doing all that research about the Republican majority, would just check the records and find out that they have so tried to protect the vested special interests that they have added 1,543 pages to the Internal Revenue Code. That is not exactly pulling it up by the roots.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, the action of the Republican leadership reminds me of a quote from Marie Antoinette, ''Let them eat cake.''

The American people are crying out to us to improve health care, education, housing, and Medicare; but this Republican Leadership keeps giving them what I call reverse Robin Hood, robbing from the working people and the poor people to give tax breaks to their friends.

As we debate the Marriage Penalty Act today, programs that serve millions of Americans are being ignored. The Older Americans Act, which provide meals, transportation, and service to our most vulnerable seniors, have yet to be reauthorized. The Ryan White Care Act, which provides counseling and medical treatments to those poorest children suffering with AIDS, has yet to be reauthorized. The Patients' Bill of Rights, which would finally give the American public some control over their health care, died in conference.

Tonight, thousands of American war heroes will go to bed on the streets, millions of American children will go to bed hungry, and millions of Americans will go to bed wondering how much longer their bodies can fight against AIDS, cancer, diabetes, lupus, and hundreds of other curable diseases.

As I speak, delegates to the International AIDS Conference are deciding how to deal with the 4.2 million South Africans infected with HIV while this Congress sticks its head in the sand. Unfortunately for those people, today on this House floor we are once again debating a tax bill that helps only a few and ignore the real problems we are facing as a Nation.

I can only hope that my colleagues do not suffer the same fate as Marie Antoinette. Maybe I hope they do.

Support fair marriage tax relief. Vote yes on the substitute, and let us get back to working for the people that sent us here to do it.

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

Mr. Speaker, I would say to the gentlewoman from Florida (Ms. BROWN) that, if she chooses to vote against our bipartisan effort to eliminate the marriage tax penalty, that she would be voting against 6 million senior citizens who benefit from the legislation to eliminate the marriage tax penalty. But specifically, she would be voting to deny 89,000 married taxpayers in the 3rd District of Florida relief from the marriage tax penalty. That is just not fair. I invite her to join with us in a bipartisan effort, rather, to join with the 48 House Democrats who broke with their leadership and voted in an effort, in a bipartisan way, to eliminate the marriage tax penalty.

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

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time. I commend the gentleman from Illinois (Mr. WELLER) for his efforts in championing this issue in this Congress and really fighting on behalf of the American taxpayer. The gentleman should be commended for his efforts.

Mr. Speaker, I rise to reject the substitute very simply because it is bad for the people I represent. Very often, there are those here who underestimate the people of this great country. They underestimate that the people of this country work hard, that they are out there toiling in the fields or working back home where I am proud to represent in Staten Island and Brooklyn every day, 5, 6, 7 days a week. When they send that check to Uncle Sam, it is okay to send a little bit back.

So for those who underestimate the American people, it is understandable how they are here justifying keeping more money here in Washington.

I and others who will vote for this legislation have a very simple principle, I think, in mind; and that is the people that we represent work too hard to be taken for granted, that when we have the opportunity to do so, like give them some of their money back, we should take advantage of it.

So when I go back home this weekend and I see the cop who is married to the fireman or the cop married to the teacher or the nurse married to the small business owner, and they ask me, How did it go this week?, I can say, Do you know what, we voted for legislation that will give you almost $1,000 or $1,500 more in your family's pocketbook. That means that you, you the people of this country will have the freedom to choose what to do with their money.

Folks right now are contemplating going on vacation. Some are saying, what if we had a few more bucks, we can go away for a week or 2 weeks this summer. Some of them cannot do it. Maybe with this money they can. They are going to send off their child to kindergarten this September or to college. They are contemplating, where are we going to get the money from for Johnny or Lisa's education. Well, with this money, they can do it. Or they are contemplating buying some new clothes for their kids. Right now they cannot do it. With this money, they can.

There are those who are doing work on their house. They say, we would really like to put an extension on the back or put a deck on the backyard or perhaps get a swimming pool. Right now, they cannot do it. With this, they can.

So I feel very confident in knowing that the American people who have worked so hard to achieve this surplus, that too many in Washington are taking credit for, those individuals, the people that I represent, I can go back home, the constituents of the gentleman from Illinois (Mr. WELLER), he can go back home, and say, Do you know what folks, you have earned this.

Let us vote for true marriage tax penalty relief.

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

Mr. Speaker, it could be that the gentleman from New York (Mr. FOSSELLA) is reading an entirely different bill than the Republicans have been really pushing, because any editorial people who understand the bill have called it a fraud.

Certainly this is not a question of giving the taxpayers back their money. We have a responsibility to pay down the Federal debt. When one does that, that is giving back money. To protect the Social Security system, that is a responsibility we have. God knows, if one goes to the town hall meetings and sees the people that work so hard to make this country as great as it is, and they cannot even afford to get prescription drugs, that is our responsibility.

So just because one wants to help the rich, one cannot hide behind it and say it is their money. America has an interest in making certain that all of our citizens are protected, and not just the wealthy few.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, since I came to Congress, I have been fighting to eliminate the marriage penalty. But we need to do it in a way that eliminates the marriage penalty's impact on the AMT. We need to do it in a way that provides the earned income tax credit for low-income married couples.

We need real marriage penalty relief. In fact, the Democratic substitute does more for those who deserve and need real marriage penalty relief than does the more expensive Republican plan. It is more generous, the Democratic substitute is, to those who pay a marriage penalty, and somewhat less generous to those who are getting a marriage

bonus, actually paying less taxes because they are a married couple.

I want to reduce taxes on married couples now. The Democratic substitute has one tremendous advantage over the Republican bill. It will be signed into law. It is real legislation. In contrast, the Republican bill is a good press release for some. They know it will never be signed into law. It will never save a single married couple a single penny.

What we need to do is pass the Democratic substitute now. Then we can come back in September. By then, hopefully, that estate tax repeal bill will have been killed; and we will know at that point that we can afford to provide an additional increment of tax cuts to married couples while at the same time protecting Social Security and Medicare, paying down the debt, and providing a real prescription drug benefit for our seniors.

I hope the gentleman from Illinois (Mr. WELLER) would join me in voting for the motion to recommit to protect the 92,571 seniors in his district that urgently need real pharmaceutical coverage. These seniors deserve his help. Join with us, not in providing those seniors with some phony plan that invites them to pay an arm and a leg for a phony Medigap policy. Join with us in providing the seniors of the gentleman's district and mine with real pharmaceutical drug efforts.

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

Mr. Speaker, I remind the gentleman from California (Mr. SHERMAN) that 6 million senior citizens will benefit from our bipartisan efforts to eliminate the marriage tax penalty. I also note that, if he chooses to vote against our bipartisan efforts to eliminate marriage tax penalty, that he will deny 123,000 married taxpayers, including seniors in the 24th district of California relief from the marriage tax penalty. That is just not fair.

I invite the gentleman from California to join with us, join the 48 House Democrats who broke from their leadership and voted in a bipartisan effort to eliminate the marriage tax penalty.

Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise today in support of the base bill, H.R. 4810, and in opposition to the substitute that discriminates against many married folks, homeowners, and charities alike, and offer my congratulations to the gentleman from Illinois (Mr. WELLER) for fighting this great fight.

In fact, this is one of the reasons why I ran for this office, because I really feel strongly that this Tax Code is unfair. It is voluminous. We cannot understand it. It needs to be reformed. It needs to be reduced to something that is simple and fair.

Let us talk about fairness, because that is what this base bill does. Now, let us remember what the marriage penalty does. It taxes working families. It taxes when both parents have to work to support their families. That is fundamentally unfair that married people have to pay more in taxes than if they were single.

So what do we do? This bill treats all married folks equally. That is part of what fairness in tax codes are, not discriminating against some in favor of others, but treating them all fairly. That is what this legislation does in creating the standard deduction, doubling it for married folks, and increasing the gap in the 15 percent.

We are helping the people in most need, like good friends of mine that I grew up with, both work in not-good-paying jobs. They certainly are not the wealthy folks that we hear demagogued on the other side of the aisle, but just hard-working folks that work hard to have a good house in a decent neighborhood, supply a house and a roof for their children. Yet they will pay as much as $1,400 more in taxes. Working class pay about $1,100 more in taxes.

Now, that is money that they can use to spend quality time with their children, to take vacations that they do not take now because both are working so hard. I encourage my colleagues to vote in favor of this fair bill.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN of Texas. Mr. Speaker, life is about choices and priorities. Like a lot of Democrats, and I am not one of those 48 and I am proud of it, that supported the Republican plan, I do support eliminating the marriage tax penalty. But there is a reasonable way to do it. That is one choice we can make. That is a priority. It is not the only priority we have on this floor.

Sometimes I think the majority forgets that these days are not days in an end. We have to look at the whole picture. But one cannot have it both ways. One cannot increase the defense spending like they want to do, provide veterans benefits that we all want to do, to provide health care, do what we need to do about education, providing smaller class sizes and actually buildings that are safe, provide prescription drugs for our seniors and not a fake plan that just gives them an insurance policy, and really safeguard Medicare for the next generation. One cannot do all that and still promise the world in tax cuts.

One cannot do it without going back to the deficit spending that they all say they are against. One could go back to that spending that says we are going to spend $200 billion more a year than what we are doing, than what we are taking in.

That is what is wrong with the Republican plan for marriage tax penalty. We need to eliminate it. We need to eliminate it on a reasonable basis. But we need to make sure we continue our priorities as not just tax cuts, tax cuts, tax cuts.

Now that we have a budget in balance and actually a surplus, we need to make sure we take care of what the American people want us to do. Those same people that the gentleman from New York (Mr. FOSSELLA) said a while ago have a few bucks in their pocket, they want to take maybe an extra vacation. I will tell my colleagues what they would rather have is prescription drugs for their parent than maybe have that money in their pocket, because those are the choices we are making on this floor today.

We need to make sure that we provide education for those children that the gentleman from New York (Mr. FOSSELLA) wants to take care of, veterans health care, prescription drugs for seniors. Maybe they ought to listen to their Senator from Delaware who wants to make it part of Medicare. Medicare providers need assistance, Mr. Speaker. Life is about choices and priorities, and hopefully we will make the right one today.

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Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume to say to my good friend from Texas that if he chooses to vote against this bipartisan effort to eliminate the marriage tax penalty, he will be voting to deny 92,000 married taxpayers in the 29th District of Texas relief from the marriage tax penalty, and that is just not fair.

And I want to extend an invitation to my good friend to join us and join those 48 House Democrats who broke with their leadership to vote in a bipartisan way to give marriage tax relief

Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I thank the gentleman for yielding me this time and for his great leadership on this issue.

I have been listening to the debate here over the last several minutes and it occurred to me we are hearing a lot of argument from the other side as to how we cannot do this because we have to pay down debt and we have to protect Social Security and Medicare and we have to keep the budget balanced, and I thought to myself, I was not here in the last 40 years but when the other side controlled this Congress, there was not any of those things that were accomplished.

We are now paying down debt, we have balanced the budget, we have walled off Social Security, and we intend to do it for Medicare. Those are all things that are happening as a result of the leadership of the Republican Congress.

I might also add that the marriage penalty when you listen to people talk on this side about the rich, all those rich people out there, I do not know who they are talking about. I grew up

in a small town in South Dakota of 650 people. I do not have any rich friends out there. We have a lot of people who are farmers or schoolteachers or small business people, and they need help paying for their kids' college education, paying the mortgage, all those expenses that are associated with their daily living. These people are not rich.

I want to give an example of that. I had a guy come into my office. He was making $46,000 a year and his wife was making $21,000 a year. They had two kids and were in their mid-30s. This year they paid $1,950 more in taxes because they were married. That is flat wrong. One thing the people in South Dakota know, in those small towns and rural areas, those people who are not rich that I grew up with, they know what is unfair. This thing is unfair.

We are talking today about eliminating unfairness in the Tax Code and restoring some level of common sense so that people are treated equally under the Tax Code, so that those people who work hard in this country, those working families, are not penalized because they are married. We believe in fairness in South Dakota, and we believe in the institution of marriage in South Dakota.

The Democrat plan is not fair and it penalizes homeowners by allowing people who are itemizing not to benefit from this. We need to pass this legislation on behalf of the 75,000 couples in South Dakota who would benefit from it, and I urge the House to pass this and send it on.

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

Mr. PALLONE. Mr. Speaker, I just came from the Department of Health and Human Services building, where the Secretary was celebrating the 35th anniversary of Medicare, and it was a great moment to talk about when Medicare was signed. But one of the things that Secretary Shalala said, and most dramatically, was how we had to revise Medicare, make sure it was solvent, make sure it was there for our seniors and make sure there was a prescription drug benefit.

The problem with the Republican proposal is it is not necessarily such a bad idea, but it costs too much and it is a needless waste of the surplus that could be used for other things, most importantly to expand Medicare, to make sure that Social Security is available, to make sure we have a prescription drug plan.

What the Democrats are saying with the substitute is we are in favor of a marriage tax penalty change, we want to make sure people are not penalized, but let us do it in a targeted fiscally sound way. Let us make sure whatever the surplus is, we do not spend a trillion dollars on different kinds of tax relief that is mainly going to the wealthy, and break it down in little parts like we are doing with this bill today, but rather make sure what we do first is to make sure that Social Security and Medicare are available and that Medicare is updated to include prescription drugs.

Now, what I am afraid is happening here today is that if we do not pass this substitute, and if we do not pass the motion to recommit that says that we are going to have a Medicare prescription drug benefit, then what will happen is that nothing is ever going to pass. The President already said he will not sign this Republican bill, that it spends too much money.

Well, the bottom line is if we want to get anything done here and we want to have this be a ''do something'' Congress rather than a ''do-nothing'' Congress, then why not go along with what the President has proposed. Basically what the President is saying, and what the motion to recommit says, is we will take even the proposal of the marriage tax penalty the Republicans put forth, even though it spends too much money, but we will even go along with it as long as we can have the prescription drug benefit under Medicare.

If the Republicans really want to get something done and not have this be a ''do-nothing'' Congress, they should go along with the substitute, go along with the motion to recommit, and then we will accomplish something.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume to say to my good friend from New Jersey that if he chooses to vote against our bipartisan effort to wipe out the marriage tax penalty, that he will be voting to deny 128,000 married taxpayers in the Sixth District of New Jersey relief from the marriage tax penalty, and that is just not fair.

And I want to invite my good friend to join those 48 House Democrats who broke with their leadership and vote in a bipartisan way to eliminate the marriage tax penalty.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of the base bill.

As one of my constituents said in a town meeting last month, ''Marriage is penalty enough, we don't need the government penalizing marriage with this special marriage penalty tax.'' And yet the Internal Revenue Service pushes many couples, simply for being married, into a higher tax bracket, and generally this is targeted on the income of the second wage earner, typically the wife, at a much higher rate than if she were taxed only as an individual.

I want to give my colleagues an example. A young woman was in my office on Friday. In terms of her own tax return, it means several thousand dollars of additional taxes if she makes the decision to get married. Now, if we go with the substitute motion, then we discriminate against those who itemize. She owns a house. As a result of the payments, those are deductible, so she itemizes. Those who make a payment toward their church or synagogue as a contribution, those are tax deductible. So we would be discriminating against those individuals.

Let us treat everyone fairly. That is what the Marriage Tax Elimination Act does. It provides relief from the marriage tax penalty, a penalty that is keeping many parents from doing all they want for their children, a penalty that, frankly, is keeping many young couples from getting married because they would be pushed into that higher bracket.

Many times both parents have to work full time, when one of them may prefer to work part time and spend more time with the children. This bill will help. As I say, the average penalty, right now, is $1,400 a year more in taxes than if they were single. Over a decade, as she pointed out to me, this young fiance, that money could go toward a family car, a college education, a downpayment on a home.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise in favor of the Rangel substitute, which will assist more than 60,000 married families in my district.

Mr. Speaker, I believe there should be relief from the marriage tax penalty, but the way it's being done in this bill is wrong. Working Americans should not have to pay extra just because they want to get married. The 25 million American couples who are affected by this unfair tax should be able to use the money saved to purchase a new home, or for child care. Right now, if this bill were to pass, American married families would still be taxed at the same rate they were taxed before. The Rangel substitute fixes the flaws in this bill and enables America's married families to truly see their taxes reduced.

In my district alone this substitute will help well over 60,000 married families. It is my hope we will get past all of the politics and come together to provide a bill that truly provides fairness and equity to our American families.

I want to extend an invitation to my Republican friends on the other side of the aisle to join with us and make it a bipartisan effort to eliminate the marriage tax penalty in a fair and sensible way. Vote for the Rangel substitute and let us eliminate the marriage tax penalty.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, my last Republican colleague said that marriage in itself is a penalty. I am married 22 years now, and it is not a penalty.

My colleagues, the Democrats have a real plan to eliminate the unfair marriage tax penalty within a budget that continues to pay down our debt, that protects Social Security and Medicare, and allows for a prescription drug benefit that is so important to seniors today who are being choked by the cost of prescription drugs today.

Our plan eliminates the marriage penalty, and it rewards work by strengthening the earned income tax credit. It fixes the marriage penalty, it keeps us on a course of fiscal discipline, that course that has brought us the most successful and the most dynamic economy in history. It is a responsible tax proposal and tax relief that the American public supports.

I support marriage penalty tax relief for the families of Connecticut. That is what our plan does and it does not risk our fiscal discipline. It provides $76.4 billion in marriage tax penalty relief and an additional $12.7 billion for working families who need the help that is provided by the earned income tax. It is a plan that ends the penalty on marriage, it rewards work, and it allows our economic boom to continue.

The Republican plan is too big. It is skewed toward the wealthiest Americans. As part of the $800 billion Republican tax cut, it threatens Social Security and Medicare, it does not allow us to continue to pay down the debt that has brought interest rates down in this country, and it does not allow us to offer a prescription drug benefit through Medicare, which is the way in which it should go. It is not fair. It provides nearly two-thirds of its benefits to the wealthiest Americans and only about 41 cents a day in tax relief to families making less than $50,000 a year.

It is not tax fairness. Support the Democratic alternative.

Mr. WELLER. Mr. Speaker, how much time remains in debate?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Illinois (Mr. WELLER) has 30 seconds remaining.

Mr. WELLER. The gentleman from New York (Mr. RANGEL) has used his entire allotment?

The SPEAKER pro tempore. He has.

Mr. WELLER. Mr. Speaker, I yield myself the balance of my time, and I would inform the previous speaker that if she chooses to vote against our bipartisan effort to eliminate the marriage tax penalty, she will be voting to deny 110,000 married taxpayers in the third district of Connecticut relief from the marriage tax penalty.

I want to extend to my friend from Connecticut an invitation to join with us and to join with those 48 House Democrats who broke with their leadership to vote in a bipartisan way to eliminate the marriage tax penalty.

The SPEAKER pro tempore. Pursuant to House Resolution 545, the previous question is ordered on the bill and on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

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

RECORDED VOTE

Mr. RANGEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 228, not voting 8, as follows:

[Roll No. 390]

AYES—198

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

NOES—228

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

NOT VOTING—8

Campbell	Forbes	Vento
Carson	McNulty	Waters
Chenoweth-Hage	Smith (WA)	

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Mr. BARRETT of Nebraska and Mr. CANNON changed their vote from ''aye'' to ''no.''

Mr. BOSWELL, Ms. KAPTUR, Mr. KANJORSKI and Mr. MOLLOHAN changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PEASE). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. RANGEL. Yes, Mr. Speaker, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RANGEL moves to recommit the bill (H.R. 4810) to the Committee on Ways and Means with instructions to

report the same back to the House forthwith with the following amendment:

At the end of the bill insert the following new section:

SEC. 5. TAX REDUCTIONS CONTINGENT ON MEDICARE PRESCRIPTION DRUG BENEFIT AND NO ON-BUDGET DEFICIT.

Subsection (f) of section 1 of the Internal Revenue Code of 1986 (as amended by section 3 of this Act) is amended by adding at the end the following new paragraph:

''(9) LIMITATION ON TAX REDUCTIONS.—

''(A) IN GENERAL.—The benefits of paragraph (8) (and the benefits of sections 2 and 4 of the Marriage Tax Penalty Relief Reconciliation Act of 2000) shall be allowed for taxable years beginning in any calendar year only if the Secretary of the Treasury certifies (before the close of such calendar year) that each of the conditions specified in subparagraph (B) are met with respect to such calendar year.

''(B) CONDITIONS.—For purposes of subparagraph (A), the conditions specified in this subparagraph for any calendar year are the following:

''(i) NO ON-BUDGET DEFICIT.—Allowing the tax benefits referred to in subparagraph (A) to be effective for taxable years beginning in the calendar year, when added to the cost of the coverage described in clause (ii), would not create or increase an on-budget deficit (determined by excluding the receipts and disbursements of part A of the medicare program) for the fiscal year beginning in such calendar year.

''(ii) PRESCRIPTION DRUG COVERAGE.—Coverage for outpatient prescription drugs is provided for Medicare beneficiaries under the Medicare Program on a voluntary basis at all times during the calendar year with—

''(I) the premium for such coverage being not more than $25 per month (adjusted for cost increases after 2003) with low-income assistance for Medicare beneficiaries having incomes below 135 percent of the Federal poverty level and phasing out for such beneficiaries having incomes between 135 percent and 150 percent of the Federal poverty level,

''(II) no deductible required before such coverage is provided,

''(III) the amount of the benefit being at least 50 percent of prescription drug expenses not in excess of the coverage limit (as defined in subparagraph (C)),

''(IV) a $4,000 limitation (adjusted for cost increases after 2003) on out-of-pocket prescription drug expenses of electing Medicare beneficiaries, and

''(V) all Medicare beneficiaries entitled to receive the discounts (otherwise available to large prescription drug purchasers) on their purchases of prescription drugs.

''(C) COVERAGE LIMIT.—The coverage limit is $2,000 for calendar years 2003 and 2004, $3,000 for calendar years 2005 and 2006, $4,000 for calendar years 2007 and 2008, and $5,000 for calendar year 2009 and thereafter (with adjustments for cost increases).

''(D) TRANSITION RULE.—For calendar years 2001 and 2002, the conditions specified in subparagraph (B)(ii) shall be treated as met if the Secretary of the Treasury certifies that coverage described in such subparagraph will be available as of January 1, 2003.''

Mr. RANGEL (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes in support of his motion.

Mr. RANGEL. Mr. Speaker, there has been a lot of talk today about bipartisanship. We do have unanimity on trying to remove an inequity that exists in the Tax Code. And we are fortunate that because the economy has been kinder to us that we can do something about it.

Bipartisanship to me means that the majority has to work with the minority and work with the President of the United States and not legislate and pass laws that they know that are going to be vetoed, but, rather, see how we can come together as Democrats and Republicans and do what is not best for our respective conventions but what is good for the people of the United States of America.

Mr. Speaker, to explain this more fully, I yield to the gentleman from Missouri (Mr. GEPHARDT), the distinguished minority leader, to close out the motion to recommit with a suggestion that would allow us to make law and not politics.

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

Mr. GEPHARDT. Mr. Speaker, it seems to me that today's debate on this bill is a chance for us to begin to talk about a compromise that will achieve a lot of the ends that our friends have on the other side of the aisle and a lot of the ends and goals that people on our side of the aisle have.

Our discomfort with their version of the bill is not about the fact that they are trying to deal with the marriage penalty. I think the vast majority of Members believe that we need to do something to fix this problem of the marriage penalty. We think there is a way to do this that costs a good deal less than the bill that they are presenting today. We say that with all respect and humility. We think there is a way to work our way to a common conclusion that will really attack this problem of the marriage penalty and cost about half, maybe a little less than half of what their bill costs.

We think that is important because at the end of this year, we are likely to be talking about a number of tax measures, some of which we have already voted on, others which we will vote on in the next weeks. The President sent to us, when he did his reestimate of the budget, this pie chart. This pie chart sets out $500 billion of the surplus in a reserve to frankly be decided by the next Congress and Congresses after that. We think that makes sense. But this budget also puts money into Medicare solvency and debt reduction, money into a Medicare prescription drug benefit plan, a lot like the one we presented 2 weeks ago, and $263 billion for targeted tax cuts.

If we do as much as they are asking to do today for the marriage penalty alone, it means other good tax cut ideas that there is a lot of support for will fall by the wayside. So we believe it is important that we try to work together to come to a series of ideas for tax cuts that we all can support that will fit within this budgetary $263 billion. Now, we further think their bill today is not giving the relief on the marriage penalty that we really need and that we hope that we can offer to people.

Finally, the President said 2 weeks ago that he understands the requirement and the desire on the part of Republicans to do something about the marriage penalty. He said he is more than happy to sit down and try to work out a marriage penalty reduction that he would sign this year. I think the same holds true of other tax cut ideas that have been presented. But in return for that, he wants to also be able to sit down to be able to get a Medicare prescription drug benefit plan that we all can agree with as part of settling these important issues.

Let me finally say that if you are suffering from the marriage penalty, you want relief now, this year, not next year. You do not want just a veto of a bill that results in nothing. If you are on Medicare prescription drugs, and you are having trouble paying for your prescriptions, you want relief now, this year, not next year.

My mother is 92 years old. She is doing great by the grace of God, but every time I go home, she says, What are you all doing on that Medicare prescription drug plan? I may not be alive next year.

I want to be able to tell her, We're going to get something done this year.

Let us work together. Vote for this motion to recommit. Let us work together to get this done for the American people.

□ 1500

The SPEAKER pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. WELLER) claim the time in opposition to the motion to recommit?

Mr. WELLER. Mr. Speaker, I rise in opposition.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, with all due respect to my good friend, the ranking member of the Committee on Ways and Means, as well as the minority leader, I want to just say this, and that is today we are here to eliminate the marriage tax penalty. That is our goal today.

My friends on the other side of the aisle, they have offered reasons to vote against eliminating the marriage tax penalty, and let me give one pretty basic good reason to vote against the motion to recommit.

The motion to recommit, as designed by my friends on the Democratic side of the aisle, is designed to enact zero marriage penalty relief. The Joint Tax Committee, which is a bipartisan committee, has scored this as providing zero marriage tax relief.

With all due respect, I would point out that just 2 weeks ago this House

enacted a good plan, a $40 billion plan, to provide prescription drug coverage for every senior who wants to have that coverage. That is a great accomplishment. My hope is we could do it in a bipartisan way. So my recommendation, of course, and I rise in opposition, is to vote to reject the motion to recommit.

Let us talk about the real issue that is before us today, and that issue is a basic goal of this Congress, and that is to bring about tax fairness. I represent a very diverse district, city, suburbs and country on the south side of Chicago and the south suburbs.

As I talk with my constituents, they often talk about their taxes. They complain not only are their taxes too high, but they are unfair and they are too complicated. They often ask a pretty basic question, and that is, is it right, is it fair, that under our Tax Code, that a married working couple, husband and wife, a two-income household, pay higher taxes just because they are married?

Mr. Speaker, they often ask the question, is it right, is it fair, that under our Tax Code 25 million married working couples pay on average $1,400 more in higher taxes? Often I have come to this well, and I have talked about who benefits from our effort to eliminate the marriage tax penalty.

The district I represent, 60,000 seniors, as well as working families, will benefit. I also want to introduce Shad and Michelle Hallihan. Many of you have seen Shad and Michelle Hallihan in their wedding photo. Well, that was about the time we introduced the legislation, and because of the delay in enacting this into law, Shad and Michelle Hallihan have since had a baby, and little Ben is now their pride and joy.

I would point out that for Shad and Michelle Hallihan, $1,400 is real money. In Joliet, Illinois, for two public school teachers by the name of Shad and Michelle Hallihan, $1,400 is a year's tuition at a community college, 3 months of day care, it is a washer and a dryer, and, frankly, if we enact this into law over the next 17 years, they will be able to set aside almost $25,000 if they put that marriage tax penalty into little Ben's college fund. It is real money for real people.

I would point out that the Democratic motion to recommit denies marriage tax relief for good people like Shad and Michelle Hallihan. But our bipartisan proposal, identical to the proposal that received overwhelming bipartisan support earlier this year, will help working married couples like Michelle and Shad.

We help those who do not itemize by doubling the standard deduction to twice that for joint filers for single filers. We help those who itemize, people who own homes and give money to church and charity, by widening the 15 percent tax bracket. We help the working poor by providing marriage tax relief for those who participate in the earned income tax credit, and we also protect those who need the child tax credit from the alternative minimum tax.

The bottom line is we help every one of the 25 million married working couples who suffer the marriage tax penalty. And what is it all about? Today it is all about fairness, fairness for these 25 million married working couplings.

I want to extend an invitation to my friend on the other side of the aisle. February, when we passed this legislation, 48 House Democrats joined with every Member of the House to pass this legislation with overwhelming bipartisan support. I want to extend that invitation again today, to vote no on this motion to recommit, which provides zero marriage tax relief, and to vote yes on a bipartisan proposal that will.

We all know the President has changed his mind before. My hope is the President will join with us in a bipartisan proposal to eliminate the marriage tax penalty by signing this legislation into law when he receives it within the next 2 weeks.

Mr. Speaker, I ask Members, please vote no on the motion to recommit, please vote aye on our efforts, our bipartisan efforts, to eliminate the marriage tax penalty once and for all.

Mr. STARK. Mr. Speaker, I rise in support of the motion to recommit the bill.

I oppose the Republican so-called Marriage Penalty Relief Act because it fails to appropriately address the problem for which it is named. Instead of addressing the needs of families who pay an actual tax penalty for being married, this bill provides broad tax relief to a host of families who are actually already enjoying a marriage bonus. It makes no sense to squander $182 billion of our limited federal resources throwing money away in this manner. There are far more important federal priorities.

It is because of these other priorities that I rise in support of the Democratic motion to recommit. Under our motion to recommit, we would begrudgingly accept the Republican Marriage Penalty legislation, but the tax reductions would be prohibited from going into effect until a real Medicare prescription drug benefit was enacted.

Seniors are in vital need of a Medicare prescription drug benefit and the Republican sham bill passed here in the House of Representatives last month is no solution. Seniors aren't looking for the opportunity to be overcharged and under-provided for in another private insurance plan as would happen under the Republican bill.

Seniors want a drug benefit that is treated just like all of the rest of their benefits—as part of the Medicare program. They want a benefit that cannot be taken away, that will not vary if you live in a rural or urban area, that will not change if you live on the West Coast or in the mid-Atlantic states. It must offer a guaranteed benefit package and have an affordable premium and cost-sharing structure.

In order to achieve the standard of a real drug benefit, the Medicare bill must include: A voluntary outpatient prescription drug benefit; a premium of not more that $25 (adjusted for cost increases), with low-income assistance; no deductible for those benefits; the benefit must cover 50% of the cost up to $2,000 growing to $5,000 over time; a $4,000 out-of-pocket spending limit after which all costs would be covered by the government, and all Medicare beneficiaries would receive volume discounts.

Because providing seniors with a Medicare prescription drug benefit is such a vital national priority and because the Republican-led Congress clearly has no interest in passing a bill that meets the standards described above, we are willing to go along with this bloated marriage penalty tax bill.

Unfortunatley, I know that our motion to recommit will fail. Republicans would much rather continue pouring money into the pockets of their wealthy benefactors than address the real needs of America's seniors and their families.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. RANGEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The Chair announces that he will reduce to 5 minutes a vote by electronic device, if ordered, on one motion to suspend the rules on which further proceedings de novo were postponed yesterday, which will immediately follow the vote on passage of H.R. 4810.

The vote was taken by electronic device, and there were—ayes 197, noes 230, not voting 7, as follows:

[Roll No. 391]

AYES—197

Abercrombie	Crowley	Hinchey
Ackerman	Cummings	Hinojosa
Allen	Danner	Hoeffel
Andrews	Davis (FL)	Holden
Baca	Davis (IL)	Holt
Baird	DeFazio	Hooley
Baldacci	DeGette	Hoyer
Baldwin	Delahunt	Jackson (IL)
Barrett (WI)	DeLauro	Jackson-Lee (TX)
Becerra	Deutsch	Jefferson
Bentsen	Dicks	John
Berkley	Dingell	Johnson, E. B.
Berman	Dixon	Jones (OH)
Berry	Doggett	Kanjorski
Bishop	Dooley	Kaptur
Blagojevich	Doyle	Kennedy
Blumenauer	Edwards	Kildee
Bonior	Engel	Kilpatrick
Borski	Eshoo	Kind (WI)
Boswell	Etheridge	Kleczka
Boucher	Evans	Klink
Boyd	Farr	Kucinich
Brady (PA)	Fattah	LaFalce
Brown (FL)	Filner	Lampson
Brown (OH)	Ford	Lantos
Capps	Frank (MA)	Larson
Capuano	Frost	Lee
Cardin	Gejdenson	Levin
Clay	Gephardt	Lewis (GA)
Clayton	Gonzalez	Lipinski
Clement	Gordon	Lofgren
Clyburn	Green (TX)	Lowey
Condit	Gutierrez	Lucas (KY)
Conyers	Hall (OH)	Luther
Costello	Hall (TX)	Maloney (CT)
Coyne	Hastings (FL)	Maloney (NY)
Cramer	Hilliard	

Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—230

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

NOT VOTING—7

Campbell
Carson
Chenoweth-Hage
Forbes
McNulty
Smith (WA)
Vento

□ 1524

Mr. TANCREDO changed his vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PEASE). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. WELLER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 269, noes 159, not voting 7, as follows:

[Roll No. 392]

AYES—269

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Metcalf
Mica
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pascrell
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
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
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stabenow
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—159

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Stark
Stenholm
Strickland
Tanner
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—7

Campbell	Forbes	Vento
Carson	McNulty	
Chenoweth-Hage	Smith (WA)	

□ 1532

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SAMUEL H. LACY, SR. POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question de novo of suspending the rules and passing the bill, H.R. 4447.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 4447.

The question was taken.

RECORDED VOTE

Mr. WELLER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 412, noes 0, not voting 22, as follows:

[Roll No. 393]

AYES—412

Abercrombie	Buyer	Edwards
Ackerman	Calvert	Ehlers
Aderholt	Camp	Ehrlich
Allen	Canady	Emerson
Andrews	Cannon	Engel
Archer	Capps	English
Baca	Capuano	Eshoo
Bachus	Cardin	Etheridge
Baird	Castle	Evans
Baker	Chabot	Everett
Baldacci	Chambliss	Farr
Baldwin	Clayton	Fattah
Ballenger	Clement	Filner
Barcia	Clyburn	Fletcher
Barr	Coble	Foley
Barrett (NE)	Coburn	Ford
Barrett (WI)	Collins	Fossella
Bartlett	Combest	Fowler
Barton	Condit	Frank (MA)
Bass	Conyers	Franks (NJ)
Bateman	Cooksey	Frelinghuysen
Becerra	Costello	Frost
Bentsen	Cox	Gallegly
Bereuter	Coyne	Ganske
Berkley	Cramer	Gejdenson
Berman	Crane	Gekas
Berry	Cubin	Gephardt
Biggert	Cummings	Gibbons
Bilbray	Cunningham	Gilchrest
Bilirakis	Danner	Gillmor
Bishop	Davis (FL)	Gilman
Blagojevich	Davis (IL)	Gonzalez
Bliley	Davis (VA)	Goode
Blumenauer	Deal	Goodlatte
Blunt	DeFazio	Goodling
Boehlert	DeGette	Gordon
Boehner	Delahunt	Goss
Bonilla	DeLauro	Graham
Bonior	DeLay	Granger
Bono	DeMint	Green (TX)
Borski	Deutsch	Greenwood
Boswell	Diaz-Balart	Gutierrez
Boucher	Dickey	Gutknecht
Boyd	Dicks	Hall (OH)
Brady (PA)	Dingell	Hall (TX)
Brady (TX)	Dixon	Hastings (FL)
Brown (FL)	Doggett	Hastings (WA)
Brown (OH)	Doolittle	Hayes
Bryant	Doyle	Hayworth
Burr	Dreier	Hefley
Burton	Dunn	Herger
Hill (IN)	McIntyre	Sawyer
Hill (MT)	McKeon	Saxton
Hilleary	McKinney	Scarborough
Hilliard	Meehan	Schaffer
Hinchey	Meek (FL)	Schakowsky
Hinojosa	Meeks (NY)	Scott
Hobson	Menendez	Sensenbrenner
Hoeffel	Metcalf	Serrano
Hoekstra	Mica	Sessions
Holden	Millender-McDonald	Shadegg
Holt	Miller (FL)	Shaw
Hooley	Miller, Gary	Shays
Hostettler	Miller, George	Sherman
Houghton	Minge	Sherwood
Hoyer	Mink	Shimkus
Hulshof	Moakley	Shows
Hunter	Mollohan	Shuster
Hutchinson	Moore	Simpson
Hyde	Moran (KS)	Sisisky
Inslee	Moran (VA)	Skeen
Isakson	Morella	Skelton
Istook	Murtha	Slaughter
Jackson (IL)	Myrick	Smith (MI)
Jackson-Lee (TX)	Nadler	Smith (NJ)
Jefferson	Napolitano	Smith (TX)
Jenkins	Neal	Snyder
John	Nethercutt	Souder
Johnson (CT)	Ney	Spence
Johnson, E. B.	Northup	Spratt
Johnson, Sam	Norwood	Stabenow
Jones (NC)	Nussle	Stark
Jones (OH)	Oberstar	Stearns
Kanjorski	Obey	Stenholm
Kaptur	Olver	Strickland
Kasich	Ortiz	Stump
Kelly	Ose	Stupak
Kennedy	Owens	Sununu
Kildee	Packard	Sweeney
Kilpatrick	Pallone	Talent
Kind (WI)	Pascrell	Tancredo
King (NY)	Pastor	Tanner
Kingston	Paul	Tauscher
Kleczka	Payne	Tauzin
Klink	Pease	Taylor (MS)
Knollenberg	Pelosi	Taylor (NC)
Kolbe	Peterson (MN)	Thomas
Kucinich	Peterson (PA)	Thompson (CA)
Kuykendall	Petri	Thompson (MS)
LaFalce	Phelps	Thornberry
LaHood	Pickering	Thune
Lampson	Pickett	Thurman
Lantos	Pitts	Tiahrt
Largent	Pombo	Tierney
Larson	Pomeroy	Toomey
Latham	Porter	Towns
LaTourette	Portman	Traficant
Lazio	Price (NC)	Turner
Leach	Pryce (OH)	Udall (CO)
Lee	Quinn	Udall (NM)
Levin	Radanovich	Upton
Lewis (GA)	Rahall	Velazquez
Lewis (KY)	Ramstad	Visclosky
Linder	Regula	Vitter
Lipinski	Reyes	Walden
LoBiondo	Reynolds	Walsh
Lofgren	Riley	Wamp
Lowey	Rivers	Waters
Lucas (KY)	Rodriguez	Watkins
Lucas (OK)	Roemer	Watt (NC)
Luther	Rogan	Watts (OK)
Maloney (CT)	Rogers	Waxman
Maloney (NY)	Rohrabacher	Weiner
Manzullo	Ros-Lehtinen	Weldon (FL)
Markey	Rothman	Weldon (PA)
Martinez	Roukema	Weller
Mascara	Roybal-Allard	Wexler
Matsui	Royce	Weygand
McCarthy (MO)	Rush	Whitfield
McCarthy (NY)	Ryan (WI)	Wicker
McCollum	Ryun (KS)	Wilson
McCrery	Sabo	Wise
McDermott	Salmon	Wolf
McGovern	Sanchez	Woolsey
McHugh	Sanders	Wu
McInnis	Sandlin	Wynn
McIntosh	Sanford	Young (AK)
		Young (FL)

NOT VOTING—22

Armey	Dooley	McNulty
Callahan	Duncan	Oxley
Campbell	Ewing	Rangel
Carson	Forbes	Smith (WA)
Chenoweth-Hage	Green (WI)	Terry
Clay	Hansen	Vento
Cook	Horn	
Crowley	Lewis (CA)	

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HORN. Mr. Speaker, on rollcall No. 393, I was unavoidably absent on the work of my Subcommittee on Government Management and thus could not name the Baltimore Post Office in the honor of Samuel H. Lacy, Senior. Had I been present, I would have voted "aye."

COMMUNICATION FROM CHAIRMAN OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations and ordered to be printed:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, June 22, 2000.

Hon. J. DENNIS HASTERT,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on June 21, 2000 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

With kind regards, I am

Sincerely,

BUD SHUSTER,
Chairman.

Enclosures.

DOCKET 2635: ILLINOIS RIVER AT BEARDSTOWN, ILLINOIS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Sid Simpson Flood Control Project, published as House Document 332, 81st Congress, 1st Session, and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable to address flood damage reduction, navigation, recreation, and related water resource needs on the Illinois River at Beardstown, Illinois.

DOCKET 2637: DUCK CREEK, OHIO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Comprehensive Flood Control Plan for Ohio and Lower Mississippi Rivers published as House Document 1, 75th Congress, 1st Session, and other pertinent reports to determine whether any modifications to the recommendations contained therein are advisable to address flood damage reduction, environmental restoration and protection, and for other purposes in the Duck Creek watershed in Guernsey, Monroe, Noble, and Washington Counties, Ohio.

DOCKET 2638: DENVER COUNTY REACH, COLORADO

Resolved by the Committee on Transportation and Infrastructure of the United States House

of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the South Platte River and Tributaries, Colorado, Wyoming, and Nebraska, published as House Document 669, 80th Congress, and other pertinent reports, in coordination with the City and County of Denver, and other interested Federal, State and local agencies, to determine whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to the desirability of developing a comprehensive watershed plan for the utilization and conservation of water and related land resources along the Denver County reach of the South Platte River, Denver, Colorado, in the interest of flood control, regional water supply and waste management, water quality improvements, recreation, fish and wildlife restoration and preservation, wise use of floodplain lands, and other associated environmental enhancements and protections.

DOCKET 2639: ARAPAHOE COUNTY, COLORADO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the South Platte River and Tributaries, Colorado, Wyoming, and Nebraska, published as House Document 669, 80th Congress, and other pertinent reports, in coordination with the County of Arapahoe, and other interested Federal, State and local agencies, to determine whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to the desirability of developing a comprehensive watershed plan for the utilization and conservation of water and related land resources of the South Platte River Basin within the County of Arapahoe, Colorado, in the interest of flood control, regional water supply and waste management, water quality improvements, recreation, fish and wildlife restoration and preservation, wise use of floodplain lands, and other associated environmental enhancements and protections.

DOCKET 2640: ADAMS COUNTY, COLORADO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the South Platte River and Tributaries, Colorado, Wyoming, and Nebraska, published as House Document 669, 80th Congress, and other pertinent reports, in coordination with the County of Adams, and other interested Federal, State and local agencies, to determine whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to the desirability of developing a comprehensive watershed plan for the utilization and conservation of water and related land resources of the South Platte River Basin within the County of Adams, Colorado, in the interest of flood control, regional water supply and waste management, water quality improvements, recreation, fish and wildlife restoration and preservation, wise use of floodplain lands, and other associated environmental enhancements and protections.

DOCKET 2641: VILLAGE OF FREEPORT, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on Jones Inlet, New York, published as House Document 409, 77th Congress, 1st Session, and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including navigation, flood control, environmental restoration and protection, and other allied purposes for Freeport Creek, New York.

DOCKET 2642: ST. LOUIS RIVERFRONT, MISSOURI AND ILLINOIS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River, between Coon Rapids Dam and the mouth of the Ohio River, published as House Document 669, 76th Congress, 3rd Session, and other pertinent reports to determine if improvements along the Mississippi River and its tributaries in St. Louis City, St. Louis County, and Jefferson County, Missouri, and Madison County, St. Clair County, and Monroe County, Illinois, are advisable at the present time, in the interest of public access, navigation, harbor safety, off-channel fleeting, intermodal facilities, water quality, environmental restoration and protection, and related purposes.

DOCKET 2643: EASTCHESTER BAY, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Eastchester Creek (Hutchinson River), New York, published as House Document 749, 80th Congress, 2nd Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of storm damage reduction, flood control, environmental restoration and protection, and other related purposes at Eastchester Bay for Edgewater Park and surrounding communities.

DOCKET 2644: PECKMAN RIVER AND TRIBUTARIES, NEW JERSEY

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Passaic River Mainstem project, New Jersey and New York, published as House Document 163, 101st Congress, 1st Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and protection, stream bank restoration, and other applied purposes for the Peckman River and tributaries, New Jersey.

DOCKET 2645: WHITE RIVER, WASHINGTON

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Upper Puyallup River, Washington, dated 1936, as referenced in the Flood Control Act of 1936 (P.L. 74–738), the Puget Sound and adjacent Waters Study, authorized by Section 209 of the Rivers and Harbors Act of 1962 (P.L. 87–874) and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable, with references toward providing improvements in the interest of water resource and watershed issues affecting Lake Tapps and the White River Watershed downstream of Mud Mountain Dam, Washington.

DOCKET 2646: ST. JOHNS COUNTY, FLORIDA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That in accordance with Section 110 of the River and Harbor Act of 1962, the Secretary of the Army, acting through the Chief of Engineers, is requested to survey the shores of St. Johns County, Florida, with particular reference to the advisability of providing beach erosion control works in the area north of St. Augustine Inlet, the shoreline in the vicinity of Matanzas Inlet, and adjacent shorelines, as may be necessary in the interest of hurricane protection, storm damage reduction, beach erosion control, and other related purposes.

DOCKET 2647: MEDICINE LODGE AND SALT FORK RIVER BASINS, KANSAS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Medicine Lodge and Salt Fork River Basins, published as House Document 758, 79th Congress, 2nd Session, and other pertinent reports to determine the feasibility of measures for improvements in the interest of flood control, water supply, recreation and allied purposes in vicinity of Kiowa, Kansas.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4811, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 546 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 546

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. When the reading for amendment reaches section 587, that section shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ''*: Provided*'' on page 11, line 23, through page 12, line 8; page 80, lines 18 through 24; page 121, line 1, through page 122, line 12. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. Before consideration of any other amendment to section 587, it shall be in order to consider, and to dispose of, an amendment to strike that section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole

may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 546 is an open rule providing for the consideration of H.R. 4811, the Foreign Operations Appropriations Bill for fiscal year 2001.

The rule provides for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule also waives points of order against provisions in the bill for failing to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations and legislating in a general appropriations bill or prohibiting reappropriations in a general appropriations bill, except as specified by the rule.

The rule leaves exposed to points of order, two legislative provisions and one earmark restriction, areas under the jurisdiction of the Committee on International Relations.

The rule also waives points of order against amendments to the bill for failure to comply with clause 2(e) of rule XXI, prohibiting nonemergency designated amendments to be offered to an appropriations bill containing an emergency designation.

The rule also grants the chairman of the Committee of the Whole the authority to postpone votes and reduce voting time to 5 minutes provided that the first vote in a series is not less than 15 minutes.

Mr. Speaker, in addition, the rule provides that Members who have preprinted their amendments in the RECORD prior to their consideration will be given priority in recognition to offer their amendments, if otherwise consistent with House rules.

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, this rule provides a fair approach for the consideration of the foreign aid appropriations bill.

One controversial area, which always lends itself to important debate on the floor involves family planning funds and their potential use for performing or promoting abortion, and the so-called Mexico City policy which prohibits U.S. assistance to foreign organizations that perform abortions, or engage in lobbying activities to change such laws.

While I am personally strongly pro-life, under the regular rules of the House, a Member will have the opportunity to strike the section in the bill related to the Mexico City policy and the full House will have an opportunity to debate and vote on this issue.

Although several Members requested waivers for legislative amendments, the Committee on Rules chose to report a standard, open rule without granting waivers to any amendments. So no particular area is given special consideration.

Mr. Speaker, I support this rule and also the underlying legislation. A lot of work has gone into it.

I am pleased to see that this is the 11th appropriations bill to come before the House, and that this bill is within the committee's budget allocation.

I think the pace of the work for the House this Congress has been truly remarkable. I think that the Speaker needs to be commended and congratulated especially for this, as well as all of those who have worked so hard in bringing forth the appropriations bills.

I want to thank the gentleman from Alabama (Chairman CALLAHAN) and the gentlewoman from California (Ms. PELOSI) for their hard work on this important bill. I urge adoption of both the rule and the underlying bill.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the time.

Mr. Speaker, this is an open rule, which will allow for consideration of H.R. 4811, which is a bill that makes appropriations for foreign operations, as my colleague, the gentleman from Florida (Mr. DIAZ-BALART) has explained. This rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule will permit all Members on both sides of the aisle to offer amendments that are germane and that conform to the rules for appropriations bills.

Within the severe funding restraints placed on the Committee on Appropriations, the subcommittee made a number of positive choices for which I thank the gentleman from Alabama (Chairman CALLAHAN) and the gentlewoman from California (Ms. PELOSI).

The bill increases the child survival and disease programs fund to a level about $119 million more than last year's funding. This bill includes $110 million for UNICEF, the same as last year's level.

These programs continue to demonstrate a commitment to the most vulnerable of the world's population, the children. Their health and well-being represents the hope for the future of the world.

The committee report directs the agency for international development to consider initiating a school feeding program in Sierra Leone to boost nutrition and school attendance in this war-ravaged country. I recently returned with my colleague, the gentleman from Virginia (Mr. WOLF), from visiting Sierra Leone and we can assure my colleagues that this program is much needed.

The bill also contains funding for the global alliance for vaccines and immunizations. The lack of immunizations results in the death of about 8,000 children every day, and the funding in this bill will help close the gap between children who are immunized and those who are not.

Though there are some highlights in the bill, I am deeply troubled by the overall low funding levels. The bill cuts the President's requests by 12 percent. In fact, the overall funding is even lower than last year.

Mr. Speaker, cutting off foreign assistance in a time of enormous budget surpluses is irresponsible. It is unconscionable. Never before has the United States had so much wealth available to help the poorest of the world's poor. It is irresponsible to do so little when we have so much.

We can eliminate tuberculosis in the world and polio and cholera and so many things that we can do. We can save so many lives with a few dollars.

Most people in this country when we ask them how much money do they think we spend out of our total budget for foreign aid, most will say somewhere between 17 percent and 25 percent, when, in fact, all we are talking about today of foreign aid is less than 1 percent. And of the humanitarian part, it is less than one-half of 1 percent.

Our basic principles tell us that when we reap of financial windfall, we save some, we invest some, and we donate some to charity. Is that not what we teach our children?

As a Nation, we are going in the wrong direction. It is our obligation to help the needy, both in our own country and overseas. This is what a great Nation does.

I am especially disappointed over the low funding for debt relief. A number of

developing nations are struggling to overcome crushing debts that they can never repay, and now is the time to reduce these debts. But instead, the bill slashes the President's request for debt-reduction programs by $180 million, more than two-thirds cut.

The cut comes on top of the failure by Congress to provide any of the President's request for $210 million in fiscal year 2000 supplemental appropriations.

Mr. Speaker, by turning our backs on the debtor nations, we are condemning them to carry impossible financial burdens. I am ashamed.

A number of amendments were proposed that would increase the funding levels for the most important foreign assistance programs, and these amendments required a waiver of the House rules; however, the Committee on Rules chose not to make any in order.

So that while this is an open rule, the amendments needed the most to improve the bill cannot be offered. There are so many things that my colleagues can say about this bill that it does not do.

As I said earlier, there are some good highlights, some good spending in it from the standpoint of child survival, but when it comes to debt relief and when it comes to development assistance, which has been cut by 50 percent since 1985, I remember when we had a budget that was around $19 billion, now the budget is below $12 billion. Egypt and Israel take half of it, and the rest goes to the poor.

We could do so much better. We could end hunger, feed people, save lives, end so many diseases that we have in the world today. Yet, we become a Congress that is parsimonious and it is just not right.

We need to do better, and if there is ever a Congress that could lead, ever a Congress that could be known for something that would be generous to our own country and overseas, it would be to lead in this area, to save lives.

So for all of these reasons and because the rule is restrictive, was very restrictive and I thought there were very good amendments that could have been offered and were not protected by the Committee on Rules, I believe this rule should be opposed, it ought to go down.

We ought to start over again. We can do better than this. We have a chance to save so many lives, and we are making a big mistake with this bill.

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

Mr. DIAZ-BALART. Mr. Speaker, we do not have any other speakers on our side of the aisle. We look forward to getting to the debate on the underlying legislation. It is a good bill. We have $13.340 billion in this bill for foreign aid, a lot of important programs we want to get to work on.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, many of my colleagues on the Democratic side of the aisle will address their concerns about the bill before us today, citing the cuts in funding to some of the poorest countries and to international financial institutions, and adoption of this so-called Mexico City language.

Mr. Speaker, I share many of these concerns and would urge my colleagues to oppose the rule. Mr. Speaker, I wanted to use my time to focus on some of the more positive aspects of this legislation with regard to Armenia.

These provisions are the result of the hard work of Members on both sides of the aisle, including both the distinguished chairman, the gentleman from Alabama (Mr. CALLAHAN) and the ranking Democrat, the gentlewoman from California (Ms. PELOSI), as well as the gentleman from Michigan (Mr. KNOLLENBERG), I see out there, and others.

Under the bill, the Republic of Armenia would receive 12.5 percent of the total account for the Independent States of the former Soviet Union, which translates into $92.5 million. While the dollar amount would represent a reduction from the $102.4 million in fiscal year 2000, the amount in the current bill actually represents a slight increase in the percentage of the IS act.

Given the fact that budgets are tight this year and the total level of assistance to the IS has been decreased, I appreciate the fact that the appropriators have recognized the need to continue our commitment to Armenia.

Mr. Speaker, Armenia is a nation that has continued on the path of democracy and free market economic reforms, despite daunting challenges both external and internal. Armenia continues to suffer the effects of blockades imposed by its neighbor to the west, Turkey, and to its neighbor to the east, Azerbaijan.

In addition, the tragic shooting last October from the Armenian parliament, claiming the life of both the prime minister and the speaker of the parliament, could have undermined Armenian democracy. But President Kocharian, who was our guest here on Capitol Hill just 2 weeks ago, took resolute and effective action to prevent the situation from unraveling, thereby keeping Armenian democracy on track.

Mr. Speaker, I also want to applaud the members of the subcommittee for maintaining section 907 of the Freedom Support Act, which restricts assistance to the government of Azerbaijan until that country lifts its blockades of Armenia and Nagorno Karabagh.

I also want to salute the subcommittee for providing funding for confidence-building measures to resolve the Nagorno Karabagh conflict, and also for language which urges the Secretary of State to move forthwith to appoint a high-level, long-term special negotiator to facilitate direct negotiations and any other contacts that will bring peace to the people of the Caucasus.

Finally, Mr. Speaker, I wanted to mention that as we get into the debate on the amendments to this bill, it is expected that our colleague, the gentleman from Indiana (Mr. BURTON), will offer one or more amendments to single out India for a punitive cut in development assistance. Similar attempts to stigmatize India have been defeated by increasingly lopsided bipartisan margins in recent years.

These amendments have been opposed by the chairman and the ranking members of the subcommittee, as well as the Committee on International Relations.

The arguments against the Burton amendment are stronger this year than they have ever been. In March, President Clinton completed the first visit to India by an American president in more than 20 years. India is the world's largest democracy with over a billion people.

Mr. Speaker, it is a country that has made tremendous progress in free-market economic reforms over the past decade. Cutting development aid to India will only serve to hamper America's efforts to reduce poverty, eradicate disease and promote broad-based economic growth in the world's second most populous nation.

□ 1600

Mr. Speaker, I urge my colleagues to continue Congress' long-standing bipartisan tradition of defeating ill-advised efforts to punish India through the Foreign Operations bill. I do not think this is the appropriate vehicle, and it is ill advised more than ever this year.

Mr. DIAZ-BALART. Mr. Speaker, I yield 7 minutes to the very distinguished gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, I appreciate very much the opportunity to speak in support of the rule and of course this bill, H.R. 4811, the fiscal year 2001 appropriations bill for Foreign Operations, Export Financing and Related Programs.

I would like to begin by thanking the gentleman from Alabama (Chairman CALLAHAN), who I think, because of his leadership and determination in steering this bill through the legislative process, we have something that may draw some disdain from some, but I think it is a wholesome bill. It is a good bill.

This rule is obviously one calculated to bring about some debate that, in the end, will bring us a product that I think will be proper. It is never easy for a chairman to do that. I believe that the gentleman from Alabama (Chairman CALLAHAN), with his fairness and his leadership, and frankly an astonishing amount of patience, which he has done each year during this appropriations process, is something that we should make note of.

I also would like to thank the gentlewoman from California (Ms. PELOSI), the ranking member, who has provided leadership on many important issues and promoted, I think, her views with a great deal of energy and enthusiasm.

Of course, I would be lacking if I did not support and thank the staff for the great work that they have done, all of them. I note Mr. Shank and Mr. Flickner are two that have been extraordinarily helpful, and all of them have been very much involved in this process to bring about a bill that is drafted, I think, for success.

Mr. Speaker, this is a responsible bill that effectively allocates the foreign assistance that we have available while providing crucial support for our country's national security.

In the region of the former Soviet Union, this bill helps to strengthen our relationship with our friend and ally, Armenia. The U.S. relationship with Armenia is vital to our effort in promoting democratization, economic development, peace and stability in the independent states and particularly the Southern Caucasus.

This bill contains much-needed funding for Armenia as well as important language directing the administration without further delay to release the remainder of the $20 million provided in 1998 for the victims of the Nagorno-Karabagh conflict.

I believe we have produced a productive, positive approach that will facilitate peace in the Caucasus by emphasizing confidence-building measures which have been discussed among the parties at NATO and OSCE summits.

This bill also contains critical assistance to Lebanon. I successfully sponsored an amendment during full committee consideration with support on both sides to increase aid to Lebanon from $15 million to $18 million.

The withdrawal of Israeli forces, armed forces from South Lebanon, creates a great and immediate need for the U.S. and the international community to assist the people of that region. This additional funding will provide an important start by allowing USAID to expand its program in Southern Lebanon. However, I am hopeful that the U.S. will be able to provide a significant aid package to Lebanon in the near future to help rebuild its school, repair and rebuild its infrastructure, and further our goal of establishing a comprehensive lasting peace throughout the region. I look forward to working with the subcommittee on this effort.

This bill also provides important protections for our national security. Once again, conditions have been included on aid to North Korea through the Korean Energy Development Organization. Since 1994, when the United States and North Korea established KEDO and the Agreed Framework, the United States has upheld its commitments to North Korea.

I might add that North Korea is the biggest recipient of foreign aid from the U.S. in Eastern Asia and Southern Asia. However, hundreds of thousands of North Koreans have died from starvation while Pyongyang continues to divert our aid to their military.

North Korea has repeatedly antagonized its neighbors and threatened to launch ballistic missiles capable of hitting America. The conditions of KEDO contained in this bill are necessary to ensure North Korea is living up to its end of the bargain and uphold the national security of the United States.

I am also pleased there is language in this bill to prohibit the administration from implementing the Kyoto Protocol on climate change without first sending it to the Senate for advice and consent as required by the U.S. Constitution.

Both USAID and the State Department have attempted to pursue programs and activities solely contained in the Kyoto Protocol. I have documented these efforts in subcommittee hearing. I have also discussed this matter on numerous occasions with USAID administrator Brady Anderson.

Section 577 of this bill provides an appropriate balance by prohibiting the administration from engaging in activities specifically related to the provisions of the Kyoto Protocol, such as carbon emissions trading, while at the same time protecting the long-standing programs and activities within USAID which have been previously and specifically authorized by Congress.

Mr. Speaker, I urge all Members of the House to support this rule for what I think is a very responsible bill. The subject of foreign aid often sparks heated debate on this floor, but I hope all Members will unite behind this fair bill and what I believe to be a good rule to maintain U.S. leadership and strengthen our influence across the globe.

I ask for Members on both sides of the aisle to support the rule and the bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. VISCLOSKY).

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

Mr. VISCLOSKY. Mr. Speaker, I appreciate the gentleman from Ohio (Mr. HALL) yielding me this time.

Mr. Speaker, I want to reference language that is contained in this bill that is identical to language included in the Agriculture appropriations bill that was offered as amendment No. 58 by the gentleman from Michigan (Mr. KNOLLENBERG), who just spoke relative to the Kyoto Protocol.

I would like to follow up my remarks made during the floor debate on the Agriculture appropriations bill. I was supportive of the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG) and as agreed to by myself and other Members.

I also agree with the gentleman's characterization of the language as identical to the provision offered on Energy and Water and as contained in this bill today. Essentially, it is also the same language as contained in the VA–HUD and CJS appropriations bills.

However, I would adamantly disagree with one of the gentleman's characterizations of the provision, both in his statement relative to the Agriculture bill as well as to his statement just made now relative to his use of the word ''specifically.'' They do not reflect our agreement with the statutory language that is now contained in the Agriculture bill and in this bill.

I would note for the RECORD that the word ''specifically'' is not used in terms of authorization in the bill language in this legislation. The assertion of the gentleman from Michigan (Mr. KNOLLENBERG) that activities must be specifically authorized from my perspective is not correct. There are many activities that the administration engages in that fall within generally authorized activities.

He has stated that he has no intention of disrupting these constitutional authorities or the ability of the administration to negotiate the climate change treaty or to engage developing countries in a manner consistent with Senate Resolution 98, for instance; and yet his characterization in the RECORD that activities must be specifically authorized is not reflective of the statutory language that was agreed upon and adopted by this House.

Additionally, the gentleman from Michigan has stated in the past that the United Nations Framework Convention, which was ratified by the United States Senate in 1992, requires specific implementing legislation for programs or initiatives. That is also, from my perspective, not correct. A ratified treaty carries the weight of law. The U.S. has many obligations and commitments that it agreed to under this ratified treaty and that are authorized without ''specific implementing legislation'' beyond the treaty. No one, I believe, can reinterpret the law or a treaty by making statements for the RECORD.

Finally, there are many programs and activities that are funded by the Congress and carried out by the administration that are not ''specifically authorized'' by Congress. I am very concerned about the use on the floor.

The gentleman's use of the word ''specifically authorized'' in his floor remarks, for example, could include voluntary nonregulatory programs or initiatives to reduce greenhouse gases, programs that also reduce energy bills, improve the Nation's energy security, and reduce local air pollutants.

I do want to make it clear that, again, I agree with the language contained in this bill, in the Agriculture bill, the Energy and Water bill, as well as CJS and VA–HUD.

I would note that the word ''specifically'' is not included in any of the report language and is not included in any of the bill language, and I would not want there to be confusion about the use of this word.

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. PELOSI). She is the ranking minority member on the Subcommittee on Foreign Operations, Export Financing and Related Programs. She is a great advocate for people hurting in our country and around the world.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for his very impressive leadership on issues of concern to people in need throughout the world.

Mr. Speaker, today we are going to consider a bill that is very, very important because it will define how Congress sees our leadership role in the world.

Unfortunately, we will not have the fullest of debates on the bill because of this rule that we have before us. So I, with great reluctance and great respect for the gentleman from Florida (Mr. DIAZ-BALART), who is presenting the rule, rise in opposition to it. I do so for the following reasons:

The bill that we will consider later today, if this rule passes, is seriously deficient in the resources to match the responsibilities of our great Nation. In the past, I have tried to be cooperative, and if it was a close call, come down on the side of moving the process along. But this bill is a hollow shell. The only remedy we would have had is if the Committee on Rules would have allowed some amendments to be in order which would have helped correct some of the deficiencies in the bill.

The Committee on Rules did not allow any of the amendments to be in order. These amendments would have addressed the serious concern that many Members in this House have about international debt relief. Several of us had amendments to redress the lack in the bill.

One that I had proposed would have called for an increased funding of $390 million to bring the total in the bill up to the President's request for the supplemental and for the next fiscal year of approximately $470 million.

My request was for the Committee on Rules to allow us to have this amendment come to the floor under emergency designation. There is already precedent in the bill that will be considered later.

The distinguished gentleman from Alabama (Mr. CALLAHAN), the chairman of our committee, placed in the bill funding for storm relief in Mozambique and Southern Africa; and that money, we are very grateful that that money is in there. It was really put in under the leadership of the gentlewoman from Michigan (Ms. KILPATRICK). That money survived the process. We are grateful for that. It did also establish a precedent which is emergency designation within this particular appropriations bill.

Indeed, the debt relief is an emergency. We have a situation where several of the highly impoverished countries are suffering under oppressive burdens of debt. Some of them pay more on their debt each year than they do for education or for health care for their people.

Many of these debts have been incurred by previous regimes and now these countries have to bear that burden and are unable to lift themselves up and enjoy for their people some of the benefits of the more democratic systems that they have entered into.

So the bill contains only $82 million of the $472 million in pending requests for debt relief, and we have no opportunity to address that under emergency designation. The bill contains only $2 million of $244 million that we wanted for AIDS, global AIDS issues. At the same time as the whole world of those interested in HIV/AIDS is converging, on Durban, South Africa, in conference on how to deal with this pandemic that is afflicting the world and especially Africa and Asia at the same time we are deprived of having an amendment to acknowledge that emergency with a $40 million emergency designation. The rule does not allow that. I must oppose that rule.

□ 1615

And then there is the oppressive language on international family planning. The President had requested $541 million. The bill puts in $285 million with the stipulation that if the oppressive language is in there and the waivers are used, that is reduced by over $12 million, down to $372 as opposed to $541 that the President has requested. So the number is too low, the language is a gag rule, and we were not allowed to have an amendment.

The Greenwood-Lowey amendment was not made in order so that this House could work its will. It was not a question of changing policy, it was a question of having this opportunity within this House of Representatives to have a clean vote on that. In the past, our chairman has provided that the bill would come to the floor clean of any language relating to Mexico City and the House would then work its will. This year is different. It contains the oppressive language with no remedy allowed in the rule.

And so I must oppose this rule, urge my colleagues to do so, and also to oppose the bill that may follow.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in strong opposition to the rule and the underlying bill on foreign operations.

I say this notwithstanding what I recognize to be a great deal of hard work on the part of the chairman and the ranking member, and notwithstanding what I think are very good provisions regarding aid to Armenia. But the sad fact is that this bill is another case in which our rhetoric far exceeds our actions. We talk a great deal about helping poor countries, but when we look specifically at the issue of debt relief, we find that we have provided a level of funding that is woefully inadequate.

This bill contains only $82 million of the $472 million requested for multilateral debt relief assistance. I mention that because this debt relief is not the United States going it alone, this debt relief is in the context of working with the G–7 countries, the major developed countries in the world, who have made a commitment to provide debt relief jointly to sub-Saharan Africa and other developing countries.

Why is this problem so bad? For example, consider Tanzania. The government spends four times as much money on debt payments as it does on health and education combined. In Uganda, Zambia, Nicaragua, and Honduras, the government spending on debt service is greater than government spending on health and education combined. These countries cannot develop under this crushing burden of debt.

I would also mention that debt relief is not conducted in a vacuum. It is tied to democratization. It is tied to economic reforms. These reforms have been occurring, but these countries still need debt relief.

Probably most crucial today, however, in today's debate, is this simple fact. Twenty-two million have died in sub-Saharan Africa of AIDS. The crisis in sub-Saharan Africa is pandemic. We have a situation in which those countries cannot provide the health care that they need to, the education about AIDS that they need to because they are providing debt service, debt service which basically provides money going from the poorest countries back to the wealthiest countries.

We have an opportunity to exert leadership, to say to the world that, working in concert with other developed countries, we are going to provide debt relief, to put some action behind our rhetoric, to provide relief for AIDS, and to provide general debt relief so poorer countries can develop and progress.

Mr. Speaker, I urge rejection of the rule and the underlying bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman for yielding me this time. Firstly, let us have it clearly understood that foreign assistance is an aid to America, it is not a hindrance.

When we came to Congress, those of us in 1992, we spent $18 billion in America on foreign assistance. Now we propose in this measure less than $12 billion. Overall, the bill cuts programs which benefit Africa and Latin America by 15 percent. The bill also cuts nonproliferation, anti-terrorism, de-

mining, and related programs by 32 percent from the administration's request, and it cuts 27 percent from funding for Eastern Europe and the Baltic states.

Mr. Speaker, I just returned from a CODEL to Bucharest, Romania, led by the gentleman from New Jersey (Mr. SMITH) and Senator GEORGE VOINOVICH, along with the gentleman from Maryland (Mr. HOYER) and the gentlewoman from New York (Ms. SLAUGHTER) and several others of us. There we met with more than 350 parliamentarians representing 54 countries. And let me tell my colleagues that the whole week we were there we were touting the leading role that the United States plays in the world. Frankly, I hope none of our colleagues from those parliamentary bodies are watching the procedures in this House today, because I am embarrassed.

Setting aside the procedural problems with this rule, the fact that several amendments that would make this bill stronger have been disallowed, the underlying bill itself is weak to the point of impotency. We tout ourselves as being one of the most charitable nations in this world, and yet this bill appropriates less than 20 percent of the President's request for debt relief. This level of funding will deny relief to some countries, such as Mozambique and Bolivia, who have already met the conditions necessary to obtain debt relief. In addition, this low level of funding would seriously jeopardize the highly indebted poor country initiative because it may lead other bilateral donors to reduce their contributions.

Defeat this rule and defeat this bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to this unfair rule. The foreign operations appropriations bill is one of the most important pieces of legislation we will consider this year.

It is up to this Congress to provide the resources that are adequate to maintain the United States' leadership in the international community. That is why I am deeply disappointed that this rule denies a voice to some key constituencies in this Congress and denies the House the opportunity to respond to some of the most urgent global needs.

For instance, this rule denies Congress the opportunity to debate our amendment to eliminate the anti-democratic Mexico City language that is already included in the bill. The very same amendment passed the House last year during the debate over foreign operations. I am outraged that we are prohibited from even letting the House express its will on this issue and have a free and fair debate.

This rule also denies Congress the opportunity to respond adequately to the global AIDS crisis. Our ranking member, the gentlewoman from California (Ms. Pelosi), sought to offer an amendment increasing funding for the AIDS crisis and giving these funds an emergency designation. Our administration has made it clear that the AIDS crisis is a national security emergency, and former Treasury Secretary Robert Rubin called it the biggest impediment to economic development in Africa.

How can we, as the international health community gathers in Durban, South Africa to discuss this pandemic, turn our backs on this crisis? Debt relief has been severely underfunded, and the committee denied the gentlewoman from California (Ms. WATERS) and others the opportunity to designate this important funding as an emergency.

As developing nations are crushed under the burden of mounting debt, unable to devote the necessary resources to the health and education of their people, we continue to deny this funding. Without this relief, my colleagues, we are dooming countries that have tried hard to break the cycle of poverty to repeat this cycle indefinitely.

Extreme poverty worldwide is an emergency. We should have been able to designate it as such, and I urge my colleagues to join me in opposing the rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, first of all, let me thank the gentleman from Ohio (Mr. HALL), a member of the Committee on Rules, and to express to him the value of his contributions to end world hunger and his leadership on this issue.

Let me also comment on the chairman and the ranking member of this subcommittee, realizing that in many instances they have worked together on issues, and I particularly thank the members of the subcommittee the gentlewoman from California (Ms. PELOSI), the gentlewoman from Michigan (Ms. KILPATRICK), and others on that committee that have worked so hard on the issue of HIV/AIDS internationally.

I rise to indicate that I wish in addition to having an open rule, that points of order on certain very vital issues could have been waived. It is clear that if this Nation wants to continue living in peace, then we must encourage world peace and world economic order. With regard to foreign aid, foreign assistance, this appropriations bill is an investment in our peace. And until we go home to our districts and explain what foreign aid is all about, we will continue with this mismatched debate on the floor of the House providing for legislation that does not do its job.

One in five South Africans are HIV positive and are dying. The reason they are dying is because there is no access to the prescription drugs at a cost that they can deal with that we have the privilege of having in this Nation. A population that is dying cannot build its Nation, cannot raise its children, and cannot provide economically for itself. Simple as that. When a Nation crumbles under its own weight, its own burden of debt, its own health problems, it impacts the very citizens in our respective locations where we come from. The comfort of being able to go to a doctor, to be educated, even though we have our own problems, is hurt by the fact that the world is hurting.

To not provide the dollars that are needed for debt relief adds additionally to the burden of the United States of America and its citizens. A simple investment of the amount of monies that are necessary to provide this debt relief would be an investment for our safety and our security.

I would hope that when we debate this bill that we will find it in our hearts, Mr. Speaker, to pass amendments that will remedy the problems in this bill and truly invest in world peace and world order.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume to just say that this bill is very inadequate, and I want really the people that listen in and watch the Congress in action, because so many people are under the misunderstanding that we spend so much of our total budget on foreign aid, to understand that the fact is that is not true.

If we put everything together, including aid to Israel and Egypt, of our total budget it is less than 1 percent that goes for foreign aid. Most people across the country think that we spend somewhere between 17 and 25 percent of our total budget on foreign aid. We have done polls on it. A lot of our elected officials run against foreign aid and they tell people we spend too much money, but the fact is it is less than 1 percent.

In our own country the bottom 2½ to 3 percent of our people live in great poverty, whether it is in the cities or in Appalachia or in other parts. As a matter of fact, they rank as low as any people of the poorest of the poor in the Third World countries. The first thing this Congress ought to do is take care of that problem.

Now, this bill does not have anything to do with that, but if Congress was going to be known for anything, and I would love to see this someday, I would love to be part of a Congress that someday said we are going to take care of our poor. They are going to be fed and they are going to have shelter and they are going to have clean water. And then we could take some of this tremendous surplus that we have and forget about giving these multibillion dollar giveaways on tax cuts to so many people and start helping some people live, to eat, to be immunized, to pay for debt, to have development assistance so they can help themselves.

For every dollar we invest overseas, we get $2.37 back. This is not a bad deal for us. Economically it is a good deal, if we want to consider it just on economic terms.

□ 1630

But this budget is inadequate. We can do better. Hopefully some day, and I do not know if I will be around, I would like to be part of a Congress that ends hunger, that ends disease. We can end tuberculosis, we can end cholera and we can end polio and so many of the diseases in the world. We have the ability.

So, with that, I apologize to my colleagues for going on and on and on. They have heard me give this speech many times, but it needs to be said over and over again.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Ohio (Mr. HALL), for whom I have great respect, and also all the Members who have spoken this afternoon on this issue.

I know that there is always more money that could be spent. There are always more things that could be done by Government. But I am not ashamed of what the American people, through their Congress, do in foreign aid.

We are spending $13.340 billion. That is $13,340 billion in this bill for assistance for peoples in other countries, for the poor and the needy in other countries. I think that is something that the American people have to be very proud of and that is something in the tradition of generosity of the American people. And so, I support this legislation. I thank all of those who have worked so hard on it, especially the gentleman from Alabama (Chairman CALLAHAN).

Mr. Speaker, I urge at this point support also for this rule, which will bring to the floor the legislation for consideration of debate in an open rule permitting any amendment that is germane and pursuant to the House rules.

So I support this rule. I urge my colleagues to vote for it.

Mr. VISCLOSKY. Mr. Speaker, there is language contained in this bill that is identical to language included in the Agriculture Appropriations bill as amendment #58 by Mr. KNOLLENBERG relating to the Kyoto Protocol.

I would like to follow up my remarks on the floor, during deliberations on the Agricultural Appropriations bill. I was supportive of the amendment offered by Mr. KNOLLENBERG, and as agreed to by myself and other members. I agree fully with Mr. KNOLLENBERG's characterization of the language as identical to the provision adopted on Energy and Water, and contained in the Foreign Operations bill, and essentially the same as on VA/HUD and CJS.

However, I would disagree with one of Mr. KNOLLENBERG's characterizations of the provision, both in his remarks made on the floor, and as submitted for the RECORD. They do not reflect our agreement or the statutory language which is now contained in the Agricultural Appropriations bill and the other bills mentioned.

Mr. KNOLLENBERG's assertion that activities must be specifically authorized is incorrect. There are many activities that the administration engages in that fall within generally authorized activities. Mr. KNOLLENBERG has stated that he has no intention of disrupting these constitutional authorities, or the ability of the administration to negotiate the climate change treaty or to engage developing countries in a manner consistent with Senate Resolution 98, for instance. And yet, his characterization in the RECORD that activities must be specifically authorized is not reflected in the statutory provision that was agreed upon and adopted.

Additionally, he stated that the United Nations Framework Convention, which was ratified by the United States after consent by the Senate in 1992, requires specific implementing legislation for programs or initiatives. That is also incorrect. A ratified treaty carries the weight of law, and the United States has many obligations and commitments that it agreed to under this ratified treaty, and that are authorized without ''specific implementing legislation'' beyond the treaty. No one can reinterpret the law by making statements on the floor.

Finally, there are many programs and activities that are funded by the Congress, and carried out by the administration, that are not ''specifically authorized'' by Congress. For example: Mr. KNOLLENBERG's characterization made on the floor using the word ''specifically''—which is not contained in this bill, the Agriculture, Energy and Water, or VA-HUD bills, implies that some regulatory and non-regulatory programs that have bipartisan support and that save money for businesses and consumers, help the environment, and improve public health would have to be rolled back.

Mr. KNOLLENBERG's use of the word ''specifically'' authorized in this floor remarks would include voluntary, non-regulatory programs or initiatives to reduce greenhouse gases—programs that also reduce energy bills, improve the nation's energy security, and reduce local air pollutants. Let me be clear. The language in this bill and those mentioned before very deliberately does not include the word ''specifically'' and I wanted to ensure for the record that the gentleman's floor characterization does not represent our agreement on this issue and it is not the congressional intent in this bill.

The language included in this bill does not do anything to interfere with valuable research, existing programs, or ongoing initiatives designed to carry out the United States' voluntary commitments under the 1992 Climate Change Convention.''

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

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 225, nays 199, not voting 10, as follows:

[Roll No. 394]

YEAS—225

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

NAYS—199

Abercrombie	Borski	Cummings
Ackerman	Boswell	Danner
Allen	Boucher	Davis (FL)
Andrews	Boyd	Davis (IL)
Baca	Brady (PA)	DeFazio
Baird	Brown (FL)	DeGette
Baldacci	Brown (OH)	Delahunt
Baldwin	Capps	DeLauro
Barcia	Capuano	Deutsch
Barrett (WI)	Cardin	Dicks
Becerra	Clayton	Dingell
Bentsen	Clement	Dixon
Berkley	Clyburn	Doggett
Berman	Condit	Dooley
Berry	Conyers	Doyle
Bishop	Costello	Edwards
Blagojevich	Coyne	Engel
Blumenauer	Cramer	Eshoo
Bonior	Crowley	Etheridge

Evans	Lipinski	Rodriguez
Farr	Lofgren	Roemer
Fattah	Lowey	Rothman
Filner	Lucas (KY)	Roybal-Allard
Ford	Luther	Rush
Frank (MA)	Maloney (CT)	Sabo
Frost	Maloney (NY)	Sanchez
Gejdenson	Markey	Sanders
Gephardt	Mascara	Sandlin
Gonzalez	McCarthy (MO)	Sawyer
Gordon	McCarthy (NY)	Schakowsky
Green (TX)	McDermott	Scott
Gutierrez	McGovern	Serrano
Hall (OH)	McKinney	Sherman
Hall (TX)	Meehan	Shows
Hastings (FL)	Meek (FL)	Sisisky
Hill (IN)	Meeks (NY)	Skelton
Hilliard	Menendez	Slaughter
Hinchey	Millender-McDonald	Snyder
Hinojosa	Miller, George	Spratt
Holden	Minge	Stabenow
Holt	Mink	Stark
Hooley	Moakley	Stenholm
Hoyer	Mollohan	Strickland
Inslee	Moran (VA)	Stupak
Jackson (IL)	Murtha	Tanner
Jackson-Lee (TX)	Nadler	Tauscher
Jefferson	Napolitano	Taylor (MS)
John	Neal	Thompson (CA)
Johnson, E.B.	Oberstar	Thompson (MS)
Jones (OH)	Obey	Thurman
Kanjorski	Olver	Tierney
Kaptur	Ortiz	Towns
Kennedy	Owens	Turner
Kildee	Pallone	Udall (CO)
Kilpatrick	Pascrell	Udall (NM)
Kind (WI)	Pastor	Velazquez
Kleczka	Payne	Visclosky
Klink	Pelosi	Waters
Kucinich	Phelps	Watt (NC)
LaFalce	Pickett	Waxman
Lampson	Pomeroy	Weiner
Lantos	Price (NC)	Wexler
Larson	Rahall	Weygand
Lee	Rangel	Wise
Levin	Reyes	Woolsey
Lewis (GA)	Rivers	Wu
		Wynn

NOT VOTING—10

Campbell	Cooksey	Smith (WA)
Carson	Forbes	Vento
Chenoweth-Hage	Matsui	
Clay	McNulty	

□ 1652

Mrs. THURMAN, Mr. MALONEY of Connecticut and Mr. CRAMER changed their vote from ''yea'' to ''nay.''

Mr. EHLERS changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CALLAHAN. 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. 4811, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Alabama?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 546 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4811.

□ 1655

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. CALLAHAN).

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

Mr. Chairman, I am pleased to bring to the floor today H.R. 4811, the fiscal year 2001 Appropriations Act for Foreign Operations, Export Financing and Related Programs. I urge all Members to support this bill.

The Committee on Appropriations has recommended a bill with total discretionary spending of $13.281 billion. This compares to an enacted level, excluding emergency spending and including scoring adjustments, of $13.432 billion. The President requested $15.132 billion for the programs funded through this bill. In short, the bill responsibly reduces foreign aid spending by $151 million below fiscal year 2000 and by $1.8 billion below the President's fiscal year 2001 budget request.

Mr. Chairman, there are those including the ranking member the gentlewoman from California (Ms. PELOSI) who are disappointed in some of the funding levels for specific programs and activities covered by this bill. I sympathize with them, but we have a 302(b) allocation that limits us to the spending in this bill, and I have no choice but to live within that level. While it is true that the pending bill significantly cuts foreign aid spending below what the President has requested, I disagree with the rhetoric that we may hear today about the bad things that this bill does. Let me be clear: this bill preserves U.S. national interests and maintains American commitments abroad.

The bill increases funding above last year's level for a number of critical initiatives which support U.S. national interests and which help to achieve America's humanitarian goals. These include increasing the child survival account by $119 million to a total of $834 million. Mr. Chairman, we receive more requests, more letters of support about the child survival than any other single issue in this bill.

I know my colleagues will be pleased to hear that we have made such a significant increase once again in this crucial child survival account.

We are increasing HIV/AIDS funding by $27 million, up to $202 million; nonproliferation and antiterrorism programs by $25 million, up to $241 million; increasing the fund for Ireland by $5.4 million, up to $25 million; increasing the Peace Corps by $13 million, up to $258 million; and increasing refugee programs by $20 million, up to $657 million.

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In addition, the pending bill fully funds the President's request for economic and military assistance for Israel, Egypt and Jordan; and this includes an increase of $60 million in military assistance for Israel. Indeed, 39 percent of the funds in this bill, or over $5.2 billion, will be available and be provided to the Middle East.

Let me just comment once again about the controversy that has been discussed in the last several months about the Phalcon sale by Israel to China. As of this morning, as I announced earlier on the floor, the Israeli government contacted me by telephone and told me Mr. Barak had requested that I be informed and that the Congress be informed that the Phalcon sale to China has been stopped. I think that is a tremendous step in the right direction, and I applaud the decision of the prime minister in making this decision.

I know many Members of the House have expressed to me and shared in my concern and yet were concerned about the possibility of a lengthy debate. So since that has been consummated and our objective has been fulfilled, there will be no need to discuss that reduction in the early disbursal account for Israel.

Further, this bill continues to support American involvement in Africa and Latin America. H.R. 4811 ensures at least $1.55 billion for sub-Saharan Africa for development of humanitarian programs next year. In addition, thanks to the efforts of the gentlewoman from Michigan (Ms. KILPATRICK), a member of our subcommittee, we have included funds urgently needed for Mozambique, Madagascar, and southern Africa; and the committee directs that development funding for Latin America be no less than the fiscal year 2000 amount.

Finally, Mr. Chairman, the pending bill benefits American business by increasing funding for the Export-Import Bank and provides central funding for OPIC, the Overseas Private Investment Corporation, and for the U.S. Trade and Development Agency. In addition, the bill, thanks to the efforts of one of our colleagues from Ohio, retains longstanding Buy America requirements and protection for American jobs.

I urge Members today to read the editorial in the Washington Post entitled ''An Unobserved War.'' It states that ''not much notice is paid in the West these days to the war in Chechnya.''

Unfortunately, the Post is largely correct. While we hear many of our colleagues from the other side complain about various aspects of this bill, I doubt that you will hear any of them complain about the Clinton-Gore administration's deafening silence about Chechnya. According to recent press reports, Russian military actions in that area are even more brutal than what we had previously thought, including the rape, torture and murder of innocent civilians.

The committee is not silent on this issue, however. No funds may be made available to the government of Russia if that government continues to violate the Treaty on Conventional Armed Forces in Europe due to the deployment of its military forces in Chechnya. This sends two messages: one, that Russia should live up to its treaty commitments with the West; and, two, that it should end its military campaign in Chechnya.

Mr. Chairman, the balance of the bill is good. Without question, there is room for improvement, and I expect some modifications will be made during the process; but I encourage Members to support its passage today.

Mr. Chairman, I include the following chart for the RECORD, which details the funding provided in this bill, as well as a copy of the Washington Post editorial of July 12, 2000.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2001
(H.R. 4811)
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - EXPORT AND INVESTMENT ASSISTANCE					
EXPORT-IMPORT BANK OF THE UNITED STATES					
Subsidy appropriation	759,000	963,000	825,000	+66,000	-138,000
(Direct loan authorization)	(1,350,000)	(960,000)	(960,000)	(-390,000)	.....
(Guaranteed loan authorization)	(10,400,000)	(15,040,000)	(15,040,000)	(+4,640,000)	.....
Administrative expenses	55,000	63,000	62,000	+7,000	-1,000
Negative subsidy	-15,000	-15,000	-15,000	.....	.....
Total, Export-Import Bank of the United States	799,000	1,011,000	872,000	+73,000	-139,000
OVERSEAS PRIVATE INVESTMENT CORPORATION					
Noncredit account:					
Administrative expenses	35,000	39,000	37,000	+2,000	-2,000
Insurance fees and other offsetting collections	-303,000	-283,000	-283,000	+20,000	.....
Subsidy appropriation	24,000	24,000	24,000	.....	.....
(Direct loan authorization)	(130,000)	(127,000)	(127,000)	(-3,000)	.....
(Guaranteed loan authorization)	(1,000,000)	(1,000,000)	(1,000,000)	.....	.....
Total, Overseas Private Investment Corporation	-244,000	-220,000	-222,000	+22,000	-2,000
TRADE AND DEVELOPMENT AGENCY					
Trade and development agency	44,000	54,000	46,000	+2,000	-8,000
Total, title I, Export and investment assistance	599,000	845,000	696,000	+97,000	-149,000
(Loan authorizations)	(12,880,000)	(17,127,000)	(17,127,000)	(+4,247,000)	.....
TITLE II - BILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
Agency for International Development					
Child survival and disease programs fund	715,000	659,250	834,000	+119,000	+174,750
UNICEF	(110,000)	.....	(110,000)	.....	(+110,000)
Development assistance	1,228,000	948,822	1,258,000	+30,000	+309,178
Development Fund for Africa	.....	532,928	.....	.....	-532,928
International disaster assistance	202,880	220,000	165,000	-37,880	-55,000
Transition Initiatives	.....	.....	40,000	+40,000	+40,000
Micro & Small Enterprise Development program account:					
Subsidy appropriation	1,500	.....	1,500	.....	+1,500
(Guaranteed loan authorization)	(30,000)	.....	(30,000)	.....	(+30,000)
Administrative expenses	500	.....	500	.....	+500
Urban and environmental credit program account:					
Subsidy appropriation	1,500	.....	.....	-1,500	.....
(Guaranteed loan authorization)	(14,000)	.....	.....	(-14,000)	.....
Administrative expenses	5,000	.....	.....	-5,000	.....
Development credit programs account:					
Subsidy appropriation	.....	.....	1,500	+1,500	+1,500
(By transfer)	(3,000)	(15,000)	(2,000)	(-1,000)	(-13,000)
(Guaranteed loan authorization)	(40,000)	(213,000)	(49,700)	(+9,700)	(-163,300)
Administrative expenses	.....	8,000	6,495	+6,495	-1,505
Subtotal, development assistance	2,154,380	2,369,000	2,306,995	+152,615	-62,005
Payment to the Foreign Service Retirement and Disability Fund	43,837	44,489	44,489	+652	.....
Operating expenses of the Agency for International Development	520,000	520,000	509,000	-11,000	-11,000
Operating expenses of the Agency for International Development Office of Inspector General	25,000	27,000	27,000	+2,000	.....
Total, Agency for International Development	2,743,217	2,960,489	2,887,484	+144,267	-73,005
Other Bilateral Economic Assistance					
Economic support fund:					
Camp David countries	1,695,000	1,535,000	1,535,000	-160,000	.....
Other	650,500	778,000	673,900	+23,400	-104,100
Subtotal, Economic support fund	2,345,500	2,313,000	2,208,900	-136,600	-104,100
Emergency funding	450,000	.....	.....	-450,000	.....
International Fund for Ireland	19,600	.....	25,000	+5,400	+25,000
Assistance for Eastern Europe and the Baltic States	535,000	610,000	535,000	.....	-75,000
Assistance for the Independent States of the former Soviet Union	839,000	830,000	740,000	-99,000	-90,000
Total, Other Bilateral Economic Assistance	4,189,100	3,753,000	3,508,900	-680,200	-244,100
INDEPENDENT AGENCIES					
Inter-American Foundation					
Appropriation	.....	20,000	.....	.....	-20,000
(By transfer)	(5,000)	.....	(10,000)	(+5,000)	(+10,000)
Total	(5,000)	(20,000)	(10,000)	(+5,000)	(-10,000)
African Development Foundation					
Appropriation	.....	16,000	.....	.....	-16,000
(By transfer)	(14,400)	.....	(16,000)	(+1,600)	(+16,000)
Total	(14,400)	(16,000)	(16,000)	(+1,600)	.....
Peace Corps					
Appropriation	245,000	275,000	258,000	+13,000	-17,000

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2001 (H.R. 4811)—Continued
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Department of State					
International narcotics control and law enforcement	305,000	312,000	305,000	.....	-7,000
Assistance to Plan Colombia	.....	256,000	.....	.....	-256,000
Migration and refugee assistance	625,000	658,212	645,000	+20,000	-13,212
United States Emergency Refugee and Migration Assistance Fund	12,500	20,000	12,500	.....	-7,500
Nonproliferation, anti-terrorism, demining and related programs	216,600	346,740	241,600	+25,000	-105,140
Total, Department of State	1,159,100	1,592,952	1,204,100	+45,000	-388,852
Department of the Treasury					
International affairs technical assistance	1,500	7,000	2,000	+500	-5,000
Debt restructuring	123,000	262,000	82,400	-40,600	-179,600
United States community adjustment and investment program	10,000	10,000	.....	-10,000	-10,000
Subtotal, Department of the Treasury	134,500	279,000	84,400	-50,100	-194,600
Total, title II, Bilateral economic assistance	8,470,917	8,896,441	7,942,884	-528,033	-953,557
Appropriations	(8,020,917)	(8,896,441)	(7,942,884)	(-78,033)	(-953,557)
Emergency funding	(450,000)	.....	.....	(-450,000)	.....
(By transfer)	(22,400)	(15,000)	(28,000)	(+5,600)	(+13,000)
(Loan authorizations)	(84,000)	(213,000)	(79,700)	(-4,300)	(-133,300)
TITLE III - MILITARY ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Military Education and Training	50,000	55,000	52,500	+2,500	-2,500
Foreign Military Financing Program:					
Grants:					
Camp David countries	3,220,000	3,280,000	3,280,000	+60,000	.....
Other	200,000	258,200	230,000	+30,000	-28,200
Subtotal, grants	3,420,000	3,538,200	3,510,000	+90,000	-28,200
(Limitation on administrative expenses)	(30,495)	(33,000)	(30,495)	.....	(-2,505)
Total, Foreign Military Financing	3,420,000	3,538,200	3,510,000	+90,000	-28,200
Emergency Funding	1,375,000	.....	.....	-1,375,000	.....
Special Defense Acquisition Fund: Offsetting collections	-6,000	.....	.....	+6,000	.....
Peacekeeping operations	153,000	134,000	117,900	-35,100	-16,100
Total, title III, Military assistance	4,992,000	3,727,200	3,680,400	-1,311,600	-46,800
(Limitation on administrative expenses)	(30,495)	(33,000)	(30,495)	.....	(-2,505)
TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Financial Institutions					
World Bank Group					
Contribution to the International Bank for Reconstruction and Development:					
Global Environment Facility	35,800	175,567	35,800	.....	-139,767
Contribution to the International Development Association	775,000	835,570	576,600	-198,400	-258,970
Contribution to Multilateral Investment Guarantee Agency	4,000	16,000	4,900	+900	-11,100
(Limitation on callable capital subscriptions)	(20,000)	(80,000)	(24,500)	(+4,500)	(-55,500)
Total, World Bank Group	814,800	1,027,137	617,300	-197,500	-409,837
Contribution to the Inter-American Development Bank:					
Paid-in capital	25,611	.....	.....	-25,611	.....
(Limitation on callable capital subscriptions)	(1,503,719)	.....	.....	(-1,503,719)	.....
Contribution to the Inter-American Investment Corporation	16,000	34,000	8,000	-8,000	-26,000
Contribution to the Enterprise for the Americas Multilateral Investment Fund	.....	25,900	10,000	+10,000	-15,900
Total, contribution to the Inter-American Development Bank	41,611	59,900	18,000	-23,611	-41,900
Contribution to the Asian Development Bank:					
Paid-in capital	13,728	.....	.....	-13,728	.....
(Limitation on callable capital subscriptions)	(672,745)	.....	.....	(-672,745)	.....
Contribution to the Asian Development Fund	77,000	125,000	72,000	-5,000	-53,000
Total, contribution to the Asian Development Bank	90,728	125,000	72,000	-18,728	-53,000
Contribution to the African Development Bank:					
Paid-in capital	4,100	6,100	3,100	-1,000	-3,000
(Limitation on callable capital subscriptions)	(64,000)	(95,983)	(49,574)	(-14,426)	(-46,409)
Contribution to the African Development Fund	128,000	100,000	72,000	-56,000	-28,000
Total	132,100	106,100	75,100	-57,000	-31,000
Contribution to the European Bank for Reconstruction and Development:					
Paid-in capital	35,779	35,779	35,779	.....	.....
(Limitation on callable capital subscriptions)	(123,238)	(123,238)	(123,238)	.....	.....

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2001 (H.R. 4811)—Continued (Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Contribution to the International Fund for Agricultural Development	.....	.....	5,000	+5,000	+5,000
Total, International Financial Institutions	1,115,018	1,353,916	823,179	-291,839	-530,737
(Limitation on callable capital subscript)	(2,383,702)	(299,221)	(197,312)	(-2,186,390)	(-101,909)
International Organizations and Programs					
Appropriation	183,000	354,000	183,000	.....	-171,000
(By transfer)	(2,500)	(2,500)	.....	(-2,500)	(-2,500)
Total, title IV, Multilateral economic assistance	1,298,018	1,707,916	1,006,179	-291,839	-701,737
(By transfer)	(2,500)	(2,500)	.....	(-2,500)	(-2,500)
(Limitation on callable capital subscript)	(2,383,702)	(299,221)	(197,312)	(-2,186,390)	(-101,909)
TITLE VI - SOUTHERN AFRICA REHABILITATION AND RECONSTRUCTION					
FUNDS APPROPRIATED TO THE PRESIDENT					
Agency for International Development					
Economic support fund (FY 2000, emergency appropriations)	.....	183,000	.....	.....	-183,000
International disaster assistance:					
FY 2000 emergency appropriations	.....	10,000	.....	.....	-10,000
FY 2000 Contingent emergency appropriations	.....	.....	160,000	+160,000	+160,000
Operating expenses of the Agency fo International Development					
(FY 2000, emergency appropriations)	.....	7,000	.....	.....	-7,000
Total, title VI, FY 2000 emergency appropriation	.....	200,000	160,000	+160,000	-40,000
Grand total	15,359,935	15,376,557	13,485,463	-1,874,472	-1,891,094
Appropriations	(13,534,935)	(15,176,557)	(13,325,463)	(-209,472)	(-1,851,094)
Emergency appropriations	(1,825,000)	.....	.....	(-1,825,000)	.....
FY 2000 emergency appropriations	.....	(200,000)	(160,000)	(+160,000)	(-40,000)
(By transfer)	(24,900)	(17,500)	(28,000)	(+3,100)	(+10,500)
(Limitation on administrative expenses)	(30,495)	(33,000)	(30,495)	.....	(-2,505)
(Limitation on callable capital subscript)	(2,383,702)	(299,221)	(197,312)	(-2,186,390)	(-101,909)
(Loan authorizations)	(12,964,000)	(17,340,000)	(17,206,700)	(+4,242,700)	(-133,300)
CONGRESSIONAL BUDGET RECAP					
Total mandatory and discretionary	13,775,935	15,176,557	13,325,463	-450,472	-1,851,094
Mandatory	43,837	44,489	44,489	+652	.....
Discretionary	13,732,098	15,132,068	13,280,974	-451,124	-1,851,094

[From the Washington Post, July 12, 2000]

AN UNOBSERVED WAR

Not much notice is paid in the West these days to the war in Chechnya. This is not, as you might think, because the war is over, although Russian officials have declared victory on any number of occasions. It is rather because the facts of the war are inconvenient. Inconvenient for Russia's leaders, who have done everything possible to keep reporters and aid workers from observing the misery there, and inconvenient for U.S. and European leaders, who want to cozy up to Russian President Vladimir Putin.

It's not that the war is a secret. The foreign minister of Chechnya's elected government, who was in Washington a few weeks ago, spoke—to those who would listen; the Clinton administration had little time for him—of the terrible hardship experienced by hundreds of thousands of Chechens rendered homeless by Russian bombs and artillery. Many are trapped in the southern mountains, he said, where most of the fighting now takes place. Chechen and Russian civilians also are often the victims of retaliatory bombings attributed to Chechen fighters. On Sunday, Post correspondents Sharon LaFraniere and Daniel Williams reported on a Russian command post in the Chechen town of Urus-Martan that has become a torture chamber. Many civilians have been raped, brutalized and killed there, according to reliable eyewitness testimony. ''They beat us because we are Chechens,'' a beating victim told the Post.

That reflects the kind of ethnic hatred President Clinton denounced so eloquently, and fought against with such tenacity, in Kosovo. He's had less to say about Russia's assault on the Chechen people. But Mr. Clinton's reticence looks statesmanlike next to the fawning friendship German Chancellor Gerhard Schroeder has bestowed on Mr. Putin. This week European Union foreign ministers released $55 million in aid to Russia that they had frozen last December to protest the war. What's changed since then? The Chechen capital of Grozny is still in ruins, the bombing continues, the Russians have yet to credibly investigate or punish a single case of torture. But the war is no longer on television.

In 10 days Mr. Clinton and other leaders of top industrialized countries will meet with Mr. Putin in Japan at the annual G–8 summit. If the leaders express forceful and public disapproval of Russia's abuses, Mr. Putin might believe there is some cost to continuing human rights violations. If they smile and shake hands as if all is well, they will highlight their own hypocrisy while betraying the hapless Chechens and the few Russian human rights activists campaigning in their behalf.

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

Ms. PELOSI. Mr. Chairman, I yield myself 4½ minutes.

Mr. Chairman, I reluctantly rise in opposition to this legislation before us today. I first want to commend our distinguished chairman, the gentleman from Alabama (Mr. CALLAHAN), on the manner in which the bill was put together. Unfortunately, because it is seriously deficient in the funding level, and I believe that has resulted in some skewered priorities in the bill, I cannot support it and cannot urge a vote of yes on it.

Mr. Chairman, I just want to say for the purpose of starting this debate on this bill, which everyone knows is a statement of the importance we place on our leadership role in the world, this bill of $13.3 billion is well below the President's request of $15.1 billion. The President's request was less than 1 percent of the entire budget. The entire budget is $1.8 trillion. If we had a pie chart here, this amount in this bill would be just a line, a sliver, a hair, a thread, whatever is smaller, of our national budget. It is just less than 1 percent. Yet the Republican majority could not see fit to meet the President's request, so I must oppose the bill. I will say why.

The bill, I think to make judgment about it we should consider what is the vision of the bill, what is the knowledge it is based on, what is the plan it proposes, how does it respond to the spirit of the American people. I think it fails in every respect.

I am led by President Kennedy's words. Anyone who knows American history knows that in his inaugural address President Kennedy said to the citizens of America, ''Ask not what your country can do for you, but what you can do for your country.'' Everyone knows that. But everyone does not know that the very next line in that speech, which I heard as a student here in Washington, D.C., in the very next line President Kennedy said to the citizens of the world, ''Ask not what America can do for you, but what we can do working together for the freedom of mankind.''

That, I think, should be the vision and the spirit of this legislation, that what we put forward should give some of the benefits of democratization, some economic benefits to these emerging democracies. But this bill does not enable that to happen.

As far as knowledge is concerned, we are blessed in this House of Representatives by the diversity of our membership. Members of our Congressional Black Caucus and of our Hispanic Caucus and the Asian Pacific American Caucus know and understand the cultures and politics of many of the countries that we would hope to cooperate with in this bill. They have been a tremendous intellectual resource to us, and yet we have not listened to them or heeded their call for increased funding, for example, for international debt relief, or increased funding for global AIDS, or other initiatives that we can take to help these countries. It is about cooperation. It is not necessarily about just assistance.

So we have ignored the vision, we have ignored the knowledge, and what is the plan? We have a plan. We have a definite plan. As far as debt relief, for example, is concerned, Jubilee 2000 is an international ecumenical religious and lay community initiative to relieve international debt. Others will talk about the fact that many countries are paying more on their debt payments than they are on education and health services in their countries. This is a travesty. We should be doing something about it, at the same time as we are not alleviating poverty and we are exacerbating the AIDS crisis.

In addition to the vision, the knowledge, the plan that we are ignoring, we are also ignoring the spirit of the American people, a compassionate people who want to alleviate poverty, stop the starvation of children throughout the world, recognize our interdependence in terms of health issues, infectious diseases and environmental degradation internationally.

So we are ignoring the heart, the head, and the knowledge of this great congress with its diversity, and I think that this is the last time we will ever see a bill that looks like this, because we must assert the influence of our diversity on this legislation.

Mr. Chairman, I urge a ''no'' vote on this legislation.

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

Mr. CALLAHAN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois (Mr. PORTER), a member of our subcommittee.

Mr. PORTER. Mr. Chairman, I want to thank the gentleman from Alabama for his excellent work in developing this bill. He has written an outstanding bill with extremely scarce resources provided to him, and he and his staff have worked very hard to meet the numerous concerns of many Members, including this Member. Since the gentleman from Alabama took over the helm of the Subcommittee on Foreign Operations, he and his staff have shown great patience in addressing so many of my concerns and those of other subcommittee members, and all of us truly appreciate this. It has been a great pleasure and an honor to serve as a member of his subcommittee and under his outstanding leadership.

In particular, I am pleased with language in this bill and report supporting the furtherance of the peace process among Armenia, Nagorno-Karabagh, and Azerbaijan. The region has been in a fragile state since the tragic event at the Armenian Parliament last October, but it appears that talks have resumed among the parties; and I hold out hope for a peace agreement.

As indicated in the committee's report, I feel that a special negotiator is of critical importance in making progress on the peace process. It is vital that the State Department provide for a long-term special negotiator to follow through on this process. As Presidents Kocharian and Aliyev hopefully resume face-to-face discussions, I hope that the United States will do everything possible to facilitate a lasting peace in this region.

I am grateful, too, for the committee's recommendation concerning Tibet. Tibet remains a desperately poor region, with the majority of its economic development targeted at the ethnic Chinese residing in the region. It is critically important that programs which support the Tibetans and their culture continue to be funded.

I also support the committee's recommendation of $15 million for Cyprus. I am encouraged that Mr. Denktas and

President Clerides are engaged in talks in New York this month. It is critical that as Turkey's EU candidacy is considered, the reunification of this island nation must be addressed, and the U.S. should continue to work to facilitate peace.

I am also pleased with the committee's continued insistence on limiting Guatemala and Indonesia to expanded-IMET. After the violence which raged in East Timor last fall, the high number of refugees that remain in West Timor and the volatile situation on the island as well as the violence which continues in various regions of Indonesia, it is critical that the United States does not restart military-to-military relations with Indonesia at this time.

I am also pleased as well with the committee's attention and support of environmental and women's issues within the development assistance account.

Finally, I strongly support the committee's funding aid for Israel. It is a critical time in the peace negotiations with respect to Israel and the Middle East, and I believe that it is imperative that the United States continue to support the peace process and provide the environment in which final agreements can be reached.

However, having said all of this, and these items I support very strongly, I am very concerned about the overall funding level. The United States continues to enjoy the strongest economy ever, and yet the money we spend on foreign assistance continues to shrink.

Today our country has arrived at the point of being the strongest, most economically productive nation on Earth, and yet we are shunning strong support and leadership in promoting and supporting our values in other parts of the world. This bill is vastly underfunded. How much more we could do to promote and protect democracy, human rights, the rule of law and free markets with a strong commitment of resources in this area?

Again, however, on the whole, I support the bill and the excellent work of my colleague, the gentleman from Alabama (Chairman CALLAHAN). He was presented with a very difficult task, and has succeeded in rising to the challenge.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 4 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a very valued member of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

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

Ms. KILPATRICK. Mr. Chairman, I thank our ranking member for yielding me this time.

Mr. Chairman, I rise reluctantly to oppose the foreign operations bill. I just want to speak just a moment on it. In 1992, this bill was $18 billion, at a time when our country was suffering major deficits. We were funding this bill at $18 billion and doing a better part as a leader in the world with countries around the world.

The President requested $15 billion for this 2001 appropriation, and I am sad to say that the bill before us is only $13.6 billion. We are the leaders of the world. We have a surplus that we never thought we would see, over $1 trillion over the next decade.

□ 1715

Surely, the leaders of the world, the United States of America, can share, and we want to share our tax dollars with those countries around the world because, as we say all the time, this is a global economy. We can be around the world in two or three clicks. God has blessed our country, and certainly we are in a position today to do better than the low funding that this foreign operations bill brings to us today.

Mr. Chairman, HIV/AIDS. Today in Durbin, South Africa and for the last 5 days, people from around the world have been discussing, how do we attack the pandemic. What must we do to make life available for Africa, for India, and for the former Newly Independent States who are seeing a burst of the illness and disease devastate their families, their countries, and their very being. This bill does not do its part for being the leader in the world. The President recommended $240 plus million. This bill has much less than that, and it is a travesty. We can do more.

We know now from our own country's experience with HIV and AIDS that prevention and education are the key to keeping the disease in control. We can do better and we ought to do better. Treatment for HIV, we know from our own experience with the disease in our country, that we can treat it, that one can live longer with it. So education, prevention and treatment are available to us. Why, then, is not the richest country in the world doing its part to make sure that we take care of the USA, of course, but also do our part around the world.

Mr. Chairman, I want to thank the gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, for his hard work. I want to thank him for sticking with it and making certain of the commitment that he and the gentleman from Florida (Mr. YOUNG), the chairman of the full committee, made to fund Mozambique and that it does include $160 million, and I appreciate the gentleman's leadership for sticking with it when sometimes others did not want to stick with it. Mozambique has shown that they are head and shoulders above many other poor countries in the world and that they are doing their part, and I thank the gentleman very much for the appropriation that he has in this bill for Mozambique.

I also want to thank the gentleman for the Phalcon sale, for seeing that it is eliminated. Prime Minister Barak, who is visiting our country today and trying to work out a peace agreement, and we all support peace in the Middle East, has withdrawn that sale, and I think the gentleman's tenacity as well as all of the Members of the Congress have made it possible that that sale has now been rejected and is off the table in our own self-interests and the interests around the world.

Debt relief. There is no reason why we cannot do better with debt relief. Mr. Chairman, $82 million at a time when we have unparalleled surpluses, we can do better. This is the year of Jubilee. The Bible says that we ought to forgive debt. It has happened over and over again in other times in our existence, in the existence of human beings in this world, and today we can do that as well.

IDA, International Development Assistance, a very important program that we have where we assist other countries in the world. But this bill cuts IDA over $100 million from last year's appropriation. Over 30 percent of IDA has been cut. We are the leaders of the world. We have been blessed to be born in this country.

I know that the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) have done their best. We can do better. I urge a no vote on this bill.

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

I would just like to share with my colleagues the procedure that we go through to arrive at this day, and that is, number one, we have a budget resolution and the budget resolution says we must protect Social Security, Medicaid and Medicare. We must do certain things, but in order to do that, we cannot outspend a certain level.

So they give to the Committee on Appropriations to our distinguished chairman, the gentleman from Florida (Mr. YOUNG) a designated amount of maximum expenditures that we can appropriate. So the chairman of the Committee on Appropriations then sits down and tries to divide the money in such a fashion that it will be fair to all areas of government, to the housing needs of the people of this country, to the medical needs of the people of this country, to the Defense Department in order that we can have a viable national defense.

When he allocated the money to us, $13.2 billion, that is as much as we can spend. All of the rhetoric we hear today, Mr. Chairman, would indicate that we are not doing a responsible job in the division of the money that has been allocated to us. But Mr. Chairman, I think we have done a very responsible job. Each and every request that we got, not only from our Republican colleagues, but from my colleagues on the other side of the aisle, each and every request was considered, and a great majority of those requests were granted. We have directed the administration to do exactly what they wanted.

So now they come and say, well, it is not enough money for HIPC, for debt forgiveness for the impoverished nations. Maybe they are right. Maybe it is an insufficient amount of money. But just because President Clinton sends us a message to send $15 billion, it is not quite that simple, Mr. Chairman.

Mr. Chairman, I want to tell my colleagues that we have worked with both sides of the aisle, with the gentlewoman from California, with all of the members of the subcommittee, to try to bring to this floor a responsible bill that lives within the allocated funds that have been given to us. I regret that there are not more funds. Maybe they are right. Maybe less than 1 percent of the total budget is an inadequate amount. But we made the decision months ago that we were not going to interfere with Social Security, that we were not going to interfere with the solvency of Medicare, that we were not going to interfere with Medicaid, that we were going to do certain things; and now we have to live with what we decided in March. That is where we are today.

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

Ms. PELOSI. Mr. Chairman, I am very pleased to yield 4 minutes to the very distinguished gentleman from Chicago (Mr. JACKSON), a member of the subcommittee.

Mr. JACKSON of Illinois. Mr. Chairman, I rise to commend the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) and other members of the Subcommittee on Foreign Operations on the work that they have done on this bill. I want to especially thank the chairman and ranking member for working with me in subcommittee to improve some sections of the bill with respect to Africa and those countries that are not as fortunate as the United States. However, if the U.S. is to maintain its position as a global leader, we ought to act like one and assist those countries that are most in need.

We should create opportunities and spread stability throughout the world by combating infectious disease and poverty and working for conflict resolution, enhancing democratization and fostering the conditions for economic growth; that is in our national interests.

However, this year's budget for this bill for which the chairman just spoke is below the President's request and below the fiscal year 2000 enacted level. Moreover, I am deeply disappointed and disturbed that this subcommittee did not get more money to help demonstrate its leadership abroad, especially in some of the accounts that fund Africa and Latin America.

In this bill, Africa would receive about $97 million less than last year and $267 million less than the President's request. In percentage terms, funds for Africa are cut by 14.6 percent, while the overall cut to this bill is 10 percent below the President's request. Africa does receive funds from other accounts like the Economic Support Fund, the Foreign Military Financing, the International Monetary and Education and Training, and Debt Relief. However, inclusion of those figures would show a greater reduction from the request as cuts have been made in all of those accounts.

While the overall request has been reduced by 10 percent, the amounts requested to address the problems of debt relief in Africa and Latin America, the spread of HIV/AIDS in Asia and Africa, poverty alleviation and access to family planning have been cut disproportionately.

Consider this: the bill contains only $82 million of the $472 million in pending requests for debt relief and a moratorium for countries who receive debt relief from obtaining new loans. It will not even provide enough resources to enable two countries, Bolivia and Mozambique, who have all met necessary conditions to obtain debt relief. On Monday, the Wall Street Journal said, ''One year after President Clinton and other world leaders vowed to write off $50 billion in debt owed by deserving poor nations, that effort is in danger of collapsing, largely because Congress, this subcommittee, has not paid the share of the U.S. tab.'' That is quite disgraceful.

The bill contains only $202 million of the $244 million requested to combat HIV/AIDS. The staggering impact of this disease on health and development of affected nations has made it imperative that the U.S. provide more resources to combat the pandemic. In fact, so serious is the AIDS crisis in Africa that the U.S. has declared it a national security threat.

The bill before us reduces funding for lending to poor countries by drastically cutting funding for the International Development Association, the African Development Bank and Fund, and the Asian Development Fund by 32 percent below the requested levels.

Overall cuts to all programs in the bill which benefit Africa and Latin America are 15 percent.

The $541 million requested for family planning programs has been cut to $385 million, which is 29 percent below requested levels. The bill also contains objectionable language on the Mexico City policy, which seeks to impose undemocratic restrictions on foreign organizations.

Recently, Congress passed, and the President signed, a bill signaling a new relationship with Africa. To make this relationship a reality, we need to put our money where our mouth is. Additional funding needs to be made and provided for the African Development Fund and the African Development Bank and the Development Fund, for Africa needs to be made into a separate development assistance account.

Many nations on the continent of Africa are making unprecedented progress towards democratic rule and open markets, and with the Development Fund for Africa included as a separate account, funding would be assured to remain focused on the long-term problems and development priorities of our African partners.

Although there have been many concerns in the past about management of the African Development Bank, I know that strides have been made. I feel it is unwise to completely underfund the bank at this time when they are working diligently to address the management problems. I am encouraged that the African Development Fund received an allocation, however.

Mr. Chairman, in turning our attention to some of the more important regions of the world, we should not turn our back on others.

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

I do not have before me the percentage of increase that we have provided for the continent of Africa during my tenure as chairman of this committee, but I would remind the gentleman from Illinois that this year, we appropriate more than $1.5 billion for sub-Saharan Africa. I think that under the circumstances of the limited allocation we have, and in response, a great deal, to the request that the gentleman from Illinois has made, that we have provided to sub-Saharan Africa a sufficient amount. I wish we had more, but we do not have more.

Mr. Chairman, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, with great respect for our chair and our ranking member, who both wish they had more for this bill, frankly, I rise in disbelief that we are here, once again, debating a foreign aid bill that is woefully underfunded. Whatever the reason, this bill, like just about every other House version of the foreign operations bills since 1995, is the epitome of myopic neglect. With a few notable exceptions, the bill underfunds almost every aspect of United States foreign aid. It is $1.5 billion less than the President's request; it undercuts our contribution to IDA, the arm of the World Bank that makes loans to the poorest of poor nations; it practically ignores the AIDS crisis in Africa that is plunging that continent further into economic and social despair every day; and it adds insult to injury by undercutting the President's debt relief initiative. And, once again, it violates fundamental principles of democracy by imposing a malicious gag rule on foreign NGOs participating in a bilateral family planning program.

Mr. Chairman, I think it is important that we discuss for a moment why a strong United States foreign aid program is so critical, because it is very clear to me there is a misunderstanding in this Chamber on that point. The single most important argument for a stronger investment in foreign AID in this time of great prosperity and burgeoning budget surpluses

is that we have a responsibility to help those who have been left behind.

In the Jewish faith, we call it ''tikkun olam,'' which means, repairing the world. What it means is that we recognize that if we were suffering under the scourge of a 20, 25 percent HIV infection rate or experiencing such a high level of infant mortality that we all knew someone who lost a child or could not send our daughters to primary school because only the boys were allowed to go to school, and even they could only go for a few years, that we would expect, and rightfully so, that other more fortunate nations around the world would help alleviate some of this suffering, and we, in turn, are bound by that same obligation.

□ 1730

I was brought up believing that the right thing to do is to repair the world, to help those who need it. Sadly, this bill takes that principle and throws it out the window.

But there is another reason why such a low level of foreign assistance is terribly misguided, a more selfish reason. That is because in the long run we in the United States will reap the benefits from the stability sown by our aid.

Countries that are now top candidates for foreign assistance can use our aid to strengthen their democracy, stabilize their economies, and improve the health and well-being of their citizens. When these goals are met and these countries become strong and independent, they will graduate from being recipients of our aid to being our strategic allies and trading partners. So it makes sense for us, it makes sense for them.

In the last year of World War II, Franklin Delano Roosevelt gave his fourth inaugural address to the Nation. As the war raged and some people suggested that we ought not to be involved in the affairs of other nations, FDR made a profound case for the importance of the United States' engagement around the world. I think his words are particularly relevant today.

He said: ''We have learned that we cannot live alone at peace, that our own well-being is dependent on the well-being of other nations far away. We have learned that we must live as men and not as ostriches, not as dogs in the manger. We have learned to be citizens of the world, members of the human community.''

FDR's words from 55 years ago ring even truer today. We cannot turn our backs on the people of the world. It is in our interests to promote economic stability and democracy.

Reluctantly, I will vote for this bill today because I do not believe that the Republican leadership in the House will produce a better bill. I do believe that this bill will look a lot different, a lot better, when it comes back to this floor after conference.

I am telling the Republican leadership today that I refuse to play their game. I want to move the bill off the floor to the conference, of which I will be a member as soon as possible. As the most powerful Nation in the world, we have the capacity and the responsibility to improve the lives of those less fortunate. We cannot turn away from that obligation.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK), a member of the Subcommittee on Domestic and International Monetary Policy of the Committee on Banking and Financial Services, who is very knowledgeable about the world debt issue and a great leader on that issue.

Mr. FRANK of Massachusetts. Mr. Chairman, I am enormously proud as a Jew at this moment of the government of Israel and Ehud Barak. We are seeing on the part of the government of Israel an enormous outreach unlike what any victor in a war has ever done towards those it was forced to fight.

I am therefore pleased that this bill funds at the requested level money for those who are trying to make peace in the Middle East.

Precisely for that reason, I am very sad that I must morally vote against the bill. I am confident that in the end a bill will pass which will fund fully the needs of those in the Middle East, including Israel and this enormously courageous leadership of Ehud Barak.

But I do not see how we can be asked to vote for a bill which at this point condemns countless hundreds of thousands of innocent children to death by starvation and disease which is avoidable.

We debate often in this Chamber about measures, the outcomes of which we cannot be sure. We debate about things which can be uncertain, things which are complex. Sometimes things are simple and important. Millions of children and other vulnerable people in Africa and Latin America and in Asia, in the poorest countries in the world, literally the poorest countries in the world, go without food, go without sanitation, go without basic medical costs, partly because of policies for which we are responsible, because in the exigencies of the Cold War we lent money to thugs and crooks, unconcerned about how they spent it.

Now the poorest people in the world, poor children and poor elderly and sick people, are being made to pay that back. The price of their paying it back is absolute, unremitting, degrading poverty leading to death.

In this Nation, the wealthiest Nation in the history of the world, we are creating wealth at a pace unparalleled in the history of the world. A relatively small amount of money in terms of this budget, several hundred million dollars, could alleviate untold sufferings.

For this House, with the money we spend in so many other places, for us to deny to the poorest people in the world the debt relief which the administration has asked for and which has been worked out is the cruelest single act of public policy I can recall in 20 years.

I implore the House not to ratify this most callous refusal to alleviate untold sufferings, which we could do.

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

I might just briefly respond, Mr. Chairman, and remind the gentleman from Massachusetts that during my tenure as chairman of this committee we have created the child survival account, which this year contains more than $800 million to do precisely what the gentleman from Massachusetts wants.

We have no problem with the destination that the gentleman seeks. It is like standing in this room and saying we want to get to that corner. The gentleman thinks maybe we ought to go to the left, which is the gentleman's party's view. I think that maybe we should go to the right.

But we are trying to do precisely the same thing, and that is what the child survival account does, it provides for starving children, it provides for the sick, it provides educational opportunities in these poor countries. It does it directly, primarily through private volunteer organizations, not going through some dictator or corrupt president. It does it precisely the right way.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I would simply say to the gentleman that debt relief is an important part of that because otherwise the money goes in one pot and out the other.

For all of the volunteer organizations which the gentleman cites and which I am glad he is working with, for all of them, their highest priority is the debt relief, which is unfunded in this bill.

Mr. CALLAHAN. Mr. Chairman, if they understood that the only way we could get the money under the allocation would be to take it away from the monies we are giving to them, they would change their minds.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

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

Mr. Chairman, I agree that there are many deficiencies with this bill, particularly the ones that have been cited by some of my Democratic colleagues: the lack of adequate funding for debt relief, the lack of adequate funding for AIDS, the 32 percent below requested funding for development in Asia and Africa, family planning cut 29 percent below requested levels.

We are acting as if we have to enact an austerity budget, and perhaps that was dictated by the budget resolution, in a time of huge and unprecedented surpluses.

These considerations would ordinarily lead me to say we ought to vote

against the bill. But this bill comes at a particular time right now. This bill comes at a time when there are very sensitive negotiations which may determine whether there is major warfare in the Middle East or whether a peace agreement finally ends the 100 Years War.

The aid for Israel and Egypt is locked into this bill. I very much fear that if this House today were to vote against this bill, it would send the wrong signal to the Palestinian negotiators, a signal of wavering support for Israel which might make the Palestinian negotiators even more rigid and less willing to make the necessary compromises to reach a peaceful settlement than they have thus far shown themselves to be.

The Israelis have shown themselves willing to make very far-reaching compromises. So far the Palestinians have been rigid. They have to make compromise positions if there is going to be an agreement and not an explosion.

For that reason, I do not want to send the wrong signal to them that could be misunderstood as wavering support for Israel. Therefore, I will vote for this bill today, but I want to make it very clear that if the deficiencies in funding for the Asian and African family planning and other accounts are not fixed as this bill goes through the conference, I may very well vote against the conference report when it comes back here. If the President should decide that he has to veto this bill, I will certainly vote to sustain the veto.

But today, with the Camp David negotiations going on, today is the wrong time to send a signal that could be misinterpreted and that could deleteriously affect the chances for peace in the Middle East. Today I urge my colleagues to vote for this bill, for the moment.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the very distinguished ranking member of the full committee.

Mr. OBEY. Mr. Chairman, I see things quite differently than the gentleman who just spoke. What I find amazing about this bill is that just the increase in the budget for the Department of Defense over the last 18 months, just the increase, is larger than the entire foreign aid assistance bill which we are debating today.

Foreign aid as a percentage of our national budget is less than 1 percent. This bill fully meets our responsibilities to our national interests in the Middle East. We understand that. The problem is that we are not a third-rate power who only has to worry about one part of the world. We have obligations to our interests in Africa, in Asia, in Latin America, as well as the Middle East.

While this bill is a full policy for the Middle East, it shreds our ability to defend our interests in Latin America, in Africa, and to a lesser extent, in Asia. For that reason, it would be a horrendous mistake for us to vote for this bill until we have met our responsibilities to ourselves in each of the regions of the world.

It would also be a mistake to vote for this bill until we provide a recognition of reality through debt relief. Debt relief is no great gift that we are going to be giving to the Third World, these are debts that are totally uncollectible. They were incurred by governments that were national disgraces and international jokes.

We gave debt relief to the tune of billions of dollars to the new regime in Poland because we understood that was the only way for that economy to revive, for that society to revive after the communists had run that country into the ditch.

The same is true many times over for many of these African and Latin American countries. We will never have markets for our own products in Africa, in Latin America, until we create the same economic conditions that we created in Eastern Europe through debt relief that was provided there.

This country has also provided very large debt forgiveness for Israel, it has provided very large debt relief for Egypt. Now we are being asked to treat the poorest countries in the world, the same countries who have no capacity to pay back that debt, the same way. If we do not act, we will assure even greater numbers of deaths through the pandemic problem of AIDS that we now face on the continent of Africa.

We need to get real. Eventually we will, and when we do, this bill will be worth supporting. Until then, because of the limitations imposed on the committee, it does not contain the resources necessary for us to defend either our interests or our moral obligations around this planet.

Mr. CALLAHAN. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

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

Mr. CROWLEY. Mr. Chairman, I rise today in support of the fiscal year 2001 foreign operations appropriations bill. I would like to associate myself with the remarks made by the gentlewoman from New York (Mrs. LOWEY).

Although I understand and share the concerns of many of my Democratic colleagues, such as the level of debt relief or lack thereof, the global gag rule, the lack of funding for HIV-AIDS, and the funding shortfall in general, despite all that, I feel that it is important to keep this legislation moving forward and address these concerns in a House-Senate conference.

There are a number of important initiatives in this legislation which I requested and that are critical to U.S. security. This legislation includes a $5.4 million increase for the International Fund for Ireland, and a recommendation that Project Children receive $250,000 to help support their good works.

I would also like to thank the committee for including $10 million for microbicide research.

Finally, I would like to thank the committee for working with me to include language urging Arab states to establish full diplomatic relations with Israel.

I would like to extend my gratitude to the chairman, the gentleman from Alabama (Mr. CALLAHAN), the ranking member, the gentlewoman from California (Ms. PELOSI), and my good friend, the gentlewoman from New York (Mrs. LOWEY), for assisting me in including these initiatives.

While I support this legislation, I would ask that the chairman address the concerns raised by my colleagues and myself when this legislation goes to conference. We will all be watching to see that additional funding is added. I thank the gentleman.

Mr. Chairman, I rise today in support of the FY 2001 Foreign Operations Appropriations bill.

Although I understand and share the concerns of many of my Democratic colleagues, I feel that it is important to keep this legislation moving forward and address these concerns in a House-Senate Conference.

I, too, am concerned about the low level of funding for debt relief for the heavily indebted poor countries, the low level of funding for international infectious diseases, especially HIV/AIDS, and I am especially concerned about the low overall funding level of this legislation, which is about twelve percent less than the President's request.

Like many of my colleagues, I am also unhappy that the so called compromise language from last year's Omnibus legislation placing a "gag rule" on international healthcare providers was included in this legislation. This language represents an unnecessary rider, which the Republican leadership stated should not be included in appropriations bills. I will speak more on this issue when it is debated later.

However, there are a number of important initiatives in this legislation, which I requested, and that are critical to US security.

I would like to thank Chairman CALLAHAN, Ranking Member NANCY PELOSI, and Representative LOWEY for assisting me in including these important initiatives.

This legislation includes a $5.4 million increase for the International Fund for Ireland (IFI). The IFI was established as an independent, international organization 1986 and receives contributions from the United States, the European Union, Canada, Australia and New Zealand. The objectives of the Fund are to promote economic and social advance and to encourage contact, dialogue and reconciliation between Unionists and Nationalists in the North of Ireland and the border counties of the Republic of Ireland.

This funding is of critical importance at this juncture in the Northern Ireland Peace Process.

Additionally, the Committee has included a recommendation that Project Children receive $250,000 to help support their work. Project Children brings Irish children from a range of ages to spend six weeks in the U.S. Sometimes a Protestant child joins a Catholic child in the same home with remarkably positive results. In addition, the program brings college

students to the United States through its ''Young Leaders'' program and places them in internship positions in local organizations. A number of U.S. Representatives have taken Project Children Young Leader interns into their offices and homes.

With these additional funds, the true benefits of a lasting peace in the North of Ireland, economic prosperity and equal opportunity, will receive a much-needed boost.

I would also like to thank the Committee for including $10 million for microbicide research and instructing USAID to work in consultation with the National Institutes of Health to ensure microbicide research and development takes into consideration the special circumstances of drug delivery in developing nations.

As many of you know, microbicides are user-controlled products that kill or inactivate the bacteria and viruses that cause STD's and HIV/AIDS and would fill a gap in the range of prevention tools because they are woman-controlled and could protect against various STD's, not just HIV. Microbicide products, it is hoped, will provide women in developing countries with a cheap, effective alternative to prevent the spread of STD's. Issues such as a lack of refrigeration, cultural and educational barriers, and a lack of access to medical facilities need to be considered carefully if microbicides are used effectively in developing nations. This funding will help ensure the special needs of developing nations are met with respect to microbicide research.

I would also like to thank the Committee for working with me to include language updating the Arab League Boycott language, urging Arab states to establish full diplomatic relations with Israel. Israel has existed for more than 50 years and has earned the right to be treated as a full member of the international community.

Once again, I would like to extend my gratitude to Chairman CALLAHAN, Ranking Member PELOSI and to my good friend Congresswoman LOWEY for their assistance, as well as the rest of the Committee.

While I will support this legislation, I ask that you address the concerns raised by my colleagues and myself when this legislation goes to Conference.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY), the co-chair of the Congressional Women's Caucus.

□ 1745

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI) for yielding me the time and for her leadership on this bill and on some of the issues before this Congress.

This bill vastly underfunds the AIDS prevention program and debt relief for the world's poorest countries and undermines our commitment to international family planning.

The President pledged a multiyear U.S. commitment for debt relief, which this bill guts. It also drastically underfunds international family planning 30 percent below the President's request. Every day we in government face problems for which there is no solution, like global warming, the AIDS crisis, Parkinson's disease, but family planning presents a different challenge, we know what to do.

Mr. Chairman, we know what the answer is, all we need is the funds and the political will to get the job done. Increasing international family planning to the President's request by 30 percent more would allow 11.7 million more couples to have access to family planning. It would also mean 2.2 million fewer abortions, and it would save the lives of more than 15,000 women and 92,000 infants.

Earlier this year, many of us introduced a bill called Saving Women's Lives Through International Family Planning, we had over 122 cosponsors. We asked this Congress to go ''Back to the Future,'' back to 1995 funding levels for family planning and meet the budget requests of the President. We asked for this money without restrictions.

Gag rules are enough to make us gag in our own country. The gag rule would be unconstitutional around the world. It is unconscionable.

This budget before us is far short of going back to the future. This bill also exports one of the worst policies, the gag rule language that is unconstitutional in our own country.

Mr. Chairman, I urge my colleagues to join in a bipartisan effort to strike this terrible antidemocratic, antiwoman, antifairness language, the gag rule out of the bill, it hurts some of the poorest women and countries in the world.

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

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Chairman, I thank my good friend from California (Ms. PELOSI) for yielding me the time.

Mr. Chairman, I will be offering a bipartisan amendment on behalf of the gentleman from New York, (Mr. HOUGHTON), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Ohio (Mr. HALL), the gentleman from Florida (Mr. HASTINGS), the gentleman from Minnesota (Mr. LUTHER) and the gentleman from Maryland (Mr. GILCHREST), to plus up by $15 million the microenterprise loans for the poor. This will be offset with $15 million in cuts.

We will probably hear some screams and some squeals from the bureaucrats or from big business, but I think we have a moral obligation to hear the cries of the poor of those in poverty, of those in Third World nations where the microenterprise loan for the poor of $16 or $60 can lift people out of poverty.

I hope my colleagues will vote for this for three reasons: One, these programs work. Secondly, they go to people in poverty, mostly women. Thirdly, they go to start small businesses.

Mr. Chairman, I hope we can pass this to get this $15 million up to the approved authorization level.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON), the very distinguished ranking member of the Committee on International Relations.

Mr. GEJDENSON. Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI) for yielding the time to me and ask my colleagues to look back at the oath of office they took when they were sworn in here.

Mr. Chairman, it speaks of all the enemies, foreign and domestic. It says we need to fully discharge our duties. And in the Constitution, it talks about our defense and general welfare.

I would submit to the body that if we pass this bill, we are doing neither; that our responsibilities here not simply out of the goodness of our heart and concern for the poorest people on this planet is not being met by this legislation, but what is in the best interests of the security of the United States is not being met. Whether it is the fight for AIDS and the opportunistic illness that has come to this country for people infected with AIDS in Africa and elsewhere, that come back in and not only takes the lives of Americans, but also increases the costs of the cure; TB that could once be cured for $2,000 per case is now $20,000 or $200,000 in some cases.

Together we need to reject this bill so that we fully discharge our responsibilities so this great Nation can do the job that it must do for all the people in this world that look to us for leadership and for the American citizenry who depend on our responsibilities here to do a job that protects them, that furthers America's interests in every continent, not simply in one region of the world.

We need to do what is right. I know the chairman of the committee, the gentleman from Alabama (Mr. CALLAHAN) understands that. The only way to get to that point is to join the gentlewoman from California (Ms. PELOSI) and reject this proposal and force this institution to address the responsibilities fully as our oath demands.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD) who has been a leader in the fight against global AIDS.

Ms. MILLENDER-McDONALD. Mr. Chairman, I would like to thank the ranking member, the gentlewoman from California (Ms. PELOSI), for her leadership and commend her for the continued effort and tenacity in trying to make sure that we have a fairness on this floor in terms of our services to foreign countries.

Mr. Chairman, leadership is the operative word here today, and because of that, I will say to this body, if we are leaders, then please lead. Be leaders and be responsible for those things that we were sent here to do. It is unconscionable to me to see the most powerful country in this world reneging on children and women.

Some of the poorest countries in this world are suffering and here we are opposing the administration budget for $244 million for HIV and AIDS. It is a pandemic in Africa; we know that. You knew that. We know the 50 million people who have been infected with HIV and AIDS.

Why is it that my colleagues are minimizing the efforts that have been brought about with people throughout Africa in trying to combat this very critical infectious disease? I urge my colleagues to oppose this legislation. It is unconscionable. It is immoral. It is inconceivable.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation for the hard work of the chairman, the gentleman from Alabama (Mr. CALLAHAN) and the ranking member, the gentlewoman from California (Ms. PELOSI), I am displeased with what has come.

Mr. Chairman, I fully respect what the gentleman from Alabama (Mr. CALLAHAN) has done in portions of this bill. I fully understand why it is important to support the Middle East and the peace deliberations. But we cannot afford to come here day after day and ignore the poorest people of the world, while we have a pandemic going on in Africa and Asia with AIDS. If we think that is going to stay in Africa, we are in for rude awakenings.

The life expectancy is moving to year 30. Can my colleagues imagine any country, any nation that has a life expectancy of 30, and we are willing to walk away and simply say we just do not have the money when we know that we do?

We can save Social Security. We can do the right thing about Medicare prescription drugs and still send some aid, the appropriate aid as frugal as is requested by the President, and we have ignored that. Let us vote against this and do it right.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Chairman, there is a saying in the church that I go to ''to whom much is given, much is required.'' This is supposed to be the greatest Nation, the most affluent Nation on the face of the planet Earth, in the history of the planet Earth. Yet, why is it when it comes to us delivering to those who need the most, we find excuses not to do it.

When I heard the distinguished chair, the gentleman from Alabama (Mr. CALLAHAN) talking in his opening statements, I heard excuses of why we could not help those who need help. People in this House have traveled to Africa, and when they go to Africa they say, oh, what a shame, how bad it is, oh, this is pitiful. Yet when it comes time when we can do something about it, and foreign operations is that time, we find excuses not to do anything about it.

It is time that we stop making excuses, put our money where our mouths are and do the right thing and give the money where it is needed and that is in the continent of Africa.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. SANCHEZ).

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

Ms. SANCHEZ. Mr. Chairman, I want to begin by thanking our chairman, the gentleman from Alabama (Mr. CALLAHAN) and also our ranking member, the gentlewoman from California (Ms. PELOSI) for crafting this bill. They have had a difficult task.

Mr. Chairman, I am very concerned with the overall deep cuts to the bill and the disproportionately hurt African and Latin American countries, and I hope that when we send this bill to conference, we can fix some of that.

I would like to thank the gentlewoman from California (Ms. PELOSI) for implementing legislation I introduced last year about Professor Doan Viet Hoat. A journalist and university professor, Mr. Hoat spent nearly a third of his life in a Vietnamese prison for his efforts to bring freedom of the press and democracy to his native land.

It is a rare individual who is willing to sacrifice their own personal freedom for the sake of their fellow man, and when we find such a person, it is important for us in Congress to acknowledge and recognize their achievement and the purpose of their struggle.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS), the ranking member on the Subcommittee on Domestic and International Monetary Policy and a champion on international debt relief.

Ms. WATERS. Mr. Chairman, I would like to thank the gentlewoman from California (Ms. PELOSI) for the terrific work that she has done as the ranking member. She has taken on a tremendous responsibility and helped to organize us all. The foreign operations appropriations bill is scandalously underfunded.

The entire region of sub-Saharan Africa has been ignored and abandoned by the Republican leadership in this bill. The African Development Bank's funding was cut by almost 25 percent below its current funding level and 50 percent below the administration's request.

The African Development Fund was cut 28 percent below its current level and $56 million below the administration's request. As the ranking member of the Subcommittee on Domestic and International Monetary Policy of the House Banking Committee, I know how important these programs are.

Development assistance programs that benefit Africa have also been underfunded. International disaster system was cut from $203 million to $165 million, barely a few months after floods ravaged Southern Africa. I am especially outraged by the lack of funding for debt relief.

The bill contains only $82.4 million for debt relief with only $69.4 million of which can be used to forgive the debt of the world's poorest countries. While HIV/AIDS epidemic continues to ravish sub-Saharan Africa; while the impoverished nation of Mozambique attempts to rebuild itself after it was nearly destroyed by devastating floods; while Nigeria scuttles to overcome the impact of years of dictatorship; while Tanzania, Zambia, Niger, Nicaragua, Honduras and Uganda continue to spend more of their budgets on debt service payments than they do on health and education combined, the Republican leadership is turning a deaf ear.

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Shame on the failed Republican leadership.

It is hard for me to imagine how Members of Congress who claimed to be faithful, God-fearing leaders of families and communities can reject the most impoverished and vulnerable people in the world.

I urge my colleagues to oppose this shameful bill, send it down the drain. Do not vote for it. It is outrageous.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from New Jersey (Mr. PAYNE), who is a senior member on the Committee on International Relations to close.

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

Mr. PAYNE. Mr. Chairman, I rise in opposition to H.R. 4811, the Foreign Operations Appropriations bill for fiscal year 2000. This bill will significantly hamper our ability to compete in the international community. Unfortunately, this budget provides inadequate resources for discretionary investments.

I am very concerned about the Africa accounts which cuts the African Development Fund, the Development Fund for Africa, the Africa Development Bank, and the Peacekeeping Initiatives.

The bill underfunds the office of transition initiatives in Nigeria. It cuts economic support funds by $2.3 billion, international debt reduction by $180 million, African Development Bank by $3 million, HIV/AIDS under Child Survival by $42 million, and Peacekeeping to Sierra Leone, Congo and Eritrea-Ethiopia by $16 million.

Presently there is a meeting going on in Durban, South Africa, hosted by President Mbeki, where one out of four individuals in certain countries may die from AIDS. This bill reduces the global alliance for vaccines and immunizations by 25 percent. It is wrong. It is shameful. We should reject this bill.

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

Mr. Chairman, let me start off by telling the Chair what a magnificent job he has done for the last several years in presiding over this Committee of the Whole. He is a complement to the system, and certainly his understanding of the rules and procedure and his manner helps make a very difficult job a little bit easier.

Under the rules of our side, this will be my last year as chairman of this committee. This is the sixth time I have come before this body and asked for their support in a bill that I have drafted. It is sort of sad in a way that I leave it. On the other hand, I am optimistically looking forward to the hope that the chairman of our full committee will award me a cardinalship of another committee, one that probably will not be as difficult as this one has been.

But during this process, Mr. Chairman, Charlie Flickner, John Shank, Chris Walker, Nancy Tippins, Lori Maes, and Julie Schechter on my side of the aisle have been invaluable.

Before I became chairman, I was a member of this subcommittee. But I will assure my colleagues that I knew very little because, back then, the gentleman from Wisconsin (Mr. OBEY) was the ranking Democrat and chairman of this subcommittee, and the gentleman from Louisiana (Mr. Livingston) was the ranking Republican, and I was the back bencher who was not allowed hardly to say anything. But on the other hand, I did not want to say anything.

So I had not done my homework, and suddenly one morning I woke up as chairman of this very important committee. So the educational process that these great individual staffers have given to me is invaluable, and I am extremely indebted to them.

Not only to those staff people on my side of the aisle, but on the other side of the aisle, Mark Murray and John Stivers as well as the gentlewoman from California (Ms. PELOSI) have been extremely courteous to me during this entire process.

We have had great differences. We are having great differences tonight. But nevertheless, there has always been the true friendship that now exists between me and the staff members on both the Republican side and the Democratic side as well as my subcommittee members and the gentlewoman from California (Ms. PELOSI), my ranking member of the subcommittee.

It has been an interesting trip, and I think that we ought to go ahead and expedite this trip. Maybe during all of these opportunities we have to praise each other, we might even agree to some unanimous consent to limit debate since I think I have written the perfect bill. If we could just limit debate, all the Members could go home.

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

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

Ms. PELOSI. Mr. Chairman, I thank the distinguished chairman for yielding to me.

I want to speak for my colleagues in commending the gentleman from Alabama (Mr. CALLAHAN) for his leadership as chair of this subcommittee. While we may not have always agreed on the particular priorities, he has always been a gentleman and has always welcomed our input into the process.

I know that, at the end of this bill, and as we come back with the conference report, if we do, there will be more time for us to praise him and wish him well, as the ranking member of some other committee perhaps. That was a joke, Mr. Chairman.

In any event, in addition to all of the very fine staff that was acknowledged, who are acknowledged by the chairman, I want to add Beth Tritter, Charles Dujon, Kim Rudolph, Alan Dillingham, and Will Painter for their fine service to this process as well and associate myself with the remarks that the gentleman from Alabama (Chairman CALLAHAN) made about the other staff members and how dependent we are in a very bipartisan way on their service.

But I think I have the best chairman on the Committee on Appropriations, and he and the big chairman have always dealt fairly with us. We are going to miss the gentleman from Alabama (Chairman CALLAHAN), Mr. Chairman.

Mr. CALLAHAN. Mr. Chairman, I thank the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I know we will see the gentleman from Alabama somewhere else along the way, so I wanted to commend him in that spirit.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, I suppose the appropriate thing to say is I am going to miss the gentlewoman from California (Ms. PELOSI), too; but I do not know that I really am going to miss her in this capacity. But I do appreciate what she has given to me in the form of friendship, in the form of intelligence, the great contributions she has made.

I am sort of like the country singer David Allan Coe. Once he said he had thought he had written the perfect song. The gentlewoman from California says there will be an opportunity for us to praise each other sometime later on in the process, but I, like David Allan Coe, think that I have written the perfect bill. I think there is a good possibility that the Senate may just accept my bill, Mr. Chairman, and there might not be a conference; and, therefore, we will not have these opportunities.

But, nevertheless, to our colleagues who are listening, as we go into the rest of this bill, I would encourage my colleagues to look at what we have done, and that is, the fact that we have drafted the best bill that we possibly could draft under the circumstances of the allocations that forced this to this point.

I know there are some people who differ from me. The gentlewoman from California (Ms. SANCHEZ) a few minutes ago was talking about a lack of attention to Latin America. Surely she jests because, under my chairmanship, we have quadrupled assistance to Latin America. Just in the last 3 years, we have given them nearly $3 billion.

I had to fight this administration tooth and nail, with the support from the gentlewoman from California (Mrs. PELOSI) to get them to recognize that another country exists in this hemisphere other than Haiti. We even put restrictions in our bills saying one can spend all the money one wants in Haiti, but one has to spend 10 times that amount in other countries in Latin America.

So we have been the biggest supporters of Latin America trying to pound into the head of this administration the importance of our neighbors to the south. I think they have finally come around, and they are finally beginning to recognize that assistance to Latin America and South America is just as important as it is to the Middle East and to Africa.

So we have done a great deal of good, I think, towards convincing this administration that other countries exist in this hemisphere that need assistance such as Bolivia, Honduras, Nicaragua, all of the Latin American countries.

I am proud that we have brought to this floor a bill which reflects the best that can be arranged for the allocation we have. I would encourage my colleagues to support the bill.

Mr. McGOVERN. Mr. Chairman, I would like to commend the Committee for maintaining strong conditions on U.S. military aid for Indonesia based on the situation in East Timor. I would particularly like to recognize and thank the Ranking Member on the Subcommittee on Foreign Operations. Mrs. PELOSI, for her leadership and actions in support of the people of East Timor.

I also applaud Chairman CALLAHAN and Ranking Member PELOSI for increasing to $25 million the amount of Economic Support Funds (ESF) targeted for the rebuilding of East Timor. I also hope that the United States will continue its policy of consulting directly with the communities and people of East Timor on reconstruction projects and employing, to the maximum extent possible, East Timor on reconstruction projects and employing, to the maximum extent possible, East Timorese in these projects.

Like so many of the colleagues, however, I remain deeply concerned about the situation in East Timor. More than 100,000 refugees from East Timor who were forcibly removed from their country in December 1999 remain trapped in squalid camps in the neighboring Indonesian province of West Timor. They suffer daily intimidation, harassment and acts of violence from the Indonesian-supported militias that control the camps. International humanitarian organizations, such as the International Committee of the Red Cross and the U.N. High Commissioner on Refugees (UNHCR), have been forced to abandon their work in many of these camps because of acts of violence perpetrated by against their workers.

Also disturbing are the continuing cross-border attacks being carried out by the Indonesian-supported militias. Based and freely operating in the Indonesian province of West Timor, militias launch attacks against East Timor and against the United Nations peacekeeping forces in East Timor. These attacks must stop. The militias must be disarmed. And West Timor must cease being a safe haven for these paramilitary forces.

The Government of Indonesia has pledged to improve conditions in the camps and, for any refugee who wishes to return, to guarantee their safe return. It has pledged to remove the militias from the camps and stop the cross-border attacks. To date, these pledges are just empty words. They have not translated into concrete actions on the ground in West Timor. Until these refugees are safely returned to their homeland, the U.S. must maintain restrictions on U.S. military aid and the Administration must maintain its suspension on all military-to-military relations. The Government of Indonesia and its Armed Forces, in particular, must understand the safe return of these refugees is among our highest priorities.

I am deeply disturbed to hear that the Administration wishes to resume military-to-military relations with the Armed Forces of Indonesia (TNI). While conditions are worsening for the East Timorese refugees in West Timor, the Administration wants to include TNI officers and troops in training exercises, military seminars, college courses, and to provide spare parts and other technical assistance for Indonesian military equipment. I can only urge the Administration, in the strongest possible terms, to refrain from taking such actions unless it wishes to see the restrictions in this bill expanded to prohibit by law such military relations.

My distinguished colleague, Congressman CHRISTOPHER SMITH of New Jersey, and I have introduced a bill, H.R. 4357, the East Timor Repatriation and Security Act, which, among other things, would prohibit by law the military relations voluntarily suspended by the Administration in September 1999. Our bill currently has over 50 bipartisan cosponsors. We introduced our bill because we were increasingly concerned about the deteriorating situation of the refugees in West Timor; the continuing militia attacks along the West Timor and East Timor border; and the lack of consultation with, participation by and employment of East Timorese in reconstruction projects. I am fully prepared to continue to press for greater action on these issues as the foreign operations appropriations bill moves toward conference.

Mr. Chairman, it is very important that the bilateral and multilateral aid going to East Timor reach the people on the ground more quickly. I have heard nothing but good things about USAID projects in East Timor. We consult with the East Timorese people. Our reconstruction projects employ local workers, thus contributing to the rehabilitation of the local economy and the restoration of work and dignity to the East Timorese. But a great deal of the assistance is not showing up in the building of new homes and businesses, in the restoration of water systems, in electricity hookups and schools being reopened. Where is it going? I don't know, Mr. Chairman, but it certainly is not reaching the communities and people of East Timor.

I hope the State Department and our representatives at the multilateral development banks and at the United Nations will press our allies to fulfill their commitments to provide assistance for East Timor. I hope our representatives and aid workers will press our allies and the NGOs involved in rebuilding East Timor to accelerate reconstruction projects and to make sure aid reaches those who need it most, rather than resting in the pockets of consultants and high-salaried international officials.

I was in East Timor shortly before the historic referendum on independence, which means I was also there shortly before the horrific outbreak of violence that devastated the country. The international community and we in the United States promised the people of East Timor that we would support them in their quest for freedom and independence should they choose it at the ballot box. So far, we have only let them down. Many of them have died because we did not keep our word. For all East Timorese, their lives have changed for the worse with the physical destruction of their homes, businesses and communities and the separation of families.

We must do better in the future. This bill maintains the promise by this Congress to hold accountable those who destroyed East Timor and who forcibly removed the majority of the population from their homes. We in Congress must also hold the Administration accountable and ensure that the suspension on military-to-military relations is sustained. And we must remain committed to the rebuilding of East Timor and the ongoing process to bring full independence to this tiny but courageous country.

Mr. DINGELL. Mr. Chairman, I rise in opposition to the bill before us. I am particularly disappointed that it allocates only a paltry amount of money to aid and assist Lebanon at a time when significant events have transpired in that country in recent months.

In May, Israel withdrew the last of its troops from south Lebanon. Prime Minister Barak made a wise decision to withdraw from the country his troops had occupied since 1977; it will do much to improve the prospects of negotiating future peace accords in the Middle East. The Administration has rewarded Israel for its withdrawal, stating that $50 million of Israel's aid package for the coming year will go to assist Israel as it redeploys its forces along the Lebanese border. I do not oppose this proposal. I would note, however, that Israel's total aid and assistance package provided by the bill before us is $2.9 billion. Including Wye funds allocated through the supplemental appropriation, Israel will receive $4.1 billion this year.

Mr. Chairman, Lebanon is in dire need of assistance. The bill before us provides only $18 million to Lebanon, which is an improvement over last year's figure, but is woefully insufficient considering the changes that have taken place in Lebanon. This spring alone, an estimated $85 million in damage was inflicted on Lebanese infrastructure as a result of Israeli attacks. Lebanon has endured a prolonged civil war, foreign occupation, and an influx of refugees. The Lebanese government must have the ability to rebuild infrastructure damage earlier this year, reestablish order and the rule of law by civilian authorities in south Lebanon, and prevent further bloodshed from occurring along the Lebanese-Israeli border. I believe a six-year, $300 million aid package would be appropriate.

Mr. Chairman, Metro Detroit is the home of nearly 220,000 Arab Americans, many of Lebanese descent. Many have come to the United States since 1975, seeking to escape the mayhem that so long gripped Lebanon. And though these recent Lebanese immigrants have become an integral part of Southeast Michigan, they maintain a passionate love of their homeland. They are hopeful that Lebanon will continue its efforts, begun at the close of the civil war in 1990, to rebuild and reclaim its place as a regional leader in finance and commerce.

Disputes between the Lebanese government and Israel, and numerous militias in south Lebanon and Israel, are still unresolved. However, without stability in Lebanon, peace is impossible, and without peace or stability it is likely that renewed violence along the Lebanese-Israel border will occur.

Peace comes at a price, yet building a lasting, comprehensive peace in the Middle East is a key foreign policy goal of our country. American assistance to Lebanon at this time would be a wise investment and work toward fulfilling this goal. Clearly, Lebanon, a long-troubled country, must be stable if a lasting peace is ever to take root across the Middle East.

Mr. OLVER. Mr. Chairman, I would like to clarify for the record that the bill language on Kyoto, in Section 577 of this bill, which was crafted in a bipartisan manner by my colleagues, myself, and Mr. KNOLLENBERG, is in fact identical to the provision adopted on appropriations bills for Energy and Water and Agriculture, and essentially the same as the provision on the VA/HUD and CJS bills.

However, I would like to clarify for the record that some additional characterizations of the provision, both in remarks made on the floor during deliberation of the Agriculture appropriations bill, and as submitted to the record on that bill, are not correct. They are in direct conflict with the bipartisan agreement that was crafted, and more importantly, with the statutory language which is now in the Agricultural Appropriations bill and the other bills I have listed, including the bill, Foreign Operations.

The assertion that activities allowed under the language must be specifically authorized in incorrect. In fact, that is not what the language says. The language says that activities otherwise authorized by law are not subjected to any of the restrictions that may be imposed by the Kyoto proviso. There are many activities that the Administration engages in that fall within generally authorized activities—activities that are supported and funded by Congress in a bipartisan fashion.

These types of activities include negotiations, both formal and informal, for instance—and many energy-saving programs that benefit consumers and the economy. Some Members on the other side of the aisle stated they have no intention of disrupting these programs, or the ability of the Administration to negotiate the climate change treaty or to engage developing countries in a manner consistent with Senate Resolution 98, for instance. And yet, characterizations in the record that activities must be specifically authorized in NOT reflected in the statutory provision that was agreed upon and adopted. It is simply not correct.

There are many programs and activities that are funded by the Congress, and carried out

by the Administration, that are not ''specifically authorized'' by Congress, but are authorized under general provisions. Moreover, the U.S. continues to implement its obligations under the U.N. Framework Convention on Climate Change, which was ratified by the U.S. with the consent of the Senate. That is why the language that is included in the bills that I have listed—in Agricultural Appropriations, in CJS, VA–HUD, Energy and Water, and now, Foreign Operations—does not say that only activities specifically authorized by law are allowed. If such language were included, it would bring a halt too many bipartisan supported programs and initiatives that this Congress, and many others before it, have supported and funded.

I want to make clear, the language does not preclude the regulatory and non-regulatory programs that have bipartisan support and that save money for businesses and consumers, help the environment, and improve public health. It does not prohibit the many voluntary, non-regulatory programs and initiatives to reduce greenhouse gases—programs that also reduce energy bills, improve the nation's energy security, and reduce local air pollutants.

Mr. MEEKS of New York. Mr. Chairman, the United States Government has consistently placed African foreign policy on the back-burner. As a result, economic stagnation, human rights atrocities, and social and political unrest have been perpetuating throughout the continent. Zimbabwe is the perfect opportunity for U.S. intervention to have a positive impact in Africa, and ensure the sustenance of a fair and free democratic process.

President Robert Mugabe has seized 804 farms for immediate distribution and resettlement. Violence has erupted throughout the nation. Not only has he rejected rulings from the independent judiciary, but he has enforced severe restrictions on the opposition's ability to campaign for parliamentary seats. Mugabe is using force to secure support and manipulate the outcome of the legislative elections this June.

The United States must play a proactive role in Zimbabwe to ensure that legitimate elections occur.

South African President, Thabo Mbeki, is securing money from countries like Norway and Saudi Arabia to purchase farms from willing sellers for redistribution. Perhaps, we should also look into a similar policy action that may enable adequate distribution and compensation of land. The European Union, Commonwealth of Nation, Southern African Development Community, and International Republican Institute are all sending observers to evaluate the legitimacy of the election on June 25th. We must do our best to monitor this entire process, and ascertain a comprehensive report on the events that are and will transpire in Zimbabwe.

In addition, I believe that we should still continue to provide money to Zimbabwe for HIV/AIDS programs to strengthen democracy, and to raise living standards despite the corruption that is occurring.

Mr. PORTMAN. Mr. Speaker, I rise in support of H.R. 4611, the Foreign Operations, Export Financing and Related Programs Appropriations Act for FY 2001. I'd like to thank Chairman CALLAHAN and Ranking Member PELOSI for once again including $13 million in funding for the Tropical Forest Conservation Act of 1998.

The Tropical Forest Conservation Act expands President Bush's Enterprise for the Americas Initiative—EAI—and provides a creative market-oriented approach to protect the world's most threatened tropical forests on a sustained basis. It is a cost-effective way to respond to the global crisis in tropical forests, and the groups that have the most experience preserving tropical forests—including the Nature Conservancy, World Wildlife Fund, Conservation International and others—agree. The Administration is strongly in support of this effort as well. It is an excellent example of the kind of bipartisan approach we should have on environmental issues.

Tropical forests harbor up to 90% of the Earth's terrestrial biodiversity. They act as ''carbon sinks,'' absorbing massive quantities of carbon dioxide from the atmosphere, thereby reducing greenhouse gases. They regulate rainfall on which agriculture and coastal resources depend, which is of great importance to regional and global climates. And they are the breeding grounds for new drugs that can cure diseases.

Sadly, since 1950, half of the world's tropical forests have been lost. Between 1980 and 1990, 30 million acres of tropical forests—an area larger than the State of Pennsylvania—were lost every year.

The Tropical Forest Conservation Act gives the President authority to reduce or cancel U.S. A.I.D. and/or P.L. 480 debt owed by an eligible country to the United States in exchange for the creation of a fund in the local currency that preserves, maintains, and restores tropical forests.

Currently, three countries—Bangladesh, Belize and Peru—have been declared eligible by our government to participate in the Tropical Forest Conservation Act. In March, the President announced that the U.S. and Bangladesh are discussing a Tropical Forest Conservation Act agreement to reduce up to $6 million of that country's outstanding debt in exchange for its commitment to invest funds in tropical forest conservation programs. This would make Bangladesh the first country to benefit from funding under the Act, and we are hopeful that a final agreement will be reached in the very near future.

Bangladesh's tropical forests cover more than three million acres, including an area that is home to 400 endangered Bengal tigers, the world's largest single population. The area also contains one of the largest mangrove forests in the world, and it has wetlands of internationally-recognized importance. Bangladesh is home to more than 5,000 species of plants, compared to 18,000 in the United States, which is 67 times its size. Clearly, a debt-for-forests arrangement with Bangladesh could play an important role in preserving endangered species and protecting biodiversity, as well as helping that struggling nation's economy.

Seven other nations also have expressed interest in participating in the program. These countries are Ecuador, El Salvador, Thailand, Indonesia, Paraguay, Costa Rica and the Philippines.

I commend Chairman CALLAHAN, Ranking Member PELOSI and the members of the Subcommittee for providing the necessary funds to begin to implement this legislation that preserves and protects important tropical forests worldwide in a fiscally responsible fashion.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. When the reading for amendment reaches section 587, that section shall be considered read. Before consideration of any other amendment to that section, it shall be in order to consider, and to dispose of, an amendment to strike that section.

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 4811

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

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided,* That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of the enactment of this Act.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $825,000,000 to remain available until September 30, 2004: *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 such sums shall remain available until September 30, 2019 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2001, 2002, 2003, and 2004: *Provided further,* That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, or related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: *Provided further,* That funds appropriated by this paragraph are made available notwithstanding

section 2(b)(2) of the Export Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

AMENDMENT OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. PELOSI:

Page 2, line 25, after the dollar amount insert ''(decreased by $1,000)''.

Page 30, line 8, after the dollar amount insert ''(increased by $179,600,000).

Page 30, line 9, strike '': *Provided*'' and insert the following '', of which $179,600,000 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*, That the $179,600,000 designated by this paragraph shall be available only to the extent an official budget request that includes designation of this amount 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: *Provided further*''.

Page 132, after line 12, insert the following:

TITLE VII—ADDITIONAL AMOUNTS FOR DEBT RESTRUCTURING

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

DEPARTMENT OF THE TREASURY

DEBT RESTRUCTURING

For an additional amount for ''Debt Restructuring'', $210,000,000 for a contribution to the ''Heavily Indebted Poor Countries Trust Fund'' of the International Bank for Reconstruction and Development (HIPC Trust 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: *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. For payment to the Heavily Indebted Poor Countries Trust Fund of the International Bank for Reconstruction and Development, there is authorized to be appropriated to the President $210,000,000 for fiscal year 2000.

Ms. PELOSI (during the reading). Mr. Chairman, I ask unanimous consent that my amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

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

The CHAIRMAN. The gentleman reserves a point of order on the amendment.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 hours and that the time be equally divided.

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

Ms. PELOSI. Mr. Chairman, reserving the right to object, I did not even really hear what the gentleman from Alabama said.

Mr. CALLAHAN. Mr. Chairman, if the gentlewoman will yield, I ask for unanimous consent that there be a time limitation on this amendment and all amendments thereto to close in 3 hours.

Ms. PELOSI. On this amendment?

Mr. CALLAHAN. Mr. Chairman, it would yield 1½ hours to the gentlewoman's side, or that the time be equally divided.

Ms. PELOSI. Mr. Chairman, I just wanted to make sure I understood the content of the proposal of the gentleman from Alabama. Is it my understanding that the gentleman is asking unanimous consent that all time reserved for this particular amendment only is 3 hours?

Mr. Chairman, under my reservation, I yield to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. No, it says and all amendments thereto, Mr. Chairman.

Ms. PELOSI. Thereto to this particular amendment, having nothing to do with any other amendments that are related to this subject, Mr. Chairman?

Mr. CALLAHAN. That is correct.

Ms. PELOSI. That is correct. Okay.

Mr. Chairman, I withdraw my reservation of objection.

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

Mr. HASTINGS of Florida. Mr. Chairman, reserving the right to object, and posing a question to the gentleman from Alabama, I am not clear. Is the gentleman from Alabama (Mr. CALLAHAN) saying that it will be 3 hours total for everything or just the Pelosi amendment?

Mr. Chairman, under my reservation, I yield to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, it is just the Pelosi amendment, 3 hours equally divided between the two sides.

Mr. HASTINGS of Florida. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) and a Member opposed each will control 90 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 chairman of the subcommittee and the distinguished chairman of the full committee for their courtesy as we go forward with this very important amendment.

Mr. Chairman, my amendment adds $210 million requested by the administration for debt relief for fiscal year 2000 supplemental request and $179.6 million for fiscal year 2001. The amendment, therefore, fully funds the pending request for debt relief before both fiscal year 2000 and fiscal year 2001. This is approximately a $390 million amendment.

Approval of this amendment has now become even more compelling in light of the fact that the bill only contains $82 million of the $472 million requested for debt relief. We have been working on the debt question in a very positive way with the chairman in his original mark where $221 million had been provided and where contributions to the HIPC Trust Fund had been authorized.

We now find ourselves with only $82 million, which is not enough to remove debt relief for Bolivia, which has been imminent and awaiting a sufficient United States contribution. In addition, Honduras, which was devastated by a severe hurricane not long ago, will be unable to consummate their debt relief without additional funds. We have talked already about Mozambique and its readiness for debt relief.

□ 1815

I regret that we have to use the emergency designation for this amendment, but I would point out that the bill already contains $160 million in emergency designation for the floods in southern Africa as an emergency supplemental funding. In addition, the supplemental just passed contains over $11 billion in emergency spending for everything from soup to nuts.

It comes down to a matter of priorities. I know that we will be hearing from our colleagues about the urgency, the specifics of the need for this debt relief. This is part of an outside mobilization that is ecumenical in nature, it is worldwide in scope, and it is very, very essential for us to heed.

As I said earlier, we are blessed in this caucus with a very diverse membership. This House of Representatives must hear what our membership is saying. We are blessed with the intellectual resources, the personal experiences, the direct knowledge of the cultures, the economies and the possibilities of countries south of the equator. The world does not stop at the equator, and sometimes I think this body acts as if it does. We must address these important economic needs in Africa and in Latin America and we can do so by the very important way of supporting these funds for debt relief.

I will have more to say on this subject, Mr. Chairman, but I know that many members of the caucus wish to speak to this issue.

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

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) seek to control time in opposition?

Mr. CALLAHAN. Yes.

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) continues to reserve a point of order

against the amendment, and the Chair will assume that that point of order will continue to be reserved through the entire length of debate which has been agreed to by unanimous consent.

Mr. CALLAHAN. That is correct, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) is recognized for 90 minutes.

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

I think we all agree, Mr. Chairman, that the World Bank and the regional development banks have made a lot of bad loans that cannot be repaid. There are many decent and honorable people, including the leaders of our churches, who are asking Congress to support forgiveness of these poor countries' mountain of debt, and I commend them and I want to work with them.

In fact, it is largely fiction that these loans are being repaid right now. That debt burden is one of the main causes of poverty and of HIV/AIDS in many, many poor countries is just not true. It is not the only one. It is a fact that these countries are forced to take out new loans in order to pay back their old loans. There is a vicious cycle of ever-increasing unsustainable debt.

The debt left behind by bad loans is mortgaging the future of these poor countries and it should be forgiven by those who made the bad loans. That is why this committee decided some years ago to make almost all of our own foreign aid in the form of grants and not loans. Worst of all, the challenge of dealing with this cycle of bad debt exhausts the time and energy of the capable men and women who lead some of these countries.

Unbelievably, the British Government is suggesting that HIPC apply to the countries ruled by tyrants and dictators, such as Sudan, Burma, and the Congo. I know that this House does not support helping such leaders. We all agree that continuing this vicious cycle of unsustainable debt makes no sense. That is my mission, and I invite others to join me in halting the accumulation of new debt as fast as old debt is paid off under this Heavily Indebted Poor Country scheme.

Although this bill greatly improves the accountability of the HIPC scheme, almost everyone who has looked into the administration's original proposal finds fault with it. It does not help poor people obtain more health and educational services. Indeed, it could be detrimental towards benefits already being provided. In most cases, the original HIPC scheme does not even improve cash flow, a myth that has been put into the minds of a lot of good leaders of charitable organizations in our country and throughout the world.

The existing HIPC scheme merely bales out certain multilateral banks and keeps their bond ratings high. This plan is not increasing cash flow to countries; it is going to bail out banks. That is where the money that is being requested is going, to give to banks who have made bad loans.

In this country, if a bank makes a bad loan, there is a mechanism and a tax advantage encouraging it to write off the bad loan. In fact, the FDIC requires that they write off these bad loans. But in the international community, these multilateral banks that have decided that there is a scheme here whereby they can get people's sympathy by talking about the needs of the poor, what they are saying is, pay off these loans to our bank so we can once again be solvent. Thus, we will not have to write off these loans.

This is a message that has not gotten through to the religious leaders that have been convinced. It has not gotten to those members who hear from their pulpits of the church every Sunday that we ought to be more compassionate, I think they ought to take a close look at what really is being proposed and who is going to benefit.

I received a call just a few months ago from some singer named Bono, B-O-N-O, I do not know him, never heard one of his songs, but he was very knowledgeable and very compassionate and very wanting of us to do something for HIPC. I explained to him the GAO report that was requested by many of my colleagues on the Banking Committee which substantiates my argument that this is not going to help poor people get better health and education, that that is a myth, Mr. Chairman. It is not going to help poor people, in many instances, because it simply is bailing out some of these multinational banks. It is not even bailing out our bilateral aid. We have already forgiven those loans. This money is going to these multilateral banks, these development banks, because they have made bad loans.

Now let me tell my colleagues of another myth about this scheme that has been placed upon the American people and the people worldwide who have noble causes, Mr. Chairman. They want to do what is right. They want to help the sick. They want to help needy people. No one denies that if that is what this could accomplish, that is what we would do.

First of all, let me just give a scenario, Mr. Chairman. The scenario is that these countries have borrowed money. They have borrowed money that the banks loaned to them, not American banks, we are talking about foreign banks have loaned these countries money and now they cannot pay it back. So they are selling this myth, this scheme, to the American people and to people throughout the world.

And, incidentally, I forgot to tell my colleagues that Mr. Bono now agrees with me that the Banks and IMF ought to be more responsible in this endeavor. And we will get to this endeavor in just a few minutes.

But in any event, these countries are not paying interest on this debt from their own resources. They are not paying much principal on this debt, so it is not going to create any substantial cash flow. That is a myth. The principle of the scheme that has led people down this primrose path in expectation of providing human service to poor people is a myth. They are not denied human services because they are paying interest. Poor people are not paying interest, they are not paying debt. To the extent there nations are not paying anything on the principal, there is going to be no cash flow available to these countries to provide services to their people.

It is going to be a cleansing of their books. So the leaders of these poor nations are going to wake up one morning, because of the generosity of the American and European people, if indeed we continue with this program, and their nations are going to be cleansed of debt. They are going to rush to the same banks that have put them in this position today and borrow some more money.

And what are they going to do with it? They are going to do like they did in the country of Uganda, where America and Europe and worked out a debt reduction for the country of Uganda. The next week the president of that country bought a Gulf Stream airplane, a jet, for his own personal use that cost somewhere in the vicinity, with all of the things that go with a jet, of $50 million. So we got them out of debt one day, we cleansed the slate, and the next day they go right back into debt because a president buys a $50 million Gulf Stream jet.

At least he had the brilliance to buy it from an American firm, and I am happy about that, but the point I am trying to make is, if we do not put some contingencies to this, then that is what is going to happen in all of these countries and, as a result, no monies are going to be available to help the very people that noble people we are trying to help. There is going to be nothing much available to help them.

So, Mr. Chairman, we will talk later on about this HIPC scheme, but I would like to invite my colleagues to get a copy of the GAO report. The GAO report entitled ''Debt Relief Initiative for Poor Countries Faces Challenges,'' was requested by the Committee on Banking and Financial Services. Let me tell my colleagues that the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE), the chairman and ranking member of the Committee on Banking and Financial Services, along with the gentleman from Alabama (Mr. BACHUS) and the gentlewoman from California (Ms. WATERS), the chairman and ranking member on the Subcommittee on Domestic and International Monetary Policy, sent to the GAO and they said, listen, give us a report on the debt relief initiative for poor countries who face challenges. And much to their surprise, the report comes back that says much of what I am telling my colleagues; that we ought to take a better

and longer look at the process we are going through because we are not going to accomplish any of the goals, or very few at the least, of the goals.

No one in this House, no one in this country will deny the opportunity being given to assist poor people or to assist starving people or to assist sick people or uneducated people. This, in my opinion, is not the right way to go. We have still provided money in this bill to begin the process, but to limit the process by saying that they cannot go right back into debt the next day.

I have discussed this with Secretary Summers, the Secretary of the Treasury of the United States. And in the beginning they said, oh, no, no, no way. Secretary Rubin told me there is no way we could have any moratorium on additional debt. But when Mr. Summers came on board and he looked at what I was saying, and other people started thinking about the responsibility of this program, now Secretary Summers agrees with me that there possibly should be some restraints on the ability of a nation to go right back in certain kinds debt the day after their debts are forgiven.

Let us not fool ourselves. None of us would do this in our personal businesses, in our family lives, or in any other scenario that exists in the world. Nowhere should we allow these irresponsible and sometimes corrupt leaders the ability to borrow new monies simply because the United States of America and other countries are generous in their concern that people need to be helped.

No one is contesting the need to be helped. I am not saying that we should not. I think we ought to take our limited amount of money and add to the Child Survival Fund, because we know child survival monies go directly to needy people. But under our allocation process we may even be forced to take money away from direct child survival to give it to some bank president who has made a bad decision and free up the books of a nation that is going to go right back into debt the next day and create the same position and posture that we are in today.

□ 1830

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

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

Mr. Chairman, it was my intention at this time to yield to my colleagues, but I cannot resist. I must respond to the remarks of the gentleman. With all the respect that I have for him and knowing how important this issue is to so many Members of this Congress and to so many people in the religious community out there, I have to say, very regretfully, that his comments do a disservice to this debate.

This is not a scheme. This is a plan. This is a plan that was very harshly scrutinized and developed by the G–7 in their debt proposal. That proposal is in jeopardy now. Why is it in jeopardy? Because the U.S. has not paid its share of the tab 1 year after the promise.

Who is involved in this plan at the grassroots level? Well, let us start with the Vatican, His Holiness the Pope. Let us reach out then to an ecumenical movement, including Archbishop Desmond Tutu, who has spoken and traveled throughout the world promoting this plan.

Desmond Tutu of South Africa stated: ''The new moral crusade follows the Biblical principle of Jubilee. In the Bible it says, all belong to God. All debts are forgiven in the Jubilee year. Debtors make a new beginning.''

What this is about, Mr. Chairman, is an attempt on the part of people who minister to the needs of poor people throughout the world to alleviate poverty, promote democratic freedoms, and build markets for our products. In the interest of meeting the needs and lifting people up, there has to be some way to pull away the crushing mantle of this debt.

As our distinguished ranking Member said earlier, the gentleman from Wisconsin (Mr. OBEY), it is nothing less than we did for countries in Europe, including Poland, following the Soviet collapse, nothing less than that.

When we talk about this, we have to speak about it in a spirit of a strict plan. The IMF is not known for its programs that are soft on countries that want to receive loans. There is a very tough set of standards that these countries must live up to before they can have their debts forgiven, and much of it includes instituting budget austerity and programs that meet the needs of their people.

Our distinguished chairman makes a good point when he asks why should we forgive loans on the one hand and make loans on the other. Well, simply because many of these loans were incurred by previous regimes. The world is changing. We all know that. And these early stages of democracy in these countries require that they be lifted not only from the oppression of the dictatorships but the oppression of the loans that were taken out by those dictators. So now we want to forgive the loans.

The gentleman is simply not correct when he says these people are not paying any of their debts. The bilateral debts in many cases have a moratorium on repayment by some of these countries. But the debts to the multilateral banks still must be paid. So that is the rub. Many of these countries are paying more for their debt service than they are for education and health in their own countries.

So while we may all agree that loan forgiveness has to be done responsibly, we have no quarrel with that. Of course it must be done responsibly. And those of us who fight for this funding insist on that responsibility. We are not here to talk about irresponsibility.

While we may all agree on that and we would hope that the countries that receive this debt relief all act responsibly as well. An egregious example that the chairman may wish to point out, should not eliminate debt relief for all the other countries.

Many of those countries have put the reforms in place. They are ready for the debt relief. They are ready to go forward with their economic growth that this debt forgiveness will engender for them. But the U.S. are holding it up.

So while I respect the difference of opinion as to whether the amount of money is enough or not, I point out that $82 million is 20 percent of the President's request. It does not even begin to meet the needs for FY 2000 and 2001.

So if we want to talk about priorities and you say that that money is enough and we say it is not, that is one thing; but to denigrate this proposal which has been negotiated at the highest level, mobilized for, advocated for at the grassroots level throughout the world, and which is urgently needed, is in my view, painfully and sadly a disservice to the debate.

There is a need out there. It is urgent. It is great. We can speak to the specifics of it, and that will happen in this debate. But I would hope that the tenor of our remarks would not be condescending to the leadership of these countries who are trying their best to get on their feet and help their people and that it would not be dismissive of the efforts of the religious communities, starting with His Holiness the Pope and across the board.

I might just name some of the organizations that were with us this morning at a press conference: The Council of Churches, the Catholic Relief Services, the U.S. Catholic Conference, and then many environmental groups, as well, and then Oxfam, Bread for the World, Jubilee 2000, which is the organizing group for this mobilization.

So I hope that the debate will be respectful because it is with respect for every person on this Earth that we are going forward with this, with the need for people to have their needs met and to have children have some prospect of a future, and that can begin by lifting the burden of this debt.

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

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

Mr. Chairman, I would encourage my colleagues during this 3 hours of debate on this issue, and I think we should debate it and that is why I have not insisted on my point of order at this time but I still reserve that point, to take a look at what the GAO reported in response to the very question that is being raised tonight. The very people who asked for the GAO report thought it would be positive, it came back negative; and now they are saying ignore the report, ignore the responsibility we have to the taxpayers of this country, do it irresponsibly.

In this bill we provide $69 million to start the process, but we restrict some

of that assistance to the extent that they must not borrow new money for a certain period of time, 9 months in some instances, 30 months in other instances.

So we are not putting a veto on the HIPC program. We are providing $69 million for the program, and in the process we will be able to work out a reasonable process where we can achieve the same goal that these people want.

The gentlewoman from California (Ms. PELOSI) mentioned that the Pope has come out in favor of this. Well, I would like to tell the gentlewoman from California (Ms. PELOSI) that the Pope is also against abortion. Does she agree with the Pope on abortion? If so, then we will not have the population debates that no doubt will take place later on in the bill.

I know what the Pope has said. I think all ministers throughout the world agree with the destination that all of us are trying to seek. We all want to get to the same point. But this is not a responsible mechanism at this time because it permits them to go right back into debt and to squander money and to put their country in the same financial condition that they are in today.

The GAO investigators confirmed that the only way there would be significant new resources for health and education in poor countries would be if these countries borrowed the money through new loans from the multilateral banks.

I mean, how more clear could it be with the GAO report that the very proponents of this issue are advocating, how clear could it be?

So what we have done in this bill is to say that we are not going to cut direct child survival assistance, direct assistance to HIV/AIDS in Africa, we are not going to cut from our allocation. Instead, we are going to give $69 million this year; and during the next 6 or 7 months, we can come up with a more responsible plan that denies these countries the opportunity to go right back into debt as they did in the country that I mentioned a few minutes ago and buy $50 million jets so they can travel throughout the world, or to even push some of this money into Swiss banks.

So I am saying let us do it, but let us do it responsibly; and let us make absolutely certain that what we do goes to the intended people that we want to help. I do not know how more reasonable someone could be.

The money is provided, the $69 million, to pay our fair share for the next 6 or 7 months. And when they come up with a responsible plan that will achieve intended purpose of this process, then we will give them some additional money. But to bail out some of these multilateral banks should not be our mission, and that is exactly what we are doing under the proposal that is before us.

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

Ms. PELOSI. Mr. Chairman, I am pleased to yield 5½ minutes to the gentlewoman from California (Ms. WATERS), the ranking member on the Subcommittee on Domestic and International Monetary Policy of the Committee on Banking and Financial Services and an expert on international debt relief.

Ms. WATERS. Mr. Chairman, I am again grateful to the gentlewoman from California (Ms. PELOSI) for the leadership that she is providing on the whole issue of Africa but particularly on this whole business of debt relief.

I am sorry that the chairman of the committee is leaving the room. I wish that he would stay, given some of the comments that he has made.

First of all, let me take up the issue that the chairman seems to be alluding to: these irresponsible people in Africa, they do not know how to handle their money; we give them money and they go out and they buy jets.

Well, I think we should reject that kind of condescending description of the problems of Africa. We do not hear him talking about Poland. We do not hear him raising questions about who else flies jets. We do not hear anything about Africa. We know what that is all about. We are accustomed to that kind of condescending accusations coming to people of color. I do not like it. I wish it would stop. And I do not appreciate the fact that this is all that can be talked about when we talk about what we do or what we do not do for Africa.

The fact of the matter is this country met in the big G–8 summit and gave leadership to the idea that we should do something about forgiving debt. All of the churches, organized religions of the world, came together to talk about Jubilee 2000 and put together a magnificent program that included the churches and organized religion and included all the nongovernmental organizations and they moved forward. And this country made a commitment and we led. And we have worked very hard for debt relief; we have worked very hard for debt forgiveness. And we should forgive the debts of the most vulnerable and the poorest countries of the world.

First of all, they cannot afford to pay it back. Some of them are starving their children, not being able to pay for education and health needs trying to pay back this debt. And the interest keeps piling up and piling up on this debt. They will never get it paid, even those countries that have gone under structural adjustment and have done well. We have allowed them to take from their economy dollars that they should be using for health and education and comply with structural adjustment, and we still have not gone back to help them in any appreciable way.

But we find that the chairman does not talk about the increases that they did, foreign military financing program, $60 million per year for the next 10 years. If they are so concerned about how they spend the money and doing it in a responsible way and making sure that they set priorities, how do they have money to increase the foreign military financing program by $60 million a year and try to do it for 10 years?

□ 1845

I think this is outrageous. I think we need to deal with it like it is. This is Africa. Somehow it is less deserving. Somehow the people of Africa and poor people of the world in Central and South America and in other places are not worthy of debt relief or support. They are worthy only of condescending remarks that they cannot handle their money, that they only use their money to buy things they do not need.

We did not talk like that when we talked about what we were going to do when the Soviet Union broke up. We do not talk about Russia that way. We do not talk about Poland that way. And we darn sure do not talk about Israel that way. There is nothing worse than a bully. There is nothing worse than somebody who picks on the least of these and the most vulnerable of these.

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

Ms. WATERS. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank the gentlewoman for yielding.

Mr. Chairman, we began this debate by saying that this was a bad bill, but now the bad bill has become not only a terrible bill but terrible disposition expressed by the majority about Africa and its ability to handle the resources associated with providing for what the President of the United States has indicated a threat to the national security of the United States.

What this bill fundamentally says in light of the gentleman's disposition is that lives in the Middle East somehow are just a little bit different or a little bit more precious than lives in Africa. There are 5,000 Africans who are dying every day associated with the AIDS disease and the AIDS crisis. The export earning potential that we passed, the by-product of the Africa Growth and Opportunity Act, the debt service is designed to save health care and reprioritize issues like education and health care on sub-Saharan Africa's continent. That is what is so critical indeed in this bill.

A number of my colleagues have come to the floor of the Congress today and said, yes, AIDS is a problem; yes, all of these other problems exist in the world, but what we have to recognize is that a significant portion of this bill confronts very critical negotiations that are occurring at Camp David. Well, I sure hope someone at Camp David is talking about AIDS in Africa because Time magazine, Newsweek magazine, The Wall Street Journal, The Washington Times, everyone has said that the number one plague confronting the world is AIDS on the continent of Africa and for this Congress

to play a blind eye and to ignore that fact is a disgrace. We ought to do something about it in this bill, Mr. Chairman.

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

To briefly respond to the remarks by the gentlewoman from California and gentleman from Illinois, I respect their passion and their concern for the people of Africa. But not once during my statement did I mention the continent of Africa. I did by chance mention Uganda because of the ridiculous situation that took place when the president bought the jet. I might remind the gentlewoman that even the President of the United States, Bill Clinton, has now decided that I am right and they have cut off further debt forgiveness to Uganda until such time as they can get this situation straightened out.

My remarks were meant to be to the world. It applies to Central America. It applies to South America. It applies to Africa. It applies to every country where we are proposing to provide debt forgiveness. So I meant no disrespect to any race or disrespect to any continent. I am not condescending. I am telling you the facts. The facts are that we are giving $69 million of taxpayers' money towards this program to begin the process whereby in the process, and this is less than the Senate incidentally, that in this process they can come forward with a more responsible plan that can protect the integrity of the financial situation of these particular countries. The fact that some of these countries are in Africa, I did not mention that. You brought that up. I sort of resent you saying that I am condescending and implying that this is racist because it is not. This is responsible legislation.

I am proposing that we do what you want to do, that is, provide for the needy people, whether they be in Latin America, South America, Africa, Israel, Russia, wherever they are, that we do it; but we do it responsibly. I do not think that is being condescending. I think it is being responsible, because we have the same exact destination in mind. We want to help needy people. We want to help the sick. We want to eliminate HIV/AIDS. We want to do all of this. We want these countries to be financially stable. But to just give them a blank check and say, well, this debt is forgiven, and, incidentally, this money is not going to these countries. This money is to go to these banks. It is not going to the countries. It goes to the banks, so the banks' books can be cleared. So we have no difference as to our destination or goal or aims or wants. We have identical destinations.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I will yield to the gentlewoman from California if she will stop saying that I am condescending.

Ms. WATERS. No, I will not stop saying it yet, but I do appreciate your yielding. I would like to ask a question if I may.

Is there $90 million in fiscal year 2001 for the foreign military financing program with $60 million of that an increase going to Israel and $60 million over the next 10 years in an increase while you are being prudent in your budgeting?

Mr. CALLAHAN. That is correct. But that was the request of the President of the United States. I would like to remind the gentlewoman with respect to the assistance to Israel whereby we did increase the foreign military financing by $60 million, we cut $120 million from the economic support. I would like to remind the gentlewoman that that was the third rail of politics before I became chairman. No one dared walk on this floor and say, ''Let's cut assistance to Israel.'' But I went to Israel and at 2 o'clock in the morning met with then Prime Minister Netanyahu and he admitted that the economy there was now such because of the benevolency and the assistance of the United States, the economy was such that they could begin responsible reduction of economic support to Israel, and that process has been now for the last 4 years, and I have cut their economic assistance by nearly $120 million a year, so nearly $500 million.

And so the argument that the financial assistance for military financing is moot, because the bottom line is I have cut Israel $60 million a year net for the last 4 years because the Israeli government agreed to that. So I do not think it is irresponsible nor a good comparison.

Ms. WATERS. Sir, you made cuts in all of Africa's budget. Where did you then increase Africa's budget where the cuts have been made in both the development fund and the other fund for Africa? You cut them, but there is no place where you increased the funds to Africa. Where did you do likewise for Africa?

Mr. CALLAHAN. I have proposed $69.4 million in HIPC funds which is an increase. That is an increase in itself.

Ms. WATERS. Sir, the President asked for $400 million.

Mr. CALLAHAN. I do not care what the President asked for.

Ms. WATERS. You told me what the President asked for in military financial assistance.

Mr. CALLAHAN. Just because the President of the United States——

The CHAIRMAN. The gentleman from Alabama will suspend.

The Chair would kindly request that all Members follow regular procedure in yielding to one another or in requesting time from those who are controlling the time. The gentleman from Alabama controls the time.

Mr. CALLAHAN. Mr. Chairman, the true scenario is this. The President of the United States has committed to participate in this debt forgiveness program of worldwide contributions, and we intend to fulfill responsibly some of the requests of the President. But just because the President calls up or writes me a note and sends a note over here and says, Sonny, give me 4 or $500 million does not make it an obligation of the United States of America. I think that you as a Congressperson and that I as a Congressperson have a responsibility to ask the President, Are you sure this is the right way to go? That is what I am doing. I think the President is making a big mistake, not in the amount of money that he requested, not for the programs that he is requesting that be enhanced, but because of the mechanism to get to the end result of the entire proposal of HIPC is where the mistake is.

So I am saying, wait a minute. And you all know I am not the smartest man in the world. I am not the dumbest man in the world, either. And I have some background and experience in finance, not multibillions of dollars like some of our colleagues here in the House, but I have some experience. And anywhere in life, even in your family, if I overspent my Visa card, for example, and I went to my kids and I say, Kids, help me out, your daddy has done an irresponsible thing, the credit card company is telling me, ''Well, if they don't do this, they're going to take away my house and they're going to sue me,'' do you think even my kid would say, ''Dad, I'm going to help you, we're going to pay off your debt, but you're going to tear up that credit card.''

That is exactly what I am saying. I am saying we should not give these countries the ability to go right back into debt the next day. I am telling you that this is a mistake, but at the same time I am admitting that maybe I am wrong. For in the interim, here is $70 million towards our contribution, and we can go ahead and start with these programs. Just as we have already forgiven most of our bilateral debt, now we can help to bail out some of these banks because maybe I am wrong. So I am providing $69.4 million in this bill as a down payment to keep the program going in the hopes that the GAO report is wrong. Maybe I am wrong. But the GAO backs up what I am saying, and I think I am right at this time.

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

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

I am very, very dismayed by the comments that have been made by my distinguished chairman in this regard, because we can have a legitimate difference of opinion on an issue, but the course that this debate is taking is not worthy of this institution. We have a very serious policy decision to make. We have Members of this House who have worked very hard on this issue, and who know a great deal about the loan forgiveness program.

The gentleman is correct. We do not want to promote irresponsibility. That has never been an issue. The fact, though, is that if you are lifting oppressive debt, much of it incurred by

previous regimes, why should a country not be able to borrow from the poorest of the poor window of the World Bank that administers to the poorest of the poor, the IDA window, assistance for basic human needs? For basic human needs? Why should they not be able to start investing in their economies?

It is very simplistic to say, oh, I tore up my credit card, or my son tore up my credit card. That is not an analogy that is even in any way close to this. This is about countries wanting to assume responsibility. This is about countries saying yes to the reforms that they must comply with when they are applying for loan forgiveness. This is a very strict standard that is applied to qualify for these loans as HIPC, highly indebted poor countries.

So if we want to say that this is not an important enough priority to our country, then let us say that, but do not mischaracterize what is being proposed here and what is being supported across the board by religious communities throughout the world and which the administration supports. The Secretary of the Treasury does not support the chairman's position. Of course we all support responsibility; and that is what we are advocating, too.

Mr. Chairman, I hope that we can have the tenor of the remarks return to a place that is more respectful of the hard work that has gone into this. I say that with great respect for the chairman and with great sadness, quite frankly.

Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), a member of the subcommittee.

Mrs. LOWEY. I thank the gentlewoman for yielding me this time.

Mr. Chairman, one of the guiding principles of United States foreign policy is that whenever possible we use our assistance to enable developing countries to stand on their own two feet. That is precisely what this amendment would do and why I support it.

Many countries in the developing world have been unable to spend the necessary resources on health care and on education for their citizens because they have been saddled by debilitating debt. New regimes elected with high hopes for economic opportunity and democratic ideals will remain unable to achieve their noble objectives because of debt incurred by previous, often corrupt regimes.

Debt relief, as some contend, is not about giving a free ride to developing nations. That is not what we are talking about. It is about helping countries in sub-Saharan Africa build the health care infrastructure necessary to fight the AIDS epidemic.

□ 1900

It is about giving countries the chance to educate children, giving them hope for a better future. It is about giving nascent democratic regimes the chance to build constituencies, perpetuating the ideals of democracy abroad.

The cost of this amendment, Mr. Chairman, is a small price to pay for the myriad of benefits it will bring. It is disgraceful, in my judgment, that this small amount of money that this bill provides for debt relief will stall the global HIPC initiative and may deny relief to some of the world's most committed economic reformers. These countries have worked hard at developing concrete poverty-reduction targets, sound economic management practices. It would be shameful for us to turn our back on this important initiative.

I urge my colleagues to support this amendment.

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

Mr. Chairman, I would like to ask Members if they have the opportunity to get a copy, I keep talking about this GAO report which was requested by the gentlewoman from California (Ms. WATERS) and others to substantiate their claim of the merits of this program; and once again, I do not deny that the intentions of those interested in this are anything other than noble, and I share the exact same goals with them.

But in the results in brief of the GAO report, where they requested that the GAO report look into what we were doing, the results in brief say that the GAO's analysis shows that the decline in debt service for the seven countries, they selected seven countries in order to do their study, that these countries will only free up resources for additional poverty reduction if in the years prior to their qualifying for debt relief they are allowed to continue to borrow at the same level.

That is precisely what I am saying is the fallacy of this overall proposal. They go on to say that this occurs because the countries previously borrowed for several reasons, including debt payments; and they will need to continue borrowing after receiving debt relief in order to meet their remaining debt payments and to increase spending for poverty reduction.

These countries, are not paying any interest, they are borrowing more money to pay the interest. They are incurring more principal in order to pay the annual interest; and what they are doing is continuing to build up this debt.

So what this report is saying is that the only way they are going to free up cash is if indeed they have more borrowed money which they cannot pay back.

The route that we ought to be taking as an international community, and I am Catholic and I disagree with the Pope, because I don't think the Pope has had the opportunity to read such reports as this GAO report, nor do I think the Pope has had the opportunity to reflect on this. He is a very busy person. I do not think he has had the opportunity to reflect on the total program as to whether or not this mission will really benefit the very people he wants to help.

If the Pope wants to help, if the gentlewoman from California wants to help, if this Congress wants to help, I have no opposition to that. But if we are going to do it, let us do it right.

I started telling you about this credit card that I have overextended, so I go to my children and I say, Listen, Daddy is in trouble. Will you pay off my credit card? I promise you I won't do it again. My kids would say, Daddy, we are going to cut your credit card up.

That is the responsible thing to do, and that is what we ought to be telling leaders of these nations, whether they be in Central America, South America, Africa, Russia, wherever they are, that we are going to pay off your debts. You are not going to get any of the money because you have got to flow it straight through to a multinational bank. But we are going to allow you to flow this money through to a multinational bank to bail them out of their financial crisis, but you are not going to be able to go to that same bank tomorrow and borrow more money.

Now, maybe I am wrong, but that is the way I feel, and you are entitled to feel the way you feel. I think I am right, and it is not uncommon for these two sides to differ on a direction we might take on any given issue.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I must say, I differ with the gentleman in his interpretation of the GAO report; but if he is right, I am not that much of a theologian, but I notice that he corrected the Pope with the GAO. Are we hearing today the doctrine of GAO infallibility being promulgated on the floor of the House?

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, conceivably so, and I am not questioning the intelligence of the Pope. I am just telling you the gentlewoman from California (Ms. PELOSI) tells me we should support this because the Pope supports it, and my response to the gentlewoman from California (Ms. PELOSI) is the Pope does not support abortion, and that if she is going to pay attention to everything the Pope says, she ought to be on my side on the abortion issue. That was just the point I was making.

But the Pope, as I say, is a very busy person. But I think if I had the opportunity and the privilege of appearing before the Pope for 15 minutes, as I have had the opportunity to appear before other people and convince them, that I could convince the Pope that I am right. The Pope would be issuing a proclamation tomorrow that would be read at the pulpit of every Catholic church in the world saying, Wait a minute. One of our colleagues, Catholic colleagues, has discovered a flaw in this proposal, and we ought to correct it and go forward.

That is what I do with the $69 million that I have included in this bill. Let us go forward, but let us do it cautiously.

Ms. PELOSI. Mr. Chairman, would the gentleman yield, since he referenced my name in his remarks?

Mr. CALLAHAN. I would be happy to yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, when the gentleman says that I heed the Pope when he is talking about debt relief, but not when he is talking about a woman's right to choose, or words to that effect, my comments to the gentleman were he was mocking this as a scheme; and I said this is not a scheme, this is a plan that has been thought out and proposed by the G–7. Just to get to the Pope for a moment——

Mr. CALLAHAN. Mr. Chairman, let me reclaim my time and tell the gentlewoman an explanation of the word ''scheme.'' The scheme is not intended to reflect on the mission. I am saying a scheme has been presented to great charitable people of this world that does not do what they have represented to them in their proposal. Therefore, I think it is a scheme that has been concocted to convince people in this country, charitable people with good intentions, I think they have been misled; and, if that is the case, I think that should be called a scheme.

Ms. PELOSI. If the gentleman will further yield, the chairman knows I have the highest regard for him, and it is with a heavy heart, as Lyndon Johnson used to say, that I say to the gentleman that he is absolutely wrong.

I want to just get back to the Pope for a moment. The gentleman's powers of persuasion are considerable, but I doubt that he could persuade the Pope, the head of the church, whose mission is to alleviate poverty and respect the dignity and worth of every person on the face of this Earth, that we should not have international debt relief because of some egregious example that the gentleman might think up.

The GAO, if one reads the report, admits, we have never said that if you forgive the debt, that there will not be future lending. The debt is from a previous regime, or mistakes made before; and now we are talking about a fresh start.

But to get back to the Pope for a moment, because I want to make this point, I have never mocked, never, ever mocked, in fact I have respected the views of people who have a different view, some of them are in my own family, about a woman's right to choose and the rest. So really it offends me, and I say that regretfully, that the gentleman would say well, if you do not listen to the Pope about choice, why do you listen to the Pope about this?

Well, I respect the Pope's view on all of these things. But when the gentleman was characterizing this as a scheme, and now the gentleman is defining a scheme differently than he emphasized it earlier, it was with disdain; and that is the part that I find regrettable, because this is a very important debate.

This is a debate about whether our country will live up to its responsibilities that our President committed to at the G–7 one year ago. He is going to leave for Japan, for Okinawa, in another week, following the Camp David meetings; and he is going to have to go there and say I cannot fulfill the responsibility, the obligations that we incurred last year, because, maybe because somebody bought an airplane someplace, I do not know; but any excuse will do if you do not want to do something.

So to say that $69 million is a start, and we all want to get to the same place, is like saying let us all go to the Moon; here are your roller skates. That means I cannot get there.

So let us help these people get there. If we all do share the goal of alleviating poverty, if we all do share the goal of eradicating AIDS, as the gentleman referenced in his remarks, we have to put the resources where our compassion is. Compassion is great, but it is no substitute for a positive plan to go forward and the resources to match that proposal.

So we have an important decision to make here, respectful of each other's positions, and it is: Is it that a statement of the values of this country is that we will help these countries get on their feet? Standards have been set by the IMF. If it is a given that once the oppressive old debt is removed that countries not be able to incur further debt, I cannot even understand how you could put a moratorium on basic human needs, loans from the IDA window, the poorest of the poor window of the World Bank, and say that that is okay, we will teach them some discipline and they will not be able to incur any debts. Economic development is essential to the success of these countries, and they need the hard window loans as well.

So we are not talking about carelessness or irresponsibility; we are talking about sensible planning.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, the gentlewoman has ample time. I thought she was going to question something I had said.

Let me just tell the gentlewoman, number one, we are not talking about debt that our country has given to these foreign countries. We have already forgiven that debt. We have fulfilled our shared responsibility of that HIPC agreement through our bilateral debt forgiveness. I am not talking about debt that these countries owe to the United States of America. I am talking about debts that they owe to the multilateral banks.

I am saying at the same time, SONNY, maybe you are wrong. That was my fear, that I would be making a mistake; and just in case I am wrong, which I really do not think at this time I am, nor have I heard any argument to the contrary. Just in case I am wrong, Mr. President, here is a down payment; here is $69 million to get you into the spring or fall, whereby we can look at a potentially more responsible mechanism for achieving the same goals that we all want to achieve.

I do not see anything unreasonable about that, but I know that you all do; and I know that you all have the right to disagree, and I respectfully disagree with you.

I will disagree with the Pope if indeed he says this is an irresponsible thing, but the Pope is too intelligent a person to deny that I am not right on this issue, Mr. Chairman.

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

Ms. PELOSI. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the full committee.

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

I would like to talk about what the history of debt relief has been. When I was chairman of the Subcommittee on Foreign Operations and the Iron Curtain fell, all of a sudden we had a tremendous opportunity. All kinds of countries in Eastern Europe, where people looked like us, they had the same colored skin, they had lots of people in this country lobbying for their cause because they were the same nationality my wife happens to be Polish, for instance, and we recognized that the previous Communist government had stayed in power only by incurring huge amounts of debts that were totally irresponsible. When they left power we had a choice of whether or not we were going to create the economic conditions that would allow a democratic government to flourish or not. So we forgave debt.

As a result, you were able to get new investments, new economic growth in countries like Poland, and today they are reasonably healthy democracies, given what their history has been the last 50 years.

□ 1915

We also had debt relief provided for Egypt. That was done unilaterally with no consultation whatsoever with the United States Congress by one of the previous Republican administrations. And that was done because we needed the support of Egypt in the Middle East power game, and so not many questions were asked. But now we get to the hard cases. Now we get to the regions of the world that do not look like so many of us. We get to Africa, we get to Latin America, and the political pressures for us to do what is right and just are not quite as heavy as the political pressures were when we were dealing with countries that looked just like most of us.

So now we are told that because some idiot from one of those countries made a dumb purchase, that somehow, that example ought to be used as an excuse to avoid our responsibilities in

dealing with this problem in Latin America and Africa.

Now, the problem is very simple. A lot of these countries ran up debt when they were working for us and for the CIA and for our intelligence operations; they were conduits through which we were able to learn a lot about our political enemies around the world. So the Congress was asked to close its eyes while those governments did lots of dumb things. They abused human rights; they ran up huge debts. Now, we have new governments, and we are being asked to provide the same opportunity for new investment and new economic growth in those countries that we provided in countries that look just like most of us. It has been harder here. We are told that, well, this is just international debt that we are forgiving here and so we ought to put more stringent conditions on it.

Mr. Chairman, I would suggest that there are some countries that ought not to be lent an additional dime, and there are other countries who will be in a state of social and economic collapse if they do not receive new lending. We have some countries that are spending so much paying off the debts incurred by their former governments, that they do not have any money left to spend on education and health for their own children.

So we are here, not out of any bleeding heart knee-jerk reaction. We are here because we have two responsibilities. One is to our own national security, because we cannot exist forever, no matter how strong we are, in a world where there are large segments that are essentially poverty-ridden and open to all kinds of potential political mischief; and secondly, we are asked to respond to our moral responsibilities to help people who never had a say in incurring these debts in the first place. The ironic thing about it is that they are not collectible. They are lousy debts and all we are doing is clear the books so that we will give these new governments the same opportunity to start afresh that we gave other governments who look like most of us.

Mr. Chairman, I would suggest that we ought to get on with the job, we will sooner or later; and if this bill did what it ought to do, we would be able to vote for it.

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I am not a member of this committee; I do not know all of the great international nuances that are being discussed here. But I did come to the floor to speak, because it seems like the debate has gotten to a point to where there may be fingers pointed and charges being made back and forth, but I would just like to remind my colleagues that this debate about what other countries and their citizens may want or need, what the Pope may want or need, we do not sit here as a governing body to represent their opinions. We are here to represent the people of the United States. This is the people's House of the United States.

I am a practicing Catholic, although I happen to be a pro-choice Catholic, but the Pope does not direct me how I am going to stand on a policy statement of how the people of the United States' money should be spent. It is not a foreign government's money, and it is not the Pope's money. It is the American people's money, and it is not our money.

I just want us to understand that when we talk about forgiveness of debt, we should think about how many Americans are out there right now who say, this sounds pretty good. I would sure love to see Congress cut me the same deal that they are talking about cutting other people all over the world. Mr. Chairman, American taxpayers may be watching tonight saying, it really is true.

I am just saying I hope that we understand as we are talking about all of these bigger issues that there are people out there that are struggling to pay their taxes, struggling to be able to play by the rules, struggling to pay for their debts, and then seeing the House of Representatives, the people's House talking and saying, we need to talk about forgiveness of certain debts, talking about it as if it is our personal funds that we are willing to have a charitable contribution out of.

I bet, my colleagues, there are a lot of Americans out there who would say, great, Members of Congress, take it out of your pocket and put it in there, but you are taking it out of our pockets as taxpayers and giving it to another country, and giving it and giving it. It is a small, small, minute percentage of what we allocate out of this House, but do we not realize how much it just really rubs the taxpayers wrong when they hear the discussion of even the term forgiveness. I think that maybe we ought to talk about would we not be more productive in making people independent.

I just want to go back to this whole discussion of the Pope. He does not pay the taxes and we do not represent him. I follow him as a religious leader of my church, but the Constitution mandates to me and every Member of this body that we represent the people in our district, not even one of the great religious leaders that lives in Rome.

I would just say, we may disagree on this issue, on the technicalities of this issue, but I think the dialogue has gotten to where it is either/or: I am going to impugn your opinion for my opinion. I just think that people that are watching today and Members of Congress are watching, and remember, we are forcing this money, let me remind my colleagues, we are forcing this money from American citizens and resident aliens, forcing them under the threat of imprisonment to give us money, and we are sending this money all over the world.

Mr. Chairman, we have an obligation to make sure that every cent is responsible and is being responsible in its application and is being held accountable. I think the chairman has pointed out that that cannot be said with all of these funds, and we have the obligation to make it so.

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

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

Mr. OBEY. Mr. Chairman, would the gentleman explain to me how we help taxpayers when we refuse to write off debts that are uncollectible that will never be repaid and which simply get in the way of creating markets for products that are made by Americans so that they can have better jobs and earn more money?

Mr. BILBRAY. Mr. Chairman, reclaiming my time, I would say the same argument would be made by many taxpayers, Mr. Ranking Member; but the fact is that they are overburdened again and again and feel like they are over-taxed. The concept of saying they have to choose between child care and helping their family or sending their kids to school or being able to give what they want to their children, or the fact that they need, by force of law, to contribute to the Federal Government money that we then send overseas. I think that this is an issue that we just have to understand the dialog about.

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

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentlewoman for yielding me this time and also for her outstanding leadership on this issue.

Let me begin by saying that I am very proud that Americans and specifically American taxpayers are not selfish, that they cannot bear the spectacle of 22 million people infected with AIDS in Africa; they cannot turn their backs on those people, and that they are not selfishly thinking only of their own concerns.

With respect to this amendment, I am here to support it. Here are the facts: the President asked for $475 million, this committee only gave $82 million, and that is a travesty.

Now, we hear a lot about corruption, but I am sure the chairman is not trying to say that the people who are dying in Africa ought to be sacrificed because of a corrupt leader. What we need to know about the facts of this issue is this: in Tanzania, for example, the government spends four times as much money on debt payments as it spends on health and education combined. What we need to know in this debate is that Uganda, Zambia, Nicaragua, and Honduras spends more on debt service than they spend on health and education combined. So this debate is not about corruption and it is not about wasteful spending.

Now, here is an issue that really strikes me as interesting. The gentleman talks about how we need to be concerned about how the money is spent; we need to have conditions. We can apply conditions. The problem is, the committee did not just apply conditions, the committee cut the money substantially. It cut 80 percent of the funds that were going to be used for debt forgiveness.

This is a project in which the United States and other developed countries are stepping forward and saying, there is a major epidemic, pandemic in Africa, sub-Saharan Africa, as well as in other countries, and we want to forgive debt as a group, this is true burden-sharing, to enable these countries to move forward, to spend money on health and education rather than on bad debts. This is a case where we really need to lead.

Thankfully, the American people are not selfish. I think they will agree with us that we ought to adopt the gentlewoman's amendment; we ought to put the money into debt forgiveness; we ought to give these countries a chance, and we ought to respond to the crisis that exists in Africa.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a member of the subcommittee.

Ms. KILPATRICK. Mr. Chairman, I thank our ranking member for allowing the time for me to participate in the debate.

I do not want us to lose sight on the importance of our country and who we are in the world. This is the greatest country in the world in many respects. We are enjoying a surplus in a time when many in our country are living better than they have ever lived. At the same time, many do not live as well.

This foreign operations budget, as has been said over and over today, is less than 1 percent of our total budget. When we talk about debt forgiveness, we do it all the time, with our own American citizens, and we should. The S&L bailout, as we remember. We forgave a lot of those debts and many of those people involved in that scandal are living very well today. I am not opposed to it; I want us to take our responsibility as citizens seriously, to look at the world and see the ones who need forgiveness at this time.

The G–8 countries of which we are the leaders to look to America to see what we do for the least of these in that G–8 environment. We have a responsibility and an opportunity to give and forgive debt for some of the poorest countries, who have no idea and cannot pay that debt, were not responsible for it. This country gave that debt to many of those leaders who are long gone. Why, then, do we today hold those same children in those very poor countries responsible? We do have standards. The IMF has standards. Bolivia, Mozambique have met those standards. But the appropriation is now not there to help those countries and other poor countries come into the 21st century.

□ 1930

Mr. Chairman, Members of the House of Representatives, debt forgiveness in this year of jubilee, taught and mentioned in the Bible, is upon us. Let us rise to the occasion, do what is right, and forgive those poor countries at a time when God has blessed us to forgive.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 5 minutes to the distinguished gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Chairman, I must confess, I am deeply distressed by the tone of this debate, at least in parts of it.

Let me just cite one fact. For the 41 Nations that have been identified as the most heavily-indebted poor countries, external long-term debt rose rapidly from less than $7 billion in 1970 to $169 billion today.

There has been some reference that the amendment would pay off multinational banks, as if these are multinational corporations, kind of using that rhetorical device. We are talking about debt owed to multilateral institutions and governments, not in this instance to private for-profit institutions.

It has also been said that cash flow is not affected. That is just patently wrong. Unless debt is eliminated, these countries cannot obtain further cash flow. With elimination of debt, they will.

Mr. Chairman, this is no scheme. This is a proposal, an edifice built by sovereign nations, by the G–8, who have decided that it is in their self-interest to act on this debt.

Then it is said, well, let us give the money to the child survival fund, instead. As a former assistant administrator of the Foreign Aid Agency, I am all for monies for child survival, but let no one think that that is an alternative to governments pulling their own weight. Indeed, the Republican administrations have insisted that aid has to be shifted to help countries pull their own weight.

I want to read the last part of the GAO report. I hope the gentlewoman from California will give me another minute if I need it, but I do not think I need it quite yet. I want to straighten out the references to the GAO report.

I just saw it now. But we do not have to read it from cover to cover to know that the statements here using the GAO report are a distortion, purely and simply. Here is the key paragraph, and I have dealt with a lot of GAO reports, including when I was in a previous administration:

The uncertainties over whether the initiative provides a lasting exit from debt problems, the tension between quick debt relief and preparing poverty reduction strategies and the difficulties in financing the initiative should not be seen, however, as a reason to abandon efforts to provide debt relief to eligible countries.

Heavily-indebted poor countries continue to carry unsustainable debt burdens that are unlikely to be lessened without debt relief. But participants and observers may need to have a more realistic expectation of what the initiative may ultimately achieve.

To use this report as an argument to thwart the effort of the administration to live up to its essential commitments as part of a G8 program I think is inexcusable.

I want to close with this. What is in our national interest? Africa and other countries face a tragedy, a human tragedy that could affect all of us, including our security and surely our sense of morality. For us to sit here and insufficiently fund debt relief is inexcusable in terms of American national security and American ethics. We must do better. Adopt this amendment.

Mr. CALLAHAN. Mr. Chairman, I continue to reserve a point of order on the amendment.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 7 minutes to the gentleman from Massachusetts (Mr. FRANK), former chair of the Subcommittee on Domestic and International Monetary Policy of the Committee on Banking and Financial Services, and an expert on international debt forgiveness.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentlewoman for yielding time to me and for doing such a great job.

The gentleman from Michigan made it very clear that when the chairman of the subcommittee quoted the GAO report, he got it exactly backwards. I guess to just stick with the theological tone that has occasionally intruded here, we now know that the devil may quote Scripture and the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs may quote the GAO report, but neither one of them can be trusted on the interpretation.

The GAO says that debt relief is not enough. It does not say, do not give them debt relief, it says debt relief is not enough to do poverty reduction. So the notion that because debt relief is not enough to accomplish the ideal, we should therefore do less, makes sense only to the chairman of the subcommittee.

I also want to talk about the Pope. Obviously, we all have agreements and disagreements with the Pope, although respect for him, as the gentlewoman from California said.

But the Pope is not speaking here ex cathedra. This is not primarily a theological exposition. The Pope heads the most extensive anti-poverty organization in the world. Priests and nuns and church workers are the most sustained group of anti-poverty workers all over the world. The Pope's recommendations in this public policy come to us

better grounded, I must say, than the off-the-cuff observations of the chairman of the subcommittee. The Pope is reporting based on information he gets from people who are the on-the-ground poverty workers.

Here is the issue. This analogy to a credit card is, as the gentleman from California said, to use a technical parliamentary term, silly. We are talking not about an individual with a credit card, we are talking about, in many cases, regimes that borrowed and in many cases were overthrown with our help because they were corrupt and brutal.

New governments are in power. The question is whether the people who are now living in those countries should be bled, should be denied basic food and medicine, to pay off old debts.

The gentleman has said, Well, it is to bail out the multinational banks. No, the multinational banks, and let us make this point, when the bill came to us last year from the administration it did have provisions so some of the funds could have, after debt relief, continued to fund some of the activities of the multinational financial institutions. We stopped that. The bill that passed says the funds generated, whether from gold sales or from appropriations, go only for debt relief and nothing else.

Now, to say to these countries, by the way, we will give you debt relief but you cannot then ever borrow for anything else, is a very cruel approach. What about a country that has instituted democracy, that has instituted some reforms and gets the debt relief, and then wants to deal in a responsible way with its economic development? No entity finances all economic developments on a cash basis. People do not buy homes that way, businesses do not grow that way, and countries require some investments.

Investment means, give us some money now and we will pay you back later, maybe through equity, maybe through debt.

I have to say, and I am glad the gentleman from Alabama is back here now, because I want to express my disagreement with one of his constant premises, he keeps telling us that we agree on the goal. I must tell the gentleman that I see no evidence of that. I see no evidence that the gentleman from Alabama has been strongly moved to try to alleviate poverty.

Indeed, we heard the gentleman from California previously say the taxpayers do not want us using their money this way. I am very proud to be able to say that I believe that the people I represent, the people in my congressional district, on the whole want me to vote to use this relatively small amount of money to stop children from starving to death and to prevent disease from ravaging innocent people. I really believe that. If they do not, they can find another representative.

I do not believe that the people I represent do not want me to do that. The gentleman from Alabama said before, well, he set up this children's survival fund. The problem there is that money is not leaking but rushing out of these countries, on the one hand.

It does not do much to put money in on one end if it just goes out in the other. We need both. They are not alternatives.

The gentleman said the problem is the allocation. But the gentleman voted for the budget that set up the allocation. The allocation is an artificial fact which everybody knows is not going to hold up anyway.

The fact is this: Virtually every organization in the world, religious and nonreligious, Catholic, Protestant, secular, has come together to lobby the American government for this. This is not some construct of the Clinton administration or the Blair administration or the Jospin administration, this is a response by governments to the overwhelming demand of nongovernmental organizations, religious and nonreligious, based on their experience.

They say, look, the very least you can do is to go to the poorest countries in the world and do not make them continue to pay out the money. There is no blank check here. There is a requirement that the countries follow some basic responsible positions.

They will not do it perfectly. If the rule was that money does not go to anybody who did not spend it perfectly, we would have no CIA, we would have no HUD, we would have no Pentagon.

But here is the issue. Overwhelmingly, not just the Pope but the people the Pope supervises and all the Protestant churches and all of the non-governmental organizations and environmental organizations and poverty organizations that deal with international human concerns came to the governments and said, do this, and our government has been willing to do this.

There is an obstruction. The obstruction is the budget that has been brought forward which does not fund it in anything like the adequate amounts. The GAO report in fact, read correctly and fairly and in context, says do this, but this in and of itself is not enough.

Mr. CALLAHAN. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. OSE).

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

Mr. Chairman, I rise today in opposition to the amendment, and I have had more than ample opportunity to sit in committee meetings and share time with my good friend, the gentleman from Massachusetts, who is extremely far-reaching in his thoughts and what have you.

However, I must rise to respectfully disagree with some of his conclusions.

I just want to share some of the deliberations that took place in the subcommittee as it relates to debt relief for the highly-indebted poor countries.

Just for the edification of the Members who are in this body who were not in attendance at that committee meeting, what we are considering here is a proposal in effect to forgive debt that has been accumulated by a number of heavily-indebted poor countries over the past years, the purpose of which would be to allow them to thereafter raise their standard of living, either by investing in infrastructure or in hospitals or schools or medical assistance, and care for their people, the people who live in those countries.

Keep in mind, this debate in the Committee on Banking and Financial Services took place this year, this being 2000. I just want to remind everyone that in the seventies and eighties when these loans were originally extended to these now highly-indebted poor countries, the loans and the grants and what have you were extended on the basis of providing these countries with the resources to raise their standard of living, to build roads and infrastructure and hospitals and schools.

So we find ourselves in the unique position today of in effect having in the seventies and eighties provided loans to raise the standard of living of these countries by virtue of investing in their infrastructure. Now we are going to forgive these loans so that these countries can raise the standard of living by virtue of investment in their infrastructure.

Let me just examine a little bit how we discussed this system would work within the Committee on Banking and Financial Services.

As Members know, or as many know, we have various organizations around the world that are involved in investment in highly-indebted poor countries. We have the International Bank of Reconstruction and Development, we have the World Bank, we have the IMF, we have various other things. Each of these institutions on their ledger sheets carry gold as an asset.

The manner in which we talked in the Committee on Banking and Financial Services about financing these loans to the highly-indebted poor countries, I just want Members to follow this, was we were going to take the gold that is on these balance sheets and unilaterally revalue it, and then we were going to take the difference between the book value of the gold on these balance sheets and the revalued value and basically collect interest on that difference and use it to relieve this debt.

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Mr. Chairman, I cannot think of a more hobgoblin system by which we would conduct our financial affairs than to take what in effect is a rose that we hold at a value of $5 and say it is now worth $350 and take the difference of the $345 and use it to finance this debt forgiveness. I mean if I did that in private business, I can tell my colleagues I would be on Bill Gates' level. I would welcome that opportunity. However, I cannot get away with that.

I do not see why it is that the Federal Government, that this Federal Government would enter into that kind of a financial exercise, the purpose of which would be to forgive loans for the purpose of raising a standard of living.

Mr. Chairman, keep in mind, that the original purpose of the loans was to assist these highly indebted poor countries with raising their standard of living, so having given the loan, having time passed, now we are going to forgive the loan for the purpose of allowing these highly indebted poor countries to raise their standard of living.

The debate in the Committee on Banking and Financial Services revolved around what constitutes a highly indebted poor country, and I would just like to share with the other members of this committee that the standard that was used was, if I recall correctly, the accumulated debt of the country as a percentage of its gross domestic product. It had no connection whatsoever to the amount of trade or commerce that a highly indebted poor country who would be extended this debt relief might engage in with the United States.

There was no connection between commerce with the United States and the relief of debt to these highly indebted poor countries. We discussed at length amongst some of us whether or not we should change that standard by which we extended debt relief to account for the needs of our friends like Mexico or some of the trading partners with whom we have substantial economic commerce and with whom we have very, very specific United States interest with which to protect.

I would submit to my colleagues, in wrapping up, that extending or providing debt relief on loans that were originally granted for the purpose of raising standards of living, but now to provide debt relief for the purpose of allowing those debtors to raise their standard of living is at best circuitous and at worst challenges even the most brilliant of our scientists in terms of the logic they are in.

Ms. PELOSI. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I just wanted to point out that the gold revaluation in which we got a lesson from the gentleman from California (Mr. OSE) is completely and entirely irrelevant to this bill. We did authorize gold revaluation last year with regard to the IMF debt.

This is a bill which appropriates money for the development banks, so the gold revaluation issue, whether we like it or not, is not involved in this bill. This is a bill that appropriates dollars to deal with the development banks, not with the IMF which had the gold revaluation, but it is still more relevant than the reading of the GAO report of the chairman, the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, let me say that last year, the House, the Senate and the administration engaged in what I would call and has been termed a historic act of grace, and it was designed to relieve the debt of the poorest nations of the world.

My interests came about actually on an airplane flight from the middle of America, from Iowa, back home to Westerville, and I read the New York Times and there was a picture of a B2 bomber, and the question was ''what's the limits of America's power?''

When I read this article, I was really struck by the notion that while the United States has incredible military power, unprecedented military power and obviously now unprecedented economic power, many nations in the world were beginning to fear us, resent us. And as I thought about it, I thought if we have all of this power, and we do, it does not make any sense to not share some of the bounty that we have with those that have little.

I must tell my colleagues, I am not particularly interested in all the calculations that have been presented tonight, because I have been in Angola, and I have seen people hauled with half bodies through little villages as a result of a civil war. This is not designed to provide aid to people who are in the middle of a civil war, but it is designed to provide some help and some hope to people who have absolutely nothing.

The fact is that this resentment towards the United States has been growing. Last year, we had a historic act of grace that frankly was bipartisan in nature, and that, to some degree, disturbs me about the debate tonight.

The chairman of the subcommittee, the gentleman from Alabama (Mr. CALLAHAN), was, in fact, at the end of the day instrumental in being able to provide up to $200 million in debt forgiveness and to permit the IMF to use some gold reserves in an additional effort to relieve the debt payments of the poorest of the poor. Is all of this going to be right? No.

I will tell my colleagues this, this Congress just this year appropriated $100 million for local firefighters and EMS squads, and the last time I checked my Republican philosophy, that did not fall into the category.

When we look at the amount of money that we waste on both sides of the aisle for projects, the simple fact of the matter is, the United States must do something to help alleviate poverty in this world. We cannot turn our back on people who have nothing.

Is it all going to work out right with the accountants? The answer is probably not. Foreign aid never does, because we are giving it to people who sometimes are the wrong people. But there is an effort in this bill and in this procedure to make sure that the money that we give to the poorest of the poor is going to be accounted for.

My feeling is that this bill is underfunded in this area. Some of us say lift the allocation. I am not interested in lifting the allocation. I am interested in priorities, and I think this ought to be a major priority. I think the gentleman from Alabama (Mr. CALLAHAN) should be complimented for what he did last year and let me say also that last year the people that engaged in the historic act of grace were people like the gentleman from Illinois (Speaker HASTERT); the gentleman from Texas (Majority Leader ARMEY); my colleague, the gentleman from Massachusetts (Mr. FRANK); over in the Senate, Senator CHRISTOPHER DODD, Senator CONNIE MACK, Senator PAUL COVERDELL, a long list of Republicans and Democrats, who believe that it is essential that we use debt forgiveness as a way to provide some hope to the poorest of the poor.

A little bit of the concern that I have tonight, because I am going to be very involved again this year. I am going to be very involved in trying to make sure we do more to help the poorest of the poor, and I believe we will have support, strong support, at the end of the day from the gentleman from Alabama (Mr. CALLAHAN). Discussions were entered into yesterday with the administration.

Mr. Chairman, I know that the gentleman from Texas (Mr. ARMEY) is very interested. And I tell my colleagues on both sides of the aisle that we are going to need to fix the IMF. There may be some institutional changes that affects a body that all too many times has imposed the wrong economic principles on poor nations. And there is going to be a push for this kind of reform in the IMF.

The fact is that I think at the end of the day we will have a package, and it will be a package that will call for increased accountability for the money that goes to the poorest of the poor. There will be increased reform on the International Monetary Fund that has imposed many times the wrong economic prescriptions on poor nations, but I would suggest in this body that we not make this issue a partisan issue.

I can also say to the groups that have been so involved in this, we have to work with the Members. It is a foreign aid bill. It is not always the most popular bill at home. But at the end of the day, I believe that we can on a bipartisan, congressional and administration agreement reach out again to provide another historic act of grace that will give hope to people who today all too often have no help.

Let us try to work together and let us try to recognize that this solution must be bipartisan, will be bipartisan, and let us keep, as one effective politician in this country has said, let us keep hope alive.

Ms. PELOSI. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Mrs. MEEK), a member of the Committee on Appropriations.

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, I want to thank my colleague, the gentlewoman from California (Ms. PELOSI). I come here tonight to strongly support the Pelosi amendment. It is troubling to see that we are using the General Accounting Office report as a litmus test for what we should do here in this Congress. To me, we have run out of procedural things to do and things that have common sense.

There are so many ironies that I have heard here tonight. We have given aid to people in civil wars. We have propped up dictators around the world. So tonight to come before this body and say because of someone buying an airplane that means that we are going to withhold the kind of relief which they need, it is disingenuous to do that. We know that is true. We have a moral obligation to work and help the continent of Africa.

Debt relief is desperately needed by the world's poorest countries. We talk a good game here in terms of poverty. But are we going to do something about the countries who need it most? These countries have had to make drastic cuts in essential human services, such as health and education. Do we want the AIDS epidemic, which is now becoming a pandemic to reach this country? It will.

Those of us who know history know about the black death. We are not immune to any of these health problems. If my colleagues do not think we are, read the history of the World Health Organization. We are dealing with a very serious virus here. We must do something to relieve this.

Debt relief is nothing new to this country, many of it was accumulated during the Cold War. As long as there was Communism, I did not hear too much fight against it. We gave debt relief.

We know that these countries are supported now because we are giving it to them in a very small way, very little money. So these corrupt dictators, which we propped up over all the years, they are not there any more, these countries are trying to straighten up and live within our guidelines.

The debt of the Congo was accumulated during the oppressive rule of Mobutu. Nicaragua's debt was accumulated during the dictatorship of the Somoza family and the subsequent civil war. It is unjust and immoral to expect the impoverished people of these countries to pay back these debts.

Mr. Chairman, all of us have heard of Jubilee 2000, those of my colleagues who profess Christianity and other kinds of religions, this is the year for us to come together and do some work for the poorest of the poor.

It is the right thing to do. The supporters of Jubilee 2000 now include a broad expanse of Catholic, Protestant and Jewish religions. It is time for us to come together.

I rise to support the Pelosi amendment to increase funding for debt relief for the world's most impoverished countries.

As many of my colleagues know, debt relief is desperately needed by the world's poorest countries. In Zambia, Niger, Nicaragua, Honduras and Uganda, government spending on debt service payments is greater than government spending on health and education combined. Tanzania spends four times as much money on debt payments as it does on health and education combined. The governments of these countries have been forced to make drastic cuts in essential human services such as health and education in order to make payments on their debts. These debt payments constitute a transfer of wealth from the world's poorest countries to the world's most wealthy countries.

Debt relief for the world's poorest countries is supported by a worldwide movement known as Jubilee 2000. This movement was begun by Christians who believe that the year 2000, the two thousandth anniversary of the coming of Christ, is a Jubilee Year. According to the Bible, the Lord instructed the people of Ancient Israel to celebrate a Jubilee—or a Year of the Lord—every 50 years. During a Jubilee Year, slaves were set free, and land was a redistributed.

Activists know that forgiving the debts of the world's most impoverished countries in the Year 2000 is the right thing to do. Supporters of Jubilee 2000 now include a diverse group of Catholic, Protestant and Jewish religious groups, development specialists, labor unions, environmental groups and other non-governmental organizations.

Many of the debts owed by poor countries were accumulated during the Cold War, and many are the result of loans to corrupt dictators who are no longer in power. The debt of the Congo was accumulated during the oppressive rule of Mobutu. Nicaragua's debt was accumulated during the dictatorship of the Somoza family and the subsequent civil war. It is unjust and immoral to expect the impoverished people of these countries to pay back these debts. Supporters of Jubilee 2000 also know that debt relief is a moral imperative.

The Administration requested a mere $225 million for debt relief for the world's poorest countries in fiscal year 2001. Unfortunately, the Foreign Operations Appropriations bill includes only $69.4 million in debt relief funds for these countries. The Pelosi amendment would increase debt relief appropriations to fully fund this modest request. I urge my colleagues to support this amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Chairman, let me thank my distinguished friend, the gentleman from Alabama (Mr. CALLAHAN) for yielding me the time, and let me also identify with his dilemma.

I think on behalf of the Congress, we all ought to recognize the difficulty the gentleman from Alabama (Chairman CALLAHAN) has with dealing with a slight budget and enormous obligations. This is a difficult job. This budget as it is presented to the Congress recognizes a need for debt relief. It also recognizes that we are going to have to respond more forthcomingly with the AIDS challenge.

On the other hand, I think most of us recognize that these principles of concern are inadequately attended to because of the budgetary constraints we have, and I personally believe this Congress before we adjourn is going to have to do much, much more.

Debt relief is rooted, as the prior speaker, the gentlewoman from Florida (Mrs. MEEK) mentioned in the religious concept, the word jubilee, which derives from Leviticus, which implies a re-ordering of relationships, and one of the great questions in this jubilee 50-year reassessment, is whether it is worthy of being reassessed in this debt relief context?

If my colleagues look at the poorest of the poor countries in the world, many today have more obligations in terms of debt service than they can apply to education or health care.

☐ 2000

In this circumstance, I think that the religious precept of Jubilee does compelling come into play, and it is no accident that religious leaders from the Pope to Billy Graham to Pat Robertson have endorsed debt relief in this Congress.

As far as health care is concerned, this world is confronted with the greatest health crisis in human history. Within a year or 2, more deaths will have occurred because of the AIDS virus than because of the bubonic plague of the 1300s. We have an obligation to respond and respond compassionately.

In terms of both debt relief and the AIDS crisis, committees of the Congress have responded in certain ways. We have authorizing legislation that has passed. Now it is the obligation of Congress to move forthcomingly to appropriate funds and, frankly, to give consideration to appropriating beyond the levels that have already been authorized.

But I would say at this point in time that, what this debate is all about, is making it clear to all sides that there is not just bipartisan, but American concern for the plight of people in the less developed world and an understanding that that plight cannot be isolated; it can come here to roost very quickly.

This happens to be the most compassionate set of initiatives in the history of the United States' Congress for the developing world. Debt relief and support for AIDS eradication and prevention is something we in this Congress simply have to address as the appropriations process continues.

Here, it must be stressed, Mr. Chairman, that debt relief and AIDS prevention are intertwined. Intertwined because there is belated but growing recognition that a stronger commitment is needed to combat the HIV/AIDS pandemic, but that many poor countries—particularly in hard-hit Sub-Saharan Africa—owe several times more in debt payments than what their governments are spending on basic health and education.

I recognize the extraordinary budgetary constraints that Chairman CALLAHAN confronted in trying to fashion an adequate response to both issues and remain hopeful that substantial additional funding for debt relief and for the

House-approved World Bank AIDS Trust Fund can be secured as the appropriations process moves forward.

Last year debt relief received strong, bipartisan support in Congress, and important strides were made toward achieving debt relief for the world's poorest countries. As Members recall, last November Congress appropriated $123 million to begin canceling the debts that reforming poor countries owe the United States, and agreed that the International Monetary Fund (IMF) can use $2.3 billion of its own resources to finance its contribution to debt relief. In this regard, the Banking Committee fully authorized U.S. participation in international debt relief efforts during the first session of the 106th Congress (H.R. 1095, Rept. 106–483). The core of that debt relief bill was included in last year's consolidated appropriations package.

The Committee's authorizing language specified a number of conditions that countries must meet in order to receive debt relief. Countries must perform satisfactorily under an economic reform program, promote civil society participation, implement anti-corruption measures and transparent policymaking, adopt strategies for poverty reduction, and strengthen private sector growth, trade, and investment. Consistent with current law, the program excludes from eligibility countries that systematically violate human rights, support terrorism, or have excessive military spending.

However, Congress still needs to approve U.S. contributions to help defray the costs of regional development banks, such as the Inter-American Development Bank, to allow them to do their part in the international debt relief effort. Crucially, every dollar of the U.S. contribution will leverage $20 in multilateral debt relief. In addition, Congress also needs to authorize the IMF to fully mobilize the interest earnings on the off-market gold sales that occurred last year, solely to finance debt relief.

It is self-evident that debt relief alone cannot solve the problems of hunger and poverty. But when debt relief is coupled with credible economic and social reforms, it can help be a catalyst for economic growth. Sound debt relief programs can help free up resources for poverty reduction, basic human needs, HIV/AIDS prevention and treatment, child survival and environmental protection. By helping to put countries on the path toward sustainable development, debt relief can also benefit the U.S. economy through expanded trade and investment ties.

More broadly, securing full funding for debt relief remains a key legislative priority for a broad spectrum religious leader—from the Pope to Pat Robertson and the Reverend Billy Graham—who have endorsed the call for debt relief.

On the AIDS front, the release of the latest UNAIDS report just last month underscores the horrific impact HIV/AIDS is having around the globe, particularly in hard-hit sub-Saharan Africa. The stunning statistics on the rapid advance of this disease, despite what medically-advanced countries know to be effective preventive measures, represents a profound indictment of the international community and the leaders of nations most severely impacted. Experts predict that HIV/AIDS will soon become the worst epidemic of infectious disease in recorded history, eclipsing both the bubonic plague of the 1300's which killed an estimated 20 million and the influenza epidemic of 1918–19 which killed 18 million.

Already, according to the latest UNAIDS data, the death toll from HIV/AIDS stands at 18.8 million, including a heartbreaking 3.8 million children under the age of 15. Around the world, another 34.3 million are living with this disease. Of that total, 24.5 million live in sub-Saharan Africa, a disproportionate 70 percent of the world's victims in a region with just 10 percent of the world's population. Infection rates in some countries are nothing short of shocking: a 35.8 percent infection rate among adults in Botswana and a rate in South Africa of 19.9%. And the disease has left in its wake 13.2 million orphans, the vast majority of them in Africa.

What is also alarming is that even international health experts have been wrong about the pace at which this disease would spread. In 1991, the WHO estimated that 9 million would be infected and 5 million dead from AIDS in Africa by 1999. Eight years later, we find that the casualty rates are nearly triple that estimate.

In parts of Africa where the epicenter currently resides, as well as South Asia and the Caribbean where the disease is fast moving, AIDS and the precipitating HIV virus have jumped well beyond the population groups considered most at risk in America. Millions of women now have the HIV virus and it is being transferred in the womb to the unborn. Indeed, by virtually any measure, the global HIV/AIDS epidemic may be fairly described as a plague of Biblical proportions.

Experts also warn that the HIV/AIDS epidemic is no longer singularly a health issue; it has become a major issue for economic development. Assessments by World Bank officials call HIV/AIDS ''the foremost and fastest-growing threat to development'' in Africa.

Yet, as bleak as the global picture is, we know that there are effective HIV/AIDS prevention and education strategies. They are being successfully implemented in many Western developed countries as well as in such countries as Uganda and Senegal in Africa, and in Thailand in Asia. Those prevention and education strategies must be replicated many times over in a vastly greater number of countries.

Clearly the United States has a strong national interest in combating the HIV/AIDS crisis abroad as well as at home. Infectious diseases, like HIV/AIDS, know no borders. The number of Americans travelling overseas—often to countries with high risks of infectious diseases—has doubled in the last ten years, with more than 57 million travelling abroad in 1998. Millions of Americans and their families also struggle with HIV/AIDS and there are few among us who have not directly or indirectly experienced the loss of friends or family to this disease.

While it remains the paramount responsibility of national and community leads in each country to exercise strong leadership and commitment in dealing with the HIV/AIDS crisis, the United States, other governments, and non-governmental organizations—including private business, religious and humanitarian organizations—must be partners in providing critical resources and medical knowledge.

At present, international donors—including the United States—provide an estimated $350 million a year to address the HIV/AIDS problem in Africa. Yet, experts tell us that over eight times that amount—or roughly $3 billion—is actually needed to do the job. This extraordinary need for resources—and the reality of the budget constraints which limit our bilateral assistance efforts—underscore the urgent need for a change in U.S. strategy to emphasize a much stronger multilateral, ''burden-sharing'' approach to this crisis. It is my hope that as the appropriations process unfolds, additional resources for HIV/AIDS can be found to fund the innovation approach outlined in the World Bank AIDS Marshall Plan Trust Fund, as passed by the House, This proposal offers the U.S. the opportunity to catalyze a much stronger global response to the AIDS epidemic. Implicit in approaches involving Bretton Woods institutions is the possibility of attracting additional contributions from other donors including, as uniquely authorized in H.R. 3519, the private sector. For a modest $100 million contribution from the U.S., it is my hope that we can leverage enough contributions from other donors—governmental and private—to reach a total of $1 billion a year for the trust fund.

In conclusion, let me stress that America has a particular obligation to do everything within its power to prevent and, ultimately, eradicate HIV/ADIS, particularly among its most vulnerable victims—children. Mortality may be a part of the human condition, but all of us have an obligation to put an end to conditions that precipitate premature death, particularly at young ages. Clearly, no nation is better positioned than the United States, with its wealth and research capacity, to lead the world in this cause. For the U.S. to fail to lead at this critical juncture in history would be moral dereliction. Out of a sense of self-preservation for mankind itself, if not simply humanitarian concern for those currently affected, this disease must be eradicated, whatever the cost. Before the 106th Congress adjourns, it is my hope that we will have the resolve and courage to meet this challenge.

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

Mr. Chairman, I appreciate the remarks of the distinguished gentleman from Iowa (Mr. LEACH), chairman of the Committee on Banking and Financial Services. I commend him for his service on this issue and many others of concern to people of our country and throughout the world. I commend the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget, for his favorably disposed presentation toward the thrust of my amendment.

I want to just state that this must be a bipartisan effort in the House of Representatives, and that is what we will all be working toward. Hopefully, at the end of the day, our position will prevail in a bipartisan way that we will fully fund the President's request for fiscal year 2000 and 2001 to meet our obligations to the G–7 and to the poorest people in the world.

Mr. Chairman, I yield 7 minutes to the gentleman from Massachusetts (Mr. OLVER), who is a member of the Committee on Appropriations, and has long been active in these issues of justice throughout the world.

Mr. OLVER. Mr. Chairman, I thank the gentlewoman from California for yielding me this time.

Mr. Chairman, this has been, at times, an ugly debate; but then we

should not expect anything else. This is an ugly bill.

There are multiple reasons to oppose this legislation, and I do oppose it. But the utter callousness of the cuts in what is really a very modest debt relief funding that has been asked by the administration, by the President of the United States, is reason enough to oppose the legislation.

The President asked for $472 million for debt relief program for this year, and that was cut by 82 percent to a total of $82 million. That is even more than a one-third cut from what was made available last year in the area of debt relief.

Now, Mr. Chairman, it may be folly to try to find what is common ground in a situation like this, but I do think that we can probably all agree that there are some, maybe many developing nations that have experienced declining economic conditions while accumulating higher levels of debt which are largely owed to the international lending institutions, the multilateral public lending agencies, the IMF, the World Bank, also to foreign governments, and the U.S. Government. I think we all would agree that that has happened.

Since 1989, the G–7 countries, at that time Canada, Japan, the U.S., Italy, Britain, Germany, and France, that seven, in recognizing that this mounting debt burden for some borrowers had undermined economic growth and even their capacity to finance absolutely basic social and even health programs started setting policies and extending a series of debt relief arrangements.

The most recent of those arrangements is the HPIC arrangement this last year. Now, the 41 nations in the HPIC arrangement, which are the nations of the heavily indebted poor countries, those 41 nations include four from Latin America, four from Asia, and 33 from Africa. Ninety percent of American debt among those 41 nations is in that group of 33 from Africa.

It is interesting that, of all that debt, which the gentleman from Michigan (Mr. LEVIN), one of the previous speakers, had pointed out, that the total debt in those nations had increased to $169 billion. Only $6 billion of that is debt to the United States, debt to this government.

We are a Nation which has 25 percent of the wealth of this world, of this whole planet, and 25 percent of the whole economic base of this whole planet; and something like under 4 percent of the debt to these poorest of the poor nations is owed to the United States.

These nations in Africa are the nations in sub-Saharan Africa who are suffering the worst of the AIDS epidemic, the worst of HIV/AIDS. There are nations there where one-third of all the adults are suffering from HIV/AIDS. There are nations there where as many as half of all the 15-year-old kids can expect to die of AIDS.

There are nations where, as the gentleman from Maryland (Mr. WYNN) earlier pointed out, more money is expended on the debt relief, their payment of debt in some of those nations than they pay for all of health and all of education, all of their social programs. I have heard, though I cannot confirm this by any particular report, that in cases, it is as much as four times as much as going to attempt to pay for that debt that has been built up.

Yet, in this instance, the 82 percent cut in the program that the President asked for, cuts from the President's request, the reduction in the President's request from $472 million to $82 million, deliberately attacks the very program, the HPIC program which had been worked out by the G–8 nations as a way of dealing with the debts in these very poorest of countries.

Now, I just want to remind my colleagues that, and this has been alluded to by others as well, in the calendar years 1990 through 1992, there were a series of initiatives of debt reduction totalling more than $10 billion; actually it is slightly more than $12 billion. They included a debt forgiveness for Poland of $2.5 billion. They included a debt forgiveness for military aid loans to Egypt of $7 billion, a debt forgiveness of some $700 million that went to African and Latin American nations, and debt forgiveness that went to a series of African and Latin American nations and Bangladesh and Asia totalling more than $2 billion, all of them authorized and approved by this Congress under President George Bush, the former President George Bush; all of them approved at that time totalling $12 billion.

Here we are, we are now taking the callous position that we should cut the effort by the G–8 nations in the HPIC countries, the poorest of the poor, cut the President's proposal from $472 million to $82 million. It is virtually unconscionable, and it is for that reason that I support the gentlewoman's amendment that is before us today.

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

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the very distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I join with my colleagues in support of the Pelosi amendment, and I do so because I have been told that to those to whom much is given, much is desired and expected in return. In reality, we are given much in this country; and we are simply being asked to share some of what we have with some of the most needy people in all of the world.

When we talk about the paltry sum that we are talking about providing now for debt relief for Africa and the Latin American countries, it reminds me of a system of share cropping, where individuals get just enough, where no matter how hard they work, no matter what it is that they do, they can never get out of debt, and they just keep working. When they do that, they lose hope. They lose the feeling that tomorrow is going to be brighter than yesterday.

So I would hope that we would recognize that the greatest gift that we can give to ourselves is the gift of hope to those who are hopeless and those who are helpless. I would urge passage of the Pelosi amendment.

Mr. CALLAHAN. Mr. Chairman, I do not think I have any more speakers. I reserve the balance of my time and right to close.

Ms. PELOSI. Mr. Chairman, how much time is remaining on each side?

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) has 37½ minutes remaining. The gentleman from Alabama (Mr. CALLAHAN) has 32½ minutes remaining.

Ms. PELOSI. Mr. Chairman, I am very pleased to yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I stand in strong support of her amendment and say the issue that we are talking about is very, very important. In fact, this bill is very important. But somehow it is very difficult for us to understand that foreign affairs and foreign relations, the monies we spend in aid really enable us as a country to be far more secure.

The issue we are talking about tonight, about debt relief, is a tool we have used to further our relationship with a number of countries historically. We do this as a way of enabling the country to be responsive. We do that as a way of enabling us to have better relationships. We did that with the Soviet Union. We have done that with other countries. We do that historically.

But here we are with a unique opportunity in a unique time, the year of the Jubilee 2000, all of the religious groups, and I would say to the distinguished gentleman from Alabama (Mr. CALLAHAN), chairman of the subcommittee, not only did the poor support this, but the Protestant religions support this, the nonprofit groups support this because it is the right thing to do. It is right to, indeed, share what one has with others.

But the year of Jubilee is a time, 50-year time that says that we reexamine the debt we have as a part of our sharing our wealth with the world. I think that, as we consider this, we have to consider when we relieve the debt, we are enabling those countries to be responsible in self-development of their country, by investing in their education, investing in their health; or otherwise we are taking the monies that we know they cannot afford to pay, indeed, paying a debt oftentimes that has gone in by another regime that was completely irresponsible.

So I strongly support this amendment. It is the right thing to do. Our country owes it to ourselves to make sure we share our wealth, and it is in our security to do it.

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Ms. PELOSI. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI), the ranking member, for yielding me this time.

As I listened to the debate this afternoon and evening I do say to the chairman, the gentleman from Alabama (Mr. CALLAHAN), that we have had an opportunity to work together, and I am reminded of the support he gave me in increasing the African Development Fund when I first came to Congress some one million dollars. So I know that he is a fair person and wants to do the right thing. But I think in his debating and discussion this evening that he is misdirected in his angst or his disappointment.

This is not the time to utilize the expending of a nation's funds, as he spoke of Uganda and President and Mrs. Museveni, who are people that I know and have worked with. Uganda is one of the shining stars in the fight against HIV/AIDS, and expends a large amount of its budget, which can be documented, to fight, treat and prevent AIDS in Uganda. I know the ambassador, Ambassador Ssempala, who is a strong leader on these issues. And I believe that was the wrong example for it begins to say that we dictate to countries what their needs are.

I support the gentlewoman's amendment of adding some $390 million to the paltry $82 million, which is really more than a shame. It does not in any way suggest that America is who America should be, and that is a world leader and an investor in helping people lift themselves up. I am reminded of the phrase ''Do not give them a fish but teach them to fish.'' That is what debt relief is all about. It is to ensure that countries who faithfully secure funds from their own population are able to use those dollars not for long-standing debt relief but for food and housing and for health care. That is what this investment means.

How can the chairman, in good conscience, when the administration asks for $472 million, put in the budget $82 million? That is punitive, that is a shame, and that is not befitting of this body.

I would simply say when people are dying in droves in Africa of HIV/AIDS, this is not a time to make an accusation about an airplane. This is a time to stand up and support this amendment and to relieve them of the burden that is unfair so that they can invest in world peace and world calm and we can live together as brothers and sisters.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS), a member of the Committee on International Relations.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in support of her very important amendment.

Before we discuss the particulars of the amendment, I think we need to look at what the base bill does. The base bill makes deep cuts in funds available for loans to the world's neediest countries. That has been said rather repeatedly here.

The 32 percent cut in funding for the International Development Association would severely impact the financing of investments in health, clean water supplies, education and other infrastructure needed to reduce poverty. Additional cuts are made in funding for the African Development Bank, the African Development Fund, the Asian Development Fund, and the Inter-American Investment Corporation.

The reality is that what we are doing here is crushing nations that have been pretty much crushed to the ground. By allowing the debt to continue to run and interest to rise on it, we ultimately affect all such particulars that we would not want to as a fair-minded nation.

Mr. Chairman, I urge support for the gentlewoman's amendment.

Ms. PELOSI. Mr. Chairman, I yield 7 minutes to the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Domestic and International Monetary Policy of the Committee on Banking and Financial Services.

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

Mr. Chairman, what are we talking about tonight? I want to quote from Charles Dickens. ''It was the best of times, it was the worst of times; it was the season of light, it was the season of darkness; it was the spring of hope, it was the winter of despair. We had everything before us, we had nothing before us.''

In 1859, it was the Tale of Two Cities, today, sadly, it is the tale of two worlds, one very rich, one very poor. That is what we are talking about. We are talking about two worlds, and we are talking about what our world will do to help the other world.

What is the cost of our world helping the other world? Doing what is right, whatever the material cost, should always be the imperative. Nevertheless, let us attempt to count the cost, the cost of acting and the cost of not acting. When we do, I cannot in good faith fail to embrace this unique opportunity to help so many at such a small cost to ourselves.

What is the cost of debt relief? At this time, Mr. Chairman, I would like to introduce into the record what that cost would be for each citizen this year, and it is $1.20. I would like to submit that for the record: $1.20.

It is a nominal amount, it is a minimal amount, but it is not an insignificant amount or an inconsequential amount when we realize what it can do for that other world. It is the cost of an ice cream cone. It is the cost of a gallon of gas. In fact, a half gallon of gas. It is the cost of a Sunday paper.

Against this minuscule sacrifice for our world, what is the cost of not acting? Today, in dozens of poor countries all over the world, little boys and girls are born into poverty, disease and hunger. We in America are fond of saying, ''I had a bad day.'' We should realize that even on our worst days we are blessed with so much more; more food, more shelter, more clothes, more security, more than our poor brothers and sisters are on their best days.

We truly cannot comprehend what their day is like. However, I am going to attempt to do so with one quote from Sister Rebecca Trujillo of the Sisters of Notre Dame in Nicaragua. Here is what she writes about the plight of the poor.

''Often in my life,'' she says, ''when I talk about the needs of the poor with whom I work, people say, how do they survive? How do they survive? Since being in Nicaragua, I have taken to answer in a matter of fact way, 'Often they do not.''' That is what we are here tonight to decide, whether they survive or whether they do not.

Let me illustrate, in closing, the cost of not acting as it applies to 15 baby girls and baby boys born today into the poorest of countries. Of those 15, without debt relief, three will die before his or her fifth birthday. Of the remaining 12, four will suffer the scourge of malnutrition, with permanent consequences to their physical and mental development. Of the remaining eight, they are in no way fortunate. Their chances of graduating from high school, of drinking clean water, of suffering disease and deprivation, of being orphaned are great, sometimes as much as 50–50. Their burdens are day-to-day, they are painful, they are heavy.

We in America have been blessed with a period of almost unparalleled economic prosperity. Never in our history has one country had so much progress, wealth and luxury. Now, with the start of a new millennium, we can do so much for a billion of the poorest citizens of the world. I believe they are our brothers and sisters. At such a small cost to each of us, what a shame if history should look back on us today and say that we passed up so great an opportunity.

The responsibility is ours and ours alone. Our moral imperative is not qualified by the rest of the world failing to do what is right. We cannot use other countries' inaction as an excuse for our inaction. The decision is ours.

In conclusion, Mr. Chairman, I would say the decision is three things: First, it is a decision that will follow us. For the people living in these poor countries, their suffering is temporal. It will end with their lives. For us, the decision will follow us. We will not only live with this in this life, but we will live with it in the next.

Second, the decision will define us. It will define us as either a loving people,

a people filled with grace and compassion, or it will define us as a people focused on the monetary, the temporal.

And third, and I think this is most important, this is not a decision that the poor countries of the world will make, it is our decision. We have the responsibility, we have the obligation, and we have the direction as to what is the right thing to do. For this decision, whether we are a follower of the Islam religion, whether we are a Muslim, whether we are Christian, or whether we are Jewish, all those religions give us a moral imperative in such a case, and that imperative is to act.

To me, there is really only one decision.

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume in thanksgiving for the beautiful testimony of our previous speaker, the gentleman from Alabama (Mr. BACHUS), and thank him for that statement and for his incredible leadership on this issue of international debt forgiveness.

Mr. Chairman, I yield 2½ minutes to the gentleman from Illinois (Mr. JACKSON), a member of the subcommittee and an active champion for debt relief.

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

Mr. JACKSON of Illinois. Mr. Chairman, a few months ago this Congress was filled with ambassadors who proclaimed that they wanted trade not aid. Why is that? Because, I believe, Mr. Chairman, that the economic elite of every country are really the primary beneficiaries of the global economy.

But it is not trade that is ravaging the people of sub-Saharan Africa and South America, HIV and AIDS are. More than 60 percent of the export earning potential of these countries associated with trade is being used for debt service. It is not being used for health care or for education. My colleague from Massachusetts made that very clear.

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Mr. Chairman, I want to make it clear what we believe the problem to be, because we heard a number of our colleagues from the other side come to the floor and talk about responsible governments in sub-Saharan Africa. We spent billions here in America educating people in English and in Spanish about HIV and AIDS.

There are 1,500 languages in sub-Saharan Africa, and they cannot possibly educate their people about the devastating disease and maintain these debt payments. We spend billions to educate 280 million people in America. There are 750 million sub-Saharan Africans, and they cannot educate themselves and make these payments.

There are 5,000 sub-Saharan Africans who are dying a day in the villages, in the cities. The disease to many of them is not HIV or AIDS, it is surrounded by myth and superstition. Why? Because there are hundreds of religions in sub-Saharan Africa. And so every time, Mr. Chairman, that my colleagues argue that at some point in time in the near future we will address debt relief and we will condition that debt relief upon no future loans, we are actually making it more and more difficult for sub-Saharan Africans to educate their own people about the nature of the problem.

That is why some of us have called for unconditional debt forgiveness. But even if the Congress of the United States, Mr. Chairman, does not support unconditional debt forgiveness, the conditions should be placed upon that debt forgiveness on the use of those resources for the education, the health care, and the housing of their people.

Mr. LEACH. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. EHLERS).

The CHAIRMAN. Without objection, the gentleman from Iowa (Mr. LEACH) may control the time at this point controlled by the gentleman from Alabama (Mr. CALLAHAN), and the gentleman yields 5 minutes to the gentleman from Michigan (Mr. EHLERS).

There was no objection.

Mr. EHLERS. Mr. Chairman, I will be brief. I do not expect to use the entire amount of time. But I simply want to, first of all, associate myself with the remarks of the gentleman from Alabama (Mr. BACHUS), who gave a very moving and stirring speech a few moments ago and pointed out that what we are talking about is providing an appropriate amount of relief for a cost of only a little over a dollar per citizen in the United States, something which I believe almost all of us can afford quite readily. In fact, I would be willing to pay quite a bit more than that in order to cover the payment for those who cannot do so.

I would just also comment, I am aware that this issue is likely to be ruled out of order and, therefore, not to be voted on today. I would also add that I am a cosponsor of the authorizing bill which will deal with this issue. I believe it is very important that we address it.

There are many issues to be raised regarding this as to how to handle it appropriately, how to ensure that the relief that is given will be used in a meaningful way to aid the people for whom it is intended and a whole host of other issues. But the key point is simply that we are dealing with nations that are struggling for breath, that are dealing with huge amounts not just of poverty but of illness, that are almost immobilized by AIDS and other diseases; and it is incumbent upon us, as the wealthiest Nation in the world, to share some of our abundance with them.

I would also note, Mr. Chairman, that of the developed nations which are sharing their abundance with the poorer nations, the United States still, to the best of my knowledge, contributes the least per capita of any of the developed nations. This is not a record of which I am proud, and I hope we can improve that.

The key, however, is to make certain that the aid we provide does in fact alleviate the situation, does help those in need, and does improve the situation in those nations which need help.

Ms. PELOSI. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Michigan (Mr. BONIOR), the distinguished Democratic Whip of the House.

Mr. BONIOR. Mr. Chairman, I thank the distinguished gentlewoman from California (Ms. PELOSI) for her leadership on this issue. I would like to also congratulate the gentlewoman from California (Ms. WATERS) for her leadership on this issue.

There are so many people who have been active on this and who have shown leadership. I thank the gentleman from Michigan (Mr. EHLERS), my colleague, for his comments and, as he pointed out, a beautiful statement by our friend, the gentleman from Alabama (Mr. BACHUS).

Mr. Chairman, I have seldom been prouder of the House of Representatives than I am tonight listening to this debate. It is an extraordinary outpouring of concern and love and care for people who need our love and our concern and certainly our care in a very critical time.

St. Augustine once said that charity is no substitute for justice withheld. And I think today we face the question of justice. Clearly it is before us.

It has been estimated that the nations of sub-Saharan Africa now owe foreign creditors an average of almost $400 for every man, woman, and child. That is more than most Africans earn in a year. And that is why these nations now spend more to repay debt than they do on primary education or on health care.

In Tanzania, a nation where 40 percent of the population dies before the age of 35, the government today is forced to spend nine times more on debt repayment than it spends on health care. Debt relief is not about charity. It is about justice. And in this case, Mr. Chairman, it is about human survival. It is about helping to save millions of children from hunger and disease and helping prevent whole nations from falling even deeper into an abyss of poverty and neglect.

It has been said that justice is so subtle a thing that to interpret it, one has only the need of a heart. It is up to us today to look into our heart, and it is up to us to remember that the true measure of America's strength is not only our wealth, it is our compassion. I urge support of the Pelosi and Waters effort to provide lasting debt relief to save human lives and to effect justice.

I would daresay, Mr. Chairman, no matter what the outcome of this is today or this evening, that I sense from this Chamber that there is a majority of Members in this body who want to do something and do something substantial on this issue. And I hope we address this issue. I think we will address this issue before we adjourn for the year.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, the international AIDS conference is happening right now in South Africa with countries around the world coming together to address the issue of AIDS.

I ask my colleagues, what is the position of the United States on this issue? We are ready to fight off the boogeyman with a $60 billion defense system. But the real boogeyman is AIDS, and we are standing by while it wipes out millions of people in Africa. And, folks, we are not excluded.

AIDS in Africa is a direct threat to our country, especially in today's interconnected world. It is no coincidence that recent reports show that just as AIDS cases in Africa are on the rise, AIDS in the United States is on the increase again. In fact, experts are predicting that 40,000 new infections will occur this year.

The boogeyman is here, folks; and we are going to be in serious trouble if we do not stop him. Debt relief is something that is desperately needed by the world's poorest countries. There are countries that have been forced to make major cuts in health and educational spending in order to pay their debt. I do not understand how we can debate $20 million for debt relief, and yet in the weeks to come my colleagues will come to this floor to support $60 billion on a cartoon defense plan.

Even though our heads may be in the sand, the boogeyman is already here. It is wiping out communities in this country, too.

Debt relief is something that is desperately needed by the world's poorest countries. These are countries that have been forced to make drastic cuts in health and education spending in order to make payments on their debts. I don't understand how we can debate $200 million for debt relief, and yet in the weeks to come my colleagues will be on this floor supporting $60 billion on a cartoon defense plan.

Even though our heads seem to be in the sand, the boogeyman is already here. It's wiping out communities in this country too. The only way we can stop him is through stopping the AIDS virus, and one of the best ways to do that is through debt relief. I rise in opposition to this bill because it fails to address some of the most critical issues in the world—debt relief and the international AIDS crisis that is wiping out the continent of Africa.

In Zambia, Niger, Nicaragua, Honduras and Uganda, government spending on debt service payments is greater than government spending on health and education combined! 4.2 million South Africans are currently infected with HIV. If these countries were granted debt relief, they would be better equipped to pay for health services for AIDS, which is ravaging the continent.

Almost half of all 15 year olds in the African countries worst affected by AIDS will eventually die. AIDS has wiped out households, destroyed families emotionally and economically, severely damaged entire economies, and in some countries, has killed so many teachers that it is beginning to affect basic education. Life expectancy in southern Africa is expected to drop to 30.

This disease has created 8 million ''AIDS orphans,'' who face increased risk of malnutrition and will have very little opportunity to get an education.

Was debt relief really ever given serious consideration in this Congress? No. Even though it was stated on the floor during this same debate in 1998 that ''AIDS had the potential for undermining all development efforts to date,'' many here in Washington still believe that assisting Africa is not in the interests of the United States. We do not live in a vacuum. AIDS in Africa is a direct threat to our country, especially in today's interconnected world.

I urge my colleagues to support the Pelosi amendment and treat the situation in Africa for what it is, a crisis.

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

Mr. Chairman, I want to thank the many Members on both sides of the aisle who are participating in this evening's debate. I am especially pleased that the last four or five speakers on the Republican side give us hope that we will be able to reach a bipartisan resolution to the question that is before us this evening.

I was, of course, inspired by the statement of the gentleman from Alabama (Mr. BACHUS), encouraged by the statement of the gentleman from Michigan (Mr. EHLERS), always taught by the statement of the gentleman from Iowa (Mr. LEACH), the chairman of the Committee on Banking and Financial Services, and so pleased to have expressions of support from the gentleman from Ohio (Mr. KASICH), the chair of the Committee on the Budget.

So I am hopeful that when we go down this path the funding will be sufficient and the policy will match the need that we have for debt relief.

Mr. Chairman, our distinguished colleague, the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Domestic and International Monetary Policy of the Committee on Banking and Financial Services, in his beautiful remarks of support of international debt relief commented that something like $1.20 for every American would cover what we are trying to do here tonight and spoke very poignantly about that being the cost of an ice cream or Sunday paper. I could not help but think of some other statistics.

The World Bank estimates that sub-Saharan African countries owe foreign creditors an average of almost $400 for every man, woman and child, more than most Africans make in a year. More than $400 for every person is owed. This can be resolved by $1.20 for every American, a small price to pay to unleash an enormous amount of money relatively speaking to the economies of those countries that would solve the problem of $400. One dollar solves the problem of $400 for every person in sub-Saharan Africa.

Some of my colleagues have referenced the statistics. The writer George Bernard Shaw once wrote that the true sign of an intelligent person was that he or she was swayed and persuaded by statistics. I do not know if that is true, but the statistics here are staggering and I think very compelling and bear repeating if they have already been stated.

In Mozambique, one of every four children dies before the age of five due to infectious disease. Yet the government spends four times more on debt servicing than on health care.

In Tanzania, where 40 percent of the population dies before the age of 35, the government spends nine times more on foreign debt payments than on health care, according to Oxfam. We have heard these statistics, and they go on and on.

But I am really quite taken by the spirit of how this debate evolved this evening. And in that spirit, I wanted to quote from Bernard Cardinal Law, the Archbishop of Boston, and chairman of the International Policy Committee of the United States Catholic Conference.

He says, ''I am particularly disturbed by the woefully inadequate allocation for poor country debt relief. Last year's legislation supporting the new, more generous debt relief program agreed that the Cologne summit gave promise of a Jubilee Year 2000 that would bring hope to millions of impoverished children, women, and men around the world.''

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I hope that we will take the hope that Cardinal Bernard Law references here and make it tangible in terms of the appropriation that we need at the end of the day.

I just want to say, though, in the larger context of assistance to other countries, what we do for other countries is largely what is in our national interest to do. It is a part of a vision of who we think we are as a country, and we think we are great, and we are great. And as other Members have indicated tonight, it would be a sign of our greatness for us to recognize the responsibilities that we have internationally.

It is about the knowledge that we have and, as I have said before, the diversity that we have in this body empowers us but gives us also the responsibility to do something about the issues that are before us. Our members of the Congressional Black Caucus, of the Hispanic Caucus, of the Asian-Pacific American Caucus know the cultures, the economies, the opportunities and the needs and the urgency in the countries of their knowledge. We should build a plan on that knowledge, and we have. The President has agreed to it, he has to return next week to the G7 meeting to answer for it. Unfortunately, we will not have the opportunity to give him the funding he needs to go there. But hopefully he can take a message that all signs are hopeful that Congress will meet the President's request of $472 million for international debt relief to meet the fiscal

year 2000 obligation and the fiscal year 2001, both of which I hope will be contained in this bill.

It is not about doing anybody a favor. It is about the recognition that this is in our national interest. It is about the idea that infectious disease knows no boundary. I would hope that a spirit of compassion would be enough to compel us to do this, but it has a pragmatic aspect of it, and, that is, as I said, infectious disease knows no boundary. And we know that as we see AIDS raging through Africa, Asia and spreading to the rest of the world, even the increase in the United States when we are so enlightened about the subject. And it is again about the spirit of who we are as a country. I think the American people expect and the American people deserve that we do our best to represent us not only as a great country but as a good country.

As I have been talking, Mr. Chairman, I was hoping that some of our colleagues who had requested time would return to the floor. May I ask of the Chair, are we going to have a motion to rise, Mr. Chairman?

The CHAIRMAN. The Chair has not heard such a motion. The Chair will entertain such a motion when offered.

Ms. PELOSI. I had been told that there might be an intervention into our debate.

Mr. CALLAHAN. We are waiting for the gentlewoman to consume her time and once she does there very possibly could be a temporary motion to rise.

Ms. PELOSI. I appreciate the gentleman saying that, but that was my point exactly. If there is going to be a motion to rise, I would reserve my time and use it for other colleagues.

Mr. CALLAHAN. Before we do that, we would like for you to either finish your discussion on this issue or I will ask for my point of order.

Ms. PELOSI. I see. The gentleman is clear.

Mr. Chairman, in that case I may have another speaker available.

Mr. CALLAHAN. We have no more speakers.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to thank her for her eloquence and commitment, and I certainly want to thank the gentleman from Alabama (Mr. BACHUS) raising the question as to whether we have a moral imperative to act, and that we do.

Might I put into the RECORD, Mr. Chairman, the very points that the gentleman from Alabama (Mr. BACHUS) was making, and I simply want to say to the gentlewoman, you realize that Honduras had a terrible, terrible hurricane in 1998. Right now a Honduran makes $838 a year, and similar to the $1.20, that is a television set, and they owe some $3 billion in debt. If we were to help the Honduran government, this is what they could do. They could improve basic health services for at least 100,000 people, and they could hire 1,000 new teachers among other projects.

To the gentlewoman, I simply believe this goes to my point of not giving a fish but teaching people to fish. How can they pay $3.3 billion in debt and how can other nations around the world fighting off AIDS be able to do so with the enormous debt?

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

Since the gentlewoman ended on the word AIDS, I just wanted to pick up on that for a moment and say that if you compound AIDS with poverty, you have a very, very deadly formula. These subjects are very definitely related. In the course of the evening we will have an amendment on AIDS, but we will not have as much time to debate that issue. But this issue of the debt forgiveness is not unrelated to the spread of AIDS in these countries which have inadequate access to quality health care and to education and, therefore, prevention.

I also wanted to make the point that it is in our national interest because disease knows no boundary, nor does environmental degradation. So I am very pleased that the American Lands Alliance, the Friends of the Earth, the Natural Resources Defense Council, the Sierra Club, the International Rivers Network, Environmental Defense, Rain Forests International, and World Wildlife Fund have all written in support of our amendment, indicating that when poor countries place their environment in jeopardy, they will frequently have to liquidate their natural resources as a quick way to service their debt. We do not want that to happen. That is why it is very important for us for personal, environmental, health, economic, cultural, political, for every reason to do the right thing by supporting the President's request on debt forgiveness.

Mr. Chairman, I am pleased to yield such time as he may consume to the distinguished gentleman from New Jersey (Mr. MENENDEZ), the vice chair of the Democratic Caucus.

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

Mr. MENENDEZ. Mr. Chairman, I thank the gentlewoman for yielding me this time. I am glad to be on the floor to strongly support her amendment. This is a question not only of moral imperative but of national importance. The question is not a question of charity towards other countries. The question is what is in the national interest of the United States in the context of debt relief.

This bill contains only $69 million of the $472 million of the administration's request for debt relief, and that amount of aid will not even provide enough resources to enable two countries, Bolivia and Mozambique, for example, who have met all the necessary conditions to obtain debt relief, to actually get it. The bill already shortchanges our friends and neighbors in Africa and Latin America and elsewhere and most significantly in that part which is the most significant program that offers highly indebted peoples the greatest hope for digging themselves out of the pits of poverty.

Mr. Chairman, I have heard many of my colleagues here speak over the course of the last several years about illegal immigration. When people flee their countries, they flee because of civil wars or they flee because of poverty. We spent in Latin America, for example, in the decade of the 1980s well over a billion dollars to promote democracy. And once we believed that we achieved that, we abandoned those countries, and overwhelmingly in the hemisphere where 40 percent of the people live below the poverty level, what do we do? We have basically said that we no longer have a commitment to you. Yet when people cross that border, they are crossing because they are fleeing poverty or because they are fleeing oppression in their own countries.

When people, in fact, are ill, that knows no borders. The diseases that have now begun to spring up here within the hemisphere know no borders. We are not immune as a country in that regard. When we talk about biodiversity issues and we are concerned about the quality of air here and we are concerned about the diminution of the rain forests throughout Central America, the Caribbean and into the rest of Latin America and we say, ''Don't cut down your rain forests,'' but by the same token we give them no relief so that in fact they will not face a mountain of debt in which they will seek to do whatever they need to do in order to meet their national needs.

So this is not about them. This is about us. The gentlewoman's amendment is not a question of charity. It is not even in the context of the spirit of the religious orders of this country about the golden jubilee. It is about the national interest of the United States, whether you talk about in the context of immigration, whether you talk about in the context of disease, whether you talk about in the context of the environment, and how much more are we willing to spend for the meager amount that the debt relief would provide in terms of a beneficial consequence to those countries, how much more are we willing to spend when those countries turn, as we are seeing serious questions within the hemisphere, turn away from democracy and open markets and turn into a renewal of totalitarian governments? Then we will spend billions of dollars to defend democracy. But when we could spend just millions to preserve and promote democracy, we will not. It is not only shortsighted, it does not meet the moral imperative that we clearly have, it does not meet the national interest that we have.

I urge my colleagues to join in support of the gentlewoman's amendment.

It is an amendment that pursues the national interest of the United States, and I would venture to say within this hemisphere even the national security of the United States.

And, lastly, our friends have spoken eloquently here about the pandemic that we see in the question of AIDS. That also knows no borders. It knows no color. It knows no gender. And in fact we have a serious consequence if we do not respond. We cannot silently sit by with our eyes closed believing that this major international health consequence will not ultimately come upon the shores of the United States and that there will be no consequence to us. Those who believe that despite all of their claims of internationalism in terms of trade are myopic when they are unwilling to give the type of debt relief as simple and as meager as it might be here but which is significant to these countries.

I urge the support of the gentlewoman's amendment, in our interest, in average Americans' interest, in the national interest of the United States and ultimately so that we can meet the moral imperative and be the beacon of light to the rest of the world that we should be.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Virginia (Mr. MORAN), a member of the Committee on Appropriations.

The CHAIRMAN. The gentlewoman from California has 1½ minutes remaining.

Ms. PELOSI. Then I will have to yield the gentleman from Virginia 1½ minutes to close for our side.

Mr. MORAN of Virginia. I thank the distinguished gentlewoman for her attempted generosity. I will do what I can.

Ms. PELOSI. Perhaps the gentleman from Alabama (Mr. CALLAHAN) would like to yield some time to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, after he hears what I have to say probably not, because I support the Pelosi amendment very strongly and I do not support this bill. It is the wrong bill from a diplomatic standpoint, from an economic standpoint and perhaps most importantly from a moral standpoint. In many ways it is like walking down the street seeing a starving kid with his hand out in front of a store front, putting your hand on a couple of bucks and then decide, no, and walking in the store and buying yourself a cigar instead.

Why are we doing this? Why are we so dramatically cutting debt relief, family planning, the assistance that starving people in Asia and particularly in Africa need, the health care, the educational assistance? We are doing it to give ourselves a trillion dollar tax cut. That is the only reason we got such stringent allocations to our appropriations subcommittees, so we can afford a trillion dollar tax cut.

We are the wealthiest nation in the history of the world. In fact, one-earner families making $40,000 are paying 5 percent on average in Federal income taxes. Two-earner families making $70,000 on average pay 10 percent. We have never been better off. We have never had more capacity to do what is right for the rest of the world. And so here when we are confronted with the opportunity to do what is right, to change the lives of millions of people, one-quarter of the population in many of these African countries are dying of AIDS. Think of the suffering. We can relieve that suffering. Instead we decide to give ourselves a trillion dollar tax cut. It is wrong and it is immoral.

STATUS AND MOST RECENT DEVELOPMENTS

On June 27, the House Appropriations Committee ordered reported its version of the FY2001 Foreign Operations Appropriations (H.R. 4811), providing $13.3 billion, about $200 million less than the FY2000 Act (after adjusting for Wye River aid package), and $1.8 billion, or 12%, below the President's $15.1 billion FY2001 request.

The House bill increases the President's request for child survival and infectious disease programs ($815 million) and international fund for Ireland ($25 million). Like the Senate measure, the House bill reduces the President's proposed budget in many areas: aid to the former Soviet Union ($740 million; −$90 million), debt reduction ($82.4 million; −$180 million), the World Bank's International Development Association ($576.6 million; −$260 million), and the Global Environment Facility ($35.8 million; −$140 million). The House measure further continues current abortion restrictions applied to USAID population aid.

H.R. 4811 dramatically cuts funding for the poorest countries in the world, disproportionately hurting African and Latin American countries. The bill contains only $82 million of the $472 million (requested for multilateral debt relief assistance—in complete disregard of the commitment made by the G–7 countries more than 2 years ago to provide urgent debt relief. Overall cuts to programs that assist Africa and Latin America total 15%. The bill cuts funding for international financial institutions that provide loans to poor countries by one-third.

Cuts of this magnitude will make it impossible to halt the spread of infectious disease, alleviate poverty, and provide access to family planning. The countries of sub-Saharan Africa are forced to spend more each year repaying debt than they are able to spend on primary education and health care. According to the World Bank, sub-Saharan African governments owe foreign creditors an average of almost $400 for every man, woman, and child—more than most Africans make in a year.

H.R. 4811 cuts funding to fight AIDS by nearly 20%, providing only $202 million of the $244 million requested. In many countries, up to one-fourth of the adult population is infected with this horrible disease and funds are desperately needed to combat its spread. In addition, H.R. 4811 cuts funds requested for family planning 29% below the amount requested. The bill codifies the ''Mexico City'' restrictions on international funds for family planning and extends those restrictions to all forms of lobbying.

The President's senior advisors are recommending that he veto the bill.

DEBT RELIEF AND H. RES. 546

A group of Democratic House members urged colleagues today to vote down the rule (H. Res. 546) governing floor debate on a fiscal 2001 foreign operations appropriations bill because it would not permit amendments to boost funding for debt relief to the world's poorest nations.

The rule would not protect an amendment by Representative PELOSI, to provide an extra $390 million on top of the bill's $82 million allocation to match the amount President Clinton requested for debt relief over fiscal years 2000 and 2001.

Treasury Secretary Summers and AFL–CIO President John Sweeney joined lawmakers at a press conference criticizing GOP leaders for not supporting Clinton's request. ''It is imperative for our country morally, economically and diplomatically to provide this debt relief,'' Summers said.

The CHAIRMAN. The time of the gentlewoman from California (Ms. PELOSI) has expired.

Mrs. ROUKEMA. Mr. Chairman, I rise today to express my concerns over the level of funding for international financial institutions. Specifically, I want to talk about this nation's debt relief efforts. Unfortunately, this bill reduces debt relief efforts by $40 million from last year. I fully understand the budgetary environment that Chairman CALLAHAN is working under and it is my hope that when this bill becomes its final product, that we increase the amount we appropriate to debt relief.

I would also acknowledge the thoughtful and inciteful statement of our colleague from Alabama, Representative BACHUS.

Last year with bipartisan support, Congress made important steps in addressing the problem of debt relief for poor countries. Congress appropriated $123 million to begin canceling the debts that reforming poor countries owe the United States, and agreed that the International Monetary Fund (IMF) can use $2.3 billion of its own resources to finance its contribution to debt relief.

The Banking Committee, the committee of jurisdiction, authorized U.S. participation in international debt relief efforts when it passed H.R. 1095. Many important elements of H.R. 1095 were included in last year's Omnibus appropriations package.

These elements included that:

Poor countries must engage in an economic reform program,

Poor countries must promote civil society participation,

Poor countries must implement anti-corruption measures,

Poor countries must create programs for poverty reduction, and

Poor countries must strengthen private sector growth, trade, and investment.

Our bill excluded poor countries that violated human rights, supported terrorism, or spend too much of their resources on their military.

Much of the effort to provide for debt relief came from the work of so many people of different faiths during Jubilee 2000. Jubilee 2000 drew its inspiration from the Book of Leviticus in Hebrew Scriptures. In the Jubilee year, social inequities are rectified, slaves are freed, and debts are forgiven. I know that it is the Committee's position that it supports the efforts of Jubilee 2000. That is not in question here.

The question is how best to proceed. I want to work with the Chairman on this important issue and work to find more funding for debt relief.

I know that debt relief alone cannot solve the problems of the world's poorest countries. But it is an important start and a start that we must make.

I look forward to working with the distinguished chairman on this issue. I also want to thank Chairman CALLAHAN for his service on this subcommittee. It has not always been an easy job. But his knowledge, graciousness, and willingness to reach across the aisle to do what is right is a hallmark of his service. I look forward to continue to work with him in his next capacity.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, AIDS—such an ugly disease to think about. This ugly disease which emerged from the shadows 2 decades ago, has devastated whole regions, knocked decades off national development, widened the gulf between rich and poor nations and pushed already-stigmatized groups closer to the margins of society.

Well, shouldn't we do more to extinguish such an ugly disease at home and abroad? The time to act is now. AIDS is one of the most critical development issues confronting our world.

A decade ago, HIV/AIDS was regarded primarily as a serious health crisis. During that time, estimates in 1991 predicted that in sub-Saharan Africa, by the end of the decade, 9 million people would be infected and 5 million would die. Well, that was a threefold underestimation. Today, it is clear that AIDS is a development crisis, and in some parts of the world is rapidly becoming a security crisis too.

The cumulative effect of millions of AIDS deaths is causing havoc in households, communities and economies in countries where HIV started spreading 2 decades ago. Altogether, 95% of the global epidemic is concentrated in the developing world, which has inadequate resources for halting the HIV spread and alleviating its devastating consequences. It is a fact that AIDS is unique in its devastating impact on the social, economic and demographic underpinnings of development.

The time to act is now. Support our colleague's amendment to include an additional $42 million, per the President's request, to the $202 million provided for the USAID global HIV/AIDS program.

☐ 2100

Mr. CALLAHAN. Mr. Chairman, does the gentlewoman withdraw her amendment?

Ms. PELOSI. Does the gentleman insist on his point of order?

Mr. CALLAHAN. I am going to, if the gentlewoman does not withdraw it.

Ms. PELOSI. Mr. Chairman, I yield to the gentleman for his course of action.

POINT OF ORDER

Mr. CALLAHAN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentlewoman from California (Ms. PELOSI) desire to be heard on the point of order?

Ms. PELOSI. Only to make two points, Mr. Chairman: A, this is an emergency; and, B, there is precedent in the legislation with the funding for flooding in Mozambique and southern Africa.

So it would be consistent with what is in the bill already for the majority to withdraw the point of order and give the body a chance to work its will on the legislation.

The CHAIRMAN. The Chair is prepared to rule. With the emergency designations in the amendment, the amendment constitutes legislation in violation of clause 2(c) of rule XXI, and therefore the point of order is sustained.

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

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would like to announce to the membership that the gentleman from Alabama (Mr. CALLAHAN) will make a motion to rise. The Committee will not be rising for the evening, it will be for the purpose of appointing conferees on the defense appropriations bill. Then we will go back into the committee and go back to the consideration of the foreign operations bill.

The intent is to work as late as we can this evening. The gentleman from Wisconsin (Mr. OBEY) and I have been working diligently to come to an agreement that we will be able to get the House adjourned at least no later than 5 o'clock tomorrow, having completed the foreign operations bill.

So we will tend to this business, then come back to the foreign operations bill, get through as much of it as we can this evening, and try to finish it tomorrow before 5 o'clock so Members can make their plans for the weekend.

Mr. CALLAHAN. 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. BLUNT) having assumed the chair, Mr. THORNBERRY, 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. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF CONFEREES ON H.R. 4576, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4576) making appropriations 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 Florida? The Chair hears none and, without objection, appoints the following conferees: Messrs. LEWIS of California, YOUNG of Florida, SKEEN, HOBSON, BONILLA, NETHERCUTT, ISTOOK, CUNNINGHAM, DICKEY, FRELINGHUYSEN, MURTHA, DICKS, SABO, DIXON, VISCLOSKY, MORAN of Virginia and OBEY.

There was no objection.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 4576, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida. Mr. Speaker, I offer a motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. YOUNG of Florida moves that pursuant to clause 12 of rule XXII, the committee meetings on the bill, H.R. 4576, be closed to the public at such time as classified national security information is under consideration, provided, however, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. YOUNG).

Pursuant to clause 12 of rule XXII, this vote must be taken by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 407, nays 7, not voting 20, as follows:

[Roll No. 395]

YEAS—407

Abercrombie	Brown (FL)	Delahunt
Ackerman	Brown (OH)	DeLauro
Aderholt	Bryant	DeLay
Allen	Burr	DeMint
Andrews	Burton	Deutsch
Armey	Buyer	Dickey
Bachus	Callahan	Dicks
Baird	Calvert	Dingell
Baker	Camp	Dixon
Baldacci	Canady	Doggett
Baldwin	Cannon	Dooley
Ballenger	Capps	Doolittle
Barcia	Capuano	Doyle
Barr	Cardin	Dreier
Barrett (NE)	Castle	Duncan
Barrett (WI)	Chabot	Dunn
Bartlett	Chambliss	Edwards
Barton	Clayton	Ehlers
Bass	Clement	Ehrlich
Bateman	Clyburn	Emerson
Becerra	Coble	Engel
Bentsen	Coburn	English
Bereuter	Collins	Eshoo
Berkley	Combest	Etheridge
Berman	Condit	Evans
Berry	Conyers	Everett
Biggert	Cook	Ewing
Bilbray	Cooksey	Farr
Bilirakis	Costello	Fattah
Bishop	Cox	Filner
Blagojevich	Coyne	Fletcher
Bliley	Cramer	Foley
Blunt	Crane	Ford
Boehlert	Crowley	Fossella
Boehner	Cubin	Fowler
Bonilla	Cummings	Frank (MA)
Bonior	Cunningham	Franks (NJ)
Bono	Danner	Frelinghuysen
Boswell	Davis (FL)	Frost
Boucher	Davis (IL)	Gallegly
Boyd	Davis (VA)	Ganske
Brady (PA)	Deal	Gejdenson
Brady (TX)	DeGette	Gephardt

Gibbons	Maloney (CT)	Rush
Gilchrest	Maloney (NY)	Ryan (WI)
Gillmor	Manzullo	Ryun (KS)
Gilman	Markey	Sabo
Gonzalez	Martinez	Salmon
Goode	Mascara	Sanchez
Goodlatte	McCarthy (MO)	Sanders
Goodling	McCarthy (NY)	Sandlin
Gordon	McCollum	Sanford
Goss	McCrery	Sawyer
Graham	McDermott	Saxton
Granger	McGovern	Scarborough
Green (TX)	McHugh	Schaffer
Green (WI)	McInnis	Schakowsky
Greenwood	McIntosh	Scott
Gutierrez	McIntyre	Sensenbrenner
Gutknecht	McKeon	Serrano
Hall (OH)	McKinney	Sessions
Hall (TX)	Meehan	Shadegg
Hansen	Meek (FL)	Shaw
Hastings (FL)	Meeks (NY)	Shays
Hastings (WA)	Menendez	Sherman
Hayes	Metcalf	Sherwood
Hayworth	Mica	Shimkus
Hefley	Millender-McDonald	Shows
Herger	Miller (FL)	Shuster
Hill (IN)	Miller, Gary	Sisisky
Hill (MT)	Miller, George	Skeen
Hilleary	Minge	Skelton
Hilliard	Mink	Slaughter
Hinchey	Moakley	Smith (MI)
Hinojosa	Mollohan	Smith (NJ)
Hobson	Moore	Smith (TX)
Hoeffel	Moran (KS)	Snyder
Hoekstra	Moran (VA)	Souder
Holden	Morella	Spence
Holt	Murtha	Spratt
Hooley	Myrick	Stabenow
Horn	Nadler	Stearns
Hostettler	Napolitano	Stenholm
Houghton	Neal	Strickland
Hoyer	Nethercutt	Stump
Hulshof	Northup	Stupak
Hutchinson	Norwood	Sununu
Hyde	Oberstar	Sweeney
Inslee	Obey	Talent
Isakson	Olver	Tancredo
Istook	Ortiz	Tanner
Jackson (IL)	Ose	Tauscher
Jefferson	Owens	Tauzin
Jenkins	Oxley	Taylor (MS)
John	Packard	Taylor (NC)
Johnson (CT)	Pallone	Terry
Johnson, E. B.	Pascrell	Thomas
Johnson, Sam	Pastor	Thompson (CA)
Jones (NC)	Paul	Thompson (MS)
Kanjorski	Payne	Thornberry
Kaptur	Pease	Thune
Kelly	Pelosi	Thurman
Kennedy	Peterson (MN)	Tiahrt
Kildee	Peterson (PA)	Tierney
Kilpatrick	Petri	Toomey
Kind (WI)	Phelps	Towns
King (NY)	Pickering	Traficant
Kingston	Pickett	Turner
Kleczka	Pitts	Udall (CO)
Klink	Pombo	Udall (NM)
Knollenberg	Pomeroy	Upton
Kolbe	Porter	Velazquez
Kuykendall	Portman	Visclosky
LaFalce	Price (NC)	Vitter
LaHood	Pryce (OH)	Walden
Lampson	Quinn	Walsh
Lantos	Radanovich	Wamp
Largent	Rahall	Watkins
Larson	Ramstad	Watts (OK)
Latham	Rangel	Waxman
LaTourette	Regula	Weiner
Lazio	Reyes	Weldon (FL)
Leach	Reynolds	Weldon (PA)
Lee	Riley	Weller
Levin	Rivers	Wexler
Lewis (CA)	Rodriguez	Weygand
Lewis (GA)	Roemer	Whitfield
Lewis (KY)	Rogan	Wicker
Linder	Rogers	Wilson
Lipinski	Rohrabacher	Wise
LoBiondo	Ros-Lehtinen	Wolf
Lofgren	Rothman	Woolsey
Lowey	Roukema	Wu
Lucas (KY)	Roybal-Allard	Wynn
Lucas (OK)	Royce	Young (AK)
Luther		Young (FL)

NAYS—7

Blumenauer	Jackson-Lee (TX)	Stark
DeFazio	Kucinich	Waters
		Watt (NC)

NOT VOTING—20

Archer	Diaz-Balart	McNulty
Baca	Forbes	Ney
Borski	Gekas	Nussle
Campbell	Hunter	Simpson
Carson	Jones (OH)	Smith (WA)
Chenoweth-Hage	Kasich	Vento
Clay	Matsui	

□ 2124

Mr. KUCINICH and Ms. JACKSON-LEE of Texas changed their vote from ''yea'' to ''nay.''

Mr. SHOWS and Mr. ACKERMAN changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4632

Mr. SOUDER. Mr. Speaker, my name was mistakenly added as an original cosponsor of H.R. 4632. I ask unanimous consent to withdraw my name as an original cosponsor of this bill.

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

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 546 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4811.

□ 2125

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. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentlewoman from California (Ms. PELOSI) had been disposed of, and the bill was open for amendment from page 2, line 22 to page 3, line 17.

Are there further amendments to this portion of the bill?

AMENDMENT NO. 4 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BURTON of Indiana:

OFFERED BY: MR. BURTON OF INDIANA

In title I of the bill under the heading ''EXPORT AND INVESTMENT ASSISTANCE–SUBSIDY APPROPRIATION'', after the first dollar amount insert ''(decreased by $25,000,000)''.

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–DEVELOPMENT ASSISTANCE'', after the first dollar amount insert ''(decreased by $49,500,000)''.

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT'', after the first dollar amount insert ''(decreased by $30,000,000)''.

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–DEPARTMENT OF STATE–INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', after the first dollar amount insert ''(increased by $99,500,000)''.

□ 2130

Mr. BURTON of Indiana. Mr. Chairman, I yield to the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations.

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

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

Mr. Chairman, I am pleased to join the gentleman from Indiana (Chairman BURTON) in offering this $99.5 million counternarcotics aid amendment for Colombia.

The gentleman from Indiana (Chairman BURTON) and I have long worked together to aid the nation of Colombia, source of most of the world's cocaine and more than 70 percent of the heroin sold or seized on our Nation's streets.

Mr. Chairman, the Colombian National Police, the CNP, has long led the fight against drugs and has been doing its work effectively, although with the limited tools that they have had.

We reluctantly went along with the recently-passed Colombian emergency supplemental because that is what the Colombian government and the Clinton administration wanted; specifically, more aid to the Colombian military to fight drugs.

In the end, however, everyone knows that it is going to be the CNP that is going to have to eradicate the coca leaf and move gasoline from the helicopters and spray planes along with the herbicide to the distant and hard-to-reach fronts in places like southern Colombia, to eliminate the thousands of hectares of coca once the army takes control of those areas.

Drug fighting is a police function, not a military one, both in our Nation and in Colombia. Today the CNP lacks any real capacity to move the massive amounts of fuel that they and the army counternarcotics battalions may need. In fact, they have but only one workable supply plane, an old 1950 DC–3.

Last year's foreign ops appropriation bill in the committee incorporated report language at our request directing

the State Department to buy a more modern supply plane for the CNP, a Buffalo, which is a small version of the C–130 suitable for the jungles and remote runways in Colombia.

Predictably, the State Department ignored congressional advice and failed to act. In a recent operation near the Venezuelan border they have had to make so many fuel runs with small aircraft and their one DC–3 that they alerted the drug traffickers and narco guerillas of their plans, thereby losing their element of surprise.

Unless we in the Congress rectify this supply line situation, we are going to have dozens of good helicopters for which Congress has provided the sorely needed funds sitting idly on the ground in Colombia. We are going to have to have some of the world's most expensive flower pots growing weeds under them in Colombia unless we act appropriately.

Mr. Chairman, the CNP are the best anti-narcotics police in the Americas. Yesterday they seized three tons of cocaine headed for Mexico and ultimately toward our Nation. The CNP needs this modest aid proposed by the gentleman from Indiana (Chairman BURTON), and we should be giving it to them, both for the CNP and the future for our youngsters in America.

This effort to fight drugs at the source is in our Nation's interest. I urge a yes vote for its adoption.

Mr. BURTON of Indiana. Mr. Chairman, this amendment is simple in nature. It moves money from three accounts bloated with bureaucracy and into an account which helps fight the scourge of drugs which are devastating our society.

As the gentleman from New York (Chairman GILMAN) just said, our allies, the Colombian National Police, just yesterday seized three metric tons of cocaine destined for the United States through Mexico. This is just the latest testament that the Congress has provided aid to the right people in Colombia.

With the six Black Hawk Helicopters the Congress provided to the CNP last year, the CNP has eradicated more opium, which is used to make heroin, than it did in 1998, and nearly as much as it did last year, and they have only had the Black Hawk Helicopters for 4 months.

Yet in the Colombia supplemental aid package, the Clinton administration chose to virtually ignore our CNP allies and start a duplicative Colombian army unit, providing only $100 million to the CNP while spending nearly $1 billion on an army unit.

Throughout the process, the gentleman from New York (Chairman GILMAN) and I have tried to explain why there needed to be a more equitable distribution of aid between the two. Yet, despite our long involvement with Colombia, not to mention our role as authorizers, we were ignored.

To this end, I include for the RECORD a letter and a request which the gentleman from New York (Chairman GILMAN) and I wrote to have the needs of the CNP addressed in the supplemental. I wanted to offer another amendment which would have directed funding to the CNP, but that amendment would have been subject to a point of order that I am sure my good friend, the gentleman from Alabama (Mr. CALLAHAN), would have raised.

I hope that after I withdraw this amendment, the gentleman from Alabama (Chairman CALLAHAN) will consider a more equitable distribution of funds in the conference with the Senate.

The letter referred to is as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, April 7, 2000.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: We were pleased to support your Colombian aid proposal last week, and we will continue to provide any assistance necessary to see that the package is enacted into law. To that end, senior committee staff members from both our committees have just returned from a bipartisan staff delegation to Colombia. They met with many Colombian officials, including our friend General Serrano, and were able to gather information about the current situation there, and about the Clinton Administration's Colombian aid proposal. Their analysis can help improve the efficiency of our aid package.

BLACK HAWKS

On a bright note, the Colombian National Police (CNP) have finally received all six Black Hawk utility helicopters that Congress provided for them under your leadership, and the last three are scheduled to begin missions next week. The earlier problems with the floor armoring have been resolved, and the weapons systems seem to be operational. The only concern remains that FARC terrorists likely have surface-to-air missiles, and these Black Hawks are not equipped with inexpensive flares and chaff, which provide the best protection against such attacks by diverting the missile away from the helicopter. Finally, the CNP appears to be able to absorb the two additional Black Hawks we provided to them in the supplemental appropriations package passed by the House. They are grateful!

The Black Hawks have already paid for themselves. On a recent mission FARC terrorists ambushed a squad of CNP officers just 30 miles from Bogota in La Pena. A single Black Hawk was able to land and extract 21 fully armed CNP officers, lifting them to safety. It is comforting to know that the Congress' efforts helped save the lives of these good men.

AMMUNITION

The .50 caliber ammunition supply appears to still be a problem. As you may remember, the State Department bought 2 million rounds of .50 caliber ammunition for the GAU–19 defensive weapons systems that were manufactured during the Eisenhower Administration, in 1952 (see photo). Even worse, the State Department purchased 5 million additional rounds of this aged and useless ammunition (spending a total of approximately $10 million). The 50 year-old ammunition was suitable for the weapons of the Eisenhower era, but according to the manufacturer, it cannot be safely used in the defensive rapid-fire weapons systems that we purchased for the CNP to protect our nearly $100 million U.S. taxpayer-financed helicopter investment.

The State Department insists it can operate the weapons at a reduced rate of fire. However the manufacturer has explicitly warned the State Department not to use this aged ammunition because of serious risk of endangering the operator and/or weapon. The manufacturer says only ammunition manufactured after 1983 is safe to use in this weapon. Clearly, this situation must be addressed immediately, before someone is injured or killed and/or an expensive weapon is damaged or destroyed. The easy answer is to buy new ammunition, instead of trying to do this on the cheap.

SUPPORT CAPACITY/SUPPLY LINE

The most disturbing revelation from the trip was the discovery that there had been little consideration given to how the push into southern Colombia would be supported. The only certainty is that increased levels of fuel and herbicide will have to be flown in due to the remote locations of the forward operating bases, where often even contracted commercial planes refuse to land or there is no commercial source to purchase gasoline. Possibly even more critical than defending the helicopters themselves is the ability to support and maintain a supply line to keep the helicopters flying. Otherwise many if not all, of the helicopters provided in this package will constantly be waiting for their next tank of gas or spare part.

Shockingly, the State Department plans to use the CNP's 2 aging DC–3's (their third is being cannibalized to keep the other two in the air) as the backbone of the support effort. These planes from the FDR/Truman era are 60 years old (see photo), do not have a reliable spare parts supply line, and have some sort of mechanical trouble on nearly every mission. Almost every flight is flown with the potential of engine failure on take-offs and landings due to a recurring malfunction in the electronics system—which has been ongoing for the last two years.

As you may remember, General Serrano requested a Buffalo transport plane over a year ago (in his 1999 $51 million priority list). Congress placed report language directing the State Department to purchase the Buffalo supply plane in this year's House Foreign Operations Appropriations Report. However the State Department chose to ignore the report language, saying it was non-binding.

In order to sustain the operations tempo necessary to be the primary supplier of fuel and herbicide for the push into southern Colombia, the CNP needs to update and increase its number of supply planes. The Buffalo appears to be the best platform for the project.

One specific example of the need for increased supply plane capacity is a recent CNP operation that required 18 staging flights by inadequate fixed-wing aircraft, like the DC–3, to supply in advance a supposedly ''secret'' mission in Vichada to destroy a clandestine cocaine lab. The 18 staging flights (10 for fuel alone) cost the CNP the critical element of surprise. Unfortunately, FARC terrorists had already taken their cocaine and all incriminating evidence, and abandoned the lab well before the CNP was able to execute its mission. If the CNP had the Buffalo supply plane Congress directed the State Department to purchase, the 18 trips could have been decreased to one or two.

CRITICAL NEEDS

Mr. Speaker, we have been pleased to help gain the support needed to pass the supplemental appropriations bill, however there are a few things which have been over-looked in the construction of this package. General Serrano, when asked by committee staff if he needed anything further to support both the CNP Black Hawks and the Colombian

Army's push into southern Colombia, favored the following modest list of items that he felt were critical to the CNP's ability to successfully execute the supply mission for Plan Colombia. It is our hope that the House would push for the following items in conference, if and when it occurs.

$52 million—to purchase 4 Buffalo transport/supply aircraft ($13 million each).

$3.5 million—to update the CNP sidearms with Sig-Arms for the DANTI, DIJIN, COPEZ, and CIP, the key units involved in the day-to-day struggle against narco-traffickers and their FARC terrorist allies.

$200,000—to purchase anti-missile defense kits for the 6 CNP Black Hawks to help protect them from surface-to-air missiles.

$10 million—to purchase new .50 caliber ammunition for CNP GAU–19 weapons systems.

$1.5 million—to purchase one additional two-seat T–65 Turbo Thrush spraying aircraft for CNP training purposes.

Thank you for your time and consideration.

Sincerely,

DAN BURTON,
Chairman, Government Reform Committee.
BENJAMIN A. GILMAN,
Chairman, International Relations Committee.

Enclosures.

P.S. Just yesterday a newly modified Huey II was shot down by the FARC, who look 8 CNP officers hostage, including those wounded in the crash. This only further proves the point that we need to get the CNP the best equipment possible, including FLIR and capable defensive weapons systems, as this shows anything less is dangerous, penny wise and pound foolish.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 27 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 27 offered by Ms. WATERS:

Page 2, line 25, after the dollar amount insert ''(decreased by $82,500,000)''.

Page 3, line 25, after the dollar amount insert ''(decreased by $7,000,000)''.

Page 30, line 8, after the dollar amount insert ''(increased by $155,600,000)''.

Page 33, line 6, after the first dollar amount insert ''(decreased by $5,250,000)''.

Page 34, line 21, after the dollar amount insert ''(decreased by $200,000,000)''.

Ms. WATERS. Mr. Chairman, my amendment would increase debt relief appropriations by $155.6 million to fully fund the administration's request for $225 million for debt relief for the world's poorest countries.

Mr. Chairman, we have heard an awful lot this evening about debt relief. I would like to again thank my colleague, the gentlewoman from California (Ms. PELOSI) for the wonderful leadership that she has given in this debate.

I suppose there are many who would be wondering why are we going to hear more about it. We are going to hear more about it because this issue is not going to die easily. It is not going to die easily because we have reneged on our commitment as leaders in this world, and at the G–8 conference we made a commitment. We made a commitment to debt relief that has not been honored. We made a commitment to debt relief for the world's poorest countries, the world's poorest countries that are being impoverished by their debts.

In Tanzania, Zambia, Niger, Nicaragua, Honduras and Uganda, government spending on debt service payments is greater than government spending on health and education combined. These debt payments constitute a transfer of wealth from the world's poorest countries to the world's richest countries.

Debt relief is supported by a worldwide movement known as Jubilee 2000. This movement was begun by Christians who believe that the year 2000, the two-thousandth anniversary of the coming of Christ, is a jubilee year.

According to the Bible, the Lord instructed the people of ancient Israel to celebrate a jubilee, a year of the Lord, every 50 years. During a jubilee year, debts are forgiven.

Supporters of Jubilee 2000 now include a diverse group of Catholic, Protestant, and Jewish religious groups, developmental specialists, labor unions, environmental groups, and other nongovernmental organizations.

These activists know that forgiving the debts of the world's most impoverished countries is simply the right and Christian thing to do. Supporters of Jubilee 2000 also know that debt relief is a moral imperative. Most of the debts owed by poor countries were accumulated during the Cold War, and many are the result of loans to corrupt dictators who are no longer in power.

The debt of the Congo was accumulated during the oppressive rule of Mobutu. Nicaragua's debt was accumulated under the dictatorship of the Samosa family and the subsequent civil war. It is unjust and immoral to expect the impoverished people of these countries to pay back these debts.

From June 18 to June 20, 1999, representatives of the United States and other creditor countries met at the G–8 summit in Cologne, Germany, and they knew the Jubilee 2000 movement was watching. These creditor governments agreed to provide faster and deeper debt relief to heavily-indebted poor countries, and required these countries to target the savings from debt relief to HIV-AIDS prevention, health care, education, child survival, and poverty reduction programs.

On September 24, 1999, Gordon Brown, the chairman of the IMF's Monetary and Financial Committee, and the chancellor of the United Kingdom made the following statement about the Cologne debt initiative:

''If we are successful, it will be a matter of not years or months but weeks before the first country will benefit from debt relief.''

Tragically, the promises of Cologne have not been fulfilled. The entire Cologne debt initiative is now in jeopardy because the United States Congress has failed to fund its contribution to the program. Last year, the administration proposed a multiyear package totalling $920 million in appropriations for debt relief. For fiscal year 2001, the administration requested only $225 million.

This relatively small investment could leverage millions more from other creditor governments and international financial institutions. However, without American leadership, debt relief will never become a reality.

Pope John II said, and I quote, ''We have to ask . . . why progress in resolving the debt problem is still so slow. Why so many hesitations? Why the difficulty in providing the funds needed even for the already-agreed initiatives? It is the poor who pay the cost of indecision and delay.''

Let us declare an end to the indecision and delay.

Mr. GILMAN. Mr. Chairman, I rise in reluctant opposition to the amendment being offered by the gentlewoman from California (Ms. WATERS).

While I support the thrust of her amendment in increasing funding available to the Heavily-Indebted Poor Country Trust Fund, I am troubled that it calls for a large reduction in our foreign military funding programs.

The proposed $200 million reduction in this account could end up hurting some of the very countries we are trying to help in the important HIPC initiative. For example, there is a proposal for $18 million in FMF funding for African regional stability, an effort which would be undercut and perhaps even zeroed out by the adoption of the gentlewoman's amendment.

Israel currently receives close to $2 billion in FMF funding. Do we want to cut that program, possibly putting that program for Israel in jeopardy at the same time that the President is playing host to the leader of both the Palestinian Authority and Israel in an effort to achieve a comprehensive peace in the Middle East?

☐ 2145

Mr. Chairman, I am certain that many of our colleagues would agree that the answers should be a resounding no. The cuts being proposed in this amendment by the gentlewoman from California (Ms. WATERS) would also impact the International Military Education Training account thereby cutting possible funding for many of the same HIPC beneficiaries.

Do we truly want to cut off support for military education training for countries such as Sierra Leone and Nigeria and South Africa at the same time that regional conflicts are threatening to engulf most of West Africa.

Mr. Chairman, I do not believe that that is a wise course of action. This amendment would also cut the administrative budget of the Export-Import

Bank thereby putting in jeopardy the small business programs of that agency and its ability to produce quick turnaround for business applicants.

Accordingly, Mr. Chairman, I must reluctantly ask for the defeat of the Waters amendment. The gentleman from Alabama (Chairman CALLAHAN) has put together a well-balanced bill, and I cannot support this effort to upset that balance.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise in support of the amendment by the gentlewoman from California (Ms. WATERS) on this debt relief issue. I think at this period of time in terms of our global economy when this House has voted so many times before to extend free trade around the world that it is about time that we also think about what the consequences of our global economy is on those who are most impoverished in this world.

Mr. Chairman, the criticism of the amendment of the gentlewoman from California (Ms. WATERS) is that she takes money from military training and assistance and the hope that the former speaker, the gentleman from New York (Mr. GILMAN) was trying to convey in his remarks about the Waters amendment was the fact that by drawing away from these funds that we were, in essence, compromising our national security, because we would be taking away funds that would otherwise be going to the training and equipping of the military in these various countries.

The very fact of the matter is, Mr. Chairman, I cannot think of any issue more fundamental to our national security as a Nation, moreover than whatever we do with our national defense budget, which we just closed hearings on for the benefit of our conference committee, more so than any of this equipping and training of our military, is the fact that we are about to see a mass epidemic. In fact, we already have an epidemic. We have a pandemic.

We are going to see literally half the population of major countries in Africa die within the next year. We are going to see literally the life expectancy, the average life expectancy of people living in South Africa going down to below 30 years of age. My colleagues if we do not think this is a national security issue, if we think that the Waters amendment somehow compromises national security because we are taking away from the military to support debt relief, then I am sorry, the fact of the matter is, between the short funding of AIDS in this bill, in addition to the fact that we are not even providing these countries with the ability to dig themself out of debt, those are two national security issues.

Mr. Chairman, I do not know how this House could be so narrow-minded in its perspective that they can honestly think that we can pass a national security bill and think that we have the national security of our country protected and yet, on the other hand, cut the kinds of funds necessary to provide debt relief to the poorest countries of the world and not think that we are not going to be in there in the next weeks or months or years in a military capacity trying to bring stability from a situation that has gone awry because we have not provided the stability there economically or healthwise.

Mr. Chairman, I think it is pound foolish, pennywise for us to be talking about national security and what we are going to do to preserve our national security when we are underfunding our debt relief obligations. This is what goes around comes around. There is no one who can convince me that it is not going to save us money tonight to put money into debt relief, it is going to save us money in our military accounts tomorrow, no one who can convince me of that.

Mr. Chairman, anybody who sees that we are in 182-plus different countries today with our military trying to provide stability in every other place in the world, because there is an eternal conflagration because of this economic instability, to think that we are somehow saving money by borrowing from Peter to pay Paul, by borrowing out of the debt relief monies that the World Bank has said that we need to provide these countries, is just incredible.

The fact of the matter is, this $82 million in debt relief is a fraction of what is truly needed. So that is a national security issue.

The other national security issue is the fact that we have an AIDS epidemic that is literally destroying the continent of Africa, and it is threatening to destabilize lots of countries there. I might add, the two are intertwined, not only should we be providing debt relief but we should be providing the necessary AIDS money so that we also bolster these countries that are now suffering internally from two epidemics, one economic and another health.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word, and I rise tonight in opposition to the proposed amendment by my good friend, the gentlewoman from California (Ms. WATERS) but with some explanation. Also I rise to answer some of the questions that my colleague, the gentleman from Rhode Island (Mr. KENNEDY), just challenged us to answer.

Debt relief in and of itself is a very positive humane and honest goal and should be considered by this body, especially debt relief in Third World countries that are developing and struggling to build new societies. Yes, if debt relief was the only issue at hand and it was done correctly, then my colleagues would have my support.

Mr. Chairman, I, in fact, am very supportive of the idea that the Pope has suggested with the Jubilee 2000 concept reaching out to developing countries and Third World countries and alleviating that burden from them, taking it off their shoulders, this debt burden. However, for this to be successful, and to answer the challenge of my good friend, the gentleman from Rhode Island (Mr. KENNEDY), for this to be successful, we have to have more than transferring money from this pot to that pot.

We have to have more than just saying we are going to give these underdeveloped countries debt relief and expecting that is going to do them any good; it will not do them any good. It will do them no good at all if they are still being run by the same gangsters, the same corrupt dictators, the same hooligans and monsters that have been repressing the people in the Third World over the last two decades.

Mr. Chairman, one of my biggest gripes about the financial institutions, the World Bank and many of the financial institutions that are funded through this body is the fact that we do give money to corrupt administrations overseas. For example, the people of Indonesia right now are burdened with billions of dollars of debt.

The fact is, in Indonesia, they are struggling to create a democracy. By the way, let me add, our training of the Indonesian military has been one of the greatest forces for building a democracy in Indonesia. Let us admit that some of this military training, for example, in Indonesia permitted an evolution towards democracy and, perhaps, people like in Indonesia do deserve to have some of that debt relief taken off of their shoulders, unless there is a requirement saying that these countries be headed towards democracy or there be a certain amount of reform, we are just pouring money right down a rat hole.

Mr. Chairman, all the things that have been said here today about the horrors that are going on in a developing world will get no better if we simply transfer money to regimes that are controlled by dictators. This shift that is being proposed by this amendment is, as I say, being done with the best of motives. It cannot be done in this manner.

It has to be done as part of a reform and a comprehensive authorization project in which we will look at how monies are dispersed throughout the Third World, not simply throwing money from one pot to another, which will result in corrupt dictators getting their hands on the money and all the problems that we talk about being exacerbated rather than being solved.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, the gentleman from California (Mr. ROHRABACHER) often advocates that we reduce the commitment of America in its overseas obligations. The fact of the matter is the gentleman cannot reduce America's commitments militarily unless we are prepared to help those countries make it,

and they cannot make it if you are squeezing every last penny out of them. In addition to that, we do not support them addressing their health epidemics.

Mr. ROHRABACHER. Reclaiming my time, Mr. Chairman, none of that makes any sense at all unless we have a government in that country that is willing to seek out those goals and try to implement them. Simply by changing money from this pot to their pot is not going to make those things better.

Again, I am in favor of debt relief for these Third World countries, but let us not give money to countries that are not democratizing, not going through reform. Talk about pouring good money after bad, talk about pouring money down a rat hole, that is the way to waste more money.

The money the gentleman is talking about will go straight in Swiss banks, unless we require a certain amount of reform and democratization to go forward with this.

Mr. Chairman, in terms of military training, again, I would agree we need to put restrictions on our military training as well. The Waters amendment which I would like to address at this point, the lady from California (Ms. WATERS) has the right idea, we should not be spending money just like we should not be spending money without democratic reform.

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

Mr. Chairman, we have spent a long time discussing this issue and I hope that we will soon be able to move on. But before we do, I would simply like to make one observation about the comments of the last speaker, the gentleman from California (Mr. ROHRABACHER), we had some talk in the House tonight about the position of the Pope and the Catholic Church and various other churches. To me, what we ought to be asking ourselves is what we really believe our individual duties are both to our own citizens and to citizens of the world who do not reside next door.

□ 2200

Mr. Chairman, let me say that this debt relief that we are talking about tonight is not meant to aid a single illegitimate government. It is meant primarily to help the victims of previous illegitimate governments who have brought economic havoc on to countries and who in the process have ruined those countries' abilities to provide a decent future.

If they cannot provide a decent future for their citizens, they become very dangerous neighbors to us, not just politically and economically, but from the simple standpoint of public health. All one has to do is to look at the AIDS epidemic to understand that.

Before we get too arrogant about the other parts of the world, I think we ought to remember one simple thing. We are not in this Chamber tonight because we have any special value. We were not born Americans because we were of special worth. We were lucky enough to be born in this country simply because God was good enough to put our soul in a body that was born in this part of the planet rather than some other.

Given the fact that we have won the luck of the draw, we owe it to our fellow creatures around the world to provide an element of justice for a people who had probably not had one whit of it from all of their own lives from their own governments.

So we can sit here and chuckle and make snide remarks and use an example of one foolish leader or even a handful of them as an excuse to avoid our moral responsibilities; but in the end, all we are being asked to do is to write off the books debt that will never be repaid anyway.

We have the concept of individual bankruptcy in every civilized country in the world. We have also had the concept of collective national bankruptcy for a number of countries throughout history. We have provided debt relief to many East European countries and Middle Eastern countries. This time we are being asked, at very little, at minuscule costs to our Treasury in comparison to some of the things we have had on this floor, we are being asked to take the one action that might enable some of these countries to edge their way just a bit out of misery. That is what these amendments are meant to development.

We are not permitted under the rules of the House to have a real debate on this or to prepare a real amendment. But before this bill is finished, that is exactly what we ought to do.

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

Mr. Chairman, I want to applaud this body because tonight we are talking about some issues that we ought to all address. We ought to address the issue, are we committed to the principles of liberty and justice? Do we stand against slavery? Do we stand against involuntary servitude? If we are against these things, if we are for justice, if we are for liberty, does our commitment stop at the shoreline, or does it extend beyond our country?

In dealing with other countries, should we extend those principles to them? Or should we be against involuntary servitude only in our country, but it is fine for us to impose it on the rest of the world? That is a question we should ask.

The gentleman from California (Mr. ROHRABACHER) said these countries are ruled by monsters, by hooligans. He had it half right. They were. It is those monsters and those hooligans that we loaned this money to. It actually was not money we loaned them. We financed the defense industry and allowed them to sell these monsters and these hooligans weapons. These monsters and these hooligans bombed their people. They napalmed their people as their people fought for democracy like we did 2 centuries ago.

At the end of the Revolutionary War, what if Britain had required us to pay them the cost of the war? What would we have said to Britain? These people that we are not imposing this debt on and requiring them to repay, they are the very people that were beaten down by the dictators and the monsters with arms and weapons that we sold them as ''foreign aid.'' It is immoral to require them to repay this money.

Let me close by saying this: debt relief is not an end in itself; it is a means to an end. It is not a total solution to poverty, to hunger, to disease; but it is the first step. It is a necessary step. It is where the journey should begin to free these countries of the burden of debt, the chains of poverty, the shackles of despair, to enable them to minister to the economic and social needs of their people, of their children. It is the first step in raising the standard of living of those living in these impoverished nations, those in most need, those most vulnerable, the most helpless.

Without debt relief, these nations and their citizens are overwhelmed by debt, far exceeding their ability to pay. These nations do not have the ability to pay, to repay the debt and, at the same time, to offer necessary social and economic support to their people.

Here is the choice. We can continue to require the debt to be paid, and as long as we require the debt to be paid, children will not be fed. Require the debt to be paid and children will not be clothed. Continue to require the debt to be paid, and children will not go to school.

It is our decision. Let us make the decision. Let us not withhold from these poor children clothes on their backs, food in their stomachs, the right to attend school. The decision is ours.

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

Mr. Chairman, I will not take 5 minutes, but I rise to support the amendment offered by the gentlewoman from California (Ms. WATERS). The world community is crying out for help. The people of the world all over this little planet that we call spaceship Earth are not crying out for bombs, for missiles, for more guns. They are crying out for food, for shelter, for medical assistance, for economic assistance. They are crying out tonight for debt relief.

This is the year of Jubilee. This is the year to help, to help our brothers and sisters in need. We have a moral obligation to help. We shall respond to the Macedonian call of old. There are people in need. They are hurting. They are suffering.

In Africa, a modern day Holocaust is in the making. Five thousand people will die every single day. We cannot stand solemnly by. If we fail to act and we fail to stand up and help, in the end, we are not worthy of a great people or great nation. The spirit of history will not be kind to us.

So, Mr. Chairman, we have a moral obligation, a mandate to do what we can to bring relief to our sisters and to our brothers in other lands. We do not live on this little island, on this little piece of real estate alone.

Just maybe, just maybe our foremothers and our forefathers all came to this great country in different ships. But we all are in the same boat now. If we want to live in a world at peace with itself, we must reach out and help those in need. It is Africa. It is a Third World today. We do not know who it will be tomorrow.

Mr. CALLAHAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, we had a 3-hour debate on this issue. The gentlewoman from California (Ms. WATERS), the sponsor of this amendment, made very eloquent statements, and her compassion was evident; and I support, I think, her cause.

But we have differences on whether or not there ought to be some restrictions on future borrowing, and that is to be expected. There will always be differences. But the difference between that debate and this debate is that, under the amendment of the gentlewoman from California (Ms. PELOSI), she was declaring an emergency and thus getting new money to provide for HPIC assistance.

Under the proposal of the gentlewoman of California (Ms. WATERS), as advocated by the gentleman from Alabama (Mr. BACHUS) just a few minutes ago, she is advocating that they take the money away, or a great portion of it, from the FMF fund, the military financing fund that goes to Israel and to Egypt and to even Africa, $15 million for countries south of Egypt.

So the question here that we have on the gentlewoman's amendment is do we want to take the money away from Israel and Egypt? Maybe there is some logic to that. Do we want to take it away from Africa?

But I am just surprised that the gentleman from Alabama (Mr. BACHUS) is standing up and telling us that he supports the gentlewoman from California, yet he is such a strong advocate of assistance to Israel, that he would be supporting an amendment that takes money away from Israel. I just am surprised at that.

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

Mr. CALLAHAN. I yield to the gentleman from Alabama. Does he know where this money comes from?

Mr. BACHUS. Yes, Mr. Chairman. Let me say this to the gentleman, the bill that reached this floor should have had this money in it.

Mr. CALLAHAN. Mr. Chairman, I reclaim my time.

Mr. BACHUS. It is not we that had chosen one or the other.

Mr. CALLAHAN. Mr. Chairman, I am not yielding to the gentleman for that type of conversation.

The CHAIRMAN. Both gentlemen will suspend. The time is controlled by the gentleman from Alabama (Mr. CALLAHAN).

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

Mr. CALLAHAN. No, I will not yield.

Mr. Chairman, I will yield to the gentlewoman from California (Ms. WATERS) because it is her amendment. I am rising simply to say that, if we are going to do it, we ought to do it at a time when there is an opportunity to either increase the budget allocations or have it declared an emergency.

I had a conversation with the gentlewoman earlier before this discussion. I think there is going to be an opportunity before we leave this session, as a result of the debates taking place at Camp David, to discuss emergency supplemental appropriations; and that would be the appropriate time, I think, for her to bring this message to the House.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I am happy to yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, let me just say that, certainly, if the amendment of the gentlewoman from California (Ms. PELOSI) for an emergency appropriation had been honored, and maybe that is the appropriate way or the better way to do it, I would not have come with this amendment that would have to find offsets in other places. But given that it was not, I have come with this amendment.

However, we have had a conversation where the gentleman from Alabama (Mr. CALLAHAN) has indicated a sincere desire to work with us and to find money in light of the fact there will be some continuing negotiations about money as the whole peace agreement is being discussed.

But what I would like to say is this, I would not like to have my amendment cast as an amendment that is for or against Israel.

□ 2215

I do not think that gets us anywhere in doing that.

And I want to say something to my colleague about the gentleman from Alabama (Mr. BACHUS). The gentleman from Alabama (Mr. BACHUS) and I serve on the Committee on Banking and Financial Services, and we disagree on a lot of things and over the years we have disagreed. I believe that debt relief was our finest moment. I think it was a superb moment for the gentleman from Alabama (Mr. BACHUS) and the leadership that he provided in the most honest and sincere way. And I want to tell my colleague that it softened my real concerns about what and who I thought the gentleman from Alabama (Mr. BACHUS) was.

This has been a learning experience for all of us, and so he is not opposed to Israel and I do not want it cast that way.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, I would tell the gentlewoman that of a total $3.5 billion in the bill for FMF, such a huge percentage, right or wrong, goes to Egypt and Israel that the only way we could get the money would be to take it from those funds. So maybe it all could come from Egypt. That might be the best way to do it. Maybe it all could come from Israel. Maybe there would be no need. Maybe they could use the balance of the $200 million and not give financing to anyone else in the world.

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

Mr. Chairman, I have spoken at length on support for international debt relief earlier and was not going to seek time now, but I do want to set the record straight. My distinguished chairman represents that support for the legislation of the gentlewoman from California (Ms. WATERS), and implied in that that the gentleman from Alabama (Mr. BACHUS) in his support of that amendment, is taking money from Israel or the Middle East peace, and that is not so. The offset in the Waters bill is $200 million. The non-Middle East foreign military financing money in the bill is $230 million.

So it is possible to take this $200 million from FMF without touching the Middle East peace money, and it is really, I am sad to say, disingenuous to say that if we support this bill the money is coming out of the Middle East. It is coming out of the FMF account which has $230 million beyond the Middle East peace money and $200 of that is what the gentlewoman from California (Ms. WATERS) is drawing upon.

Mr. BACHUS. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alabama.

Mr. BACHUS. Well, I would like to approach it in a different way, and I think a consensus has been built on the floor of this House from everyone.

I have heard no one stand up and say that this is something that should not be done. I have heard the gentleman from California, and the gentleman from California obviously has not read the legislation because he says that it will go to monsters in countries who abuse human rights. In the legislation it restricts money for those countries. So I would simply say to you, when you speak on this legislation, have some understanding of it. Do not claim that we need things in the legislation which are already there and have been since the beginning of this legislation.

But despite that, let me simply say this. A consensus is building here tonight, and whether it is on the floor of this House tonight or it is 2 weeks from tonight, if everyone has spoken the truth on the floor of this House tonight, with some exception, some are not supporting debt relief, some do not believe that it is a good idea, and I applaud their honesty, I applaud their honesty to say $1.20 is too much to

spend to save 40,000 people a day. If my colleagues believe that, say it and we will have a vote. But sometime before we go home this year, we should fund this, if we believe that we should do something about 40,000 people a day, that we could save a number of those people. No one that has looked at this issue believes that it will not help. There is no one that has looked at this issue that has said it is not the first step.

If we are not concerned enough for children, half the children in these countries who never go to school, not attend one day in school; if we are not concerned that children in these countries are not vaccinated, a 50 cent shot, and as a result they are dying every day; if $1.20 a year is too much, then vote against debt relief. But I would say that the majority of this body recognizes that it is not only in their interest, it is in our interest, it is in our best interest.

If my colleagues have looked at this, if they have looked at this issue, far more than anything else they are convinced that this is in our national interest. We have diseases that were thought to be extinct that are now spreading across the globe because of conditions in these countries. They are reaching our shores. They are killing our people. We cannot turn our backs on these conditions without them spilling over our shores. We spend $400 billion and $500 billion making the world safe through arms, yet we turn our back on $1 billion for food, for security and peace.

Why can we not do as Eisenhower did with the Marshall Plan? Why can we not give peace a chance? Do we have to change the world only through shipping arms around the world? And if we do it and it is necessary, is it necessary to the tune of $400 billion, yet we cannot find a billion for this? Those are questions we will all have to answer.

Mr. JONES of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. JONES of North Carolina. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, whereas my name has been used several times and I was not paid the courtesy of being yielded to by the gentleman from Wisconsin (Mr. OBEY); yet, when I was on the floor I was very happy to yield for a question, even when I had not used another Member's name, I think we should reexamine the courtesies that we are trying to pay to each other to maintain a debate on a very important issue. And I am very pleased and thank the gentleman from North Carolina very much for yielding to me.

There have been some very, very heartfelt points made here tonight. And this, of course, is an issue that tugs at our heart strings. But if we do not use our heads, none of the things that were just talked about that were so important, immunizations, schooling for children, food for people who are starving, not one of those goals will be achieved. Because although the gentleman may think that I do not know about this bill, the gentleman may not know about this bill if he claims that there is a demand in this bill for democracy, for freedom of the press, for opposition parties, for everything that ensures that the countries that receive this type of debt relief will use the money honestly that they get and the resources that they have available; that they will use them honestly or for immunization or for these benevolent purposes.

No, the only thing in the bill that even touches on that says the money is not going to go to countries that have egregious human rights violations. All right, that is a step in the first direction, but that does not even go 10 percent of the way.

All the speeches we have heard tonight that have tugged at our heart strings, yes, the benevolent souls, and the gentlewoman from California (Ms. WATERS), who has a wonderful motive in proposing this today, I will say that this does not achieve any of the ends that we heard about on the floor today because it ignores the central requirement that will achieve those ends, and that is that the countries that we are giving debt relief to have to be under the control of democratically elected governments, governments that have opposition parties, and freedom of the press, or all the resources that the gentlewoman is talking about that will be used for immunization will not go to those noble purposes. They will go, instead, to Swiss bank accounts, they will instead go to arms to repress their own people.

Because, yes, believe it or not there are gangsters in this world that control countries. Believe it or not there are monsters that are murdering people throughout this world. And the last thing we should do is give debt relief to regimes that are controlled by those kind of people. If my colleague wants the votes of people like myself, please add this into the bill.

I am on the Committee on International Relations. The gentleman from New York (Mr. GILMAN) and I, and the rest of the members of the committee, can work out an authorization bill that accomplishes the ends that we are talking about. Just like the gentlewoman from Georgia (Ms. MCKINNEY), who 3 years ago challenged us as to why we were sending so many weapons to all these countries in the developing world. And I said to her that I would support her, let us not send any weapons to dictatorships, and we came up with a code of conduct.

I challenge those of my colleagues who are speaking with their hearts tonight to work with us on this side of the aisle to put together legislation that will prevent money from going to these vicious dictatorships, prevent these loans to these vicious dictatorships, so that when they have democratic peoples on the ascendancy, they will not be burdened with these burdens like the people of Indonesia. We can do that.

I, in fact, have tried to propose that to Export-Import Bank loans and to other World Bank financial dealings. But, no, we have not gotten any support from this side of the aisle or that side of the aisle for something like that. Let us help the decent people of the world who are struggling to have the inoculations of their children, to teach their children. Let us make sure that the money is going to those regimes that have a chance.

What good would it have been to the people of Eastern Europe, for example, had we provided debt relief, which we did by the way to those countries, when they were still Communist dictatorships? That makes no sense at all. So let us make sure that we include the one element in the gentlewoman's proposal that will make it work rather than make it achieve just the opposite, and that is to put those type of requirements that we are dealing with countries that have democratic institutions in place.

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

Mr. JONES of North Carolina. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Chairman, let me quickly make two points. Twenty-two nations under this legislation are eligible for debt relief. Not one of them is a dictatorship. Let me repeat that. Twenty-two nations are eligible for relief under this legislation. Not a one of them is a dictatorship.

Number two. Yes, we loaned much of this money, most of this money, to dictatorships. We never should have done it. We have loaned it to these monsters, and they did take it and they put it in Swiss bank accounts and that is where it went.

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

I also think that it is an abomination that out of the $472 million requested that $82 million has been approved. I heard earlier the chairman of the subcommittee talk about a person that bought a plane in Uganda. He said that it was really a horrible thing that was done. Well, let me just say a few things about Uganda.

First of all, the President of Uganda reduced the military budget by 75 percent, and he put the money into working with the people. The President of Uganda has had the first country in Africa where the AIDS pandemic has been leveled off and is in the possibility of being decreased. The President of Uganda has started elementary education for girls in that country. The President of Uganda had to pay back money to Asians expelled on December 4 of 1972 by Idi Amin, and those people have been able to come back to Uganda and the World Bank said that President Museveni had to restore their property and pay them back the land,

which he did. President Museveni reduced the civil service by 50 percent in his country.

President Museveni of Uganda, the one that the gentleman from Alabama (Mr. CALLAHAN) castigated earlier, went to Sudan on the border and fought the Lord's Resistance movement, who are people who were dealing with the terrorism in Sudan that went ahead to blow up U.S. embassies in Kenya and Tanzania.

□ 2230

President Museveni has reduced crime in his area. President Museveni is looked at as a leader in the country. And I am not defending buying a plane. But we have ECOWAS, which is a West African group of countries, we have the OAU, we have SADAK in the south, we have other kinds of North African countries, we have people that have to get around.

They do not have commercial airlines like we have here. And so the worst thing that I have heard is that a president who has done magnificent things in his country bought a plane. Now, perhaps he should have bought maybe one of our used planes perhaps. But right now we have the former president of Botswana stuck in Istanbul trying to get to an OAU meeting because a meeting in Algiers was canceled.

I think that we take an issue where Russia, hundreds of millions of dollars have gone down into the Mediterranean where Russian people are very wealthy at this time. We have heard the reports of Bosnia, hundreds of millions of dollars. We have seen what is happening in Kosovo. But no one talks about that. I think it is racist to pick out one simple issue and put it in an appropriations bill because someone decided that they had to get a plane to move around the continent and, therefore, debt relief should not go on.

It is absolutely absurd. We take one simple issue and make that a magna issue. If people knew what was going on in some of these countries where debt relief takes 50 percent of the budget, where they have reduced the whole question of the military, where they have gone and fought AIDS, where they support the United States by fighting terrorism in Sudan, then we turn around and have people say, well, somebody bought a plane; and, therefore, our debt relief is being wasted. I think it is obscene; it does not make any sense.

When we look at what is going on in the Cold War, we gave Mobutu money, we said go and deal with South Africa with P.T. Bolton and the white regime in South Africa because they were against communism. We went to UNITA in Angola and said, here is all the money you need to fight against the Communists. We do not care how much you steal. And we supported them. We took President Doe who killed the first family in Liberia and sent him all the money in the world for 10 years because he was against Communism.

I was against Communism, too. But all those debts that we have is because the blood was shed in Africa for the Cold War. Nowhere else was there blood shed other than a country or two in South America. It was all on the continent of Africa where Communism was going to have its line in the sand.

What we did was we should not have supported Mobutu. That is why they need money to do away with the debt in the Congo. We should not have supported the people in UNITA that we said give them all the guns they want, we do not care what they do to their people, we know they are stealing the money, but you know what, they do like a Communist. Well, I do not like Communism either, but now we are going to sit back and pontificate about how we have this money that was owed. It was a disgrace that we gave the money in the first place.

It is absolutely wrong to sit back and talk about we are not putting the money in the right place. It is wrong. This money should be restored. I think it is absolutely unconscionable to think that with AIDS and all the other problems going on that we could sit around talking about we do not have a need for debt relief.

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

Mr. Chairman, I am a new member of the Committee on Banking and Financial Services; and over this past session, I have had an opportunity to hear us debate the issue of debt relief.

More recently in Banking, we have had a discussion of a bill called Prohibiting Predatory Lending, where lenders have preyed upon low-income mostly inner-city minority senior women and caused them to put themselves deeper in debt than they were before the lending was had.

Tonight we have the opportunity to step up to get rid of the predatory lenders, to not be predatory lenders any more for the African nations. We have the right and the opportunity to make it right, to let these nations step away from these predatory loans and allow them the opportunity to begin anew, to provide relief so that African growth and opportunity can be had, so that African people can have jobs, so that African people can be relieved of unnecessary debt.

We want and we should as a country be prepared to step up to the plate because we all want to get into Africa and do business. We know how rich Africa is, what opportunities there are for growth not only for that country but for our country as well. So why not give them the opportunity to be relieved of debt?

And do not think that we can run through Africa and do business and not get AIDS. AIDS is a serious issue. It is an economic security issue that will affect us all. So it is time now for us to in fact do the right thing and give debt relief.

And, see, I am not talking about heartstrings. The gentleman from California kept talking about my heartstrings are tugged, I feel sorry for the African people. It is not about heart. It is about money. We need money to relieve the African countries of the debt. Let us stop talking about heart. Let us stop talking about morality. Get them from under the debt.

Mr. Chairman, I yield to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Chairman, I thank the gentlewoman for yielding.

Let me say I rise in support of the amendment by the gentlewoman from California. Let me say that the camera of history is now rolling on us and the camera of history will judge us and we will be judged by how we treat the least among us. We will be judged by how we treat the least among us.

This is a question about motivation. For sure, as my colleague, the gentleman from New Jersey (Mr. PAYNE), indicated, we had motivation to find some money when the Cold War existed. Where is the motivation to find money for humanitarian interests? Five thousand people are dying a day. Where is the motivation to find money?

Now, sometimes we forget our own history right here in this country. I hear my colleagues talking about all the things that are going wrong in Africa. Do we have to remember the history of this country, the wild wild West and all the crazy things that were going on here? Do we have to remember that many of the individuals who now are the upper echelon in this country, their families were crooks and did illegal activities? It was an evolving thing.

Many of the countries that we want to help, as my colleague from New Jersey so poignantly said, we, in order to fight against Communism, we financed it, we did not care what they did, and we gave them money; and now we have this debt.

We live in the greatest fiscal times of our lives; yet we are going to turn our back on people who have blood like we do, on people who have needs like we do. How can we turn our backs in this time and in this day and in this age?

We must never forget who we are and where we came from. This was not just given to us here in America. As I indicated earlier, those to whom much is given, much is required. Much is required of us now. We must not turn our backs on the least of us. We must support, we must pass this amendment by the gentlewoman from California.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 546, further proceedings on

the amendment offered by the gentlewoman from California (Ms. WATERS) will be postponed.

Mr. CALLAHAN. 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. LATOURETTE) having assumed the chair, Mr. THORNBERRY, 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. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4811, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 4811 in the Committee of the Whole pursuant to House Resolution 546, 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 following additional amendments, which shall be debatable for 60 minutes:

One of either the amendment printed in the CONGRESSIONAL RECORD and numbered 11 or the amendment numbered 15; and the gentlewoman from California (Ms. LEE), regarding Child Survival and Disease Program Fund;

(3) the following additional amendments, which shall be debatable for 30 minutes:

The amendment printed in the CONGRESSIONAL RECORD and numbered 28; and the gentleman from New Jersey (Mr. PAYNE) regarding Development Assistance;

(4) the following additional amendments, which shall be debatable for 20 minutes:

One of either the amendment printed in the CONGRESSIONAL RECORD and numbered 5 or the amendment numbered 6; the gentlewoman from Texas (Ms. JACKSON-LEE) regarding conscription under the age of 18; and the amendment printed in the CONGRESSIONAL RECORD and numbered 18;

(5) the following additional amendments, which shall be debatable for 10 minutes:

The gentleman from Nebraska (Mr. BEREUTER) regarding North Korea; the gentleman from Louisiana (Mr. BAKER) regarding Panama; the gentleman from Michigan (Mr. SMITH) regarding biotechnology research; the gentleman from Ohio (Mr. BROWN) regarding Child Survival and Disease Program Fund; the gentleman from Ohio (Mr. BROWN) regarding the Tariff Act; the gentlewoman from Texas (Ms. JACKSON-LEE) regarding peacekeeping operations; the gentlewoman from Texas (Ms. JACKSON-LEE) regarding Economic Support Fund; the gentleman from New Jersey (Mr. PAYNE) regarding Congo; the gentleman from New Jersey (Mr. PAYNE) regarding sanctions against Angola; the gentleman from New Jersey (Mr. PAYNE) regarding peacekeeping operations; the gentleman from New Jersey (Mr. PAYNE) regarding Sudan; the gentleman from New Jersey (Mr. PAYNE) regarding restrictions on assistance to governments destabilizing Angola; the gentleman from California (Mr. MENENDEZ) regarding Peru; the gentleman from California (Mr. FILNER) regarding Economic Support Fund; the gentleman from Michigan (Mr. CONYERS) regarding section 558; the gentleman from Massachusetts (Mr. CAPUANO) regarding Armenia Azerbaijan peace and democracy initiative; the gentleman from Massachusetts (Mr. CAPUANO) regarding termination of unilateral agricultural or medical sanctions; the gentleman from New York (Mr. NADLER) regarding honor crimes; the gentleman from Illinois (Mr. JACKSON) regarding the African Development Bank; the gentleman from Iowa (Mr. LATHAM) regarding international financial institution loans; the gentlewoman from Ohio (Ms. KAPTUR) regarding the Ukraine; the gentleman from California (Mr. SHERMAN) regarding Child Survival; and the amendments printed in the CONGRESSIONAL RECORD and numbered 7, 9, 13, 16, 17, 19, 20, 23, 24, 25 and 26.

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, and shall be considered as read. Each additional amendment shall be debatable for the time specified 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 SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, I make the following announcement: that it is our intention if this unanimous consent request is agreed to that the Committee will reconvene and will continue working on this bill until 1 o'clock in the morning. However, any votes will be rolled until tomorrow. We would convene at 9 o'clock tomorrow morning and, hopefully, be able to finish this bill by 4 or 5 o'clock in the afternoon and be able to adjourn for the weekend.

So I just use the time to make that announcement.

Mr. Speaker, I withdraw my reservation of objection.

Ms. PELOSI. Mr. Speaker, reserving the right to object, I want to thank the gentleman from Florida (Mr. HASTINGS) and the gentleman from South Carolina (Mr. CLYBURN), the chair of the Black Caucus, for their leadership in putting all this together.

☐ 2245

I want to say to my distinguished chairman, at last we have found something to agree on this evening. So I support his unanimous consent request. I just want to make note that I am not certain in paragraph 3 whether the CONGRESSIONAL RECORD amendment is 27 or 28. Do we know what that is?

Mr. HASTINGS of Florida. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. It would be No. 28 in the printed unanimous consent request. We completed No. 27.

Ms. PELOSI. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. HASTINGS of Florida. Mr. Speaker, reserving the right to object, and I will not object, but I do ask the gentleman for clarification so that the Members will understand. By continuing on until 1 o'clock in the morning, the amendments as printed will come up in that particular order. Is that our understanding?

Mr. CALLAHAN. The gentleman is correct.

Mr. HASTINGS of Florida. Mr. Speaker, I then withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The Chair would state that it is the Chair's understanding that the amendments will be considered in the order in which they appear in the bill.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 546 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4811.

☐ 2245

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. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today,

a request for a recorded vote on the amendment by the gentlewoman from California (Ms. WATERS) had been postponed and the bill was open for amendment from page 2, line 22, to page 3, line 17.

Pursuant to the order of the House of today, no further amendment to the bill shall be in order except pro forma amendments offered by the chairman and ranking member of the Committee on Appropriations or their designees for the purpose of debate and the following additional amendments, which may be offered only by the Member designated in the order of the House or a designee, or the Member who caused it to be printed or a designee, shall be considered read, shall be debatable for the time specified, 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:

(1) The following additional amendments, which shall be debatable for 60 minutes:

One of either the amendment printed in the CONGRESSIONAL RECORD and numbered 11 or the amendment numbered 15; and amendment by Ms. LEE, regarding child survival and disease program fund.

(2) The following additional amendments, which shall be debatable for 30 minutes:

The amendment printed in the CONGRESSIONAL RECORD and numbered 28; and the amendment by Mr. PAYNE, regarding development assistance.

(3) The following additional amendments, which shall be debatable for 20 minutes:

One, one of either the amendment printed in the CONGRESSIONAL RECORD and numbered 5 or the amendment numbered 6; two, Ms. JACKSON-LEE of Texas, regarding conscription under the age of 18; and, three, the amendment printed in the CONGRESSIONAL RECORD and numbered 18.

(4) The following additional amendments, which shall be debatable for 10 minutes:

The amendment by Mr. BEREUTER regarding North Korea; Mr. BAKER regarding Panama; Mr. SMITH of Michigan regarding biotechnology research; Mr. BROWN of Ohio regarding child survival and disease program fund; Mr. BROWN of Ohio regarding the Tariff Act; Ms. JACKSON-LEE of Texas regarding peacekeeping operations; Ms. JACKSON-LEE of Texas regarding Economic Support Fund; Mr. Payne regarding Congo; Mr. PAYNE regarding sanctions against Angola; Mr. PAYNE regarding peacekeeping operations; Mr. PAYNE regarding Sudan; Mr. PAYNE regarding restrictions on assistance to governments destabilizing Angola; Mr. MENENDEZ regarding Peru; Mr. FILNER regarding Economic Support Fund; Mr. CONYERS regarding section 558; Mr. CAPUANO regarding Armenia-Azerbaijan peace and democracy initiative; Mr. CAPUANO regarding termination of unilateral agricultural or medical sanctions; Mr. NADLER regarding honor crimes; Mr. JACKSON of Illinois regarding the African Development Bank; Mr. LATHAM regarding international financial institution loans; Ms. KAPTUR regarding the Ukraine; Mr. SHERMAN regarding child survival; and the amendments printed in the CONGRESSIONAL RECORD and numbered 7, 9, 13, 16, 17, 19, 20, 23, 24, 25, and 26.

Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $62,000,000: *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading: *Provided further*, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2001.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $37,000,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $24,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961 to be derived by transfer from the Overseas Private Investment Corporation noncredit account: *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 such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2001 and 2002: *Provided further*, That such sums shall remain available through fiscal year 2010 for the disbursement of direct and guaranteed loans obligated in fiscal years 2001 and 2002: *Provided further*, That in addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account: *Provided further*, That funds made available under this heading or in prior appropriations Acts that are available for the cost of financing under section 234 of the Foreign Assistance Act of 1961, shall be available for purposes of section 234(g) of such Act, to remain available until expended.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $46,000,000, to remain available until September 30, 2002.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2001, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, basic education, assistance to combat tropical and other infectious diseases, and related activities, in addition to funds otherwise available for such purposes, $834,000,000, to remain available until expended: *Provided*, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health and nutrition programs, and related education programs, which address the needs of mothers and children; (4) water and sanitation programs; (5) assistance for displaced and orphaned children; (6) programs for the prevention, treatment, and control of, and research on, tuberculosis, HIV/AIDS, polio, malaria and other infectious diseases; and (7) basic education programs for children: *Provided further*, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health programs: *Provided further*, of the funds appropriated under this heading, not to exceed $125,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal health, and infectious disease programs: *Provided further*, That the following amounts should be allocated as follows: $290,000,000 for child survival and maternal health; $30,000,000 for vulnerable children; $202,000,000 for HIV/AIDS; $99,000,000 for other infectious diseases; $103,000,000 for children's basic education; and $110,000,000 for UNICEF: *Provided further*, That of the funds appropriated under this heading, up to $37,500,000 may be made available for a United States contribution to the Global Fund for Children's Vaccines.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

Page 6, line 25, after the dollar amount insert (''increased by $42,000,000).

Page 7, line 21, after the first dollar amount insert ''(increased by $42,000,000)''.

Page 34, line 21, after the dollar amount insert ''(decreased by $42,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 30 minutes.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Alabama reserves a point of order.

The Chair recognizes the gentlewoman from California (Ms. LEE) for 30 minutes on her amendment.

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

This amendment adds $40 million to the child survival and disease fund to the amounts allocated in that account for HIV/AIDS and really derives that funding from the FMF account.

Mr. Chairman, I had the privilege to be part of the official United States delegation at the 13th International Conference on AIDS in Durban, South Africa. I returned yesterday with an even more sense of urgency regarding the HIV/AIDS pandemic throughout the world and especially in sub-Saharan Africa. There are over 10,000 people in Durban, South Africa breaking the silence on HIV/AIDS about the devastation of the AIDS pandemic this week. Our United States delegation is led by our very able Surgeon General, Dr. Satcher, and Sandy Thurman, Director of the Office of National AIDS Policy.

Can you imagine that in several countries now, life expectancy has been reduced from 70 years of age to 30 years of age because of this killer disease? This means also that many 13-year-old girls and boys will not live beyond 30 years of age because they will die from AIDS. This also means that years of development and progress have been really wiped from the face of the earth.

Also, can you imagine now that there are over 12 million orphans in Africa? These children's fate lay unknown because their parents have died. And by the year 2010, there will be 40 million orphans in Africa. This is the number of children in America's public schools. Also, believe it or not, it is mind-boggling to know this, but in Durban, we talked about this and documented this and discussed this, that in many countries 20 to 38 percent of the country's populations have HIV/AIDS.

This further cripples Africa because it does move to threaten economic stability which is a security threat as well, not only in terms of African security but in terms of our own national security. Can you imagine that this is really only the beginning? It is only the tip of the iceberg. India has nearly 7 million people infected with HIV/AIDS. This epidemic is spreading and it is spreading very rapidly.

The conference in Durban, which is continuing this week, is really helping us break the silence with regard to the devastation of this pandemic. We must listen to what is coming out of that conference. We all have a sense of urgency about this, but many of us do not know what to do. But we do know that there is a state of emergency in sub-Saharan Africa.

So the administration requested $244 million, minimal request, for HIV/AIDS this year, and we only have $202 million in this budget request. All this amendment does is add $42 million to bring to the level of the administration's request the AIDS funding to address this pandemic. This is not nearly enough. The United Nations has estimated that we need approximately $3 billion a year just to begin with the crisis in sub-Saharan Africa. So, Mr. Chairman, adding $42 million to this account is a mere pittance.

I ask for your consideration. I ask for your real commitment to ensure that the United States of America goes on record tonight and passes this amendment to do the right thing and to send a message to the Durban conference and to those who are working so desperately to save lives in Africa that we are stepping up to our moral obligation, and we do want to restore this mere $42 million to our account.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, I thank my dear colleague who has spearheaded this strong effort for yielding this time.

As we are becoming a more global community, we must become more concerned about what is going on with our national borders as well as the people we know are now suffering from AIDS throughout this world. It just does not take very much unless you understand man's inhumanity to man to think that in a country as rich as ours we have not placed the amount of money on the prevention and treatment of AIDS as we should. Now it is reaching catastrophic dimensions and we must realize that it is now an epidemic that is an impediment to our national security.

A study by the National Security Council prepared in January projected that a quarter of South Africa's population is likely to die of AIDS. I have only 1 minute, 60 seconds' worth of distance run to say to you that to place money in an AIDS prevention and treatment program in Africa will be money well spent. If not, we are on a disastrous course. It is time now to place money where we can help man and his humanity.

Mr. Chairman, I thank the gentlewoman for calling this special order to highlight the global HIV/AIDS epidemic.

As our world becomes more of a global community, we must become more concerned about what's going on beyond our national borders. As the Washington Post aptly described, the global spread of AIDS is reaching catastrophic dimensions and is now seen as a threat to our own national security.

A study by the National Security Council prepared in January projected that a quarter of southern Africa's population is likely to die of AIDS and that the number of people dying of the disease will rise for a decade before there is much prospect of improvement. Further, based on current trends, that disastrous course could be repeated, perhaps exceeded, in south Asia and the former Soviet Union.

50 million people—1% of the world's population—have become infected with HIV.

Sub-Saharan Africa has been by-far more severely affected by AIDs, than any other part of the world. Africans make up 10% of the worlds population, but nearly 70% of the worldwide total HIV/AIDS cases.

In many African countries 35% of all adults are infected with HIV/AIDS, and it is estimated that half of today's teenage population in parts of Africa will die of AIDS.

In Africa, as in the case throughout the world, young girls are most infected.

In a study of eleven African countries, the rate of infection in teenage girls was more than five times higher than in boys of the same age. Each day more than 15,000 people become infected. 1,600 of them are children, infected during or shortly after birth.

Infection rates in the Caribbean are also high.

There is an epidemic in Asia with more than 6 million people infected, and the potential for millions more.

Fortunately, we now have the opportunity for a much more effective response to the HIV epidemic.

We now know how to prevent the spread of HIV and provide care for those infected. The tools are complex and imperfect. But we know that when used correctly, these tools can help slow the epidemic, relieve suffering and enable millions of people to have additional years of quality life.

Yet, with opportunity comes responsibility and challenge. There are no more excuses. The millions who are infected and the hundreds of millions who are at risk will not forgive us if we do not take advantage of the opportunities for action that exist today.

No one constituency can act alone to change the face of this epidemic, and America must step up to play a leadership role in reducing the global spread of HIV/AIDS. Wherever there is inequity, conflict or lack of mutual respect, the virus feeds on our divisiveness.

It is distressing what is happening in the world with this pandemic, particularly when we have found interventions that work—interventions that can reduce HIV incidence by up to 80%.

Yet, we have not seen any systematic action to reduce the global spread of HIV/AIDS because all too often we have been shortsighted and refused to take action outside of our borders to help ease the suffering and loss of life which is taking place with respect to this pandemic in Africa and throughout the world.

This isolationists' mentality must stop. If America is to remain a global leader we ought to act like one and take the lead on helping to reduce the global spread of HIV/AIDS.

On this issue, we can't claim the high horse, and then take the low road.

More than ever, we need to unite with the nations of the world and exert our leadership in responding to the destruction to society that has been wrought by HIV.

Here at home, and throughout the world, the consequences of HIV/AIDS are clear, HIV affects more people than it infects. It makes

families poor as they try to meet the costs of health care and funerals: they become poorer as they cope with the loss of income following the death of a breadwinner.

Miami-Dade County, Florida has the third highest incidence of HIV/AIDS cases in the United States. With 24,000 reported AIDS cases, Miami-Dade County has more cases than all but four states. A disproportionate number of these cases tend to be comprised of racial or ethnic minorities.

With strong prevention initiatives, we have helped slow the rate of new HIV infections in the U.S. And, we have made widely available new medications and treatment to those who are infected.

As a world leader, we have a responsibility to help other nations reduce infections and treat those who are ill, and to act locally and globally toward a cure for this dreaded disease.

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) seek to claim the time in opposition?

Mr. CALLAHAN. Mr. Chairman, I claim the time and I reserve the balance of my time.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

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

Mr. DAVIS of Illinois. Mr. Chairman, I want to thank the gentlewoman for yielding me this time. We have heard the information. We understand the ravages of this tremendous disease running rampant throughout the continent. And so we know what action is needed. We know that we need resources. We know that we need to add additional money so that there can be health education information, so that there can be medicine and supplies, and so that individuals who are greatly in need of assistance can receive it. I simply want to commend the gentlewoman for this amendment, pledge undying, unstinting support for it, and urge all Members of this House to vote in favor of the Lee amendment.

□ 2300

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment which would make a critical investment in combatting HIV-AIDS around the world. When one looks at the numbers, it is astonishing. More than 16.3 million people across the globe have died of AIDS. More than 33.6 million are currently living with the disease. Over the course of the year, approximately 5.6 million more people will become infected with AIDS.

This is a pandemic of immense proportions, and if we hold back on investing and finding solutions to the world's AIDS crisis now, there will be consequences, both domestically and internationally later on.

The AIDS crisis has disproportionately affected the developing world. Sub-Saharan Africa has been particularly hard hit. Already 13.7 million Africans have died of HIV-AIDS, leaving behind social and economic devastation that will affect the nature and pace of African development for years to come.

AIDS is hurting Africa. It is crippling Africa's viability as a destination for business. I urge my colleagues to support this amendment.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, today I rise in strong support of the amendment of my colleague and friend, the gentlewoman from California (Ms. LEE), and I urge everyone to support this amendment, because it is really a moral issue that we are talking about tonight.

The devastation caused by this pandemic has been most severe in sub-Saharan Africa where over 23 million people are infected with HIV, and nearly 14 million Africans have already died from AIDS. This is indeed, my friends, a moral issue, and we have an obligation and a responsibility to heed the warning here.

The funding, $42 million, is not a cure-all for HIV-AIDS, but it is an urgent and necessary step in the right direction. This AIDS epidemic has also drastically decreased life expectancy in Africa, and I urge everyone within the sound of my voice to know that our children are being left as orphans because of the death of their parents.

I urge Members to support the Lee amendment.

Ms. LEE. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me thank the gentlewoman for presenting this amendment.

Mr. Chairman, I hope we are listening. I really do hope that we are not going to close our eyes and turn our ears off and ignore this problem. Let us try to listen to this one more time. A total of 5.4 million people globally became newly infected with HIV in 1999. A total of 34.3 million people globally are living with HIV-AIDS.

We cannot sit here and allow this to happen without some kind of intervention. There have been a total of 18.8 million global AIDS-related deaths since the beginning of this epidemic. A total of 13.2 million children globally have become orphaned since the AIDS epidemic. There are 34.3 million adults and children living with AIDS in the world.

We have to act now. This is an emergency. Experience shows that the right approach, applied quickly enough with courage and resolve, can and does result in lower HIV infection rates and less suffering for those affected by this epidemic. An ever-growing AIDS epidemic is not inevitable; yet unless action against this epidemic is scaled up drastically, the damage is going to be done.

We have got to act now. We have got to eradicate this ugly disease. The time is now. It is urgent. Support my colleague's amendment.

Ms. LEE. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I support this amendment. As the only major power in the world and one that takes its moral responsibilities seriously, this is a small step, but one we must take. I also supported the Waters debt-relief amendment for the very same reason.

I found it offensive that the manager of this bill would suggest that the gentleman from Alabama (Mr. BACHUS), or anyone else, was anti-Israel for supporting debt relief. I think that was factually incorrect, and this deficient foreign aid bill makes me think now it was designed in a way to try to drive wedges between people and divide us; and that should have no place on issues as serious as AIDS and debt relief.

Mr. Chairman, I am going to vote for the Waters amendment, and I am going to vote for the Lee amendment; and I am very seriously thinking that this bill ought to be defeated.

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

Mr. MEEKS of New York. Mr. Chairman, I wonder, where is this compassion we often hear talked about? Compassion. You know, where I come from, they have this saying; they say that talk is cheap. Put your money where your mouth is.

When we talk about HIV-AIDS, we can talk about it and talk about how bad it is and talk about how awful it is, but you know what? That talk means nothing.

We need to put our money where our mouth is. Until we do that, we are doing nothing but whistling Dixie. It is time for us to reverse that, to understand that this world is much smaller than it was just 10 years ago. If you do not believe it, let us not put our money where our mouths are. You think the epidemic is over there; but you know what, there is a boomerang, and what goes around will come around.

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

Ms. LEE. Mr. Chairman, I yield 1½ minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Chairman, the Lee amendment deserves our enthusiastic support. This amendment provides $42 million for our effort against AIDS abroad. We can be thankful, Mr. Chairman, that many people in America today are living longer and more comfortable lives with AIDS. Not so in Africa. We can be grateful that the life expectancy of a person in the United

States afflicted by AIDS has increased significantly since this Nation began paying attention to this disease some 20 years ago. Not so in Africa.

AIDS has lowered the life expectancy in some places in Africa almost 20 years in just the last 10 years. In America, the number of new AIDS cases in recent years has declined, or at least has leveled off. Not so in Africa. In Africa, in some places, up to 35 percent of all adults are inflicted by the HIV-AIDS. The survival rate of women and children affected by AIDS in the United States is steadily increasing. Not so in Africa.

In some parts of Africa, half of all the pregnant women are infected, and 15 percent of the children have been left as orphans due to AIDS. Drug therapy in response to AIDS is almost $20,000 annually. There is no money to pay. In fact, they commit less than $10.

Every day, in Africa, more than 5,000 people die from AIDS—18 million lives have been lost to AIDS in Africa, in recent years.

AIDS in Africa, Mr. Chairman, has been declared to be a threat to this Nation's national security. AIDS in Africa undermines efforts to extend democracy. AIDS in Africa contributes to political instability and encourages civil wars. AIDS in Africa puts American citizens at risk who may be there for business, military, diplomatic or other purposes. AIDS in Africa is a menace to America.

In recent years, the introduction of newer and more effective therapies, on the whole, has led to dramatic reductions in mortality and morbidity and an increase in the number of people living with HIV/AIDS. This progress has been due, in large part, to the fact that funding in the United States for research, prevention, care and treatment has multiplied, from a few hundred thousand dollars twenty years ago to $6 billion in the fiscal year.

In Africa, funding programs for the prevention and research for AIDS and HIV have fallen far short. The Lee amendment, in a very modest way, seeks to bring some balance to that imbalance.

Mr. Chairman, unfortunately, there is no vaccine or medication that will cure AIDS. Yet, as the Washington Post indicated today, there is hope due to a new tests. And, we know that through intervention, we can, and we have, caused effective prevention of the spread of AIDS.

By preventing the spread of AIDS, we have reduced the demand for care services. And, consequently, we have reduce the costs associated with AIDS.

We are making progress in America. Not so in Africa. Support the Lee amendment. The women, the children, the people of Africa are worthy of our support.

□ 2310

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Los Angeles, California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of this amendment. I am amazed that we have spent so much time on the Africa Trade bill talking about how we want to be involved with trade in Africa. In South Africa, we have spent years getting rid of apartheid. We have worked hard to make sure that we give democracy a chance in Africa.

But what good is all of this if, in fact, we do not recognize that HIV/AIDS is devastating Africa? I just spoke with the gentleman from New Jersey (Mr. PAYNE) who just returned from Botswana; a beautiful infrastructure is that country. However, they are about to be wiped out because of the way that AIDS is ravaging that small country.

The same thing is true in South Africa. What good does it do to have done all of that work to talk about getting rid of an apartheid government, to have a new opportunity here for housing and for health and for all of those things that we have fought for for so many years, when we have AIDS run amok.

This country cannot, cannot in good faith talk about wanting to have a relationship with Africa and South Africa, which it has embraced and all of these other nations, and ignore the fact that AIDS is ravishing this continent.

Mr. Chairman, I would ask everyone to support this amendment. This is a very mild amendment. As a matter of fact, the amount of dollars that are being asked for is insignificant, almost. So I cannot understand why anyone would be opposed to supporting this amendment. I believe there is $42 million in this amendment. We are spending more money than that on giveaways, practically, in the budget, throughout the budget of the United States.

So I would ask my colleagues, please, please allow us to leave this floor this evening with some renewed faith in our ability to have just a little bit of a conscience as it relates to the continent.

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from northern California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding me this time and for her extraordinary leadership on this global AIDS issue.

Mr. Chairman, as my colleagues know, this past week the world's leading experts on HIV/AIDS gathered in Durbin, South Africa for the 13th International HIV/AIDS Conference. The participants shared their knowledge and attempted to find solutions to the challenges of prevention, affordable treatment, and eventually a cure for HIV/AIDS. We must do our part in this country to respond to what has truly become a global crisis.

Mr. Chairman, when those experts met in Durbin, South Africa, the gentlewoman from California (Ms. LEE) was there, and she is here tonight, less than 36 hours since her arrival in this country; she is here tonight leading the way. The world is finally waking up to the scope and seriousness of the HIV/AIDS problem, as more resources are devoted to expanding the infrastructure to fight the disease. It would be a serious blow if the United States did not live up to its commitments at this time. Again, the gentlewoman from California (Ms. LEE) is here to lead the way in that regard.

Mr. Chairman, in addition to commending my colleague, I want to introduce into the RECORD a USAID report project which projects a dramatic increase in AIDS orphans. Over the next 10 years, there will be more than 30 million orphans because their parents will die of AIDS. This represents a dramatic increase.

How many more parents have to die? How many more children have to become orphaned? Many of those children, HIV-infected themselves. How many more children will have to die before we wake up to an appropriate, appropriate response to AIDS?

This increase that the gentlewoman is proposing brings what is in the bill up to the President's request of $244 million. Frankly, it is the least we can do. It is certainly not enough, but it is a good start for us. USAID will use these additional funds for education, prevention and interventions to reduce mother-to-child transmissions. Funding will be used to aid countries to establish their own HIV interventions.

I commend the gentlewoman for her leadership and I urge my colleagues to support her amendment.

USAID REPORT PROJECTS DRAMATIC INCREASE IN AIDS ORPHANS

DURBAN, SOUTH AFRICA.—The U.S. Agency for International Development (USAID) today released the executive summary of Children on the Brink 2000, a study of AIDS orphans across the globe. The study finds that by 2010, at least 44 million children will have lost one or both parents to all causes in the 34 countries most severely affected by the AIDS pandemic.

Of these 44 million orphans, 68 percent of their parents will die of AIDS. This represents a dramatic increase from 1990, when AIDS accounted for 16.4 percent of parental deaths. Orphans are distributed among world areas in the same patterns as HIV-prevalence, so that countries with the highest infection levels usually have the highest orphan rates.

The orphan crisis is most acute in sub-Saharan Africa. In at least eight countries in this region, between 20 and 35 percent of children under 15 have lost one or both parents. By 2010, 11 countries will reach this rate.

Children on the Brink 2000 finds that with few exceptions the number of children being orphaned will accelerate through at least 2010. In many countries, the proportion of orphaned children will remain exceptionally high until 2020 or 2030.

One country studied was Zambia. Children on the Brink 2000 finds that in Zambia, currently 27.4 percent, or 1.2 million children, who are under age 15, are orphans. Chronic malnutrition is widespread. Orphan caregivers are predominantly poor women. Children in these households are significantly more disadvantaged than children in two-parent families, largely because women have less access to property and employment. Female-headed households are larger and poorer than male-headed households in all regions.

The executive summary of Children on the Brink 2000 was released at a USAID press conference at the XIII International AIDS Conference in Durban, South Africa.

Since 1986, USAID has dedicated over $1.4 billion dollars for the prevention and mitigation of this epidemic in the developing world. USAID's HIV/AIDS budget of $200 million for 2000 is four times as great as the

next-largest donor's budget. USAID is working in 46 of the hardest hit countries around the world. Nearly 70 percent of USAID's HIV/AIDS program assistance goes to small nongovernmental organizations that have direct connections to the poorest of the poor and those most vulnerable to infection.

Children on the Brink 2000 updates USAID's 1997 report on orphans, and provides estimates of the number of orphans in 34 developing nations, as well as offering strategies to support children affected by HIV/AIDS worldwide. The original report included the first international orphan estimates published since 1990 and contributed to a growing sense of urgency about the impact of HIV/AIDS, particularly in sub-Saharan Africa. The complete Children on the Brink 2000 will be released this fall.

Children on the Brink 2000 presents new orphan estimates for the 23 countries studied in the 1997 report, as well as 11 additional developing countries. The report also provides a summary of new statistics on the HIV/AIDS pandemic; new programming recommendations for children, families, communities, and governments; and an updated overview of actions taken by international organizations to assist families and children affected by HIV/AIDS.

The executive summary of Children on the Brink 2000 is available at www.usaid.gov.

The U.S. Agency for International Development is the U.S. government agency that provides development and humanitarian assistance worldwide.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Chairman, I thank the gentlewoman from California for yielding me this time and for bringing this important issue to the floor of the House.

We have made a substantial amount of progress in our country in dealing with AIDS and HIV. Unfortunately, that same kind of progress has not been evident in Africa where 10 percent of the world's population resides, but nearly 70 percent of the worldwide total infected AIDS cases exist.

A number of countries in Africa are beginning to make progress such as Senegal and Uganda, and we need to do what we can in this country to assist in meeting this crisis, not only here in our country, but worldwide. I cannot think of any other issue that is more important to address than the HIV/AIDS crisis in the world. Therefore, I rise in support of the gentlewoman's amendment.

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me thank the gentlewoman from California for her leadership. Mr. Chairman, $42 million. Juxtapose that against the $82 million, only 16 percent of what the administration asked for, to relieve the burden of debt on these countries so that they could at least deal with this travesty of AIDS.

The gentlewoman from California (Ms. LEE) just came back from South Africa and she has been on this mission for a long time, and I have joined her, along with many other Members. We were in Africa just about a year ago. Tell me if my colleagues have ever experienced going into a hut, that is right, and seeing a 4-year-old being the only person able to care for dying relatives. Cleaning up the excrements, providing the medicine, helping them to the rest room, if you will. Dying babies being held in one's arms. Families burying six members of their family at a time. Have my colleagues ever lived through a pandemic or a dying Nation or continent? That is what we are talking about.

For us to be on this floor tonight in the most prosperous times, when the gentleman from Alabama indicated that we merely would be missing a Sunday newspaper if we did not provide debt relief or, in this instance, maybe a candy bar if we put $42 million against a nation of 200 million plus people in the United States of America. How can we reject the opportunity to provide funds to eliminate 4-year-olds taking care of dying relatives. It is an outrage that we even have to diminish the request to this amount.

Mr. Chairman, I would only say to my colleagues, when they begin to talk about a tragedy of this size, they are beginning to talk about a continent that not withstands this attack, but falls to this attack. We cannot do any less than to support the amendment of the gentlewoman from California and stand up against this terrible tragedy.

Mr. Chairman, I rise in support of the amendment by my democratic colleague Representative BARBARA LEE from California in an amendment to H.R. 4811, the Foreign Appropriations bill before this body. This amendment if adopted would make an additional $100 million available to the World Bank AIDS Marshall Plan Trust Fund.

HIV/AIDS has been declared the world's deadliest disease by the World Health Organization. HIV/AIDS has become a plague on the Continent of Africa of biblical proportions by claiming over 18 million lives in recent decades. This crisis is having a direct impact on the future viability of many sub-Saharan African communities. For this reason, I am joining Congresswoman LEE of California in support of additional funding for the World Bank's effort to fight the spread of the deadly HIV/AIDS epidemic in Africa.

This amendment would fund the World Bank AIDS Marshall Plan Trust Fund at $100 million. This will allow the trust fund to distribute additional resources through directed grants so that an effect response can be mounted against the HIV/AIDS tragedy, which is being played out in too many African nations.

According to the UNAIDS Update report released last week on HIV/AIDS infected rates in many countries up to 35 percent of all adults are infected with the disease. The report also estimates that half of today's teenage population in parts of Africa will perish from HIV/AIDS. The most vulnerable group being affected by HIV/AIDS is the women of Africa; their infection rate is far greater than males. About 55 percent of all adults living with HIV are women, and this rate is expected to continue to rise in countries where poverty, poor health systems, and limited resources for prevention and care are present. What fuels the spread of this disease or any disease is ignorance, misinformation, cultural practices, passivity on the part of leaders, neglect on the part of those nations with resources that if engaged would make a difference in the fight to win out over the disease.

I would like to commend Congresswoman LEE for her efforts to offer a clear perspective on the HIV/AIDS epidemic in Africa. She recently returned from Durban, South Africa, after participating in AIDS 2000, which was the 13th International AIDS conference.

Now, more than ever, the leadership of the United States is needed in order to avert a tragedy on the Continent of Africa. Therefore, I implore my fellow colleagues of the House to seriously reconsider the level of funding that has been appropriated for this critical area. It is critical that we join efforts to support the comprehensive, bipartisan World Bank AIDS Marshall Plan Trust Fund to address this crisis.

Many people have asked why this is important to the United States. I reiterate that aside from the humanitarian perspective, the CIA has issued a report that declares HIV/AIDS a threat to our national security. HIV/AIDS undermines democracy and progress in many African nations and the developing world. Left to its own course HIV/AIDS will lead to political instability and may result in civil wars, which may affect the global balance of power as well as economic viability of many African nations. In many of these instances, our military service personnel may be pressed into to service in order to defend American interest in any attempt to bring stability to those nation's that decline into civil strife because of the ravages of HIV/AIDS. HIV/AIDS like any plague cannot be contained in any specific geographical area it will roll across borders of the rich and poor nations alike. Unfortunately, when this dreaded disease came to our shores many felt that it was a calamity for gay people, drug users but AIDS knows no boundaries. With globalization, we also must be conscious of the potential for AIDS and other infectious diseases to be carried across borders.

Now is the time for this body to act to remove the threat of AIDS from our global community. Therefore, I encourage my colleagues to support this amendment.

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, first of all, let me thank the gentlewoman from California (Ms. LEE) for going to the International AIDS Conference representing the United States.

At this crucial time in this country, the world is looking at what we are doing here in the United States, and they are wondering, what is our position on AIDS and HIV. I would like to have a colloquy for a moment with the gentlewoman from California (Ms. WATERS). I know that other countries are providing treatment, they are providing drugs. Why are we, the most powerful country in the world, who stand on the Bible and believe and talk all the time about to whom God has given much, much is expected, and we have some obligation as leaders in the world, where are we on this crucial issue of AIDS and HIV?

□ 2320

Ms. WATERS. Mr. Chairman, will the gentlewoman yield?

Ms. BROWN of Florida. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I thank the gentlewoman from Florida (Ms. BROWN) for yielding to me.

As we look at what the gentlewoman from California (Ms. LEE) is doing and the tremendous work she is putting into this international AIDS crisis, tonight there is a category called Child Survival and Disease Program Fund in the budget for $202 million, and she is adding to that fund so perhaps just one or two more babies will have medicine, one or two more children may be able to survive HIV or full-blown AIDS, even.

Let me just say that what we are doing is minuscule. It is not nearly enough. We need to do more. That is why we have to take up all of this time on the floor to beat everybody across the head on this issue, and not let this epidemic continue in the way that it is doing. We have to keep pushing this issue, keep pushing the envelope, because we have not even begun to do what we should be doing.

Ms. BROWN of Florida. Mr. Chairman, I include for the RECORD the information fact sheet about AIDS in Africa.

AIDS IN AFRICA—FACT SHEET

Today there are 34 million people living with HIV and AIDS.

Sub-Saharan Africa has been far more severely affected by AIDS than any other part of the world.

Africans make up about 10% of the world's population but nearly 70% of the worldwide total of infected people.

An estimated 18 million Africans have lost their lives to AIDS.

2.8 million people died of AIDS in 1999, 85% of them in Africa.

The overall rate of infection among adults in sub-Saharan Africa is about 8.6% compared with a 1.1% infection rate worldwide.

20% of people in South Africa are infected with HIV and the rate has reached 35.8% in Botswana.

5.4 million new AIDS infections in 1999, 4 million of them in Africa.

An estimated 600,000 African infants become infected with HIV each year through mother to child transmission.

An estimated 8 million African children have lost their mother or both parents to AIDS.

It is estimated that within the next decade more than 40 million children will be orphaned in developing countries.

Some have estimated that approximately half of all today's 15-year-olds in the worst affected sub-Saharan countries will die of AIDS.

Community awareness has had some success, particularly in Senegal and Uganda where the rate of infection has been cut in half.

Aside from Africa, India has more infected people than any other nation, more than 3.5 million.

A 1999 South African study found that the total costs of employee benefits in that country will increase from 7 percent of salaries in 1995 to 19 percent by 2005 due to AIDS.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentlewoman from California for yielding time to me.

I would also like to thank the gentlewoman from California (Ms. PELOSI) for the extraordinary leadership she has provided in this measure, as well as my colleagues in the Republican party who have come forward and demonstrated how they feel with reference to this issue.

Of course, people like the gentlewoman from California (Ms. WATERS) and countless others have been here for us, as well as all of the women of this House, providing the kind of leadership that we need in an effort to speak out about these matters.

Please know this, that what we are failing to do is to assist a continent of people who, in the final analysis, are finding their life expectancy, according to reports in today's New York Times, reduced to 30 years of age.

Ron Dellums, who the gentlewoman from California (Ms. LEE) replaced in Congress, spoke often to this House with passion regarding this issue, and now finds himself involved in this issue, trying to avoid, ultimately, the death in the next 5 years of 35 million people.

Research and development is needed to rid this scourge in Africa and America. Please support this measure.

Ms. LEE. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, as so many speakers before me have said, it is a shame that we are not providing more. Thirty-four million people in Africa with HIV, and even if we pass this amendment, that is less than $10 per infected person, less than $10 per person who will probably lose their lives.

After we consider this amendment, I will call up an amendment that will add another $10 million to this program, and shame on me that that amendment is not larger.

We should be doing a lot more. This is a national security problem for not only Africa but for the entire world. This is a continent with 34 million infected people, most of whom do not know that they are infected, that figure comes only from estimation, so they could end up infecting others.

This is not just a problem in Africa, this is a likely disease that will mutate and spread to various places around the world. We should do more.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

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

Mr. Chairman, the horror that we are dealing with is so unspeakable that it is literally very difficult to imagine the extent of what is going on, but let us try for a moment.

In at least eight countries in sub-Saharan Africa, between 20 and 35 percent of children under 15 have lost one or both parents. Let us stop and think what that would mean to our hometowns or our State. One-third of the children under 15 have already lost one or both parents.

I think after all is said and done, what we are learning tonight is that we live in one world, and whether we like it or not, we cannot ignore the horrendous suffering that is going on in Africa. Our souls will be tarnished if we do not respond, and ultimately, mark my words, it will become a national issue, as well.

We live in one world. We have got to respond. We should support this amendment, and do a lot more than that.

Ms. LEE. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. PAYNE).

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

Mr. PAYNE. Mr. Chairman, let me rise in strong support of this amendment, and commend the gentlewoman from California (Ms. LEE) and those who have worked with her, the gentlewoman from California (Ms. WATERS), the gentlewoman from the Virgin Islands (Ms. CHRISTENSEN).

Let me also admire the work of the gentlewoman from California (Ms. PELOSI), who has for many years been there fighting for the right causes.

Mr. Chairman, about 8 years ago I started to discuss the problem of HIV-AIDS with President Museveni. At that time he was totally opposed to any kind of prevention programs, especially the use of preventative things. We talked about that. He finally decided that he would move to having prevention and education. Now in Uganda we have seen it level off. If we put in the correct amount of funds, we will be able to put a moratorium and start to win the battle.

A week ago on Wednesday I was in Gaborone in Botswana. I met with President Festus Mohae. His whole discussion at our meeting a week ago was simply about the HIV-AIDS virus. He said that his life expectancy in his country was 71. Two years from now the life expectancy in Botswana will be at 39, they have lost that much. In about 5 years from now, there will be a minus population growth in the country of Botswana.

We can no longer sit by and watch the world die. Let us pass this amendment.

Ms. LEE. Mr. Chairman, I yield 1 minute to my colleague, the gentlewoman from Ohio (Mrs. JONES).

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

Mrs. JONES of Ohio. Mr. Chairman, to my colleagues, in this country today we have a societal condition of grandparents raising grandchildren. Imagine the situation that exists in Africa, where we have grandparents raising as many as 35 grandchildren.

The condition of AIDS in Africa is a security risk. It is an economic issue. It is a workforce issue. It is a global issue. We as a country must step up to the plate and take care of the children of Africa. They, too, are our own children.

That epidemic, that disease, can spread worldwide. Next year we will be talking about AIDS in every other country, because we travel so frequently together.

Let us resolve this issue. Let us take care of the children. Let us take care of our families, as well, and support this amendment.

□ 2330

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentlewoman from California (Ms. LEE) for yielding time to me.

Mr. Chairman, I would just like to point out that we in the United States have nearly a million people suffering with HIV/AIDS at the moment. We spend something over $10 billion every single year on this issue, and that averages out to well over $10,000 per person in what we do here in this country in relation to AIDS. In Africa, the amendment that is being offered by the gentlewoman from California (Ms. LEE), the amendment by itself would involve $2 per person of the roughly 25 million people now suffering from HIV/AIDS, 20 percent in a country like South Africa, as high as 35 percent of the population in Botswana.

It is a very small, a very small pittance for us to contribute to dealing with the AIDS pandemic around this world. We should adopt the amendment by the gentlewoman from California (Ms. LEE).

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

Mr. Chairman, I want to first thank the gentlewoman from California (Ms. PELOSI) for her extraordinary leadership on this issue and also for her support consistently and constantly on helping us really raise the level of awareness on the HIV/AIDS crisis here in the United States Congress, and also to the gentlewoman from California (Ms. WATERS), to the gentlewoman from the Virgin Islands (Ms. CHRISTENSEN), to all of the Members who spoke here tonight.

I want to pay a special recognition and tribute to my former boss and predecessor Congressman Ron Dellums who often has been the lone voice in the wilderness speaking about this pandemic in Africa.

Finally, I believe we are breaking the silence here in the United States Congress. I want to thank all of my colleagues for engaging in the debate tonight. I believe many of you read the incredible series of articles that was in The Washington Post last week. These articles demonstrated and documented the fact that we knew as early in the 1990s that the potential for this pandemic in Africa was going to be so great, we chose to put our heads in the sand on this issue.

Mr. Chairman, it is chilling to think that we have not done much of anything in the last 10 years, so tonight we are just asking for a mere $42 million, that is it. We heard the arguments for that. I implore and plead with the other side to please join us in a bipartisan effort and restore $42 million to the budget.

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

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) wish to be heard on his point of order?

Mr. CALLAHAN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume and simply want to say that I think that the committee has been most understanding. In response to many requests that I received from many of those that spoke tonight, we have increased this year's assistance to HIV/AIDS problems from $175 million to $212 million, an 18 percent increase.

Mr. Chairman, I just do not want my colleagues to think that I have ignored their plights and their pleas when they came to me hearing the message. In addition to that, I spent last week in Africa talking to some of the political leaders there, and I recognize fully especially in Africa the tremendous problem with HIV/AIDS. And if, indeed, we reach a stage in this process of the conference committee, as I have told the gentlewoman from California (Ms. WATERS) with respect to the HIPC problem, if we reach a stage where additional allocations are given to us, certainly we would request this, but to take it out of the FMF program we think is not proper.

Mr. Chairman, I do not want to go through that debate again, but I might remind my colleagues that now we are, if we adopt the Waters amendment and we adopt the gentlewoman's amendment, then we will be into the Middle East portion of the FMF, but I hope that we do not do that. I hope that it is better resolved to your satisfaction at some other point in the process. Mr. Chairman, I ask for a no vote.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CALLAHAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 546, further proceedings on the amendment offered by the gentlewoman from California (Ms. LEE) will be postponed.

Are there further amendments to this section of the bill?

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BROWN of Ohio:

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–AGENCY FOR INTERNATIONAL DEVELOPMENT CHILD SURVIVAL AND DISEASE PROGRAM FUND'', after the first dollar amount insert ''(increased by $40,000,000)'' and in the fifth proviso after the fourth dollar amount (relating to other infectious diseases) insert ''(increased by $40,000,000)''.

In title IV of the bill under the heading ''MULTILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND'', after the dollar amount insert ''(decreased by $40,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of earlier today, the gentleman from Ohio (Mr. BROWN) will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order on the amendment of the gentleman from Ohio (Mr. BROWN).

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) reserves a point of order.

The gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes on his amendment.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the threat of tuberculosis is spreading rapidly through the developing world. TB is the greatest infectious killer of adults worldwide. It is the biggest killer of young women. It kills 2 million people per year. Over more than 1,000 people in India die everyday. TB hit an all time high in 1999 with 8 million new cases, 95 percent in developing countries.

Mr. Chairman, I would first like to thank the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) for their good work in increasing the appropriations to tuberculosis in the last 3 years up to $60 million.

Our amendment asks for an additional $40 million added to the other infectious diseases component of the Child Survival and Diseases Program. This increase is meant specifically for TB control efforts. This level of spending for health is much lower than any other multilateral development bank despite the fact that the majority of deaths globally from TB and childhood infectious diseases occur in Asia, that is why we are taking dollars from the Asia Development Bank, which does not meet its mission to save the poor, in order to fund a program that will absolutely save millions of lives and preserve communities in the best interests of Asia, in the best interests of Africa, and in the best interests of Latin America, and only in the best interests of the United States where TB is becoming a more and more serious problem.

Gro Bruntland, the director general of the World Health Organization has said that tuberculosis is not a medical issue, it is a political issue. Getting Americans engaged in an international medical issue like tuberculosis, even when addressing that issue serves our best interests as a Nation is an uphill battle.

Mr. Chairman, we have an opportunity to save millions of lives now and prevent millions of needless deaths in the future. We are asking for $40 million from the Asia Development Bank, a bank that has not done well at serving the poor, and we can clearly save thousands and thousands of lives by upping our contribution to the world TB effort, according to the requests of the World Health Organization of $100 million.

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

Mr. CALLAHAN. Mr. Chairman, I do not seek time at this point, but I rise in opposition to the amendment and reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA), who was the cosponsor and the cowriter of this amendment last year when the chairman helped us increase tuberculosis spending $5 million more.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman from Ohio (Mr. BROWN) for yielding me the time and thank the gentleman for his leadership on this very important issue.

Mr. Chairman, I also want to extend my thanks to the gentleman from Alabama (Mr. CALLAHAN), the chairman of the committee, the gentlewoman from California (Ms. PELOSI) for the work they have done in raising the amount for tuberculosis. This is really very important.

Mr. Chairman, TB kills more women than any single cause of maternal mortality, and it is the biggest killer of people with AIDS which was just recently discussed. It accounts for 40 percent or more of all AIDS deaths in Africa and in Asia. I could go on and on with what is happening in the developing world in terms of attacking its victims in their most productive years, medical costs rising, families that are dissipated, children that are put to work, lack of educational opportunities.

According to the WHO, recent studies in India found that 100,000 women are rejected by their family because of TB every year.

□ 2340

Because there is no way to stop TB at national borders, the only way to eliminate it here in the United States is to control it worldwide, especially in nations with the greatest burden. It is not a matter of doing just what is right; it is a matter of doing what is smart. A single case of drug-resistant TB can cost hundreds of thousands of dollars to treat in the United States. Let us ratchet the amount up.

Mr. Chairman, I rise today in support of this amendment to increase funding for global TB control because, although we have a cheap, effective treatment for TB, the tragic fact is TB will kill more people this year than any year in history—someone every 15 seconds.

TB is the biggest infectious killer of young women in the world. In fact, TB kills more women than any single cause of maternal mortality. TB is the biggest killer of people with AIDS—accounting for 40 percent or more of all AIDS deaths in Africa and Asia.

In the developing world, tuberculosis also destroys girls' and women's futures. TB tends to attack its victims in their most productive years, often killing or sickening the primary breadwinner of a family. In order to pay for medical costs and generate income, families frequently take their young girls out of school and put them to work. TB means the loss of educational opportunity for girls. It means dire poverty for families.

In some parts of the world there is a great stigma attached to contracting TB. This leads to increased isolation, abandonment and divorce of women. According to WHO, recent studies on India found that 100,000 women are rejected by their families because of TB every year. In Nepal, there are numerous stories of young widows with no income and no prospects for another marriage turning to prostitution in order to support their families. Currently an estimated one third of the world's population including some 10–15 million people in the United States are infected with the TB bacteria. Because there is no way to stop TB at national borders, the only way to eliminate TB here in the U.S. is to control it worldwide, especially in nations with the greatest TB burden.

The real tragedy is that effective TB treatment—with drugs costing as little as $10 for a full 6 month course—is only reaching 20 percent of those ill with TB.

It is crucial that we act aggressively now to expand access to this cost-effective treatment and thereby control the spread of TB worldwide. There is only a small window of opportunity available to us to do so. If we fail to act now, resistant strains of TB will continue to develop which will be incredibly costly and possibly even impossible to treat.

I want to acknowledge and thank the Foreign Operations Subcommittee, especially Chairman CALLAHAN and Ranking Member PELOSI, for their efforts this year and over the past several years to give TB greater priority. I stand here today because I believe we need to ratchet up that effort even more, to go even further. $100 million is needed to help jumpstart effective control programs globally.

This is not just a matter of doing what is right, it is a matter of doing what is smart—a single case of drug resistant TB can cost hundreds of thousands of dollars to treat in the U.S. We must invest now in preventing and treating TB worldwide or we will pay the price later in lives and dollars if we fail to do so.

I urge support of this amendment.

Mr. BROWN of Ohio. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON), who is the co-author of this amendment; and I thank her for the good work that she has done.

Mrs. WILSON. Mr. Chairman, I wanted to thank the gentleman from Ohio (Mr. BROWN) for his leadership on this public health issue and also the chairman of the committee for increasing the investment in TB in this bill over the last 4 years from really nothing to $60 million.

Tuberculosis is back with a vengeance, and it is back with drug-resistant strains that are affecting parts of the world where it was thought to be under control.

In March of this year, there was an outbreak of resistant tuberculosis in Toronto, Canada; in Germany; in Denmark; in Mexico; in Italy; in Puerto Rico. Drug-resistant TB is on the rise, and we are not immune to it here in the United States.

I am one of those who believes it is better to play offense than defense when it comes to public health issues, if one has got a good offense to play. We have a very limited window of opportunity to attack TB with a proven public health strategy abroad where resistant TB is growing.

The reason the resistant TB is growing is because of inconsistent and inadequate treatment. But a treatment does exist. It is called DOTSC. That means Directly Observed Treatment Short Course. If we invest in it now, we can treat TB when it first shows up so that those resistant strains do not have an opportunity to grow. We will not be faced with a huge and very expensive epidemic worldwide and in the United States.

It costs between $11 and $20 to treat a case of TB that is not resistant. It costs about $250,000 to treat drug-resistant TB. In the early 1990s, there was an outbreak in New York City that cost $1 billion to suppress it, and half of the people affected with it died.

Let us do the right thing from a public health point of view. Let us invest in this while the window of opportunity was there and reduce the cost over the long term.

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) insist on his point of order?

Mr. CALLAHAN. No, I do not insist on the point of order, but I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama withdraws the point of order.

The Chair recognizes the gentleman from Alabama (Mr. CALLAHAN) for 5 minutes.

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

Mr. Chairman, I am almost surprised at the fact that the gentleman brought this amendment to the House. In response to his request and to the request of many of my colleagues, we have increased this fund from $12 million to $55 million, a fourfold increase in response to the recognition of the problem.

While I know that they have serious concerns about tuberculosis; we all do. The very fact that we have quadrupled the aid in just 2 years is amazing to me that they still insist upon bringing an amendment to reconstruct our bill.

We have constructed this bill to the best of our ability, providing as much as we can afford to provide to every need that has been presented to this committee. So I would respectfully request that the gentleman withdraw his amendment; and if he does that, I will agree to work in conference to conceivably get it increased if we receive a higher allocation. I offered him that, and yet he seems to reject that offer. So if he wants me to remove that offer, I will be happy to do it. But I would respectfully request that he withdraw his amendment.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I am happy to yield briefly to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, before withdrawing the amendment, if I could, I would like to ask, and I will do that and appreciate the good words and the good work already that the gentleman from Alabama (Mr. CALLAHAN) has done in the last 3 years. I would like to ask the gentleman from Alabama (Chairman Callahan) if he would yield 30 seconds to the gentleman from Texas (Mr. GREEN), who was in his office and hurried over and would like to say a few words on this issue if he could get some time from the gentleman from Alabama (Mr. CALLAHAN). I unfortunately used my time, but I will withdraw the amendment after that if that is possible.

Mr. CALLAHAN. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN of Texas. Mr. Chairman, I join my colleagues, and I appreciate the work of the Subcommittee on Foreign Operations, Export Financing and Related Programs. This is money well spent, because if we do not deal with tuberculosis nationwide, literally in Texas, we are seeing it cross our border. So I thank the subcommittee for their work.

Mr. Chairman, I rise in strong support of this amendment, which I am pleased to have cosponsored along with SHERROD BROWN and Representatives HEATHER WILSON and CONNIE MORELLA.

Seven years ago, the World Health Organization declared Tuberculosis to be a global emergency.

TB is an emergency in Africa—in Asia—in Latin America—in the Caribbean. TB could soon be an emergency in the United States.

No area has been more harmed by the epidemic than Asia. In the past ten years there have been over 35 million cases in South and South-East Asia.

In East Asia and the Pacific there have been over 21 million cases.

In India, over 1.8 million new cases are diagnosed each year. In China, 1.4 million. In Bangladesh, half a million.

While the majority of Tuberculosis cases are found overseas, this is disease that could be passed on to you . . . or to anyone in your family.

TB is highly contagious and spreads just like the common cold—through hand-shaking, coughing, or contact.

With the increase in international travel we are seeing more and more cases of TB right here in North America—and those cases will continue to increase unless we act now.

Our amendment increases funding for TB control by $40 million. Much, much more is needed but to comply with budget rules we are only proposing a $40 million boost.

Our amendment is offset by reducing funding to the Asian Development Bank by an equal amount.

The Asian Development Bank has not been effective. Its lending for health has averaged just 1.5% of total lending annually from 1978–1998.

This level of lending for health is much lower than any other multilateral development bank despite the fact that the majority of deaths globally from TB and many childhood infectious diseases occur in Asia.

While the amount of its lending for the health sector has increased since 1978, the proportion of total lending devoted to health has stayed the same at about 1.5%.

This low number cannot be accounted for simply because the Bank does not make low-interest loans to India or China while, for instance, the World Bank has.

Even excluding China and India, World Bank lending for health in Asia and the Pacific in 1996 was 7.3% of lending, more than 4 times the Asian Development Bank's lending.

The $40 million we are taking away from the Asian Development Bank is better spent combating the adverse economic impacts of TB.

TB has had a devastating social and economic impact on Asia and other regions.

Because patients lose an average of 3 to 4 working months a year, they lose 20 to 30 percent of the family's income.

Seventy five percent of TB infections and deaths are people between the ages of 15 and 54—most of them workers.

In India, the annual cost to that nation's economy is $3 billion. About 70% of households went into debt because of health care bills related to TB.

This is not surprising when you consider that, in India, the cost to patients for treatment is about $125 U.S. dollars, more than half the annual income of a daily wage laborer.

By using this $40 million to combat TB we will keep hundreds of thousands of folks working and that has a direct impact on Asia's economy—an impact that cannot be matched by the Asian Development Bank.

We need to battle TB abroad because it is appearing on our borders.

That's a sound investment—and one we should all support.

Mr. BROWN of Ohio. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

Ms. PELOSI. Mr. Chairman, reserving the right to object, and I do not intend to object, but I do want to commend the gentleman from Alabama (Mr. CALLAHAN) for his tireless leadership on this issue. The challenge of tuberculosis is a great one throughout the world, not unrelated to AIDS. Many people with HIV die of tuberculosis.

But I do want to commend the chairman because he has responded at least two times that I am aware of to the appeal for increases last year and in the committee accepted my amendment for the increase to the point that we are now.

The gentleman is a man of his word. If he says that he is going to help in conference, then the gentleman from Ohio (Mr. BROWN) has already graciously agreed to withdraw.

So I look forward to working with the gentleman from Alabama on that. I commend the gentleman for his leadership and acknowledge the strong bipartisan support and commend all of the cosponsors on this legislation. It is very important to all of us.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Ohio (Mr. BROWN) is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. SHERMAN

Mr. SHERMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHERMAN:

Page 6, line 25, after the dollar amount insert ''(increased by $10,000,000)''.

Page 7, line 21, after the dollar amount for HIV/AIDS insert ''(increased by $10,000,000)''.

Page 38, line 23, after the dollar amount insert ''(decreased by $10,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of earlier today, the gentleman from California (Mr. SHERMAN) and a Member opposed each will be recognized for 5 minutes.

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

Mr. SHERMAN. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I am presenting this amendment on behalf of myself and the gentleman from New Jersey (Mr. SMITH). This entire bill is woefully underfunded. We should be adding several billions to this bill, perhaps many billions to this bill. But within the scope of the bill as presented, all we can do is move money from one part of the bill to another. That is an important task, because there are parts of this bill that are more in need of funding than others.

As explained by the speeches for the last hour, the most important part of this bill is the funding for AIDS. With some 34 million people in Africa, with over 10 million people in South Asia and Southeast Asia stricken with HIV, we need to do more, not just the $202 million provided in the bill, not just the $242 million which will be available if the Pelosi-Lee amendment is passed, but we need to do all we can.

This amendment will increase the amount for AIDS by an additional $10 million. That is still not even $10 for every infected person in the continent of Africa, let alone less than $5 for each infected person on the face of the earth.

The question is not why is it important to provide more funds to combat AIDS, but where do we get those funds?

This bill, this amendment takes those funds from the allocation from the World Bank and more particularly from IDA. Now, IDA is a good program of the World Bank, but it is not as important as dealing with AIDS. Just as important, those of us who are concerned with promoting foreign aid in this country have to make sure that the foreign aid we appropriate is consistent with American values.

Last month, the World Bank loaned $231 million to Iran, while ignoring the fact that Iran would jail 10 Jewish citizens just because of their religion, hence a desire, a need to transfer $10 million. Not only that, but I talked to the President of the World Bank today who was unable to assure me that the funds appropriated in this bill would not be lent to Sudan, Afghanistan. The funds provided to IDA in this bill can be lent to any corrupt government anywhere in the world. That is why it is better to spend the money through American agencies fighting AIDS.

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) claim the time in opposition to the amendment?

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I think it is rather ironic, here we have the HIV program in need, and IDA is also in need. I know that the gentlewoman from California (Ms. PELOSI), the ranking member on our subcommittee, has been such a strong proponent of IDA. I am just wondering if she is going to object to this.

□ 2350

In any event, I think with the same argument I have used on every amendment, there is nothing wrong with the destination the gentleman is seeking, I just think this attempt to restructure and to reallocate the monies that we have been working on for 6 months to try to fairly distribute under the limitation of the allocation given to us, in my opinion, is wrong. It could cause an avalanche of problems, and then we start going back and we start taking money from one program which is doing a great deal of good, to give it to another program to do a great deal of good.

So while I know that the gentleman's intentions are noble and I respect that, I know that the needs of the HIV/AIDS problem is great, at the same time, at this point, I would urge my colleagues to object to the amendment, or vote ''no'' on the amendment, because of the restructuring argument that I presented earlier.

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

Mr. SHERMAN. Mr. Chairman, I yield myself such time as I may consume to point out that the World Bank does do some good, but it also does substantial harm when it loans American money to Iran at this time and when it is possible that it would loan American money to Sudan or Afghanistan at this time.

Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I think it needs to be pointed out that the gentleman from Alabama (Mr. CALLAHAN) has put $834 million into the Child Survival and Disease program, and it is a significant increase, but the explosion of AIDS certainly makes it an issue that requires more attention.

We know that there is very little being done in the area of shelters, of helping those people who have the disease to get a longer and a higher quality of life. Much of the focus has been on prevention, and surely much of the focus should be on prevention. But for those who have it, those who have the ''slims,'' as they call it in Africa, need to be helped through their terrible ordeal, and there is much more that we could be doing to help in that way.

I commend my friend for offering the amendment. I am glad to be one of the cosponsors, but, again, I do think it should be underscored there is $834 million in here for child survival and diseases. This is a tweak, but it is an important tweak.

Mr. SHERMAN. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from California (Mr. SHERMAN) has 1½ minutes remaining.

Mr. SHERMAN. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and perhaps I can respond quickly to the distinguished subcommittee chairman, the gentleman from Alabama (Mr. CALLAHAN).

I am a proponent of the International Development Fund, IDA, and I am also a supporter of the measure that is being offered by the gentleman from California (Mr. SHERMAN). Ultimately, what it boils down to is that we have budgetary constraints that we have created in a time of prosperity. And in all fairness, if we had sufficient motivation, I believe that we would come up with the necessary funds.

Thus, we are going to not only have in this appropriation measure, but in countless numbers of other amendments and other appropriations yet to be done and ones that have passed, offsets that are required that pit one program against another. No one can argue that I am not for IDA, and no one can argue that I am not against the spread of AIDS not only in Africa but throughout the world.

Let me give some more statistics. HIV/AIDS infects more than 10 million children worldwide. Africa is most affected by the disease, with 70 percent of the world's 34 million HIV infected people. In Botswana, for example, a third of all girls and 16 percent of all boys are infected with HIV. In South Africa, 25 percent of all girls and 11 percent of all boys are infected. Furthermore, they do not educate our children on how to protect themselves.

We should support this measure and we should be prepared to support others with offsets.

The CHAIRMAN. Time of the gentleman from California (Mr. SHERMAN) has expired. The gentleman from Alabama (Mr. CALLAHAN) has 3½ minutes remaining.

Mr. CALLAHAN. Has all time expired on the other side?

The CHAIRMAN. That is correct.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume to rise once again in opposition to the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this section of the bill?

If not, the Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103 through 106, and chapter 10 of part I of the Foreign Assistance Act of 1961, title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533) and the provisions of section 401 of the Foreign Assistance Act of 1969, $1,258,000,000, to remain available until September 30, 2002: *Provided*, That of the amount appropriated under this heading, up to $10,000,000 may be made available for and apportioned directly to the Inter-American Foundation: *Provided further*, That of the amount appropriated under this heading, up to $16,000,000 may be made available for the African Development Foundation and shall be apportioned directly to that agency: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family

planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate, a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds appropriated under this heading may be made available for any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES): *Provided further*, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $25,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: *Provided further*, That, of the funds appropriated by this Act for the Microenterprise Initiative (including any local currencies made available for the purposes of the Initiative), not less than one-half should be made available for programs providing loans in the following amounts (in 1995 United States dollars) to very poor people, particularly women, or for institutional support of organizations primarily engaged in making such loans: $1,000 or less in the Europe and Eurasia region (including North Africa), $400 or less in the Latin America region, and $300 or less in the rest of the world.

POINT OF ORDER

Mr. GILMAN. Mr. Chairman, I make a point of order against the language appearing in the bill beginning with ''Provided'' on page 11, line 23, through page 12, line 8, on the grounds that it violates clause 2 of rule XXI.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that the provision includes language imparting direction. The provision therefore constitutes legislation, in violation of clause 2 of rule XXI.

The point of order is sustained and that provision is stricken from the bill.

AMENDMENT NO. 18 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer amendment No. 18.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. ROEMER:

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—DEVELOPMENT ASSISTANCE'', after the first dollar amount insert ''(increased by $15,000,000)''.

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT'', after the first dollar amount insert ''(decreased by $2,100,000)''.

In title IV of the bill under the heading ''MULTILATERAL ECONOMIC ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY'', after the dollar amount insert ''(decreased by $4,900,000)''.

In title IV of the bill under the heading ''MULTILATERAL ECONOMIC ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION'', after the dollar amount insert ''(decreased by $8,000,000)''.

The CHAIRMAN. Pursuant to the order of earlier today, the gentleman from Indiana (Mr. ROEMER) will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, first of all, I want to say that this is a bipartisan amendment. I have the strong support of the gentleman from New York (Mr. HOUGHTON), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Florida (Mr. HASTINGS), the gentleman from Minnesota (Mr. LUTHER), who has been so helpful, the gentleman from New Jersey (Mr. SMITH), and the gentleman from Ohio (Mr. HALL).

This amendment is simple. It increases by $15 million the microenterprise loans for the poor, the poorest people in the world, to get loans that are repaid. And because of the budget rules, we take $15 million that is offset from three different accounts to plus up the microenterprise loans for the poor account.

Now, we have wide bipartisan support for this. And when we are talking about $15 million, Mr. Chairman, I want to talk about how simple this amendment is and talk about $1. One dollar is what the Secretary of the United Nations says that 20 percent of our population in the world lives on per day. Not that they eat on; that they live on. One dollar or less per day.

Now, microenterprise loans for the poor loan $25, $50, $100 at a time to people in poverty in Bangladesh, in India, in Africa, mostly women, to start small businesses. Let me give my colleagues an example of why this program is so important and why we need to fund it with another $15 million.

Sarah Doe, formerly of Liberia, fled to the Ivory Coast. She lost her husband in the war and she has 10 children. She gets a loan for $16 from microenterprise loans for the poor and starts a small business selling donuts. Now, that does not sound like a lot to us, because so many people in the world live on less than a dollar a day, but to her she is now running a successful small business. She has been able to send four of her children to school and establish savings accounts. Sixteen dollars is the original loan helping to save her children, starting a small business.

□ 2400

This is some of the best money we can spend when we decide to do it efficiently in foreign aid, money that is loaned that is repaid at 95 to 99 percent repayment. We need to do this, Mr. Chairman. It is right. It is efficient. It is bipartisan. And it is an investment in getting people out of poverty, helping them help their children, and eventually making them part of this world economy.

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

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the amendment.

Mr. Chairman, I tell the gentleman that we support the microenterprise fund. That is not the issue. The gentleman and I have discussed earlier and I have pledged to help him if indeed we get an additional allocation to meet his goal. But I do not know if the gentleman heard what the gentleman from New York (Mr. GILMAN) requested of the Chair just prior to the gentleman from Indiana (Mr. ROEMER) rising; and that is, he, through a point of order, removed the section he is trying to put the money in. So all he is doing, instead of giving it to the microenterprise program, is giving it to the big pot of assistance that will be available.

Now, if the gentleman will take my request and withdraw his amendment, I

will be happy to work in conference to try to get additional monies for the microenterprise program. That is not a problem. But if the gentleman prefers to try it this way, then I will just remove my commitment.

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

Mr. CALLAHAN. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I appreciate, first of all, the offer and pledge of the gentleman. Secondly, I deeply appreciate his commitment to microenterprise loans for the poor. I know he is genuine. I know he is a fighter for programs that are efficient and work. I know he wants to do something to help bring the poorest of the poor into the world community and the world economy.

Before I agree with the gentleman to withdraw the amendment and then get the $15 million, I want to remind him, which he already knows, that this $15 million would merely take us up to the authorized level of what the House has approved. So I appreciate his fight, his vigor, his support, his pledge.

Before I ask unanimous consent to withdraw the amendment, I have four or five cosponsors of the amendment that are still here past midnight that would like to speak on it and that would take probably another 8 or 9 minutes.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, I am sorry, we do not have another 8 or 9 amendments.

Mr. ROEMER. Mr. Chairman, if the gentleman will continue to yield, no, I said 8 or 9 minutes.

Mr. CALLAHAN. Mr. Chairman, we do not have another 8 or 9 minutes in order to do that.

Mr. ROEMER. I have more time, Mr. Chairman.

Mr. CALLAHAN. Mr. Chairman, I thought the gentleman had yielded back his time.

Mr. ROEMER. Mr. Chairman, I reserved the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished chairman for yielding me the time and for his commitment to do more in conference on this microenterprise issue.

I want to commend the gentleman from Indiana (Mr. ROEMER) for his leadership and for his constant attention to this very important issue.

As my colleagues know, Mr. Chairman, we have traveled many places in the developing world. The gentlewoman from New York (Mrs. LOWEY), a member of the committee, and I have visited many microlending sites, microenterprise activities.

It is hard for us in the United States to understand how a little bit of money can go such a very long way and make such a very, very big difference. I could go into it chapter and verse over the map, but I would be abusing the good nature of my distinguished chairman so I will not do that, except to say that this is a program that has a tremendous base of support in our country at the grassroots level. It is effective. It works. And I commend the gentleman for pushing it even further because I know that it will reap tremendous benefits.

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

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), a cosponsor of the amendment who has worked so hard on this.

Mr. HOUGHTON. Mr. Chairman, I want to thank the gentleman from Indiana (Mr. ROEMER) for his leadership here. I also want to thank the gentleman from Alabama (Mr. CALLAHAN).

Clearly the work is going to be done in conference, and that is the important thing. The fact that the gentleman is going to support this, is willing to work, that is good enough for me.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. LUTHER), who has been very helpful and his staff has been extremely helpful.

Mr. LUTHER. Mr. Chairman, I certainly want to thank the gentleman from Indiana (Mr. ROEMER) for his outstanding leadership as well as the other cosponsors and also the gentlewoman from California (Ms. PELOSI), who has been a terrific supporter of this whole concept of microcredit.

I will be very brief, Mr. Chairman. I merely want to say that currently more than one billion people, one-fifth of the world's population, live in extreme poverty. And that is what we are talking about here this evening. As long as poverty continues to plague the world, there will not be a lasting peace, there will not be the kind of stability that we all want, not to mention the pain and suffering in the lives of so many people and families.

What is great about the microcredit program is that it is not a handout. It is in fact start-up loans that will be repaid by the people. It is basically using precious foreign aid dollars in the best possible way that we can spend them.

Now, what this amendment would do and why I think it makes so much sense is it would bring the level of this particular category up to the authorized level, as already pointed out, that has been passed by this Congress. And I would submit that there is no more cost-effective way for us to provide for the self-sufficiency of the people of the world and to spread democracy around the world than to do this very thing that is being proposed here, all at the same time while we are improving the lives of our fellow inhabitants of the world. I think that that is something that we can be very, very proud of as we work on this this evening.

So, Mr. Chairman, let me just conclude by saying that, in a time of budget constraint like the one that we are in, we have to prioritize. I believe we need to give priority to this particular activity. I thank the other Members. I appreciate the help that has been expressed on the floor.

Mr. ROEMER. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA), who has been an early and strong supporter.

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

Mr. Chairman, I also want to thank the chairman of the subcommittee, the gentleman from Alabama (Mr. CALLAHAN), particularly for his promise, and he has always fulfilled it, in terms of expanding that $15 million as he can for microenterprise. I want to thank the other cosponsors of this amendment.

Mr. Chairman, directly aiding the poorest of the poor, especially women in the developing world, has a positive effect not only on family incomes but on child nutrition, health, and education. As women in particular reinvest income in their families, the poor in the developing world, particularly women, turn to self-employment in order to generate a substantial portion of their livelihood.

In Africa over 80 percent of employment is generated in this informal sector of the self-employed poor. These poor entrepreneurs are often trapped in poverty because they cannot obtain credit at a reasonable rate to build their asset base or expand their otherwise viable self-employment activities.

We know from experience that microcredit financing helps, that the poor are able to expand their incomes and their businesses dramatically when they can access loans at reasonable interest rates. Through the development of self-sustaining microfinance programs, poor people themselves can lead the fight against hunger and poverty. It also develops confidence, dignity and self-sufficiency.

So, again, I thank the chairman in advance for putting this money into microenterprise.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS), who has been a tireless supporter of these microenterprise loans, a friend from the Committee on Intelligence, as well.

Mr. HASTINGS of Florida. Mr. Chairman, I thank my distinguished colleague from Indiana for yielding me the time.

I particularly rise on this measure for asking the House to support it. The Committee on Appropriations, each day that there is an appropriation measure, submits a report in explanation. The chairman of this subcommittee, my good friend, the gentleman from Alabama (Mr. CALLAHAN), previously said that he had written the perfect bill.

Certainly on economic growth and microenterprise, I wish to join in suggesting that he is absolutely correct about that part. Let the House hear what he said:

''Microenterprise has proven its effectiveness in promoting economic growth in many of the poorest countries and allowing poor people, especially women, to lift themselves out of poverty and to create and expand microbusinesses which raise living standards.

□ 0010

The committee recognizes that microenterprise cannot lift an entire Nation out of poverty. Broad policy reforms and responsible stewardship of resources at the national level are essential. But microenterprise programs can complement sound macroeconomic policies.

I say to the gentleman from Alabama, he did write something perfect.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), who is not only concerned about this issue of poverty, but also a strong supporter of education.

Mrs. LOWEY. Mr. Chairman, I want to thank the gentleman for his hard work on this issue. He has really been a leader. I want to thank the ranking member; I want to thank the chairman, and I particularly want to thank the chairman, because we appreciate his commitment to work in conference to raise these numbers on this issue, and I know that the chairman will succeed, and we will all succeed as a result of his important work.

For those of us who have been watching this process for a long time, the success is really extraordinary. To see a woman open a small restaurant or buy some chickens and sell their eggs or make bread to sell to her neighbors, the small amount of income and the small amount of savings that this loan makes possible will pay for a school uniform for a daughter who may not otherwise have gone to school in many parts of the world; it will pay for doctor visits for her family, nourishing food to keep everyone healthy and active. Most important of all, it makes her stand tall and be a person and help support her family.

So I thank the chairman again for his commitment.

Mr. ROEMER. Mr. Chairman, I yield 45 seconds to the gentleman from New Jersey (Mr. PAYNE), a friend on the Committee on Education and the Workforce.

Mr. PAYNE. Mr. Chairman, let me just commend the gentleman from Indiana (Mr. ROEMER), and the number of cosponsors of this amendment.

Microeconomics is very important. First of all, it puts women in charge because many of these loans go to women. Secondly, when we looked at the accounts, interestingly enough, the payment return rate is exceedingly high, between 90 and 95 percent of these microeconomic loans. It means a lot of empowerment, not only because it brings in extra revenue, but it gives women a position in many instances of working for women's rights and independence and self-reliance.

So I think that the money that we are talking about will go a long, long way. It will also show as an example by what happens to the women.

Mr. Chairman, I support this amendment, and I urge its adoption.

Mr. ROEMER. Mr. Chairman, with the 15 seconds I have remaining, I want to thank the gentlewoman from California (Ms. PELOSI) for all of her hard work and dedication to these issues. I look forward to working with her in conference.

Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN), who is truly a gentleman, and we look forward to working with him to get this $15 million in conference.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

Mr. CALLAHAN. Mr. Chairman, reserving the right to objection, I just want to briefly respond to the gentleman from Florida (Mr. HASTINGS), when he read a portion of my bill and he agreed that that section that he read was just like that song that I mentioned earlier in the evening that I have written the perfect country song, the same as David Allen Coe did when he wrote that song about ''You don't have to call me darlin', darlin'. You don't even have to call me by my name.''

Well, I will tell the gentleman from Florida, he can call me by my name as long as he stands up and says those kind things about this perfect bill I think I have written.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from Indiana (Mr. ROEMER) is withdrawn.

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of Michigan:

Page 12, line 8, before the period insert the following: '': *Provided further,* That of the amount appropriated under this heading, $30,000,000 shall be made available for plant biotechnology research and development''.

The CHAIRMAN. The gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes on his amendment and a Member opposed will be recognized for 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that I think is tremendously exciting in terms of the potential to help developing nations of the world in two areas: food production and health.

This amendment sets aside $30 million for plant biotechnology research and development. Its language reflects language put in the Senate bill by Senator BOND of Missouri. It is technology aimed at solving the health and humanitarian and environmental challenges, particularly in the developing world. Indeed, the fruits of this research promise to address some of the most serious challenges faced there: hunger, malnutrition, drought, pestilence, and disease. Can we imagine if we develop a kind of plant that can now grow in those arid soils where food cannot be grown at the present time.

Since we first cultivated about 10,000 years ago, mankind has searched for ways to improve them. Traditional selection and cross-breeding has been very useful in improving crop plants, but this is a time-consuming process that commonly produces unwanted traits that must be eliminated. We now have over 1,000 biotech products on the market.

With the development of biotechnology, plant breeders are now able to develop new varieties of plants in a level of precision and range unheard of just 2 decades ago. The potential benefits to mankind are limited only by the resourcefulness of our scientists. Just today, it was announced that genes are the major cause of cancer, breast cancer and colon cancer.

U.S. farmers, of course, have been quick to adopt the plants modified by biotechnology, and it is also spreading around the world. But as great as the potential of biotechnology here in the United States is, it holds even greater promise to solve many intractable problems facing farmers and hungry people, consumers in the developing world. Improved crop plants promise to mitigate common agricultural problems in much of the developing world through weather, pest and drought resistance, improved nutrition, and higher yields.

On April 13, as chairman of the Subcommittee on Basic Research, I issued a report on the benefits of safety and oversight of regulation, Seeds of Opportunity, a large section of which is devoted to a discussion of the potential benefits of this technology in improving nutrition, health, and feeding a growing worldwide population.

A white paper issued just yesterday, a white paper was issued by the National Academy of Sciences, joined by the Royal Society of London, the Brazilian, Chinese, Indian, Mexican, and Third World Academies of Science put the situation plainly, and I quote: ''Today there are some 800 million people who do not have access to sufficient food to meet their needs. Malnutrition plays a significant role in half of the nearly 12 million deaths each year of children under 5 in developing countries.''

Still quoting, ''In addition to lack of food, deficiencies in micro-nutrients, especially vitamin A, iodine and iron, are widespread.''

They conclude that agricultural biotechnology research and development should be aggressively pursued, and I quote again, ''to increase the production of main food staples, improve the efficiency of production, reduce the environmental impact of agriculture, and provide access to food for people and farmers around the world.''

Mr. Chairman, let me just conclude. I am excited about this. I think agricultural biotechnology and gene technology offer tremendous opportunities, only limited by the creativity and funding for research dollars.

□ 0020

It can play a major role in helping developing countries become self-sufficient in food production.

One example of its promise is the development of a new strain of rice. It is called golden rice. It contains both beta carotene and iron, and work is underway to get this new variety to the field.

The merging of medical and agricultural biotechnology has opened up new ways to develop plant varieties with characteristics to enhance health.

It was announced today that this kind of gene research has huge potential in the developing world. Researchers are now working on developing plants that will develop medicines and edible vaccines through common foods that could be used to immunize the kids around the world. This is significantly important.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) insist on his point of order?

Mr. CALLAHAN. 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.''

Mr. SMITH of Michigan. I am excited about this, Mr. Chairman. I would ask the chairman if he would consider looking at the Senate language in this amendment and consider the potential and the appropriateness of moving ahead in this area of doing something in the area of biotechnology.

Mr. CALLAHAN. Mr. Chairman, as the gentleman is aware, the language is already in the Senate version of our bill, so we will have to address it. We will certainly take the gentleman's views into consideration.

If the gentleman would like to withdraw his amendment, then I will withdraw my point of order.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from Michigan (Mr. SMITH) is withdrawn.

AMENDMENT NO. 20 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. SANDERS:

Page 8, line 10, after the dollar amount insert ''(increased by $2,500,000)''.

Page 33, line 6, after the first dollar amount insert ''(decreased by $2,500,000)''.

The CHAIRMAN. Under the previous order of the House, the gentleman from Vermont (Mr. SANDERS) will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment is cosponsored by the gentleman from New Jersey (Mr. SMITH), the gentlewoman from New York (Ms. Slaughter), and the gentlewoman from New York (Mrs. MALONEY).

What this amendment does is increase U.S. AID's development assistance account by $2.5 million to provide assistance to indigenous and locally-based nongovernmental organizations for the protection and reintegration of women and children who are victims of international trafficking.

The committee's bill provides, unfortunately, no funds, zero fund, to assist the millions of people, primarily women and children, who are trafficked across international borders each year and forced into prostitution, sweatshop labor, and domestic servitude.

The fastest-growing international trafficking business is the trade of women, trailing only behind trafficking in drugs and arms.

According to the U.S. State Department, between 1 and 2 million women and girls seeking a better life abroad unexpectedly find themselves in brothels, the sweatshop labor industry, or exploitative domestic servitude. This tragedy continues to grow as economic globalization expands, increasing the movement of people across borders.

In a world of rich nations and poor nations, these exploitative and inhumane practices feed on the poverty and despair of poor women, children, and families in the developing world, particularly in Southeast Asia and the former Soviet Union.

Earlier this year, the House passed legislation sponsored by my colleague and cosponsor of this amendment, the gentleman from New Jersey (Mr. SMITH) highlighting the problem of trafficking in persons and authorizing funds to assist victims. These initiatives have bipartisan support in the House and Senate and the support of the administration, which requested $10 million in assistance for trafficking victims.

Unfortunately, this legislation does not provide any funds to deal with this tragedy. The $2.5 million for this vitally important assistance comes from the international military education and training IMET account by reducing the amount in the bill for this program by $2.5 million which level-funds IMET.

I should add that IMET has seen a 100 percent increase in the last 5 years. In other words, Mr. Chairman, we are level-funding a program that has increased by 100 percent in 5 years in order to provide a small amount of funding to an area which is in dire need of these funds.

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) seek to control time in opposition?

Mr. CALLAHAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama is recognized for 5 minutes.

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

Mr. Chairman, I rise in opposition to the amendment, but not with the intent of the amendment. I agree, first of all, with the intent of the amendment, but in our bill already we provide significant resources to help prevent trafficking in women and children.

In recent years we have supported AID programs designed to end trafficking. In Asia, for example, funds are already contained in this bill. We will continue to support the following programs with anti-trafficking components: One, AID's South Asia Regional Initiative; two, AID's Regional Women's Initiative; three, AID's South Asian Democracy Program. AID is undertaking similar programs in Africa and Latin America to fight trafficking of women.

I assure the gentleman that the Committee on Appropriations will continue to support these anti-trafficking programs. I had hoped that we would be able to resolve this issue with a colloquy, since we have already increased development assistance by $30 million over the fiscal year 2000 appropriation.

There are sufficient funds, I believe, to address the concerns the gentleman has raised. I see really no reason for the amendment, because I think we are taking care of the gentleman's concerns anyway. I would like him not to try to reconstruct the bill to make a point, which is exactly what he would be doing, when we have already agreed.

I would also, even though I will not be chairman next year, I would have appreciated this year if the gentleman had contacted me a little earlier, like probably 300 Members of the House did, and we tried to facilitate everyone who contacted us earlier with their concerns. I am sure we could have had sufficient language in here to do what the gentleman is doing by reconstructing our bill.

Mr. Chairman, I would appreciate the gentleman withdrawing his amendment if he possibly could consider that, and we will be happy to work to further

complement the language and instructions we already have in the bill where a sufficient amount of money is already designated.

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

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

Ms. PELOSI. Mr. Chairman, it is my understanding that the amendment being offered by the gentleman from Vermont (Mr. SANDERS) specifically addresses a program which funds local indigenous nongovernmental organizations to engage in this protection for women.

Can the chairman tell me specifically, and please forgive me for not knowing this, if what U.S. AID is doing has that component to its initiative to stop trafficking of women?

Mr. CALLAHAN. Mr. Chairman, in the amendment that the gentleman offered, or as we have, I do not see that.

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

Mr. CALLAHAN. I yield to the gentleman from Vermont.

Mr. SANDERS. The gentlewoman from California (Ms. PELOSI) is correct in interpreting the intent of the amendment, Mr. Chairman.

Mr. CALLAHAN. I will be happy to work with the gentleman, but I do not think we ought to restructure the bill for any reason. I have opposed it all night long and I oppose it now.

I find it strange that we are debating an issue that we have already expressed our total support of in the bill, and provided sufficient amounts of monies.

Let me just once again say that we are talking about amendment No. 20. Are we talking about amendment No. 20?

Mr. SANDERS. Yes, Mr. Chairman.

Mr. CALLAHAN. There is no indication in the language I have here that it does what the gentleman says it does.

Mr. SANDERS. It increases U.S. AID's development assistance account by $2.5 million to provide assistance to indigenous and locally-based NGOs.

Mr. CALLAHAN. It does not say that. The amendment I have just simply says it increases it by $2.5 million and decreases an account by $2.5 million. It is not specific in the amendment that I have here.

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

□ 0030

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend, the gentleman from Alabama (Mr. CALLAHAN) for yielding to me, and just let me say I am very much supportive of this language and the intent. The $2.5 million is really a small amount of money, and it does highlight an often neglected part of this whole trafficking problem and tragedy that we face, and that is, that the locally based indigenous organizations like Miramad in Russia or LaStrada in the Ukraine do not get much funding if they get funding at all, and they are in the front line when women are either trafficked out of the country and they are intercepted in some way, often through some good law enforcement, or when they are returned after being abused.

In order to break the cycle, these NGOs are right there providing treatment, providing psychological counseling and rescuing women.

The CHAIRMAN. The time of the gentleman from Alabama (Mr. CALLAHAN) has now expired.

Mr. CALLAHAN. Mr. Chairman, I move to strike the last word and ask the Clerk to read the amendment, because the amendment as I understand it, it says on page 8, line 10, after the dollar amount, insert increase by $2.5 million. Then it says on line 6, after the first dollar insert decrease by $2.5 million. Technically, the money that we transfer could be used by anything. It could be used for population. It could be used for anything.

The amendment does not specifically say what the gentleman is expressing, and I would ask the Clerk to read the amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment No. 20 offered by Mr. SANDERS:

Page 8, line 10, after the dollar amount insert ''(increased by $2,500,000)''.

Page 33, line 6, after the first dollar amount insert ''(decreased by $2,500,000)''.

Mr. CALLAHAN. Reclaiming my time, Mr. Chairman, I would say to the gentleman from Vermont (Mr. SANDERS) I think that the amendment says what I am telling the gentleman. It does not transfer the money to the program of trafficking that the gentleman is concerned about.

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

Mr. CALLAHAN. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, the gentleman is technically correct, what it does do is take $2.5 million from IMET and transfer it and increases funds for USAID's development assistance account. Clearly the intent of everything that I am speaking about is to use that $2.5 million to go to NGOs to combat the trafficking crisis which exists, but the gentleman is technically correct.

Is the gentleman supportive of what we are trying to do?

Mr. CALLAHAN. Reclaiming my time, yes, I am, and that is why I was trying to express, I will be happy to work with the gentleman to try to get the money. I would not like to reconstruct my bill at this time in order to give an additional $2.5 million to the agency, but I will be happy to work with the gentleman to try to get that, if the gentleman reads the language we already have it in the report or in the bill.

It is a very lengthy report, which says almost what the gentleman is saying, whereby we are instructing them to do that. So I would think that there would be no need for this. But to answer the gentleman's question, yes, I will be happy to work with the gentleman to try to facilitate your goal.

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

Mr. CALLAHAN. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I concur with the gentleman from Alabama (Chairman CALLAHAN) and ask the gentleman from Vermont (Mr. SANDERS) to withdraw the amendment and work with the Committee on Appropriations. We certainly feel that the gentleman's goal is meritorious, and we will try to resolve this matter and come to some agreement on its merits. So I would urge the gentleman if he would consider withdrawing the amendment at this time.

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

Mr. CALLAHAN. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, the issue here is I know that we all agree on the crisis and we all want to do something about it. My concern is that at least $2.5 million go to indigenous NGOs.

Mr. Chairman, is the gentleman saying that he is prepared to try to find money to do that?

Mr. CALLAHAN. Reclaiming my time, I will be happy to attempt to ensure to the gentleman that that language will be put in during the process, but it shall not be taken out of the IMET training money that he has suggested.

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

Mr. CALLAHAN. I yield to the gentleman from Vermont, unless the gentleman from Vermont (Mr. SANDERS) wants to respond to mine or the gentlewoman from California (Ms. PELOSI) can use the 2 minutes, I will be happy to yield.

Mr. SANDERS. Mr. Chairman, if what I am hearing the gentleman from Alabama (Mr. CALLAHAN) say is that he is prepared to put $2.5 million from a source that he will determine into indigenous NGOs to combat trafficking.

Mr. CALLAHAN. Reclaiming my time, that is correct that we will do it. We will readjust the figures of the existing appropriation levels to spell out what the gentleman is seeking to do. Whether or not we get additional allocations or not, we can still do it, but I do not agree that we should take it out of the IMET training program.

Mr. SANDERS. If the gentleman will continue to yield, at the end of the day there will be $2.5 million going to local NGOs to combat that?

Mr. CALLAHAN. That would be my serious attempt if I can get the Senate to agree.

The CHAIRMAN. The gentleman from Vermont has 2¾ minutes remaining.

Mr. SANDERS. Mr. Chairman, I yield to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I say to the gentleman from Vermont, no, I will just get time.

The CHAIRMAN. The gentleman from Vermont should use the balance of his time.

Ms. PELOSI. Mr. Chairman, I want to exercise the same privilege as the distinguished chairman did as is spelled out in the unanimous consent request.

The CHAIRMAN. The gentlewoman is correct; although, the Chair would tell the gentlewoman that if she would like to at this point, the Chair will permit her, although it is really inappropriate to do so while an amendment is pending.

The Chair was attempting to facilitate a conversation, and the Chair will not make that mistake again.

Ms. PELOSI. Mr. Chairman, I thought it was in keeping with the unanimous consent request, but I will tell you what, Mr. Chairman, heeding what the gentleman is saying there, I will not use the full 5 minutes.

Mr. Chairman, I just want a clarification because I do not know what options are available to us. Certainly if this bill goes to conference, and one never knows around here, if the bill goes to conference, I would certainly and I know the gentlewoman from New York (Mrs. LOWEY), the gentlewoman from Michigan (Ms. KILPATRICK) and others Members of the subcommittee would have this as a very high priority, and I know the gentlewoman from New York (Mrs. LOWEY) can get her own time to speak on this, but I just wanted to know what options were available. Can we be specific in conference? Are we talking about very specific report language?

I think this conversation is very important on the floor to talk about the legislative intent, because this is a very important issue, and I really do not have enough time, even if I use my full 5 minutes to tell you how much it means to women.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, it is my intention to assure the gentleman from Vermont (Mr. SANDERS) that I am going to make every effort I can to ensure that the money is spelled out in the bill. I think the intent is clearly spelled out sufficiently for them to spend the money anyway, but if the gentleman is concerned that it is not, well then we will insert the figure $2.5 million or whatever the number is.

Ms. PELOSI. Reclaiming my time, I look forward to supporting the gentleman in that effort.

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

Mrs. LOWEY. Mr. Chairman, just briefly the hour is late, I want to thank again my ranking member, the gentlewoman from California (Ms. PELOSI), my colleague, the gentleman from Vermont (Mr. SANDERS) and our chairman, the gentleman from Alabama (Mr. CALLAHAN) for the commitment to put money into this effort.

Having recently returned from India, visiting a school where we spoke with the young girls who had been trafficked, the tragedy of this throughout the world is so immense and I know the gentleman from Alabama is aware of it and I appreciate the gentleman's commitment to invest the money in this effort, and I thank the gentleman.

Mr. CALLAHAN. If the gentlewoman would further yield, I do not know how many times I can say yes, maybe if I talked a little slower.

Mr. SANDERS. I am hearing a yes, Y-E-S; is that correct?

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I will be very brief since I think we have come to the conclusion, but just to remind the body and I think it is important that this House on May 9th did pass the comprehensive legislation that would impose very, very tough new criminal penalties, up to life in imprisonment on those who traffic people into the United States or any part of that process and also to prevent automatic deportation, a protection for the women so that they can be helped while they are here. Eventually many of these women will get back to their country or at least some of them, I will not say many, and they will need protection when they get back, and that is what I think the gentleman's amendment and my amendment seeks to do.

We had authorized in that legislation $10 million for victims, and this is a modest down payment on that authorization. So I thank the gentleman from Alabama (Chairman CALLAHAN) and I think his word is his bond and I think we are off to a good start here.

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

I would just conclude by thanking the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from California (Ms. PELOSI) and the gentlewoman from New York (Mrs. LOWEY) and everybody else.

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

Mr. SANDERS. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thought the purpose of this discussion was to withdraw the amendment.

Mr. SANDERS. Mr. Chairman, reclaiming my time, if that is the purpose of it, then I will withdraw the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment. As long as the gentleman says yes, I will withdraw the amendment.

□ 0040

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Vermont (Mr. SANDERS) is withdrawn.

There was no objection.

The CHAIRMAN. Are there further amendments to this section of the bill?

AMENDMENT OFFERED BY MR. PAYNE

Mr. PAYNE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PAYNE:

Page 12, line 8, insert before the period the following: ": *Provided further*, That of the amount appropriated under this heading, not less than $720,000,000 shall be made available to carry out chapter 10 of part I of the Foreign Assistance Act of 1961".

The CHAIRMAN. Under the previous order of the House, the gentleman from New Jersey and a Member opposed each will control 15 minutes.

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

The CHAIRMAN. The gentleman from Alabama reserves a point of order on the amendment.

The Chair recognizes the gentleman from New Jersey (Mr. PAYNE).

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

Mr. Chairman, I rise to request that the important Development Assistance Fund, which is a fund that much of the appropriations for development assistance around the world is a very important instrument for development in Africa.

The House has taken a step backwards by eliminating the earmark for the Development Fund for Africa which was in legislation up until 1994. But we are not asking for the earmark to be replaced since it was removed. But we are asking that $220 million be added into the Development Assistance Fund, which would fall under the Development Assistance Fund for Africa, the DFA, although we are not asking for the earmark.

Now, what I am saying is simply that, during the 1990s, 1993 and 1994, when the development from the DFA was designated, we actually appropriated $850 million in 1994, $804 million in 1993. So we had a continued increase in the Development Fund for Africa.

The 1998 level was $700 million. In 1999, it was approximately $700 million. This year, it has dropped to approximately $500 million. So we are asking that $220 million be allocated within the Development Assistance to be earmarked for Africa.

It seems, as we have been talking about all of the problems in Africa, we have been talking about the AIDS pandemic, we have been talking about the need for loan forgiveness, it seems like it is a move in the wrong direction to reduce the Development Fund for Africa, the monies that are designated, although not earmarked, because these funds go to assist in famine prevention. They go in to helping dialogue in countries to ward off ethnic strife. They go into many very, very important issues that help to make stable countries in Africa.

I might mention that, during the last decade, about 85 to 90 percent of the nations in Africa have gone under democratization. We have had elections in practically every country. Many people have the misconception that there are dictators still in Africa, but that was in the past. We have had elections in Mozambique and in South Africa. We have had elections in Namibia and Kenya. We have had elections in Senegal. We can go on and on and on. So there is no longer these dictators who speak with the one voice.

I have talked earlier about the fact that we did have that problem in the past during the Cold War where we created Mobutu, when we went and destabilized Patrice Lumumba and took him out of office with our United States intelligence operation, and put in Mobutu, who of course supported the South African apartheid government of P.W. Botha. He supported Ian Smith in Rhodesia who had the same sort of government. He supported the Southwest Africa, which did the same thing.

This was a Mobutu that we put in because of the fact that it was during the Cold War. We can go on and on in Africa. But there have been elections in most countries. We are looking for elections in the former Zaire, the Democrat Republic of Congo in the future. We have seen elections in most other countries.

So it seems to me that, in order to alleviate poverty, which is of course one of the great problems in Africa, in order to look at the amount of funds that go into Africa, the population of Africa is about 700 million people, we are talking about 500 million, less than a dollar a person in Africa where we have seen other places around the world with much smaller populations getting billions of dollars.

So it seems to me that, in order for us to look at Africa, 16 of the 18 of the poorest countries in the world are there. While we are reducing the amount of funds available, as I have indicated, it is going against what we should been doing in this new millennium. It is really not supporting new presidents who have been elected and are going through structural adjustments like in Mozambique where they have had a growth in their GDP of about 10 percent annually.

As a matter of fact, these countries, different from what people believe, that in the SADC countries, which are 14 countries in South Africa, each of these countries has had an increase in their GDP from 4 to 12 percent. Even the country of Botswana has had a balanced budget and has put more money in at the end of the day than it has spent.

So my appeal is that we increase the Development Fund for Africa to put it to the levels that it was 5, 6 and 7 years ago rather than to remove and have the money used for other parts of the world.

So, Mr. Chairman, I urge that this amendment be accepted.

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

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) wish to make his point of order?

Mr. CALLAHAN. Not at this point, Mr. Chairman. I reserve the point of order.

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) claim the time in opposition to the amendment?

Mr. CALLAHAN. Mr. Chairman, I claim the time in opposition, and I reserve the balance of my time.

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

Mr. Chairman, as I have indicated, the Development Fund for Africa, which is the prime fund, USAID, elections, funds for democracy, building, funds for IRI, International Republican Institute, NDI, the National Democratic Institute, organizations which promote the various types of democratic building programs in the world, in Africa, are the main part of the main ingredients of why this development fund is so important. It goes to stability.

We have gone in and said democracy is what we should be doing. Most of the countries have actually said we want to try democracy. There has been elections also in Tanzania and elections in Uganda and elections in Kenya. All of them improved over their previous elections. So they are striving to a more perfect election process.

At this time, for us to reduce the amount of funds that are available in the DFA I think is a step backwards.

Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. MEEKS).

□ 0050

Mr. MEEKS of New York. Mr. Chairman, in this day and age, when we look at the global economy and we look at how this Nation has developed and other nations, and yet we look at the continent of Africa and see how underdeveloped they are; and also in this day and age, when we realize how much smaller the world has become, I think it becomes that much more urgent that we increase the Development Fund for Africa by the $220 million that is requested by the Payne amendment.

Once upon a time there was a line item initiative for the Africa development fund. That no longer exists. And when we look at how the cost of things are ever escalating, this request is actually very little. We talk about democracy and helping to democratize various countries in the continent of Africa. That is what this money is for, helping people have a form of government where they can grow and develop as we did.

We should be able to have others benefit from our history and understand the mistakes that we made in the past so that they will not have to go through some of the same growing pains that we did. In fact, in this great country, with the prosperity that we now have, I think it is just the very little that we could do, this $220 million. That is not a lot of money when I think about some of the individual wealth of some people in this country. Some CEOs in this country have $220 million to use at their disposal. We are talking about $220 million for an entire continent of people. That is just pennies. Pennies. Yet what good, what human good it will do for the people of the continent of Africa.

USAID is the money that is entitled here. Democratic initiatives. A lot of the things that I hear sometimes sound like excuses not to do something. When we were talking earlier in regards to debt relief, there was the excuse that was constantly being made that we cannot do it because this was wrong with this country or this was wrong with that country. And many of the things they talked about that was wrong with them, well, that is what we fix in this bill.

So it is about us being serious about making a difference. It is about our wanting to reach out a helping hand in a world that is ever shrinking. I do believe we are our brothers' keepers. We are our brothers' keepers. And I think if we want peace and prosperity, that by doing this we will not have to worry about spending $60 billion for a bubble sometime in the future because we are afraid of suffering some kind of attack. I think we need to begin to do the kinds of things that will make us accepted by others and others accepted by us because we are working collectively together for humanitarian concerns and reasons.

I think that we can do this. I think that it is a reasonable thing, and I support the gentleman's amendment.

Mr. PAYNE. Mr. Chairman, I yield myself such time as I may consume, and wish to close by indicating that we feel that we have seen recent success with elections in Senegal; we have seen elections in Nigeria; we have seen current elections in Mozambique. We have seen successes.

As I indicated, we had $800 million in 1993, and 1994 $850 million, and now we have reduced the allocations of DFA down to $500 million. It is really a step backwards. It is unconscionable. It really does not keep up with what is going on. It is unbelievable to try to understand why this is.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to thank him for his great leadership when it comes to the continent of Africa. He is a tremendous resource to this Congress on this subject. He knows of what he speaks. And he is correct, we do not do enough in the African Development Fund. We must do more, and I am pleased to support his amendment.

We need more money in the bill, though, in order to do this so that we

do not damage other initiatives that we want for Africa as well. So in that spirit I am pleased to support the amendment and commend the gentleman for his leadership.

Mr. PAYNE. Mr. Chairman, I yield myself the balance of my time and simply say that I would hope that that last statement from the gentlewoman from California, in a time when we have escalating profits, when we have people who are making billions and millions of dollars, the number of millionaires they do not even keep any more, I hope her statement would indicate for my colleagues that it is the wrong time for us to turn our backs when we take 100 million here and 200 million there. We can afford it. We can do better. God has blessed this Nation, we should not turn our back on him.

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

Mr. Chairman, I still reserve my point of order, and will insist on it in just a moment, but just in response to the gentleman, every year the President requests a separate fund for the development of Africa and every year this committee combines Africa into the development assistance and child survival accounts.

It is not that we are neglecting Africa. Indeed, if we total up overall everything that we have included this year, we recommend $1.6 billion for Africa. So this is not any omission of recognition of the needs of Africa. We do it. We do not, nor did my predecessor on this subcommittee, the gentleman from Wisconsin (Mr. OBEY), earmark funds for countries or regions. We do not have a special regional account for Latin America or for Asia either.

I think that we have made it fairly clear to the administration that it is our intent that a minimum amount of $1.6 billion be spent.

POINT OF ORDER

Mr. CALLAHAN. Mr. Chairman, I would like to make a point of order that this is an unauthorized earmark. I make that point of order against the amendment, and I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman from New Jersey (Mr. PAYNE) wish to be heard on the point of order?

Mr. PAYNE. Mr. Chairman, I understand what the gentleman has said, although it appears I was not asking for a line item.

I am just simply indicating that we are not asking to specifically earmark by line item, but in the allocation of the funds that were in the development assistance fund it was always understood that we would have a floor of $700 million to $800 million. It is my understanding that, with the way the funds are being allocated now, the floor has dropped.

So I have not asked for a specific line item for DFA. I am simply asking that in the development fund, that funds for Africa that will be allocated and that we attempt to stay at least where we were in the past. That is all I am requesting.

The CHAIRMAN. The Chair is prepared to rule. The amendment proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests with the proponent of the amendment.

Finding that this burden has not been carried, the Chair must sustain the point of order.

Are there further amendments to this section of the bill?

□ 0100

AMENDMENT OFFERED BY MR. PAYNE

Mr. PAYNE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PAYNE:

Page 12, line 8, insert before the period the following: ‘‘: *Provided further*, That of the amounts appropriated under this heading, $500,000 shall be made available for a grant to the Office of the Facilitator of the National Dialogue for the peace process in the Democratic Republic of the Congo’’.

Strike section 567 of the bill (page 109, strike line 7 and all that follows through line 11).

The CHAIRMAN. Does the gentleman from New Jersey (Mr. PAYNE) seek unanimous consent for that portion of the amendment which seeks to move ahead and strike section 567 of the bill?

Mr. PAYNE. Yes, Mr. Chairman.

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

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman may reserve a point of order. Is there objection to that portion of the amendment that reaches ahead to the point where the Clerk has not yet read?

There was no objection.

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) reserves a point of order on the amendment.

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

Mr. Chairman, the amendment that I have offered is an amendment that would provide assistance to the people of southern Sudan. At this time we have seen in Sudan a government from Khartoum that is a pariah government, the government of al-Bahsir and Mr. Tarrabi, a government that had wreaked havoc on the people to the south. And the group of the South Sudanese Liberation Movement have been struggling for years attempting to protect the people in the south.

The people in the south are taken into slavery and they are sold. It is unconscionable what is going on there. We have seen old Russian planes used to bomb stable communities in the south. And so we are asking that the administration give authority to provide non-lethal and non-food assistance to the National Democratic Alliance, which is a group of organizations in the south of Sudan in order to provide protection to the civilians who are targeted by government soldiers and by their militias, their allies, the persons who are doing aerial bombing and forcing displacement of people and taking people into slavery.

We are finally starting to see a groundswell in the country of people talking about the fact that we can no longer look the other way at what is happening in Sudan. It is disgraceful. It is something that we can no longer tolerate. We have to give assistance to folks in that particular area so that they can at least move forward in attempting to provide protection to the people.

As I have indicated, we are talking about non-lethal, non-food but ways that the folks in that area can be assisted by the National Democratic Alliance.

Mr. CALLAHAN. Mr. Chairman, point of inquiry.

The gentleman, as I understand it, read one amendment, and he is talking about another amendment.

Mr. PAYNE. Yes, Mr. Chairman, the gentleman is absolutely right. The gentleman is correct.

We will ask the Chairman if we could, then, move to the one that is in this section. Mr. Chairman, if we could ask the Clerk to read the amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment which is pending.

There was no objection.

The Clerk read as follows:

Amendment Offered by Mr. PAYNE:

Page 12, line 8, insert before the period the following: ‘‘: *Provided further*, That of the amounts appropriated under this heading, $500,000 shall be made available for a grant to the Office of the Facilitator of the National Dialogue for the peace process in the Democratic Republic of the Congo’’.

Strike section 567 of the bill (page 109, strike line 7 and all that follows through line 11).

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) continues to reserve a point of order.

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

Mr. Chairman, this also is an amendment dealing with the problems on the Continent. This is asking for $500,000 to be allocated to the assistance for the national dialogue, which is the Lusaka Accords. The Lusaka Accords are the accords that will end the strife in the Congo.

As my colleagues know, in the Democratic Republic of Congo, under the leadership of President Kabila, there has been an armed conflict bringing in five foreign countries to the soil of the Congo: President Mugabi in Zimbabwe, President Sam Nujoma from Namibia. We have the country of Rwanda, the country of Uganda, Mr. Museveni, Mr. Mugambi from Rwanda and from Angola, Mr. De Santos, are all in a conflict in the Congo.

What this request is that the former president of the country of Botswana,

who has been designated by the OAU, the Organization of African Unity, to have a dialogue with the people of the Congo to come up with a mechanism for elections so that the people there could have elections and that it would facilitate the removal of foreign troops from the Congo, the troops from Rwanda and Uganda, Namibia, Zimbabwe and Angola.

And so this $500,000 is very key because it will give the funds that they need to do the dialogue with the Lasaca Accords.

POINT OF ORDER

Mr. CALLAHAN. Mr. Chairman, I insist on my point of order. This is an unauthorized earmark.

The CHAIRMAN. Does the gentleman wish to be heard on the point of order?

Mr. PAYNE. Yes, Mr. Chairman.

Although the importance of this matter in this dialogue I believe sort of ought to be considered, the fact that we are making the request I assume would be considered an earmark. I think that the importance of it is so great I would hope that there would be some opportunity within the committee for some discussion on this matter. Because with six countries at war and we are talking $500,000 that could possibly have the withdraw of these countries because of the dialogue within the country I think would, hopefully, be able to work it in some way in some language so that it does not violate the question of being an earmark.

The CHAIRMAN. Does any other Member wish to speak on the point of order?

Ms. WATERS. Mr. Chairman, I rise to speak on the point of order.

Mr. Chairman, this will not take long. I think it has been said that this was an unauthorized expenditure. And I am not sure exactly what is meant by that except to say that the request that has been made by the gentleman is formally before this House without it having to be designated as authorized as such.

This is extremely important that he is given the opportunity to have this considered simply because he has spoken and others have spoken about what is going on on the Continent, the need to have more democracy, the need not to have dictatorships, the need to make sure that the dollars that we are trying to get in debt relief is spent in a wise fashion.

Well, this would help that process. We have countries that have so much potential, but they need to be assisted in their efforts to maintain the peace.

□ 0110

We have Angola that has been involved for many years and we have done nothing to assist them. We have supported Zabimbi who is up in the bush rather than giving support to someone who is trying to carry out democracy in Angola. We have new leadership in the Congo with no assistance to Kabila about how to resolve the differences between the Hutus and the Tutsis.

So I would ask that this be made in order and that the gentleman be allowed to offer this amendment.

Mr. CALLAHAN. Mr. Chairman, I might say once again, I support what the gentleman wants to do. His amendment earmarks funds within the development assistance account.

Earlier this year, USAID asked me to agree to provide $1 million to support the problem in the Congo. I agreed to support this program, which is also supported by the Catholic Church. So USAID has already indicated and pledged $1 million towards this anyway. What the gentleman's amendment would do is earmark $50 million.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The amendment proposes to earmark certain funds in the bill.

Under clause 2(a) of Rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests with the proponent of the amendment. No provision of law has been cited.

Finding that this burden has not been carried, the Chair must sustain the point of order against the amendment.

Are there further amendments to this section of the bill?

If not, the Clerk will read.

The Clerk read as follows:

LEBANON

Of the funds appropriated under the headings ''Development Assistance'' and ''Economic Support Fund'', not less than $18,000,000 should be made available for Lebanon to be used, among other programs, for scholarships and direct support of the American educational institutions in Lebanon.

PRIVATE AND VOLUNTARY ORGANIZATIONS

None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: *Provided*, That the Administrator of the Agency for International Development, after notification to the Committees on Appropriations, may, on a case-by-case basis, waive the restriction contained in this paragraph, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

Funds appropriated or otherwise made available under title II of this Act should be made available to private and voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $165,000,000, to remain available until expended.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–INTERNATIONAL DISASTER ASSISTANCE'', after the first dollar amount insert ''(decreased by $10,000,000)''.

In title III of the bill under the heading ''MILITARY ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–PEACEKEEPING OPERATIONS'', after the first dollar amount insert ''(increased by $10,000,000)''.

The CHAIRMAN. Under the previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) reserves a point of order against the amendment.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my first order of business is to thank the ranking member, the gentlewoman from California (Ms. PELOSI) and the gentleman from Alabama (Mr. CALLAHAN) for their generosity and kindness in recognizing how vital these issues are to so many of us.

Just about a couple of weeks ago on the Commerce, State, Justice Appropriations bill, I tried there to reconcile, if you will, what I thought was a terrible direction in limiting the President's opportunity to join in peacekeeping efforts and to fund peacekeeping efforts around the world by way of the restriction on the funding requiring congressional intervention.

This amendment would restore monies that have been taken from the peacekeeping efforts. The bill appropriates $118 million for voluntary contributions for international peacekeeping operations, including those in the Sinai and Cyprus, $16 million, 12 percent less than the request; and $35 million, 12 percent less than the current level.

What my amendment does is add $10 million to this very vital effort.

Mr. Chairman, let me speak to this whole idea of peacekeeping. As we stand here in the early morning hours of July 13, 2000, all of us are prayerful and grateful that there are peace negotiations going on regarding the Middle East. Well, then, I would say, Mr. Chairman, that our responsibilities on peace, as I have indicated on coming to the floor of the House, is a burden that America accepts as one of the most powerful or the most powerful democratic Nation in the world; in fact, the most powerful Nation in the world.

As we look to the continent of Africa with such promise, having passed the African Growth and Opportunity Act,

fighting for survival for those who are infected with HIV/AIDS, we cannot avoid looking at the need for peace. In fact, we find in the passage of the legislation, and the foreign policy has specifically limited the funding for peacekeeping missions in Ethiopia, Eritrea, Sierra Leone, the Democratic Republic of the Congo, Angola and the Western Saharan region.

Mr. Chairman, this is a tragedy. Just coming back from the United Nations last week, and we joined with several Members of this body, along with a number of ambassadors, many of them from the continent of Africa, where we joined together that we would stop the abuse and use of children in war, stop using children in prostitution and pornography. That was a great step of collaboration, but yet, America cannot join its allies in fighting for peace. In Sierra Leone as a very prime example, Mr. Chairman, let me cite for my colleagues, ''the line of youth swelled with other abductees as the rebels took the boys, told the boys their hands would be cut off and sent back to the democratic president of Sierra Leone.''

Another story, Mr. Chairman, talking about the Jordanian soldiers who arrived in Sierra Leone fresh in this beleaguered peacekeeping effort, and I realize that we have not had good things to say about those peacekeeping efforts, but yet that president is trying. As he paid homage to 19 people killed during the recent demonstration, he was still trying to encourage the 10,000 people who, without fear, gathered to rally around to support him that we can have peace in Sierra Leone.

The only way we are going to have peace is if we have the kind of resources in America to be able to give our fair share to the United Nations peacekeeping efforts. We did it in Kosovo, and many people came on this floor and laughed about Kosovo. They believed we could not have peace there, and yes, it is a shaky peace. But with the United Nations and our air war effort, we have a stabilized peace in Kosovo and in the Bosnian area.

Can we do less on the continent of Africa? Can we do less for the Congo? Can we do less for Angola? Can we do less in Eritrea and Ethiopia? The chairman knows that he worked with me just a few years ago to challenge Ethiopia to improve its human rights situation, and yet, here we are today causing the effort to be diminished by not providing them with peacekeeping funds.

Mr. Chairman, I rise today to offer an amendment to H.R. 4811, the Foreign Appropriations bill. We must re-establish our nation's unwavering commitment to the world's International Peacekeeping efforts, which are designed to bring peace and order in times of strife and chaos.

This amendment that would increase funding an amount of $10 million for peacekeeping activities in H.R. 4811, the Foreign Operations appropriation measure.

The bill appropriates $118 million for voluntary contributions for international peacekeeping operations, including those in the Sinai and Cyprus, $16 million (12%) less than requested and $35 million (12%) less than the current level.

As the world's sole super power we must not concede that any part of it is outside of our interest as a nation. What happens in other countries does affect our nation. If only one lesson can be gained by our nation's experience during World War II, it is that ignoring an international problem does not make it go away.

Prior to the Congressional recess for the Fourth of July Break this body made an attempt to negate our nations full range of options in implementing foreign policy by specifically limiting the provision of funding for peacekeeping missions in Ethiopia, Eritrea, Sierra Leone, The Democratic Republic of the Congo, Angola, and the Western Saharan region.

Should that kind of thinking become standard foreign policy for our nation the foes of the United States can just wait until we declare some territory off limits and then relocate their operation to that location and then they could freely use that territory to project their terror to our shoes at will.

It has been said often enough by those who are more versed in national security than most of this body because of their positions on National Security related committees that the one thing no nation should do is say what they will not do. It is better to keep opponents guessing about what we will or will not do regarding the protection of our people and national interest abroad.

Specifically, the amendment increases the President-Peacekeeping Operations funding amount currently in this bill by $10 million. This represents critical funding for United Nations peacekeepers that we must take seriously.

As we all know, a serious issue facing the United Nations, the United States, and Congress concerning United Nations peacekeeping is the extent to which the United Nations has the capacity to restore or keep the peace in the changing world environment. We need a reliable source of funding and other resources for peacekeeping and improved efficiencies of operation.

We need peacekeeping funds in order to promote our own best interest globally. These are not peripheral concerns for countries trying to establish the rule of law. The instability and fragile peace in countries like Bosnia, Ethiopia, Eritrea, the Sudan, and Haiti cannot be ignored. United Nations peacekeeping operations carry out vital functions. They are historically known for their impartiality, integrity, and courageousness.

We need to support democratic institutions in a consistent and meaningful manner. Proposals for strengthening U.N. peacekeeping and other aspects of U.N. peace and security capacities have been adopted in the United Nations, by the Clinton Administration, and by the Congress. Moreover, most authorities have agreed that if the United Nations is to be responsive to post-Cold War challenges, both U.N. members and the appropriate U.N. organs will have to continue to improve U.N. structures and procedures in the peace and security area.

Peacekeeping forces are also critical to ensure that ports remain easily assessable for relief operations, that peaceful operations of civil authority is allowed to re-establish rule by law, and provide order and stability during times of crisis. Some say that there may not be a famine in the Horn of Africa. But we really do not know. We do know that the situation of food insecurity is so bad that conditions are approaching the desperate situation that occurred in 1984, when the people of that nation did experience a famine.

Mr. Chairman, I urge my colleagues to support this amendment so that we can restore peace and security in Africa. These problems are intertwined and the peacekeeping missions in Africa deserve our strong support.

Mr. Chairman, I yield to the gentleman from New Jersey (Mr. PAYNE), the distinguished ranking member of the Subcommittee on International Relations on Africa.

Mr. PAYNE. Mr. Chairman, I commend the gentlewoman from Texas for this amendment.

Peacekeeping is where it is. We have seen that by delaying the number of peacekeepers that go into a country because of the lack of funds, we find that they go in unprepared. I think in Sierra Leone we saw that happen. We cannot send people in that are not prepared.

Mr. Chairman, I support the gentlewoman's amendment.

POINT OF ORDER

Mr. CALLAHAN. Mr. Chairman, I make a point of order against the amendment because it would increase the level of outlays in the bill in violation of clause 2(f) of Rule XXI. This rule states that ''it shall be in order to consider en bloc amendments proposing only to transfer appropriations among objects in the bill without increasing the levels of budget authority or outlays in the bill. The amendment would increase the level of outlays in the bill.''

It increases the outlays by $4 million.

The CHAIRMAN. Does the gentlewoman from Texas wish to be heard briefly on the point of order?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I certainly do. I appreciate the procedural reference that has been made by the distinguished chairperson of this committee. But as was indicated in earlier discussions, might I say that the context of this appropriations bill deals with our foreign policy.

My understanding is that my amendment is germane to the point that it deals with increasing funding levels for peacekeeping that is denoted in this appropriations bill. I am understanding of the reference that the chairman is making, but I believe that because it deals with what this appropriations bill deals with, which is foreign policy and peacekeeping, that I am germane and within the context of such.

Mr. Chairman, I would care to, if I am able to yield to the chairman, who I understand is coming back to the floor, but let me just say this, that we are suffering in our standing as a world power, being able to carry the kind of leverage to encourage others to promote peace.

□ 0120

We cannot do it if we diminish the funding and if we hold these various amendments nongermane or out of order when we are suffering all over this world. I would ask that the amendment be considered as in order.

The CHAIRMAN. Does the gentleman from New Jersey (Mr. PAYNE) seek to be heard briefly on the point of order?

Mr. PAYNE of New Jersey. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. PAYNE. Mr. Chairman, let me just say that when we say this is nongermane, it makes it appear as though the question of peacekeeping has never been raised. We have been talking about peacekeeping. We even had $2.7 billion removed from the bill about peacekeeping, so we are simply saying that it seems to me that the ruling of the Chair that this is not germane when peacekeeping has actually been part of the appropriations process, it is to a large degree what we have been talking about.

We have been talking about it for Ethiopia and Eritrea, for the Democratic Republic of the Congo. We are talking about peacekeepers possibly in Angola. We are talking about peacekeepers now, after the diplomats have made the Lome accord that says this is the outline for peace in the region, when we had the Lusaka accord that says, this is what the diplomats have done for the Congo, now we need to bring the peacekeepers in to preserve the peace; the Lome accords for the peace in Sierra Leone.

So for them to be called nongermane when this has been the center of much of the discussion here, especially in Africa for the past 3 or 4 weeks, I just would urge that the Speaker reconsider the narrow interpretation, the strict construction that he has done in the interpretation, and look at it not in the specificity but in the fundamental of the general position of peacekeeping, which has been something that has been germane.

The CHAIRMAN. The Chair is prepared to rule.

To be considered pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the level of budget authority or outlays in the bill. Because the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) proposes a net increase in the level of outlays in the bill, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

Therefore, the point of order made by the gentleman from Alabama is sustained against the amendment.

Mr. CALLAHAN. Mr. Chairman, I move that the Committee do now rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CALLAHAN) having assumed the chair, Mr. THORNBERRY, 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. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TODAY

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that when the House adjourns this legislative day, it adjourn to meet at 9 a.m. today.

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

There was no objection.

ORDER OF PROCEEDINGS

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

Ms. PELOSI. Mr. Speaker, a point of inquiry. Mr. Speaker, when will the votes be taken tomorrow that had been rolled? Since we only have a few, is it possible we can begin with debate to give Members more time to get in here tomorrow morning, since we went so late tonight?

The SPEAKER pro tempore. The Chair is unable to answer that at this time, but would yield to the gentleman from Texas (Mr. THORNBERRY), who possibly could shed some light.

Mr. THORNBERRY. Mr. Speaker, my understanding is that votes will be rolled in the morning until there are sufficient number of votes to make sense to bring Members over to cast a series of votes on amendments.

Ms. PELOSI. Although we have to be here obviously at 9 o'clock to begin the debate, as far as the other Members are concerned, it is not likely that our first vote will occur at 9 o'clock, but after we have a few more votes.

Mr. THORNBERRY. The gentlewoman is correct.

Ms. PELOSI. I would encourage that. I think that, again, since we have been here so late tonight, it would be great if Members could not have to be here at 9. They have other appointments, et cetera, in the morning, some funerals and things like that.

So while we debate, if they could have that time, it would be great. I thank the chairman.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. FORBES (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mrs. CHENOWETH-HAGE (at the request of Mr. ARMEY) for July 10 through July 12 on account of illness.

ADJOURNMENT

Mr. THORNBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 25 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, July 13, 2000, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8493. A letter from the Chairman of the Board, National Credit Union Administration, transmitting the Office's report on comparability of pay and benefits, pursuant to 12 U.S.C. 18336; to the Committee on Banking and Financial Services.

8494. A letter from the Chairperson, National Council on Disability, transmitting a report entitled, ''Federal Policy Barriers to Assistive Technology,'' as required by the Assistive Technology Act of 1998; to the Committee on Education and the Workforce.

8495. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Greening the Government Requirements in Contracting—received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8496. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—DOE Authorized Subcontract for Use by DOE Management and Operating (M&O) Contractors with New Independent States' Scientific Institutes through the Science and Technology Center in the Ukraine—received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8497. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—DOE Administrative Class Deviation, 952.247–70, Foreign Travel, and 970.5204–52, Foreign Travel—received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8498. A letter from the Assistant General Counsel for Regulatory Law, Office of Security and Emergency Operations, Department of Energy, transmitting the Department's final rule—Standardization of Firearms—received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8499. A letter from the Assistant General Counsel for Regulatory Law, Office of Security and Emergency Operations, Department of Energy, transmitting the Department's final rule—Chapter 9, Public Key Cryptography and Key Management—received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8500. A letter from the Director, Office of Congressional Affairs, Office of the Chief Financial Officer, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' rule—Revision of Fee Schedules; 100% Fee Recovery, FY 2000 (RIN: 3150–AG50) received June 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8501. A letter from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' rule—Revision of Part 50, Appendix K, ''ECCS Evaluation Models'' (RIN: 3150–

AG26) received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8502. A letter from the Chairman, Federal Housing Finance Board, transmitting the 1999 management reports of the 12 Federal Home Loan Banks and the Financing Corporation, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

8503. A letter from the Auditor, Office of the District of Columbia, transmitting a report entitled, ''Auditor's Review of Unauthorized Disbursements From ANC 8B's Checking Account''; to the Committee on Government Reform.

8504. A letter from the Auditor, Office of the District of Columbia, transmitting the report entitled, ''Review of the Financial and Administrative Activities of the Taxicab Assessment Fund for Fiscal Years 1997, 1998, and 1999''; to the Committee on Government Reform.

8505. A letter from the Auditor, Office of the District of Columbia, transmitting a report entitled, ''Status of the Washington Convention Center Authority's Implementation of D.C. Auditor Recommendations''; to the Committee on Government Reform.

8506. A letter from the Auditor, Office of the District of Columbia, transmitting a report entitled, ''Review of Quantum Meruit Payments Made By District of Columbia Government Agencies''; to the Committee on Government Reform.

8507. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 1999, through March 31, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8508. A letter from the Director, Financial Services, Library of Congress, transmitting activities of the United States Capitol Preservation Commission Fund for the six-month period which ended on March 31, 2000, pursuant to 40 U.S.C. 188a—3; to the Committee on House Administration.

8509. A letter from the Public Printer, Government Printing Office, transmitting the Annual Report for Fiscal Year 1999; to the Committee on House Administration.

8510. 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 Rule To Remove the Umpqua River Cutthroat Trout From the List of Endangered Wildlife (RIN: 1018–AF45) received June 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8511. A letter from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's ''Major'' rule— Distribution of Fiscal Year 2000 Indian Reservation Roads Funds (RIN: 1076–AD99) received June 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8512. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: OpSail Miami 2000, Port of Miami [COTP MIAMI 00–015] (RIN: 2115–AA97) received May 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8513. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Transit of S/V Amerigo Vespucci, Chesapeake Bay, Baltimore, MD [CGD 05–00–004] (RIN: 2115–AA97) received May 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8514. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: Maine Yankee Steam Generator and Pressurizer Removal Wiscasset, ME [CGD1–00–129] (RIN: 2115–AA97) received May 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8515. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Outer Continental Shelf Platforms in the Gulf of Mexico (RIN: 2115–AF93) received May 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8516. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Termination of Regulated Navigation Area: Monongahela River, Mile 81.0 to 83.0 [CGD08–00–010] (RIN: 2115–AE84) received May 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8517. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30029; Amdt. No. 422] received May 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8518. A letter from the General Counsel, Small Business Administration, transmitting the Administration's ''Major'' rule—Small Business Size Standards; General Building Contractors, Heavy Construction, Except Building, Dredging and Surface Cleanup Activities, Special Trade Contractors, Garbage and Refuse Collection, Without Disposal, and Refuse Systems—received July 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

8519. A letter from the Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting the Department's ''Major'' rule—Birth and Adoption Unemployment Compensation (RIN: 1205–AB21) received June 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of July 11, 2000]

Mr. LEACH: Committee on Banking and Financial Services. H.R. 3886. A bill to combat international money laundering, and for other purposes; with an amendment (Rept. 106–728). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 12, 2000]

Mr. SPENCE: Committee on Armed Services. H.R. 3906. A bill to ensure that the Department of Energy has appropriate mechanisms to independently assess the effectiveness of its policy and site performance in the areas of safeguards and security and cyber security; with amendments (Rept. 106–696 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2001 (Rept. 106–729). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Armed Services. House Resolution 534. Resolution expressing the sense of the House of Representatives that the recent nuclear weapons security failures at Los Alamos National Laboratory demonstrate that security policy and security procedures within the National Nuclear Security Administration remain inadequate, that the individuals responsible for such policy and procedures must be held accountable for their performance, and that immediate action must be taken to correct security deficiencies (Rept. 106–730). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SESSIONS (for himself, Mr. WAXMAN, Mr. UPTON, Mr. BARRETT of Wisconsin, Ms. PRYCE of Ohio, Mr. STRICKLAND, Mr. HAYWORTH, Mr. BROWN of Ohio, Mr. DREIER, Mr. LAZIO, Mr. DINGELL, Mr. DOGGETT, Mr. RAMSTAD, Mr. NUSSLE, Mr. NETHERCUTT, Mr. GILCHREST, and Mr. TAUZIN):

H.R. 4825. A bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid Program for such children, and for other purposes; to the Committee on Commerce.

By Mr. HYDE:

H.R. 4826. A bill to amend title 18, United States Code, with respect to lobbying with appropriated funds; to the Committee on the Judiciary.

By Mr. HORN (for himself, Mr. MCCOLLUM, Mr. BARCIA, Ms. BERKLEY, Mr. COOK, Mr. CLEMENT, Mr. GREEN of Texas, Mr. GARY MILLER of California, Mrs. MYRICK, Mr. RAMSTAD, Mr. SMITH of Washington, and Mr. VISCLOSKY):

H.R. 4827. A bill to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes; to the Committee on the Judiciary.

By Mr. WALDEN of Oregon (for himself and Mr. BLUMENAUER):

H.R. 4828. A bill to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILMAN (for himself and Mr. MARKEY):

H.R. 4829. A bill to provide for the application of certain measures to the People's Republic of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTIERREZ:

H.R. 4830. A bill to redesignate the facility of the United States Postal Service located

at 1859 South Ashland Avenue in Chicago, Illinois, as the ''Cesar Chavez Post Office''; to the Committee on Government Reform.

By Mr. GUTIERREZ:

H.R. 4831. A bill to redesignate the facility of the United States Postal Service located at 2339 North California Street in Chicago, Illinois, as the ''Roberto Clemente Post Office''; to the Committee on Government Reform.

By Mr. MCCOLLUM:

H.R. 4832. A bill to amend title 10, United States Code, to revise the eligibility criteria for the Department of Defense special compensation benefit for certain severely disabled military retirees; to the Committee on Armed Services.

By Mr. MCCOLLUM:

H.R. 4833. A bill to amend title 38, United States Code, to revise the definition of the term ''Vietnam era'' to provide eligibility for certain veterans benefits that are based on service during the Vietnam era, without regard to whether such service was in the Republic of Vietnam; to the Committee on Veterans' Affairs.

By Mr. MCINTOSH:

H.R. 4834. A bill to amend the Internal Revenue Code of 1986 to suspend all motor fuel taxes until January 1, 2001; to the Committee on Ways and Means.

By Mr. MORAN of Virginia:

H.R. 4835. A bill to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Resources, 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. PALLONE:

H.R. 4836. A bill to provide for the application of certain measures to the People's Republic of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY:

H.R. 4837. A bill to amend the Internal Revenue Code of 1986 to allow distributions to be made from certain pension plans before the participant is separated from employment; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN:

H.R. 4838. A bill to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities; to the Committee on the Judiciary.

By Mr. SANFORD (for himself, Mr. BARR of Georgia, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. BRYANT, Mr. CAMPBELL, Mrs. CHENOWETH-HAGE, Mr. COBURN, Mr. COX, Mr. DEMINT, Mr. DOOLITTLE, Mr. DUNCAN, Mr. GANSKE, Mr. GRAHAM, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. HYDE, Mr. JONES of North Carolina, Mr. KINGSTON, Mr. LARGENT, Mr. MCINNIS, Mr. MCINTOSH, Mr. METCALF, Mrs. MYRICK, Mr. PAUL, Mr. PICKERING, Mr. PITTS, Mr. RILEY, Mr. SALMON, Mr. SESSIONS, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SHADEGG, Mr. SHAYS, Mr. SMITH of New Jersey, Mr. SPENCE, Mr. SUNUNU, Mr. TERRY, and Mr. TOOMEY):

H.R. 4839. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide prospectively for personalized retirement security through personal retirement accounts to allow for more control by individuals over their Social Security retirement income; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 4840. A bill to reauthorize the Atlantic Coastal Fisheries Cooperative Management Act; to the Committee on Resources.

By Mr. THUNE (for himself, Mrs. EMERSON, Mr. MORAN of Kansas, Mr. NUSSLE, Mr. POMEROY, and Mrs. CLAYTON):

H.R. 4841. A bill to amend the Balanced Budget Act of 1997 to provide increased access to health care for Medicare beneficiaries through telehealth services; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 4842. A bill to provide for Federal recognition of the King Salmon Traditional Village and the Shoonaq' Tribe of Kodiak; to the Committee on Resources.

By Mr. GALLEGLY (for himself and Mr. TAYLOR of Mississippi):

H. Res. 549. A resolution recognizing the historical significance of the 10th anniversary of the initial activation of National Guard and Reserve personnel for Operation Desert Shield and Operation Desert Storm and expressing support for ensuring the readiness of the National Guard and Reserve; to the Committee on Armed Services.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

402. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to Senate Resolution No. 45 memorializing that the President and Congress to recognize an official political relationship between the United States Government and the Native Hawaiian People; to the Committee on Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 141: Ms. MCKINNEY, Ms. DANNER, Ms. KAPTUR, and Mr. WEINER.

H.R. 207: Mr. COLLINS.

H.R. 303: Mr. MORAN of Virginia, Mr. REGULA, Mr. TIAHRT, Mr. DUNCAN, Ms. MILLENDER-MCDONALD, and Mr. MCDERMOTT.

H.R. 363: Mr. WISE.

H.R. 407: Mr. BACHUS.

H.R. 488: Mr. CARDIN.

H.R. 802: Mr. BENTSEN.

H.R. 827: Mr. RANGEL and Mrs. JONES of Ohio.

H.R. 860: Mr. JONES of North Carolina.

H.R. 890: Ms. DELAURO.

H.R. 941: Ms. WOOLSEY.

H.R. 997: Mr. SCHAFFER.

H.R. 1055: Mr. COBLE.

H.R. 1068: Mr. COX.

H.R. 1102: Mr. ISAKSON and Mr. BACHUS.

H.R. 1216: Mr. CLAY.

H.R. 1290: Mr. HUNTER.

H.R. 1422: Mr. HALL of Texas and Mr. BENTSEN.

H.R. 1574 Mr. HUTCHINSON.

H.R. 1890: Ms. VELAZQUEZ and Mr. OLVER.

H.R. 1899: Mr. BENTSEN.

H.R. 1960: Mr. ENGEL.

H.R. 2200: Ms. BERKLEY.

H.R. 2335: Mr. SANFORD.

H.R. 2451: Mr. SIMPSON.

H.R. 2457: Mr. PAYNE and Ms. LOFGREN.

H.R. 2562: Mr. MCCOLLUM, and Mr. FRANKS of New Jersey.

H.R. 2588: Mr. WHITFIELD.

H.R. 2631: Mr. PAUL.

H.R. 2660: Mr. BALDACCI.

H.R. 2686: Mr. STARK.

H.R. 2710: Mr. WYNN and Mr. LIPINSKI.

H.R. 2736: Mr. MOORE.

H.R. 2790: Mr. MEEHAN.

H.R. 2870: Mr. MATSUI, Mr. KUYKENDALL, and Mr. MCHUGH.

H.R. 2888: Ms. HOOLEY of Oregon.

H.R. 3083: Mr. SANDLINE, Mr. BALDACCI, Mr. GILMAN, Mr. JEFFERSON, Mr. KENNEDY of Rhode Island, Mr. MATSUI, Mr. NEAL of Massachusetts, Ms. WATERS, Mr. ETHERIDGE, Ms. ROYBAL-ALLARD, Mr. MEEHAN, and Mr. PALLONE.

H.R. 3091: Mr. STARK, Mr. ROMERO-BARCELO, Mr. BERMAN, and Mr. MEEHAN.

H.R. 3102: Mr. PHELPS.

H.R. 3142: Mr. QUINN and Ms. DELAURO.

H.R. 3193: Mr. SAXTON.

H.R. 3235: Mr. BORSKI and Mr. SERRANO.

H.R. 3328: Mrs. MALONEY of New York.

H.R. 3514: Mr. FRANKS of New Jersey.

H.R. 3672: Mrs. MCCARTHY of New York.

H.R. 3676: Mr. WATTS of Oklahoma.

H.R. 3688: Mr. CAMPBELL.

H.R. 3698: Mr. MOORE, Mr. BISHOP, Mr. DIAZ-BALART, Mr. MINGE, and Mr. SISISKY.

H.R. 3710: Mr. DIAZ-BALART and Mr. SISISKY.

H.R. 3816: Mr. HALL of Texas.

H.R. 3842: Mr. FORBES, Mr. GILCHREST, Mr. STENHOLM, Ms. MCKINNEY, Mr. OWENS, Mr. COLLINS, Mr. FILNER, Mr. PALLONE, Mrs. BONO, Mr. DEFAZIO, Mr. MENENDEZ, Mr. HULSHOF, and Mr. SWEENEY.

H.R. 3861: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3896: Mr. FORBES.

H.R. 3915: Mr. HILLEARY, Mr. WHITFIELD, Mr. WELDON of Florida, and Mr. MORAN of Virginia.

H.R. 3996: Mrs. EMERSON, Mr. RILEY, Mr. GUTKNECHT, Mr. MORAN of Kansas, and Mr. THOMPSON of Mississippi.

H.R. 4046: Ms. MCKINNEY.

H.R. 4050: Mr. TAUZIN.

H.R. 4066: Mr. PRICE of North Carolina and Ms. MCCARTHY of Missouri.

H.R. 4142: Mr. HALL of Texas.

H.R. 4139: Mr. INSLEE.

H.R. 4165: Mr. MARKEY and Mr. RUSH.

H.R. 4211: Mr. GUTIERREZ.

H.R. 4259: Mr. RANGEL.

H.R. 4274: Mrs. KELLY.

H.R. 4277: Mr. FOLEY, Mr. FRANKS of New Jersey, and Mr. BORSKI.

H.R. 4282: Mr. PASTOR and Mr. BONILLA.

H.R. 4292: Mr. GARY MILLER of California.

H.R. 4328: Mr. SESSIONS, Mr. GOODE, Mr. HILLEARY, and Mr. DEFAZIO.

H.R. 4340: Mr. MORAN of Kansas.

H.R. 4349: Mr. ORTIZ, Mr. RODRIGUEZ, Mr. MENENDEZ, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mr. REYES, Mr. GONZALEZ, and Mr. PASTOR.

H.R. 4393: Ms. PELOSI and Mr. DOOLEY of California.

H.R. 4410: Mr. HORN.

H.R. 4441: Mr. STRICKLAND.

H.R. 4480: Mr. UDALL of Colorado.

H.R. 4495: Ms. SLAUGHTER, Ms. MCKINNEY, and Mr. KING.

H.R. 4497: Mrs. EMERSON, Mr. RILEY, Mr. GUTKNECHT, Mr. MORAN of Kansas, Mr. THOMPSON of Mississippi, and Mr. LUCAS of Oklahoma.

H.R. 4498: Mr. COOKSEY.

H.R. 4538: Mr. NADLER and Mr. UDALL of New Mexico.
H.R. 4543: Mr. CRANE and Mr. GILMOR.
H.R. 4546: Mr. WELDON of Florida.
H.R. 4593: Mr. STUPAK.
H.R. 4644: Ms. LEE, Mr. CAPUANO, and Mr. DOYLE.
H.R. 4653: Mr. MCCOLLUM.
H.R. 4659: Mr. LIPINSKI.
H.R. 4677: Mr. PETERSON of Minnesota.
H.R. 4706: Mr. ENGLISH and Mr. Visclosky.
H.R. 4710: Mr. MCINTYRE and Mr. GRAHAM.
H.R. 4727: Ms. DANNER, Mr. MOAKLEY, Mr. SANDERS, Mr. THOMPSON of California, Mr. ROMERO-BARCELO, Ms. LOFGREN, Mr. FROST, Mr. OBERSTAR, Mr. COOK, Ms. NORTON, Mr. BOUCHER, Mr. HILLIARD, and Ms. KILPATRICK.
H.R. 4740: Mr. ROMERO-BARCELO, and Mr. BOUCHER.
H.R. 4744: Mr. LEWIS of Kentucky.
H.R. 4745: Mr. PORTER, Mr. ROEMER, and Mr. ROMERO-BARCELO.
H.R. 4750: Mr. KING, Mr. ENGEL, Mr. PASCRELL, Mr. FORBES, Mr. TOWNS, Mr. SERRANO, Mr. HOLT, Ms. BERKLEY, Mr. KLINK, Mr. RANGEL, Mr. WEINER, Mr. WEINER, Mr. ACKERMAN, Ms. VELAZQUEZ, Mr. OWENS, Mr. CROWLEY, Mr. ROTHMAN, Mr. CLAY, Ms. PELOSI, Mr. ANDREWS, Mr. NEAL of Massachusetts, Mr. HOEFFEL, Mr. STUPAK, Mr. BALDACCI, Mr. HOLDEN, Mr. WEYGAND, Mr. WEXLER, Ms. DELAURO, Mr. BORSKI, Mr. HINCHEY, Mr. NADLER, Mr. MALONEY of Connecticut, and Mr. MEEHAN.
H.R. 4759: Mr. BUYER.
H.R. 4760: Mr. JENKINS, Mr. SANDERS, Mr. ROHRABACHER, Mr. KILDEE, Mr. FROST, and Mr. GUTIERREZ.
H.R. 4770: Mr. BERMAN.
H.R. 4793: Mr. BONILLA.
H.R. 4807: Mr. UPTON, Mr. DIXON, Mr. JEFFERSON, Mr. RANGEL, Mrs. NAPOLITANO, Ms. BERKLEY, Mr. WYNN, Mr. RODRIGUEZ, Mr. BACA, Ms. SANCHEZ, and Ms. MCCARTHY of Missouri.
H.R. 4817: Mr. SERRANO, Mr. MEEKS of New York, and Mrs. KELLY.
H.R. 4820: Mr. SCOTT.
H. Con. Res. 58: Ms. STABENOW, Mr. SKELTON, Mr. LARGENT, Ms. BALDWIN, Mrs. JONES of Ohio, and Mr. NEAL of Massachusetts.
H. Con. Res. 249: Mr. SHERMAN.
H. Con. Res. 308: Mr. MCHUGH, Mr. FARR of California, Mr. WOLF, Ms. MCKINNEY, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. TANCREDO, Mr. LIPINSKI, and Ms. STABENOW.
H. Con. Res. 340: Mrs. CAPPS, Ms. SANCHEZ, Mr. GARY MILLER of California, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 356: Ms. DEGETTE and Ms. BERKLEY.
H. Con. Res. 364: Mr. DELAY, Mr. HOYER, Mr. BLUNT, Mr. WATTS of Oklahoma, Mr. DAVIS of Virginia, Mr. MASCARA, Mr. GREENWOOD, Mr. SHUSTER, Mr. MURTHA, Mr. TOOMEY, Mr. GEKAS, Mr. WELDON of Pennsylvania, Mr. FATTAH, Mr. DOYLE, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Mr. PITTS, Mr. WALDEN of Oregon, Mr. KNOLLENBERG, Mr. GUTKNECHT, Mr. DOOLITTLE, Mr. EWING, Mr. REYNOLDS, Mr. MORAN of Kansas, Mr. SUNUNU, Mr. WATKINS, Mr. WELDON of Florida, Mr. MCINTOSH, Mrs. MCCARTHY of New York, Mr. DEMINT, Mrs. BIGGERT, Mr. COOKSEY, Mr. DICKEY, Mr. RILEY, Mr. TAUZIN, Mr. SWEENEY, Mr. BRADY of Texas, Mr. HULSHOF, Mr. ISAKSON, Mr. HAYWORTH, Mr. JONES of North Carolina, Mr. DUNCAN, Mr. DELAHUNT, Mr. CUNNINGHAM, Mr. RYUN of Kansas, Mr. WICKER, Ms. GRANGER, Mrs. NORTHUP, Ms. DUNN, Ms. ROS-LEHTINEN, Mr. SCHAFFER, Mr. GRAHAM, Mr. LATHAM, Mrs. BONO, Mr. HUNTER, Mr. SAXTON, Mr. SIMPSON, Mr. MCKEON, Mr. TIAHRT, Mr. BARTLETT of Maryland, Mr. LAZIO, Mr. SKEEN, Mrs. WILSON, Mr. SCARBOROUGH, Mr. LARGENT, Mr. GOODLATTE, Mr. BARRETT of Nebraska, Mr. CANNON, Mr. COX, and Mr. BILBRAY.
H. Con. Res. 368: Mr. FRANK of Massachusetts, Mr. FALEOMAVAEGA, Mr. PAYNE, and Mr. DAVIS of Illinois.
H. Res. 109: Mr. HOLT.
H. Res. 347: Mrs. MEEK of Florida.
H. Res. 398: Mr. WELDON of Pennsylvania, Mr. CUNNINGHAM, Mr. LATOURETTE, Mr. COOK, Mr. RUSH, Mrs. MCCARTHY of New York, Mr. ROEMER, Mr. ALLEN, Mrs. BONO, and Mr. POMBO.
H. Res. 439: Mr. BENTSEN.
H. Res. 458: Ms. DANNER, Ms. ROS-LEHTINEN, and Mr. WHITFIELD.
H. Res. 517: Mr. SKELTON, Mr. PAYNE, and Mr. FROST.
H. Res. 531: Mr. DEUTSCH.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4632: Mr. SOUDER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4811

OFFERED BY: MR. BAKER

AMENDMENT NO. 29: At the end of the bill (preceding the short title), add the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated or otherwise made available in title II of this Act under the heading ''DEVELOPMENT ASSISTANCE'' or under the heading ''ECONOMIC SUPPORT FUND'' may be made available for the Government of the Republic of Panama unless the United States Government and the Government of the Republic of Panama have entered into good-faith negotiations for the conclusion of an agreement which provides for use by units of the United States Armed Forces of an appropriate military installation in the Republic of Panama for counternarcotics activities and the defense of the Panama Canal.

H.R. 4811

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 30: At the end of the bill (preceding the short title), add the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

PROHIBITION ON ASSUMPTION BY UNITED STATES GOVERNMENT OF LIABILITY FOR NUCLEAR ACCIDENTS IN NORTH KOREA

SEC. 701. (a) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act may be used to enter into any international agreement, contract, or other arrangement, the purpose or effect of which is to impose liability on the United States Government, or otherwise require financial indemnity by the United States Government, for nuclear accidents that may occur at nuclear reactors in the Democratic People's Republic of Korea.

(b) EXCEPTION.—Subsection (a) shall not apply to any treaty subject to approval by the Senate pursuant to article II, section 2, clause 2 of the Constitution of the United States.

H.R. 4811

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 31: In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–AGENCY FOR INTERNATIONAL DEVELOPMENT CHILD SURVIVAL AND DISEASE PROGRAM FUND'', after the first dollar amount insert ''(increased by $40,000,000)'' and in the fifth proviso after the fourth dollar amount (relating to other infectious diseases) insert ''(increased by $40,000,000)''.

In title IV of the bill under the heading ''MULTILATERAL ECONOMIC ASSISTANCE–FUNDS APPROPRIATED TO THE PRESIDENT–CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND'', after the dollar amount insert ''(decreased by $40,000,000)''.

H.R. 4811

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 32: At the end of the bill, insert after the last section (preceding the short title) the following new title:

TITLE VII—LIMITATION PROVISIONS

SEC.___. No funds in this bill may be used in contravention of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

H.R. 4811

OFFERED BY: MR. CAPUANO

AMENDMENT NO. 33: Page 22, line 25, before the period insert the following: '': *Provided further*, That of the funds appropriated under this heading, $5,000,000 shall be made available to promote peace between Armenia and Azerbaijan and to promote democracy within those two countries through the establishment of an International Fund for the Armenia–Azerbaijan Peace and Democracy Initiative''.

H.R. 4811

OFFERED BY: MR. CAPUANO

AMENDMENT NO. 34:
Page 132, after line 12, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

REPORTS RELATING TO TERMINATION OF UNILATERAL AGRICULTURAL OR MEDICAL SANCTIONS

SEC. 701. (a) REPORTS.—Not later than 1 year after the date on which the President terminates a unilateral agricultural sanction or unilateral medical sanction, the President shall prepare and transmit to Congress a report that contains a description of any occurrence of food or medicine that has been prevented from reaching intended populations by the foreign country or foreign entity involved, any occurrence of stockpiling of food or medicine by the country or entity involved, and any effort by the country or entity involved to foster distribution of food and medicine to the population.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(A) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

(B) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) any program administered under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.);

(D) the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14);

(E) any commercial export sale of agricultural commodities; or

(F) any export financing (including credits or credit guarantees) provided by the United States Government for agricultural commodities.

(3) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(5) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to—

(A) a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures; or

(B) a mandatory decision of the United Nations Security Council.

(6) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to—

(A) a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures; or

(B) a mandatory decision of the United Nations Security Council.

H.R. 4811

OFFERED BY: MR. COBURN

AMENDMENT NO. 35: Page 16, line 9, after the dollar amount, insert the following: ''(reduced by $15,000,000)''.

Page 19, line 6, after the dollar amount, insert the following: ''(increased by $15,000,000)''.

H.R. 4811

OFFERED BY: MR. COBURN

AMENDMENT NO. 36: Page 16, line 9, after the dollar amount, insert the following: ''(reduced by $9,000,000)''.

Page 30, line 8, after the dollar amount, insert the following: ''(increased by $9,000,000)''.

H.R. 4811

OFFERED BY: MR. COBURN

AMENDMENT NO. 37: Page 19, line 22, insert before the period the following: '', except that such limitation shall not apply to reconstruction of the electrical power and water systems in Kosovo''.

H.R. 4811

OFFERED BY: MR. CONYERS

AMENDMENT NO. 38: Strike section 558 of the bill (page 94, strike line 10 and all that follows through line 3 on page 95).

H.R. 4811

OFFERED BY: MR. FILNER

AMENDMENT NO. 39: In title II of the bill under the heading ''OTHER BILATERAL ECONOMIC ASSISTNACE ECONOMIC ASSISTANCE–ECONOMIC SUPPORT FUND'', add at the end before the period the following: '': *Provided further*, That of the funds appropriated under this heading, not less than $3,500,000 shall be made available for programs carried out by the Kurdish Human Rights Watch for the Kurdistan region of Iraq''.

H.R. 4811

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 40: Page 6, line 25, after the dollar amount insert ''(increased by $39,000,000)''.

Page 26, line 5, after the dollar amount insert ''(decreased by $39,000,000)''.

H.R. 4811

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 41: Page 13, line 14, after the dollar amount insert ''(increased by $10,000,000)''.

Page 26, line 5, after the dollar amount insert ''(decreased by $10,000,000)''.

H.R. 4811

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 42: Page 26, line 5, after the dollar amount insert ''(decreased by $3,000,000)''.

Page 41, line 3, after the dollar amount insert ''(increased by $3,000,000)''.

H.R. 4811

OFFERED BY: MR. JACKSON OF ILLINOIS

AMENDMENT NO. 43: Under the heading ''CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK,'' on page 41, line 3, strike ''$3,100,000'' and insert ''$6,100,000.''

On page 41, line 11, strike ''$49,574,000'' and insert ''$95,983.000.''

H.R. 4811

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 44: In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE–OTHER BILATERAL ECONOMIC ASSISTANCE–ECONOMIC SUPPORT FUND'', after the first dollar amount insert ''(increased by $15,000,000)''.

In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE—OTHER BILATERAL ECONOMIC ASSISTANCE–ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'', after the first dollar amount insert ''(decreased by $15,000,000)''.

H.R. 4811

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 45: In title II of the bill under the heading ''BILATERAL ECONOMIC ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—INTERNATIONAL DISASTER ASSISTANCE'', after the first dollar amount insert ''(decreased by $10,000,000)''.

In title III of the bill under the heading ''MILITARY ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—PEACEKEEPING OPERATIONS'', after the first dollar amount insert ''(increased by $10,000,000)''.

H.R. 4811

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 46: Page 132, after line 12, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON FUNDS FOR COUNTRIES THAT USE CHILDREN AS SOLDIERS

SEC. 701. None of the funds appropriated or otherwise made available by this Act may be made available to the government of a country that—

(1) conscripts children under the age of 18 into the military forces of the country; or

(2) provides for the direct participation of children under the age of 18 in armed conflict.

H.R. 4811

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 47: Strike section 587 (page 124, strike line 4 and all that follows through line 15 on page 127).

H.R. 4811

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 48: Page 132, after line 12, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE TO THE GOVERNMENT OF UKRAINE

SEC. 701. The amount otherwise provided by this Act for assistance to the Government of Ukraine under the heading ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'', is hereby reduced by an amount equal to the amount of any claim outstanding on the date of the enactment of this Act by the United States Government, a United States business enterprise, or a United States private and voluntary organization against the Government of Ukraine or any Ukrainian business enterprise.

H.R. 4811

OFFERED BY: MR. LATHAM

AMENDMENT NO. 49: Page 132, after line 12, insert the following new title:

TITLE VII—OPPOSITION TO INTERNATIONAL FINANCIAL INSTITUTION LOANS THAT WOULD HURT UNITED STATES AGRICULTURE

OPPOSITION TO INTERNATIONAL FINANCIAL INSTITUTION LOANS THAT WOULD REDUCE THE COMPETITIVENESS OF UNITED STATES AGRICULTURE

SEC. 701. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice, vote, and influence of the United States to oppose any proposed loan by the institution that would reduce the competitiveness of United States agriculture.

H.R. 4811

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 50: At the end of the bill, insert after the last section (preceding the short title) the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. **PERU.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Organization of American States (OAS) Electoral Observer Mission, led by Eduardo Stein, deserves the recognition and gratitude of the United States for having performed an extarodinary service in promoting representative democracy in the Americas by working to ensure free and fair elections in Peru and exposing efforts of the Government of Peru to manipulate the national elections in April and May of 2000 to benefit the president in power;

(2) the Government of Peru failed to establish the conditions for free and fair elections—both for the April 9, 2000, election as well as the May 28 run-off--by not taking effective steps to correct the 'insufficiencies, irregularities, inconsistencies, and inequities' documented by the OAS Electoral Observation Mission;

(3) the United States Government should support the work of the OAS high-level mission, and that such mission should base its specific recommendations on the views of civil society in Peru regarding commitments by their government to respect human rights, the rule of law, the independence and constitutional role of the judiciary and national congress, and freedom of expression and journalism; and

(4) in accordance with Public Law 106–186, the United States must review and modify as appropriate its political, economic, and military relations with Peru and work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.

(b) REPORT.—

(1) Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report evaluating United States political, economic, and military relations with Peru, in accordance with Public Law 106–186.

(2) Such report should review, but not be limited to, the following:

(A) The effectiveness of providing United States assistance to Peru only through independent non-governmental organizations or international organizations.

(B) Scrutiny of all United States anti-narcotics assistance to Peru and the effectiveness of providing such assistance through legitimate civilian agencies and the appropriateness of providing this assistance to any military or intelligence units that are known to have violated human rights, suppressed freedom of expression or undermined free and fair elections.

(C) The need to increase support to Peru through independent non-governmental organizations and international organizations to promote the rule of law, separation of powers, political pluralism, and respect for human rights, and to evaluate termination of support for entities that have cooperated with the undemocratic maneuvers of the executive branch.

(D) The effectiveness of United States policy of supporting loans or other assistance for Peru through international financial institutions (such as the World Bank and Inter-American Development Bank), and an evaluation of terminating support to entities of the Government of Peru that have willfully violated human rights, suppressed freedom of expression, or undermined free and fair elections.

(E) The extent to which Peru benefits from the Andean Trade Preferences Act and the ramifications of conditioning participation in that program on respect for the rule of law and representative democracy.

(c) DETERMINATION.—Not later than 90 days after the date of the enactment of this Act, the President shall determine and report to the appropriate committees of Congress whether the Government of Peru has made substantial progress in improving its respect for human rights, the rule of law (including fair trials of civilians), the independence and constitutional role of the judiciary and national congress, and freedom of expression and independent journalism.

(d) PROHIBITION.—Subject to subsections (e) and (f), if the President determines and reports pursuant to subsection (c) that the Government of Peru has not made substantial progress, no funds appropriated by this Act may be made available for assistance for the Government of Peru, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to use the voice and vote of the United States to oppose loans to the Government of Peru.

(e) EXCEPTION.—The prohibition in subsection (d) shall not apply to loans to support basic human needs, humanitarian assistance, democracy assistance, anti-narcotics assistance, assistance to support binational peace activities involving Peru and Ecuador, assistance provided by the Overseas Private Investment Corporation, or assistance provided by the Trade and Development Agency.

(f) WAIVER.—The President may waive subsection (d) for periods not to exceed 90 days if the President certifies to the appropriate committees of Congress that doing so is important to the national security interests of the United States and will promote the respect for human rights and the rule of law in Peru.

(g) DEFINITION.—For the purposes of this section:

(1) The term ''appropriate committees of Congress'' means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and Committee on International Relations of the House of Representatives.

(2) The term ''humanitarian assistance'' includes, but is not limited to, assistance to support health and basic education.

H.R. 4811

OFFERED BY: MR. NADLER

AMENDMENT NO. 51: Page 130, after line 16, insert the following new section:

SENSE OF THE CONGRESS REGARDING SO-CALLED ''HONOR CRIMES''

SEC. 592. (a) FINDINGS.—The Congress finds the following:

(1) Thousands of women around the world are killed and maimed each year in the name of family ''honor''.

(2) The United Nations Commission on Human Rights, 56th Session, January 2000, working with the Special Rapporteurs on violence against women and extrajudicial, summary, or arbitrary executions, received reports of so-called ''honor killings'' from numerous countries, including Bangladesh, Jordan, India, and Pakistan, and noted that such killings take many forms, such as flogging, forced suicide, stoning, beheading, acid throwing, and burning.

(3) According to the Department of State's Country Reports on Human Rights Practices for 1999, ''crimes of honor'' in Bangladesh include acid-throwing and whipping of women accused of moral indiscretion.

(4) Authorities in Bangladesh estimate there will be up to 200 ''honor killings'' in that country this year.

(5) Thousands of Pakistani women and girls are stabbed, burned, or maimed every year by husbands, fathers, and brothers who accuse them of dishonoring their family by being unfaithful, seeking a divorce, or refusing an arranged marriage.

(6) Jordan, which had 20 reported ''honor killings'' in 1998, still has laws reducing the penalty for, or exempting perpetrators of ''honor crimes'', and the Jordanian Parliament has twice failed to repeal these laws.

(7) His Majesty King Abdullah of Jordan should be commended for the recent formation of Jordan's Royal Commission on Human Rights, chaired by Her Majesty Queen Rania, which will primarily address obstacles that prevent women and children from exercising their basic human rights, including the persistence of ''honor crimes''.

(8) Although India has made efforts to address the issue of ''honor crimes'', more than 5,000 ''dowry deaths'' occur every year in India, according to the United Nations Children's Fund (UNICEF), which reported in 1997 that a dozen women die each day in ''kitchen fires'' designed to be passed off as accidents because the woman's husband's family is dissatisfied over the size of the woman's dowry.

(9) Women accused of adultery in countries such as Afghanistan, the United Arab Emirates, Pakistan, and a host of other countries are subject to a maximum penalty of death by stoning.

(10) Even though ''honor killings'' may be outlawed, law enforcement and judicial systems often fail to properly investigate, arrest, and prosecute offenders and laws frequently permit reduction in sentences or exemptions from prosecution for those who ''kill in the name of honor'' typically resulting in a token punishment, impunity, and continued violence against women.

(11) The right to exist is the most fundamental of all rights and must be guaranteed to every individual without discrimination, and the perpetuation of ''honor killings'' and dowry deaths is a deliberate violation of women's human rights that should be universally condemned.

(b) SENSE OF THE CONGRESS REGARDING SO-CALLED ''HONOR CRIMES''.—It is the sense of the Congress that—

(1) the United States, through the United States Agency for International Development, should—

(A) work with foreign law enforcement and judicial agencies to enact legal system reforms to more effectively address the investigation and prosecution of so-called ''honor crimes''. and

(B) make resources available to local organizations to provide refuge and rehabilitation for women who are victims of ''honor crimes'' and the children of such women;

(2) the Department of State, when preparing yearly Country Reports on Human Rights Practices, should include—

(A) information relating to the incidence of ''honor violence'' in foreign countries;

(B) the steps taken by foreign governments to address the problem of ''honor violence''; and

(C) all relevant actions taken by the United States, whether through diplomacy or foreign assistance programs, to reduce the incidence of ''honor violence'' and to increase investigations and prosecutions of such crimes;

(3) the United States should communicate to the United Nations its concern over the high rate of honor-related violence toward women worldwide and request that the appropriate United Nations bodies, in consultation with relevant nongovernmental organizations, propose actions to be taken to encourage these countries to demonstrate strong efforts to end such violence; and

(4) the President and the Secretary of State should communicate directly with leaders of countries where ''honor killings'', dowry deaths, and related practices are endemic, in order to convey the Nation's most serious concerns over these gross violations of human rights and urge these leaders to investigate and prosecute all such acts as murder, with the appropriate penalties.

H.R. 4811

OFFERED BY: MR. PAYNE

AMENDMENT NO. 52: Page 8, line 15, after the dollar amount insert ''(increased by $28,000,000)''.

H.R. 4811

OFFERED BY: MR. PAYNE

AMENDMENT NO. 53: Page 12, line 8, insert before the period the following: '': *Provided further*, That of the amount appropriated under this heading, not less than $500,000,000 shall be made available to carry out chapter 10 of part I of the Foreign Assistance Act of 1961''.

H.R. 4811

OFFERED BY: MR. PAYNE

AMENDMENT NO. 54: Page 12, line 8, insert before the period the following: '': *Provided further*, That of the amounts appropriated under this heading, $500,000 shall be made available for a grant to the Office of the Facilitator of the National Dialogue for the peace process in the Democratic Republic of the Congo''.

Strike section 567 of the bill (page 109, strike line 7 and all that follows through line 11).

H.R. 4811

OFFERED BY: MR. PAYNE

AMENDMENT NO. 55: Page 26, line 5, after ''$305,000,000,'' insert ''(decreased by $16,000,000)''.

Page 38, line 6, after ''$117,900,000'' insert ''(increased by $16,000,000)''.

H.R. 4811

OFFERED BY: MR. PAYNE

AMENDMENT NO. 56: Page 119, line 24, after ''SIERRA LEONE'' insert ''OR ANGOLA''.

Page 120, line 6, after ''(RUF)'' insert '', or to National Union for the Total Independence of Angolo (UNITA)''.

Page 120, line 8, before the period insert ''or the democratically elected government of Angola, as the case may be''.

Page 120, line 15, before the period insert ''or in Angola''.

H.R. 4811

OFFERED BY: MR. PAYNE

AMENDMENT NO. 57: Page 132, after line 12, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

ASSISTANCE FOR NATIONAL DEMOCRATIC ALLIANCE OF SUDAN

SEC. 701. (a) IN GENERAL.—Of the funds appropriated under the heading ''TITLE II—BILATERAL ECONOMIC ASSISTANCE–OTHER BILATERAL ECONOMIC ASSISTANCE–ECONOMIC SUPPORT FUND'' for non-sub-Saharan African countries, not more than $15,000,000 shall be used, notwithstanding any other provision of law, to provide assistance to the National Democratic Alliance of Sudan to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardment by the Sudanese government forces and its militia allies.

(b) DEFINITION.—In this section, the term ''assistance'' includes non-lethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, non-military vehicles, tents, and shoes.

H.R. 4811

OFFERED BY: MS. PELOSI

AMENDMENT NO. 58: Page 2, line 25, after the dollar amount insert ''(decreased by $1,000)''.

Page 30, line 8, after the dollar amount insert ''(increased by $179,600,000).

Page 30, line 9, strike '': *Provided*'' and insert the following '', of which $179,600,000 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*, That the $179,600,000 designated by this paragraph shall be available only to the extent an official budget request that includes designation of this amount 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: *Provided further*''.

Page 132, after line 12, insert the following:

TITLE VII—ADDITIONAL AMOUNTS FOR DEBT RESTRUCTURING

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

DEPARTMENT OF THE TREASURY

DEBT RESTRUCTURING

For an additional amount for ''Debt Restructuring'', $210,000,000 for a contribution to the ''Heavily Indebted Poor Countries Trust Fund'' of the International Bank for Reconstruction and Development (HIPC Trust 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: *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. For payment to the Heavily Indebted Poor Countries Trust Fund of the International Bank for Reconstruction and Development, there is authorized to be appropriated to the President $210,000,000 for fiscal year 2000.

H.R. 4811

OFFERED BY: MS. PELOSI

AMENDMENT NO. 59: Page 6, line 25, after the dollar amount insert ''(increased by $42,000,000).

Page 7, line 21, after the first dollar amount insert ''(increased by $42,000,000)''.

Page 34, line 21, after the dollar amount insert ''(decreased by $42,000,000)''.

H.R. 4811

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 60: Page 12, line 8, before the period insert the following: '': *Provided further*, That of the amount appropriated under this heading, $30,000,000 shall be made available for plant biotechnology research and development''.

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PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, JULY 12, 2000 *No. 89*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

O God our Father, we thank You for the blessings of life. Help us to see them, to count them, and to remember them so that our lives may flow in ceaseless praise. Give us eyes to see the invisible movement of Your Spirit in people and in events. Assure us that You are present, working out Your purposes because You have plans for us. Focus our attention on the amazing way You work through people—arranging details, solving complexities, and bringing good out of whatever difficulties we commit to You. Help us to be expectant for Your serendipities, Your unusual acts of love in usual circumstances. Now we look forward to a great day filled with Your grace! You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ALLARD). Under the previous order, the leadership time is reserved.

SCHEDULE

Mr. COVERDELL. Mr. President, on behalf of the leader, today the Senate will complete the final 2 hours of debate on the motion to proceed to the Death Tax Elimination Act. By previous consent, at 11:30 a.m. the Senate will begin a vote in relation to the Bennett amendment to the DOD authorization bill. Following the 11:30 a.m. vote, the Senate will resume consideration of the death tax legislation. However, if no agreement can be reached regarding its consideration, the Senate may resume the Interior appropriations bill. A finite list of amendments has been agreed to with respect to this bill and, therefore, votes could occur throughout the day in an effort to complete action on this important spending bill.

As a reminder, an agreement was reached regarding the DOD authorization bill, and it is hoped that the Senate can conclude that bill by the close of business today or first thing tomorrow morning. The leadership has announced that the Senate will consider and complete the reconciliation bill during this week's session.

I thank my colleagues for their attention.

DEATH TAX ELIMINATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 8, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

The PRESIDING OFFICER. Under the previous order, there will now be 2 hours of debate.

The Senator from Georgia.

Mr. COVERDELL. Mr. President, this tax has been discussed at length over the last several years. Several years ago, we reduced some of the impact of this tax, but not much. This tax is among the most often raised issues when I am among constituents.

A number of people have said during the course of the debate that the tax does not affect many Americans. Statistically, that is accurate, it does not. Therein lies something very important for us to consider about this tax, and there is good news in this.

The fact is that while there are a limited number of Americans affected by it, the vast number of Americans, a huge majority, think it should be eliminated. Why is that? Why would a tax that is rather isolated cause a vast majority of Americans to want to do away with it? It is because Americans are still fair about these things, and they do not think this is a fair tax. They do not like the concept of any family working its entire life, building a business, and then the Government, which did not do much to make the business successful—if it was not in the way—tapping in saying: Now that belongs to us, not you who produced it, but us. They do not like that.

I suspect a lot of Americans contemplate there will be a time when they will have grown their business, and they know it is going to take years to do it and hard sweat and worry and anxiety. Then the idea that because the founder or the developers of that business had reached the end of their lives and it no longer belonged to that family, it is inconsistent with the way Americans think. They do not think it is fair, and they do not like it hanging over their heads.

I have always taken that as a sign of great news that Americans still hold a fundamental American value that it belonged to those who worked and earned it and that the Government ought not impose an egregious and unfair tax. Even if it does not affect me, I do not think it should happen. We should take heart from that because therein lies our ability to ultimately make the tax system more fair across the board. No one has much faith in it. They are cynical about it. They are paying the highest taxes they have ever paid. There is a latent desire to fix the system, and it shows itself vividly in the death tax, or the estate tax.

Another thing which causes me to want to see its elimination is I do not

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think it is imposed fairly. An undue burden, as with many taxes, falls on the small business person, the small business family, the reasonable size family farm or ranch. A lot of people who are ensnared by this tax do not even know it has hit them because their assets are in property or equipment of which they really do not know the total value. They get pushed over the edge. Suddenly, this reaper comes through and falls on this small family business, small family farm, or ranch.

It is devastating because you have to pay the tax in 9 months—I think that is correct—and those kinds of businesses and those kinds of farms do not have a huge cash account at some financial institution. The value in that estate is in land and equipment and goodwill.

So when the Government says: It is worth $4 million, and you owe us over $2 million. What are the family's options? Very limited. There is no $2 million. So the business has to be sold or half the farm has to be sold or broken up, components of it sold, so they can raise enough cash to pay this insatiable appetite in Washington, DC, to get hold of everybody's assets, which means the people who are employed by that business or farm are typically looking for another job; they are in a job line somewhere.

It is disruptive. It is not useful for the economy. It costs jobs. There are millions and millions of dollars spent by larger businesses, mostly, to avoid this; and to some extent they can, which is again why I say it is pushing this down on what we would call the small business or farm. They are taking the principal hit here.

First, they cannot afford the consultants to figure out how to minimize it. Often they do not know they are going to be impacted by it, and they do not have the cash to pay it. So the assets have to be turned over and sold. And if you have to do it in 9 months—I do not know how many people around here have ever gone through the process of selling even a home, but sometimes that ''For Sale'' sign stays out there a long time. You can take your ''For Sale'' sign down, but the Government does not allow you to delay this tax. You are going to pay it. So if you have to sell that farm or that business at a fire sale price, you have to sell it. Tough luck, says Uncle Sam.

I ran a small business for about 38 years. That is a long time. I do not remember anybody from Washington ever coming in to help me run it. In fact, more than once I almost got the idea they would just as soon we did not run it; we were fighting them off. Somewhere they got the idea they would own half those assets. I know I am joined by millions of Americans who do not agree with that.

Just to restate it, it does not affect a large number of Americans, but a huge number of Americans want it gone. They do not think it is fair. They think it is inappropriate, and it is. They think it is confiscatory, and it is. I think they hold to the American dream and figure one day that could impact them, and indeed it might.

Mr. KYL. Would the Senator yield for a brief comment, a question?

Mr. COVERDELL. Sure.

Mr. KYL. The point the Senator just made is validated by a Gallup Poll that just came out, conducted from June 22 to 25. It shows that 60 percent of adults favor this proposal that would eliminate all inheritance taxes, compared to 35 percent who oppose it—almost 2–1 support for elimination of the death tax.

Interestingly enough, to the point the Senator just made, only 17 percent of Americans say they would personally benefit from the tax elimination, while 43 percent say they would not benefit.

Mr. COVERDELL. Two-to-one.

Mr. KYL. Yet they support its repeal because they understand it is unfair.

To the point of the Senator from California yesterday, who said this all boils down to whose side are you on, no, it does not. What it boils down to is that the vast majority of the American people, understanding, even though it may not affect them, it is a totally unfair tax, agree with us that it should be repealed.

Mr. COVERDELL. I appreciate the Senator citing the poll. I have known from previous data of its overwhelming support. I think the point that 2–1 they favor eliminating it and 2–1 they think it probably will never affect them—as I said, I always take heart in this because it demonstrates the deep reserve of fairness among Americans about tax policy and about their Government.

This is not a fair tax, nor is it implemented fairly. It discriminates against those who do not have the resources to try to ameliorate it. So it just really builds up on the small farmer, small businessperson. They are paying an unfair burden here, on top of which, I would add, it creates turmoil in the workplace. It costs us jobs. It creates enormous anxiety and puts an undue and unnatural pressure on the financial decisions those who are impacted by it have to make.

You cannot manage the transaction of the sale of a business typically in 9 months; there are too many forces at work. It is very difficult to do. I have been through that, too. So you are creating a timetable that is unnatural and, therefore, you create another burden on the family in about as difficult a time as you can imagine. They have already suffered an enormous personal loss, and then here comes Uncle Sam: OK, 9 months, belly up.

So I appreciate the work of the Senator from Arizona and all those others who have come to speak in favor of the elimination of the tax. I know we are going to be successful. I do not know how long it is going to take. Because Americans do not want this tax. So whether it occurs in this current debate, which I hope it does, or one to follow, I know this is going to be changed.

I end with this. I do not go to a single meeting in my State where there are not several people who raise this question. My State is deeply agricultural, so we have thousands of small farmers. This is like a loaded gun pointed at their head. So they are waiting for us to do something about this because they know it is unfair. And it is creating an unnatural worry in a community, I might add, that is already under enormous stress. Agriculture is all across the country. This adds to that burden. It does so in a very dramatic way.

I thank the Senator for according me some time here this morning and wish him luck on the success of this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I heard the speech of my good friend from Georgia on the House bill. After very thorough consideration of this matter, I reach a different conclusion, I must say to my good friend from Georgia. Frankly, I urge my colleagues to oppose the House bill to repeal the estate tax. I do this for three reasons.

First, there is a significant chance that the debate will be conducted under the restrictions of cloture, which denies Senators a fair opportunity to propose amendments.

Second, the House bill reforms the estate tax the wrong way. There are all kinds of ways to reform the estate tax. The House bill is the wrong way.

Third, the House bill crowds out and pushes aside other more important priorities in which the vast majority of the American people are far more interested.

Before getting into those arguments in detail, I will provide some background about the estate tax. Nobody likes paying taxes, whether it is income taxes, sales taxes, payroll taxes, corporate taxes, or estate taxes. Of course, if one asks in a poll, would you like to have a certain tax repealed, the vast majority of Americans would say, yes, I don't like paying that tax, repeal it. Unfortunately, we all know we do have to pay some tax. After all, in a civilized society, there is some revenue that has to be raised to support society's governmental, organizational purpose and structure. The only question is, obviously, how much and what is the balance.

We should aim to have a tax system that raises the minimum amount of revenue that is necessary and does it in a fair and balanced way. For more than 80 years, there has been a consensus that the estate tax is a small but important part of a fair and balanced tax system. It has been a bipartisan consensus.

The Federal estate tax was first proposed by President Theodore Roosevelt. It was repeated by his successor, William Howard Taft. In fact, in

his inaugural address in 1909, President Taft said that it may be necessary to raise additional revenue and that if so ''new kinds of taxation must be adopted, and among these I recommend a graduated inheritance tax as correct in principle and as certain and easy of collection.'' That was President William Howard Taft.

A few years later, in 1916, Congress needed to raise additional revenue primarily to prepare for possible involvement in World War I. Congress had to make hard choices. Congress could either raise tariff rates or it could come up with an alternative. This is what the House Committee on Ways and Means said:

> It is probable that no country in the world derives as much revenue per capita from its people through the consumption tax as does the United States. It is therefore deemed proper that, in meeting the extraordinary expenditures for the Army and the Navy our revenue system should be more evenly and equitably balanced and a larger portion of our necessary revenues collected from the incomes and inheritances of those deriving the most benefit and protection from the government.

Congress enacted the estate tax in 1916. It has been amended several times. For example, in 1932, in response to revenue needs generated by the Great Depression, the rates were increased significantly. In 1981, under President Reagan, the rates were cut significantly, with the top rate falling from 70 percent to 55 percent. Today the Federal estate tax applies to estates with a value of more than $675,000. That threshold amount is scheduled to rise to $1 million by the year 2006. There are special rules for farms and for family businesses.

All told, the tax applies to the estates of about 2 out of every 100 people who die each year. That is about 2 percent. It raises $28 billion a year. To put that in perspective, it is 3 percent of the amount that is raised by the Federal income tax. under the estate tax.

That brings me to the House bill we have before us today. The House bill works in two steps. First, over the first 9 years, the House bill gradually reduces estate taxes down to a top rate of about 40 percent. Then in the year 2010, a full 10 years after enactment, it completely repeals the estate tax. At the same time the House bill imposes a new requirement, something of which not many Senators are aware. People who inherit estates worth more than certain amounts must maintain what tax lawyers call the ''carryover basis'' of inherited assets. That is in the House bill.

All told, the 10-year cost of the House bill is $105 billion. But it is important to note that the House bill is constructed to disguise the real long-term costs. In the 10th year, when the estate tax is completely repealed, the cost is almost $50 billion a year, and the cost will rise each year after that. I have seen estimates up to $750 billion over the second 10 years.

That, in a nutshell, is the House bill.

As I said at the outset, I oppose the bill. I do so for several reasons. My first concern is with the process. Once again, the majority may invoke cloture as a first resort. This limits debate. It limits the ability for Senators to offer amendments. Most important of all, it denies the American people an opportunity to have their elected representatives conduct a full, unfettered public debate about a very important issue. I hope that we can avoid cloture and have an open debate.

I have another concern about the process. This is a serious issue, whether we repeal a Federal estate tax. We are considering a proposal that can be fairly described as radical—total repeal. That is pretty radical. The House bill would completely repeal a tax that has been an integral part of the Federal tax system since 1916; repeal it, lock, stock, and barrel, get rid of it totally, with no amendments and no hearing. That raises many serious questions.

One is the impact across income levels. I am not talking about class warfare. Believe me, that is one thing I don't like to get into; I don't believe in it. That is bashing the rich. Rather, I am talking about fully understanding the impact of this proposal on the overall fairness and balance of our tax system, a subject we have not addressed. It hasn't even been raised; we haven't had the opportunity.

Another question is about the new rules to maintain the carryover basis of certain inherited assets—very complicated, totally new, not debated, not even known by a majority of Senators. In some cases, this would require recordkeeping across several generations. Just think of that, requiring new recordkeeping across several generations. I remember back when Congress tried to do something similar in 1978. The new law was extraordinarily complex. It created a fierce public backlash, and we quickly repealed it.

We would do the same if this were ever enacted into law; I guarantee it. Do we want people to have to keep track of the price that their great-great-grandparents paid for property and investments? Under the House bill they will have to.

Another question is the impact on charitable giving. A great deal of charitable giving comes from bequests. People make these bequests primarily because they want to help communities. That is a good cause. But we all know in some cases there is a tax planning element because charitable contributions are deducted from the value of an estate. Do we know how repeal of the estate tax will affect charitable giving? Has that been discussed, debated? Many estate tax lawyers I talk to tell me: Max, if you repeal the Federal estate tax, it is going to have a substantial effect on charitable giving. There will be a substantial reduction in charitable giving, major, big time, if you repeal the Federal estate tax.

Another question is the impact on States. Currently—this is not well known; how could it be, there hasn't been a hearing; we had no opportunity for amendments—currently an estate receives a credit for inheritance and estate taxes that the estate pays to a State government. As a result, these State taxes generally don't increase the overall burden on an estate. Instead, they shift revenues from the Federal Government to the States. It is about a third.

The long and short of it is, about a third of all the Federal estate taxes that are collected go to States. We, therefore, collect the revenue that goes to the States. Under a total repeal, that is the end of that. Does anybody know that? Do the States know that? Do the Governors know that? I don't think they have focused on this because they don't know about it. How could they? There have been no hearings.

If the Federal estate tax umbrella is repealed, many States may face strong pressure to reduce or eliminate their own inheritance taxes and estate taxes—resulting in unintended consequences, unthought-out consequences, unknown consequences.

Still another question is how repeal of the estate tax will affect the concentration of wealth. As we all know, one reason the estate tax was enacted and later strengthened was to limit the accumulation of huge fortunes that can be passed on to create economic dynasties. Are we prepared to say that today this is no longer an issue?

Now I am not trying to be judgmental, Mr. President, believe me. I am just raising very important questions that have to be discussed, debated, and thought out. I am not suggesting I have all the answers. I am simply saying these are very serious questions that deserve more time and attention than we are giving them. After all, we are not referring the House bill to the Finance Committee for a hearing where the questions can be addressed. In fact, the Finance Committee hasn't held a hearing on estate taxes in this Congress. I will repeat that. The Finance Committee has not held a hearing on estate taxes in this Congress. Instead, we are rushing the House bill to the floor under cloture.

Why are we doing this? Why not hold hearings so that we can more fully understand the implications of the House bill? That is just my first concern in the process.

Now my second concern. While the House bill reforms the estate tax, it reforms it in the wrong way. There is a right way and a wrong way to do things. The House bill reforms the wrong way.

For a long time, I have supported reform of the estate tax. Most of us here do. I have worked on special rules for farms and ranches. A few years ago, I worked closely with Senator Dole on reforms for family-owned small businesses.

Despite these and some other improvements, the estate tax still hits

some people too hard, especially those who own farms, ranches, and small businesses. We should fix that. We should fix it now. We need to help our farmers and our small businesses. The amendment that I and the majority of my side support will do that.

The House bill that we may adopt, would do very little for those estates, very little for those farmers, ranchers, and small business people—until 10 years later when, under their bill, it is fully repealed.

On the other hand, the alternative that Senators MOYNIHAN, CONRAD, and I propose would reform the estate tax in the right way. It would do two things that are simple but effective.

First, we dramatically increase the amount that is exempt from the estate tax. Currently, it is $675,000. We increase it to $1 million per spouse right away. And a few years later, we begin to increase it again until it reaches $2 million. For a couple, that would be $4 million.

Second, we increase the family-owned business exclusion to $4 million per spouse. For a couple, that is $8 million.

These simple changes have a huge effect. The first year, we would exempt over 40 percent of the estates that currently are subject to an estate tax. The fact is, it is much more relief for estates in this range than the House bill would provide.

As this chart shows, the Democratic alternative is on the left. This chart shows who is left paying taxes after the first year. On the left side, you can see the bar there, which represents the Republican bill, 50,000 Americans would continue to pay estate taxes in the first year, just like they would under current law. In the first year, as it shows on the right side, under the Democratic alternative, only 30,000 Americans would pay estate taxes. Guess what. That basically continues for 9 years—not totally, but basically.

So the Democratic alternative provides relief—significant relief—in the first 10 years. The Republicans' doesn't. There is some near the end. But there is a cliff effect after 10 years, with all of the consequences we have not even talked about.

These simple changes have a huge effect. The first year, we would exempt over 40 percent of the estates that are currently subject to an estate tax. Under the Republican alternative, none would be exempt over the first 10 years. Over the longer term, when the provisions take full effect, the Democratic proposal would exempt two-thirds of all estates, three-quarters of all small businesses, and 90 percent of all farms and ranches that would otherwise have to pay estate tax.

Remember, only 2 percent of the estates pay an estate tax. But we are saying in the Democratic alternative that three-quarters of those who currently pay—three-quarters of the small businesses, two-thirds of all estates, and 90 percent of all farmers and ranchers would be exempt.

This chart shows that, under current law, the Democratic alternative exempts three-quarters of all family-owned businesses. The Democratic alternative exempts 95 percent of farms. On the left, under current law—this is a huge bar. That means those folks are still paying. Under the Democratic alternative, very few pay. You can see that.

This other chart is showing the same thing with respect to all estate taxes. That is, over the first 10 years, fewer Americans will be paying estate taxes than under the House bill.

Next year, it is expected that about 2.5 million Americans will die. Roughly 50,000 will have estates that would pay an estate tax under current law. Under the House bill, every one of these estates will still pay an estate tax, but at slightly lower rates, with the greatest rate reductions going to the larger estates.

Again, the greatest rate reductions will go to the larger estates; whereas, under the Democratic alternative, the bulk—almost all of the relief—is immediate, and it goes to farms, ranches, and small businesses. The small business exclusion is raised to $8 million per couple eventually, and the unified credit is raised to $4 million eventually.

So under our substitute, fully 20,000 of those 50,000 estates won't pay an estate tax at all in the very first year. They will be exempt, period. The exemptions will be concentrated on the farms, ranches, and the small businesses that need relief. That is the right kind of reform, not the wrong kind, which I mentioned earlier.

My third concern is about priorities. At the end of the day, that is what this debate is really about. We provide complete relief to estates worth up to $4 million, and farms, ranches, and small businesses worth up to $8 million—complete relief.

The proponents of the House bill insist that we go much further, at an additional cost of about $40 billion over 10 years. In later years, the cost will be much higher, about $50 billion a year. They argue, in support of the House bill, that whatever the size of an estate, we should not impose a tax at the event of death rather than when an asset is sold, and we should not impose rates as high as 55 percent.

These are serious arguments. I don't dismiss them out of hand. Senator KYL, in particular, has presented an articulate case. But reasonable people can differ. When we get the facts out and determine what is really going out, different people can reach different conclusions. I think it comes down to priorities.

It seems to me that we in this Chamber could agree in an instant to provide relief to the vast majority of farms, ranches, and small businesses and, indeed, for the vast majority of estates that are now subject to the tax. We can do it for a cost of $60 billion over 10 years—less than in the House bill.

So the real question, then, is whether it makes sense for us to spend another $40 billion to provide relief for people who are, by any measure, very well off and can take care of themselves.

Again, it is a question of priorities. Despite the euphoria the new estimated budget surpluses seem to induce, we all know that, in truth, there is no free lunch. If we reduce tax revenue by another $40 million, we will have much less for other priorities, such as health care and prescription drugs, which are much more important to most Americans.

Providing middle-class working families relief from payroll taxes is one example; providing incentives for education and savings, and providing incentives for research and development, which will keep our economy on the cutting technological edge, those are other alternatives and higher priorities of the American people which will help make our economy stronger, and providing prescription drug coverage so that seniors don't have to choose between food and medicine. Many, as we well know, have to make that choice.

Oh, yes. Let's not forget that we are paying down the national debt. That is pretty important.

I hope cloture is not sought. I hope that at some point soon we have a real opportunity to discuss and resolve our differences.

After all, there are some positive signs. The President has signaled that he has an interest in compromise.

Enlightened business leaders are now suggesting there can be a compromise. In other words, if we want to write a law rather than create a political issue, we can achieve a compromise that makes meaningful reforms in estate tax and also address other pressing national needs. That would be good news. I hope it happens.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I believe under the agreement that I am now allotted 15 minutes. I want to comment briefly.

My friend from Montana indicated a concern a number of times about limiting debate. I have to suggest that this debate could have been changed had there been an agreement on his side. The idea that there is not an opportunity to offer amendments in limited debate is not a very valid argument. That is because that side has not agreed.

I yield time to the Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the Senator for yielding.

I agree with the statement of the very distinguished Senator from Montana. Reasonable people can disagree, and they can use the same statistics and come to different conclusions. We do that every day in this Chamber.

I wonder, after listening to the debate—whether it is Montana, Minnesota, or whatever the State being

represented by the other side of the aisle—how Montana could be so different from Oklahoma.

Eleven months ago, I did a tour of very small areas in Oklahoma—Shattuck, Boise, and Gage—places you probably never heard of, with very small populations. These people are not wealthy. They are small family farmers and ranchers. In that part of Oklahoma, they normally have three sources of income. It is either small grain or cattle or oil. When all three are down, we have real devastation out there. We have a lot of family farms that are not even making enough money to break even.

I remember going out there and talking about the various agricultural programs. I talked about crop insurance. I talked about transition payments. But when the subject of estate taxes came up, they forgot about all of the other Government programs having to do with agriculture. They said: It would be the greatest thing in the world for us to be able to survive as a family institution and pass this on to the next generation.

These people live day to day. They are not wealthy people. They have to really save to buy halfway modern farm equipment. They say: The greatest single thing you could do for us would be to allow us to pass this on to the next generation.

I think that dwelling on the small percentage of total estates subject to the death tax isn't really an adequate reflection of the damage inflicted by the death tax, which is about 1.9 percent out of the approximately 2.3 million deaths each year, and 4.3 file a return; that is, 98,900. Not all of these are taxable. There is an effect in Oklahoma on small businesses and farms.

If you look at the ''1995 White House Conference on Small Business Issue Handbook''—we had several people there as part of that group who made this handbook—more than 70 percent of all the family businesses do not survive through the second generation, and fully 87 percent do not make it to the third generation.

I ask the Senator from Wyoming about the source of some of these figures which we hear, such as the loss of $40 billion in tax revenues. I don't know where they come from. I certainly question them.

The current Federal death tax accounted for only $23 billion in 1998, or a meager 1.4 percent of $1.7 trillion in total Federal receipts, a level that has remained fairly stable over the years.

I suggest there are two factors that are not being considered. One is the cost of compliance and one is the economic impact.

There are some studies which illustrate that we could actually end up increasing tax revenues by altogether eliminating the death tax.

A December 1999 study by Congress' Joint Economic Committee said:

> The compliance costs associated with the estate tax are of the same general magnitude as the tax's revenue yield, or about $23 billion. . .The estate tax raises very little, if any, net revenue for the Federal Government.

In 1998, the Heritage Foundation came up with a similar conclusion. They said:

> The cost of compliance means that the $19 billion collected in the Federal death taxes last year actually cost taxpayers $25 billion.

It is actually a net loss, according to their study.

A recent report from the Institute for Policy Innovation says:

> Reducing estate taxes would generate sizable economic gains with little revenue loss. Over the next 10 years, doing away with the estate tax would produce $3.67 in output for every $1 of static revenue loss.

Finally, Alicia Munnell, a former member of President Clinton's own Council of Economic Advisors, in a 1988 economic review, estimates that the costs of complying with estate tax laws are roughly the same magnitude as the revenue raised.

This came right out of the White House.

The other factor I am very sensitive to—because before I came to this body or to the other body down the hall, I spent 30 years in the real world—I know what it is like and how tough it is out in the real world. I wish every Member of the Senate had that kind of 30-year experience. I can remember the years I spent working long hours hiring people and expanding the economic base.

There is one statistic that is hardly ever used around here. Every 1 percent increase in economic activity produces an additional $24 billion of new revenue.

If you look at the motivation of many of us—I am not the only one in this Chamber. I am not the only one certainly in Oklahoma or in this country who spent the majority of his life working, not for himself but for the kids. Would I have worked those hours and would I have taken the time to go out and generate the jobs and revenues for this country if I had known that I could not have passed them on to my children?

I say this: For probably the last 20 years of the 30-some years I worked in the real world, I worked for my four kids and now my grandkids.

If anyone in this Chamber who was opposed to the 1993 Clinton/Gore tax increase—which some have characterized as the largest single tax increase in the history of this country, and the increase in estate taxes at that time—if they were offended by that and felt we increased taxes too much, as even the President said he did, this is your opportunity to undo some of that damage.

Finally, I consider this to be a moral issue. I think any time you have the Government saying you must spend your savings on yourself and not give to your kids, it becomes a moral issue.

I yield the floor.

The PRESIDING OFFICER. The Senator in Wyoming.

Mr. BAUCUS. Mr. President, I understood that Senator SCHUMER was going to speak, according to the list that I have.

Mr. THOMAS. Mr. President, we had 15 minutes. The Senator from Oklahoma used part of it. I intend to use the remainder. We are a little behind on time.

Mr. BAUCUS. That put us behind.

Mr. THOMAS. I will use about 5 minutes.

Mr. BAUCUS. I thank the Senator.

Mr. THOMAS. Mr. President, this is an interesting debate. It has gone on now for a substantial amount of time. We talked about all of the details. Of course, that is a proper thing to do. There are all kinds of ideas in the Senate, which is the way it is supposed to be. That is what the Senate is about.

There are many, particularly on that side of the aisle, who want to spend more—that more spending is the better thing to do. There are others who believe there should be a limit on spending—a limit on what the Federal Government does. But that is a judgment we need to make. Some apparently think that it is better to penalize spending, to make it more difficult for people to amass money. Others believe we ought to encourage savings. That is what the system is about. It causes people to be able to work and save for themselves.

There are some who believe we ought to be in the business of redistributing income. Of course, we are dealing with that all of the time. Others believe we ought to encourage enterprise and entrepreneurship. These differences, philosophical and others, are as they should be. It is the role of the Senate to do that. It is also the obligation and role of the Senate to come to closure.

The idea that we drag these things along is exasperating. We have 35 days left in this session to finish many things, including the very important appropriations bills. As we move toward the end, of course, we have an administration that is interested, as always, in shutting down the Government and blaming the Congress so they get all the appropriation things they choose.

The House adopted this bill by a vote of 279–136, which is greater than a two-thirds majority. This estate repeal, this death tax repeal, over a 10-year period, does away with the death tax. It takes death out of the formula. It would not eliminate taxes. Those properties and values passed on to someone else will be a basis, and when and if those are disposed of, there will be a tax on them. It isn't a matter of not taxing them; it takes death out of the proposition.

Interestingly enough, despite all the concerns about revenue impacts, the tax raises only 1 to 2 percent of overall Federal revenues. That is relatively small. As a matter of fact, the Joint Economic Committee indicated a probable loss of income taxes because of businesses that have to be shut down as

a result of estate taxes, thus causing a deficit.

This idea that we will eliminate taxes, that people don't pay taxes on the property, isn't true. They will be paid on the basis of whenever they are disposed of.

There are a number of things that need to be dealt with. One is that the death tax kills jobs. No question about that. Many small businesses and farms have to sell their properties. Jobs are eliminated. Those people who lose their jobs are taxed at 100 percent. I happen to be from the West where we are interested in keeping open space. Agriculture does that. Many agriculturists will have to sell their lands when they have to pay this estate tax. It will be developed. It ruins that idea.

Certainly double taxation is involved here, so there are some philosophical issues that we ought to take into account. Again, I will stay away from the details. We have had a great deal of talk about the details.

Instead of talking about the fact that we have lots of money, there are a million things for which we can spend it. We have had more difficulty holding down the size of the Federal Government, and that is more important when we have a surplus than when we have a deficit because there are a million things for which we can spend it. We ought to talk about what is the legitimate role of the Federal Government; what is the role of State and local governments.

Do we just involve ourselves in everything because there is money available? I don't think so. We have a constitutional government, a constitutional limitation. We ought to talk about that. We ought to talk about saving Social Security. We are doing that. We ought to talk about strengthening health care. We are doing that. We ought to pay down some of the debt. And then, frankly, we talk about taxes. Money ought to go back to the people who own it, who are paying in. Fairness ought to be a part of this whole equation. I hope it will be.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I am here to talk about the estate tax and what we ought to do about it. I want to make a couple of points.

First, I give the person who named it the ''death'' tax a lot of credit. I don't think this issue would have the velocity it does if it were not called that. At certain times, words somehow convey things. Sometimes they are correct; sometimes they are incorrect. I believe if ''junk'' bonds had been called high-yield bonds, we would have a different economic history. As we have learned, junk bonds play a useful role in the economy. For a while, when they were called ''junk,'' people changed their views. Words have a funny way of working. When we say death tax, people say that sounds horrible. It almost sounds like something from Star Wars.

Second, I am not one who says that this is a great thing and we must have it in place. In one particular area I think there is great resonance for eliminating this. That is, that any organic business—a farm, a small business, and frankly a large business—that would have to be broken up because of the extent of the tax should not be. A business is an ongoing organism. It employs sometimes 10 people and sometimes 10,000 people. To have to break that business up to pay any tax, to me, is counterproductive. That is why I have floated a proposal to my colleagues that eliminates this for any ongoing business that is passed down through the family and delays the payment of the tax until that business is broken up, either by the next generation or the generation after that. That makes sense to me.

If we were in a world of unlimited dollars, I would be for immediate repeal of the whole thing—not just the family part. But we are not. We have to make choices. That is what this is all about. If you had to make one argument about what the debate concerns, it concerns choice. What are our choices? It has been well documented by many of my colleagues that 98 percent of the American people right now do not pay the estate tax. It has been documented that the amount of income is going up and up and up. You have to be millionaire before you pay that tax. Soon you will have to be—whatever the word is—a ''dual'' millionaire, have at least $2 million before you pay the tax. Only 2 percent of Americans are affected. Of the 2 percent who pay, the very wealthiest, the billionaires, pay a huge proportion of that tax.

Do they resent it? I guess they do. I give them credit for having built up their businesses and earned all this money. They say they pay taxes all along; why should they pay it again. By that argument, no one should pay taxes any time. We pay a sales tax. We pay an income tax. We pay corporate taxes. We pay property taxes. They often hit the same people more than once. That is unfortunate.

Why do I say this is a choice issue? You have to compare. Since we don't have unlimited money, we have come to a consensus. We ought to buy down the debt and save Social Security which takes the majority of the now projected $4 trillion surplus. What do we do with the rest? I agree with my friend from Wyoming that tax cuts should play a part. We shouldn't have all spending proposals. I believe there ought to be a mix. Once we buy down the debt, we ought to have some tax reduction and some necessary spending proposals. Education and health care and transportation would be my priorities.

When we do tax cuts, who do you want to help? What best helps America? I am here to talk about a proposal that I think 95 percent of all Americans would prefer rather than what is being proposed here; that is, to make college tuition tax deductible, particularly for middle-income people.

College is a necessity in America these days. We know that. We know the old-time way of a job being handed down from great-grandfather to grandfather to father to son or great-grandmother to grandmother to mother to daughter is gone. We know that only people in America whose income level has actually gone up during this prosperity are those with the college education. So college is a necessity for families, for parents, for individuals. It is a necessity for the individual's well-being, but it is also a necessity for the well-being of America. Because as we move into an ideas economy, we surely will not stay the No. 1 country in the world if we do not have the best educated people. Praise God, so far we do. But that could flow away.

One of the main impediments to us staying No. 1 and continuing to have the best educated people in the world is the high cost of college tuition. If you are a family who is solidly in the middle class—let's say you make $50,000 or $60,000 or $70,000 a year—you get no help with those tuition bills. If you are poor, we give you a lot of help. We should. I love seeing ladders where poor people can walk their way up and establish themselves in America. If you are rich, you don't need it. You can afford that high college tuition. But if you are a middle-class person, if you are that hard-working majority of Americans right there in the middle—let's say the husband and wife work and let's say their total income is $65,000, $70,000; that is pretty good until the tuition bill hits; until they see they have to pay $10,000 or $15,000 or $20,000 or even $30,000 to send their child to the best possible school—you don't get any help at all.

We can. We can next week when we debate the estate tax. I ask my colleagues, where would it be better spent? To help the very wealthy in America not pay the estate tax—again, all things being equal why not—or is it better to help the middle class pay for their children's college? Why, when people struggle to save their $10, $20, $50 every week to pay for college, does Uncle Sam then take a cut when we know that this is good for America? When you send your child to college, you are not only helping that child and your family, you are helping America. You are helping us achieve the best educated labor force in the world. So why, when families struggle, and struggle they do, does Uncle Sam take a tax cut?

I make a good salary as a Senator. I have no complaints. God has been good to me and my family. But we have two daughters, beautiful daughters, the love of our lives, 15 and 11. We are up late at night figuring out how we are going to pay for their college education.

There are millions of American families whose children do not go to college because it is expensive, too expensive.

There are millions more—I was in Niagara Falls this Monday, 2 days ago. I heard of a family, the Maskas, with seven children. They are trying to send each one to college. A few of them are in college at the same time. But do you know what they had to do? They had to tell one of their young children, even though he was doing very well in school and had good boards, that he had to go to a nearby junior college because they couldn't afford the college he deserved to get into.

So it is not only people who can't get into college; it is people who scale down the college they choose because they cannot afford the more expensive schools. Tuition has gone up more than any part of our budget. The cost of health care, from 1980 to 1995—which everyone talks about having a huge amount of increase—went up 175 percent; 250 percent is tuition.

The bottom line to all of us in this Chamber is simple. It is not whether we are for or against removing the estate tax in the abstract. It is a choice—choice—choice—choice: Do we take these hundreds of billions of dollars, which I believe I agree with my colleague from Wyoming should be sent back to the people—and send them to the very wealthiest people or do we give some back to the middle class to help educate their children and get them the best college education possible?

I daresay the vast majority of voters in every one of the 50 States believes it is better to vote for the proposal that I will make on the estate tax bill. I have done it jointly. I do not know if we will be offering it together, but the proposal was put together by myself, the Senator from Maine, Ms. SNOWE, the Senator from Indiana, Mr. BAYH, and the Senator from Oregon, Mr. SMITH. It is bipartisan. I urge my colleagues next week, when the estate tax bill comes to be debated, if it does, to decide the choice. Do we return the money to the wealthiest 2 percent, especially those who do not have ongoing farms or businesses—because we are going to deal with them—or do we send it to the millions of middle-class Americans who are up late at night, worried about whether they can afford to send their children to school, and who right now get virtually no help from Washington?

Mr. President, I yield my remaining time to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. So there is some order here, we wanted to go back and forth. It is now the Republicans' turn. It is my understanding Senator DOMENICI will speak. Following that, so colleagues on my side of the aisle will know, Senator HARKIN will have 15 minutes. Then the last speaker we will have is Senator LAUTENBERG and he will have whatever time we have remaining, probably about 13 minutes.

Mr. THOMAS. As I understand it, I agree: Senator DOMENICI, then Senator HARKIN, and then we have Senator HUTCHISON.

Mr. REID. Mr. President, I ask from the time of the Democrats, the minority, that Senator HARKIN be given 15 minutes and Senator LAUTENBERG be given the remaining time that we have. I ask that in the form of a unanimous consent request.

Mr. THOMAS. I have no objection.

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

Mr. THOMAS. I yield 15 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I think almost everyone has heard the name Dr. Milton Friedman. I would like to start my brief remarks by quoting this very distinguished Nobel prize winning economist, who notes:

> The estate tax sends a bad message to savers, to wit: that it is OK to spend your money on wine, women and song, but don't try to save it for your kids. The moral absurdity of the tax is surpassed only by its economic irrationality.

You could stop there and say no more, and ask, do we really have a tax on the books of the United States that will lead Americans to waste their money rather than save it to leave to their children? And then to be add the economically irrational absurdity. One could just read that indictment and conclude that it is a good source of information, a Nobel winner in economics, a splendid proponent of entrepreneurial capitalism and what makes it work and what detracts from its working. Dr. Friedman's quote could be the sum and total of my speech. I could stop there.

But let me proceed on with a couple of facts. These are real. It does not raise very much money. It is a big trap for the unwary. It is viewed as the most confiscatory tax, with its rates reaching 55 percent, and if coupled with the generation-skipping tax, the practical effect of the tax is that it can grab as much as 85 cents on the dollar. I do not believe we in America ought to have any tax on the books that can take as much as 85 percent of any dollar, earned or owned, by any American. So that is the debate.

It hits a diversity of people. Two groups most adversely affected are small businesses and family farms, which are absolutely frightened of the concept that at a point in time when they most need their managing partner, when the business or farm needs its key person the most, that key person has died, by definition, and up to 55 percent straight on—without generation-skipping trusts protecting children—55 percent of the estate would go to the Government.

There are all kinds of excuses and explanations. It is payable over time. Yes, some would say: Thank you, Federal Government, as you take 55 percent of everything we saved and earned and built up; it is generous that you let us pay that 55 percent over time.

I do not know if that means anything. It probably means the Government got to the point where it was absolutely absurd trying to make them pay that 55 percent all at once because the horror stories were so rampant that Congress would say: What are we up to? After listening to that for a while, they made it payable on the installment plan.

Again, my own sense of what this does and what my constituents have told me is consistent with Dr. Milton Friedman: The Estate Tax penalizes savers. Someone who is getting old may have accumulated an estate perhaps made up of a nice house, a nice summer cabin, and may own two filling stations. Try that on as to whether they are a real rich person: A really nice house, a summer cabin, and two filling stations of the modern type today. They are going to pay a huge amount on the appraised value of that estate, and let's add to it that they saved and have $50,000 in the bank. All of these assets were acquired with money that had already been taxed as income under the Federal income tax.

It is a double tax; I do not think anybody would doubt that. Nobody would come to the floor and say it is not. Assets are purchased with after-tax dollars and then taxed again under the estate tax.

The approach in the bill before us is a very fair approach. There are some who think the bill allows rich people to avoid paying taxes. It does not. The change is a timing change. Death would not be the taxable event. Instead, a family business or farm or other asset inherited would be taxed when it is sold, but it is not a giveaway, as some allege, because the basis for calculating the tax at the time of the sale would be the same as if the original owner had sold it. It would be taxed on a carryover basis.

That means, to make it very simple, if your entire assets are three warehouses when death occurs, the three warehouses have a value at the date of death, but they are not taxed then. When one or two or three of those warehouses are sold by the inheritor, they pay a capital gains tax using the original value, which might have been the value 10 or 15 years ago when the asset was first acquired.

If they make a very large amount of money when they sell it, that is taxed as capital gains. It is changing the taxable event from the date of death that triggers the tax to the date of an actual sale by one who inherits it. That is the event.

It seems to me when everybody has that understood—some of the people who are saying this is not a fair approach, and some Americans who have been listening might say, Is this really fair—they will come down on the side that this is a much fairer approach than taxing on the value on the date of death.

I compliment the chairman of the Finance Committee for his fine work. He is correct that this is one tax that should be abolished. This is a good and

fair tax policy, and it moves us toward tax simplification, which, in and of itself, is commendable and something we are always trying to do with our Tax Code but succeed rarely. We talk much and succeed rarely.

NEW MEXICO WATER RIGHTS

Mr. DOMENICI. Mr. President, I want to talk about some other things that should be abolished. Last week, the Solicitor of the Department of the Interior issued a two-paragraph memorandum that he calls a legal opinion. In that memo opinion, he attempts, in one fell swoop, to overrule New Mexico water law and the rights that are established under New Mexico water law which are called the rights of prior appropriation, the cornerstone of water rights, and the right to use water and how to allocate water when water is stored.

In that same opinion, as I view it, he has abolished our water law and nationalized the Middle Rio Grande Conservancy District, one of the largest irrigation districts—if anyone has flown over Albuquerque, that big green belt is the Rio Grande, and anything you can see in Albuquerque on that part of the river is part of the conservancy district. That conservancy district is not, as the Solicitor said, ''an agent of the Federal Government.'' He is going to have plenty of time to prove that for he is going to be challenged in every court wherever we can, and perhaps even in the Congress, on whether that is an appropriate conclusion.

Let me tell you about the creation of this Middle Rio Grande Conservancy District and its mission.

First, it was created by the State of New Mexico by our State legislature in 1923. It was the Conservancy Act of New Mexico. It was not created by the Federal Government. It was created by New Mexico. It owes the Federal Government no money. It paid off its last rehab and construction loan in 1999.

Solicitors at the Department of Interior or any other lawyers just do not walk around nationalizing assets. In some countries, dictators do, but certainly it is not the way we do things in America.

The partial effect of this memo is to overturn New Mexico and western water law. In our State, water is a precious commodity. I wish we had more of it so it would not be so precious, but it is precious and we have too little of it.

In New Mexico, we have endangered species. We have more than one, but one lives in the lower reaches of the Middle Rio Grande River. We have a silvery minnow. And in the river right over the mountains is a blunt-nosed shiner. I wish we had fewer endangered species and more water—that would be very good—but such is not what has been dealt New Mexico.

We have a water rights system, and it essentially is a seniority system. This Solicitor ignores that basic premise. Adding insult to injury, the matter was already before our Federal courts, and on June 19, 2000, Interior Solicitor Leshy issued a brief opinion stating that the Bureau of Reclamation, the entity that manages some of the water, has title to the water in this Middle Rio Grande Conservancy District. How he will ever make that stand up I do not know, but I hope there are judges left who will get to the heart of this issue and determine that is not a policy nor is it fact.

In October of 1999, the Bureau of Reclamation biological assessment stated the bureau did not have a controlling property interest in this Middle Rio Grande conservancy facility.

On Thursday, the Albuquerque Bureau of Reclamation area manager sent a letter to the Middle Rio Grande Conservancy District that they operate as agent of the United States and should operate its ''transferred works'' allow 300 cfs of water to bypass San Acacia Dam on the lower river for the silvery minnow.

This places all the burden on these farmers and none on the rest of the users, which is inconsistent with New Mexico law again. This places all the burden on this one group.

The Middle Rio Grande Conservancy District's position is that providing water for the fish should not all be borne by their water users, i.e. the farmers. The burden should be shared. There are many big water rights holders including the city of Albuquerque. The Bureau of Reclamation countered that it has title to the Conservancy District's water so it can claim it, but that it does not have authority to take the Albuquerque city's water because it is other people's water.

New Mexico says that the Federal Government must comply with State law and get a permit to change irrigation water to water for fish habitat. It further admonished that the Federal Government has no authority to interfere with the state's interstate delivery obligations. I believe the federal government's strategy is to divide the parties, as well as to avoid a hearing on the merits of the biological need for wet water for the fish.

To conclude, if we are ever to have cooperation to preserve this endangered species, the silvery minnow, this is exactly the way not to do it. There was a burgeoning working together, cooperative group. I was part of it. Many environmental groups were part of it.

We were looking for a way to collectively and collaboratively create some habit activities, and then construct some habitats for this minnow, and to do it with the full assistance of the Federal Government. Along comes this Leshy opinion and out the window goes all that. Now it is full speed ahead with litigation on all sides, and people working in the Congress to see what we can do to be fair.

If I have not used all my time, I yield whatever I have to the distinguished floor manager, the Senator from Wyoming. I thank the Senate for the time given me this morning.

The PRESIDING OFFICER. The Senator from Iowa is recognized for up to 15 minutes.

THE 10TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. HARKIN. Mr. President, it seems as if we can take all kinds of time on the Senate floor—hours, days—talking about how we are going to benefit the richest people in America, many of whom inherited their wealth. After all, that is what estates are; they are wealth that is passed on from one generation to another. I do not have anything against that, but it seems to me we spend an undue amount of time talking about how we are going to help the richest, most well-off people in our country, who, by and large, can pretty well take care of themselves.

So I am going to diverge a little bit because I want to talk about a group of individuals in this country who do not fall into that Fortune 500 or 400 or whatever it is—the Forbes 400—people who have the big estates. I want to talk about a group of people who have been discriminated against in our society for far too long and with whom we in Congress had made a pact 10 years ago and President George Bush signed into law the Americans with Disabilities Act to say that we, as a nation, are no longer going to tolerate discrimination against any individual in this country because of his or her disability.

July 26—a couple weeks from now—will mark the 10th anniversary of the signing of the Americans with Disabilities Act. As those of us who worked so hard for the ADA predicted, the act has taken its place among the great civil rights laws in our history. On July 26, 1990, we, as a country, committed ourselves to the principle that a disability in no way diminishes a person's right to participate in the cultural, economic, educational, political, and social mainstream.

By eliminating barriers everywhere—from education to health care, from streets to public transportation, from parks to shopping malls, and from courthouses to Congress—the ADA has opened up new worlds to people with disabilities. People with disabilities are participating more and more in their communities, living fuller lives as students, coworkers, taxpayers, consumers, voters, and neighbors.

As part of the anniversary celebration—the 10th anniversary of the signing of the Americans with Disabilities Act—I recently announced the ''A Day in the Life of the ADA'' campaign. I am asking people across the country to send stories about how their lives are different because of the Americans with Disabilities Act. We are going to be using these stories to celebrate our accomplishments and to learn more about what we still must do to give all Americans an equal opportunity to live out the American dream of independence. We already have received many

wonderful stories that show how the ADA is changing the face of America. I look forward to receiving many more.

I ask the people to either send these stories by e-mail to adastories@harkin.senate.gov or send them to ''A Day in the Life of the ADA,'' c/o Senator TOM HARKIN, 731 Hart Senate Office Building, Washington, DC, 20510.

We want to tell these great stories in the celebration that will take place on July 26. There will be ceremonies at the White House. We will take time here in the Congress to talk more about the Americans with Disabilities Act, what it is, what it was meant to do, and what it has accomplished.

The ''A Day in the Life of the ADA'' campaign will create a historical record of the profound impact the ADA has had on the daily life of people with disabilities. I will share with you a couple stories I have already received.

I spoke with a woman in Des Moines, IA, who told me that not only had the ADA helped her son, who has a disability, get a job working at a restaurant, but that because of the fact he has that job he has become a role model for other kids with disabilities, to show them that they, too, can get jobs and work.

I recently met and spoke with Theresa Uchytil from Urbandale, IA. Theresa is this year's Miss Iowa and hopefully will be next year's Miss America. She was born without a left hand. She told me that the ADA has given her and other people with disabilities confidence to pursue their own dreams.

I received a letter from a woman in Waukegan, IL, who is blind, who wrote:

The ADA has allowed me to receive my bank statements in braille. This might seem like a small victory to some. Obviously such people have never been denied the ability to read something so personal as a bank statement.

I heard from a man in Greenbelt, MD, just outside Washington, DC, who is deaf. I will quote him. He said:

When I turn on the TV in the morning, I can watch captions and public service announcements because of the ADA. When I go to work and make phone calls, I use the telecommunication relay services enacted by the ADA. In the afternoon I go to the doctor's office and am able to communicate with my doctor because the ADA has required the presence of a sign language interpreter. After the doctor's office, I decide to go shopping and am able to find a TTY (as required by the ADA) in the mall to call my family and let them know that I will be a bit late in arriving home. . . . In short, the ADA has had a major impact on almost every facet of my life.

I heard from a man in Berkeley, CA, who has cerebral palsy and uses a wheelchair. He said:

The ADA has made me able to live independently. I can now get into most every restaurant, movie theater or public place. The ADA has put me on a level playing ground with the rest of society. I realize that if I had been born any other time before I was, I would not be able to lead the life I do. I am going back to school in the fall. I hope to educate people by either being a teacher or a lawyer. I do not think that this would have been possible without the ADA.

These are only a few of the many stories we are receiving. I encourage others to send in their stories, again, to create a historical record of the profound impact the ADA has had on the daily lives of people with disabilities, their families and friends, and every American. I encourage everyone to share their stories, their family stories, about how the ADA has improved their lives.

For example, I would like to have stories about how the ADA has eliminated segregation in education and health care and the workplace, how the ADA has increased the accessibility of schools and colleges and government and the workplace for people with disabilities. I would like to hear stories about how the ADA has made it possible for people with and without disabilities to enjoy the smaller things that many of us take for granted—going out to a birthday party dinner as a family, going to a movie with a friend, a loved one, or a family member, going to a museum with friends on a Sunday afternoon, or just plain going out to the grocery store to shop for groceries.

The ADA has improved people's lives. I need stories that show how the ADA has improved people's lives in any other way, maybe some I have not even thought about.

We will share these stories to show how the ADA has benefited people with disabilities and how it has benefited all of American society—by integrating and pulling people from all walks of life into every facet of our lives in America: in education, in the workplace, travel and transportation, and government services.

Again, during this time of debate on the estate tax bill, and what we are going to do to help some of the richest people in America, I want to take this time to let people know there are a lot of Americans out there who, because of what we did 10 years ago in passing the Americans with Disabilities Act, are leading fuller, richer, more independent lives.

We celebrate that this year on the 10th anniversary on July 26. I ask everyone to help build this record of the ADA successes, again, by sending their stories either by e-mail, at adastories@harkin.senate.gov, or ''A Day in the Life of the ADA,'' c/o Senator TOM HARKIN, 731 Hart Senate Office Building, Washington, D.C. 20510.

By doing this, we will build a historical record. We will show how the ADA has indeed made us a better country, how the ADA has made it possible for people from all walks of life, regardless of their disability, to work, to travel, to enjoy their families and friends. This is what we ought to be talking about in the Senate. This is what America is about, not about helping the few at the top who already have too much but by helping those who have been discriminated against for so many years, shoved into nursing homes, into dark corners, discriminated against in every aspect of their lives, people with disabilities, and how we as a society came together 10 years ago, Republicans and Democrats, in a bipartisan fashion to say we are going to end this kind of discrimination once and for all.

That was one of the great bipartisan victories I have seen in my 24 years in the Congress. These are the kinds of things we ought to be debating and doing.

I take this time to encourage these stories to be sent in, so when July 26 rolls around and we celebrate the 10th anniversary of the Americans with Disabilities Act, we will have personal stories about how it has helped people from all over the country.

Mr. BOND. Mr. President, I rise today in strong support of the motion to proceed to H.R. 8, the Death Tax Elimination Act of 2000. While this legislation has long been one of my priorities as chairman of the Senate Committee on Small Business, it is of critical concern to a sector of the United States economy that employs more than 27.5 million people, generates over $3.6 million in sales, and has grown by 103 percent in the past four years. That sector is women-owned businesses.

As one of the fastest growing segments of the economy, women-owned small businesses are essential to America's future prosperity. In recognition of this growth and their contribution to our economic life, I led a bipartisan group of policy makers last month to convene the National Women's Small Business Summit, New Leaders for a New Century, in Kansas City, Missouri. With the support of Senators KERRY, FEINSTEIN, HUTCHISON, SNOWE, and LANDRIEU, we set out, through this summit, to listen to women-owned small-business owners. Our goal was to elicit their views, concerns, and policy recommendations on the obstacles that women entrepreneurs face every day as they strive to run successful businesses.

One issue that we heard loud and clear was that the ''death tax'' has to go. In fact, repeal of the estate tax was the number one tax priority identified by the summit participants. So it is particularly timely that the Senate is considering this crucial legislation that will eliminate a tax that discourages hard work and innovation rather than encouraging and rewarding it.

Mr. President, I believe we can now agree on both sides of the aisle that the estate tax is highly detrimental to small and family-owned businesses and farms in this country. Indeed, according to recent findings, the estates of self-employed Americans are four times more likely to be subject to the estate tax than Americans who work for someone else. In addition, because owners of small businesses do not know when they will owe the estate tax or, consequently, how much they will owe, the tax exacts excessively high compliance costs.

For example a June 1999 survey by the Center for the Study of Taxation found that eight of ten family-owned business reported taking steps, such as estate planning, to minimize the effect of this tax. Moreover, the Upstate New York survey revealed that the average spending on estate planning was almost $125,000 per business. Similarly, a survey by the National Association of Women Business owners found that the estate tax imposed almost $60,000 in estate-tax-related costs on women business owners.

These costs translate into thousands of dollars of valuable capital that women-owned businesses are pouring down the drain simply to ensure that the estate tax does not become the grim reaper for their businesses. And if anyone thinks that wasting these funds is not important, they should note carefully that access to capital was the second most pressing issue area identified at the National Women's Small Business Summit.

Mr. President, compliance costs pertaining to the death tax also directly affect the availability of jobs. In the Upstate New York survey, an estimated 14 jobs per business have been lost because of the cost of Federal estate-tax planning to those same businesses. A study by Douglas Holtz-Eakin found that the estate tax caused an annual 3 percent reduction in desired hiring by sole proprietors. A 1995 Gallup poll also found that three out of five businesses would add more jobs over the coming year if the estate tax were eliminated.

If nothing else, this legislation boils down to one simple issue—jobs! Small businesses are the top job creator in this country, and the death tax is sending those jobs to the grave. Existing businesses are not hiring as many workers because of estate-planning costs, and when the owner dies, this tax can cause the business to be liquidated just to pay the government. And when those doors close, they close hard and fast on the jobs that the business provided in our local communities. That is a reality we simply cannot ignore or allow to be concealed by erroneous claims that repealing the death tax is just a tax cut for ''the rich.''

Mr. President, the cost of the estate tax is high not only for small business owners, but for those seeking employment and for the overall economy. It is time that those costs are eliminated by repealing the estate tax once and for all. I urge my colleagues to support the motion to proceed and the underlying legislation for the continued success of America's women-owned businesses and the jobs they create.

Mr. SMITH of New Hampshire. Mr. President, the estate tax better known as the ''death tax'' is an onerous tax that should be eliminated. A recent poll revealed that 77 percent of the voters believe that the tax is unfair.

This tax is slowly destroying family businesses by slowing growth. And it's unfair that families who have worked their entire lives to build a successful family farm or business should be penalized.

Individuals who look forward to leaving something behind for their children should not be punished by confiscatory, anti-family taxes.

In fact, after years or even generations, children are often forced to sell the family farm or business just to pay the tax. This is both unfair and unconscionable.

However, not only is it the children who must suffer the loss of the family business, but the workers and their children who suffer when they lose their job because the business they've been working at is liquidated to pay the death tax.

But it doesn't stop there. The local community, particularly small towns suffers as well because their customers can no longer afford to buy their products after having lost their job.

The estate tax is outdated, it raises little money, and it imposes a large cost on the economy.

In 1999 the estate tax generated about $24 billion. However, it is estimated that administrative costs to enforce the tax are over $36 billion.

A recent analysis by the Heritage Foundation, found that the U.S. economy would average nearly $11 billion per year in additional output.

The National Association of Manufacturers states that 40 percent of its members had spent more than $100,000 on attorney and consultant fees related to death tax planning. In addition 3 out of 5 members pay at least $25,000 a year to prepare for the death tax.

A 1998 study by the Joint Economic Committee found that if the death tax was repealed, as many as 240,000 jobs would be created and Americans would have an additional $24.4 billion in disposable personal income.

A February 2000 study by the National Assoc. of Women found that the death tax has a negative impact on female entrepreneurs.

According to the study, business owners found that female entrepreneurs spent on average nearly $60,000 on death-tax planning.

Some have argued that it is the rich who benefit from eliminating this tax. Mr. President, the wealthy and powerful, including many in this body, who can afford high priced legal and financial advise to avoid the taxes.

Therefore, who's left holding the bag but the middle-class.

This tax is unfair and it is anti-family. We must repeal this tax now. Mr. President, I urge passage of this legislation.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, we have to conclude by 11:30. If Senator LAUTENBERG is prepared to take his time now, then we will pick up the remainder with the last speaker.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, may I ask what the parliamentary situation is regarding the time allocation?

The PRESIDING OFFICER. The Senator was allotted the remainder of the Democratic time, which is 15 minutes.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, we are going to take a couple of minutes to develop our opposition comments regarding the elimination of the inheritance tax. The repeal of it is an interesting prospect but not one that has much merit. My strong opposition to the ultimate repeal of the inheritance tax will be obvious with my comments.

This legislation would provide a huge windfall to a handful of very wealthy individuals at the direct expense of ordinary, hard-working Americans.

Without meaning to brag, I had a successful business operation before I came here. I was chairman and CEO of a very large company with over 16,000 employees, a company that I began with two other fellows from my home city of Paterson, NJ—a mill town with a great industrial past, at the time I was growing up there, but with a dismal current situation—the three of us, by dint of hard work. My parents and the parents of the two brothers with whom I was associated were all immigrants. My parents were brought as infants by my grandparents, and my colleagues' parents came at a later date and time in their lives. We were poor.

I just retraced these roots with a newspaper because I am in the process of ending my Senate career come January 2001. We were very successful. That company we started without anything today employs 33,000 people. It is one of America's leading examples of what happens when there is hard work and initiative and there is creativity in this great country of ours.

I am one of those people who will fit in the 2 percent who are going to be principally affected by the reduction and ultimate elimination of the inheritance tax. I have four children. I am a proud grandfather. I have seven grandchildren, the oldest of whom is 6.

When I am called upon to ascend to a different place, there is going to be an estate. My children have never said to me: Dad, you have to get rid of the inheritance tax, or, Dad, make sure we are well taken care of. They have had a decent life.

I stand here to say, yes, my estate is going to pay a lot of tax when I go, a lot of tax. It is OK; it is all right with me. It has to be all right with my children.

Talking about the three of us who ran the company ADP, we succeeded in this country not just because we were willing to work hard and we had some smarts and we did the right thing. We were made successful because of the resources available in this country. We were made successful because lots of people who struggled to make a living and support their families did the work

they had to. We were made successful because this great land in which we live provided the opportunity.

We could be just as clever and just as hard working in lots of other places around the world, but we never could have accumulated the resources we had. Neither could Mr. Gates or the other people now almost legendary multibillionaires. They couldn't have done it without lots of little people, lots of people doing the scut work, doing the hard labor, or using their brains that were developed by investments through our society, through this Government, helping to develop schools that would cultivate the thinking and the creativity that went into making their contribution. A lot of them, as was true in my own company, got rewarded, but they were not in the $20 million estate group or even higher. They weren't in the number 374 with an average amount of assets of $52 million.

They are not in that group. The group isn't very large, but it is very powerful. This group is very powerful. When they speak, everybody here listens—just about. They hear from the leaders of these companies. They hear from the people who bought the boats, the private yachts, and the airplanes. Now there is almost a contest within our society—and I know some of these folks—about who can build the biggest yacht. They are up to over 300 feet now. That is the largest private yacht sailing the seas. It has a crew of almost 50 people. I don't know what is going to happen to that man's estate, but I don't think he deserves to have that estate protected without acknowledging the fact that he owes something back to this society. He has an obligation—his estate has an obligation to make sure something remains so there can be other entrepreneurs, business leaders, scientists, and physicians created, to make sure this country is able to carry on.

Part of what is in the basic ethic of this Nation of ours—and it goes back to its founding days—is hard work; do your share. I used to hear in my household from my grandmother that you had to ''leave something over for those who need help.'' You could not just take it and walk away. What is going to happen to that work ethic?

Bill Gates is worth, they say, somewhere around $100 billion. I don't know him personally, but I hear he is a real good guy, very philanthropic. He gives away a lot of money to very noble causes. But if he chose to say, look, my estate will pay the 55-percent tax, that will leave, by my calculation, $40 billion or $60 billion to be divided among his children. I don't hold him out to be evil or the devil. I use the arithmetic description to try to make the point; it is to make the point that we ought to be very careful.

None of us like taxes. I don't like them. But I know they are necessary. If you want to belong to ''Country Club America,'' you have to pay the dues—especially if you succeed, as only you can in this country of ours because of the resources that are here. Some of them are natural resources. We have a wonderful location and the ability to ship goods from our oceans. This is one incredible place. Boy, are you lucky to belong to ''Country Club America.'' But I think it is necessary to pay your dues. I think it is necessary for me to pay dues. I think it is necessary for my estate to pay dues. My estate will be assessed at the high rate. It is not going to leave my kids poverty stricken, nor is it going to leave the 346 wealthiest people who will leave estates at $52 million poverty stricken.

I don't even think the heirs to estates of from $10 million to $20 million—there are 688 of them and they will pay $3.7 million in taxes—will be impoverished. We are looking at estates of from $5 million to $10 million. There are roughly 1,800 of them. Those estate taxes will be $1.9 million. That leaves $4 million to the beneficiaries. That doesn't sound like impoverishment.

Look at what the picture is. On this chart, we have the 374 largest estates. If the Republican tax plan goes through, they will save $11.8 million each. That is just 374 estates. And roughly 300,000 estates will pay zero estate tax.

Is that fair? That is the question. Is it fair that we take such good care of people who have a $50 million estate, on average? And some are substantially larger. Where is the conscience here? Roughly, 2 percent of the people in the country have estates that pay any tax at all. Out of the 2.3 million, only 2 percent have any inheritance tax at all. Most people don't leave estates that hit inheritance tax levels. They don't pay taxes. By the way, all through this successful person's lifetime—and some are successful because they pick the right father—those estates pay a very small portion of the inheritance tax revenues. But we want to reduce the portion that they do.

All of the rest of the people in America, the people who work hard and try to provide for their kids, the people who try to educate their children so they can go on and succeed in their own right, they don't pay any estate tax because before you must pay estate taxes, you have quite a hurdle to get over.

Also, for the benefit of those considering this, let's remember that if it is a husband and a wife in a family, that family can give $20,000 a year to each child. If they have three kids, they can give $60,000 to those kids. The wealthy people we are talking about can do that. They can give $60,000 to those children, and if it is a 20-year lifetime, you are talking about $1.2 million that you can give away absolutely tax free. You can do that to lots of people. They don't have to be your kids. They can be your friends, your neighbors, or distant relatives. You can give a lot of money away in a lifetime. Then you get a $1.3 million exemption before you start paying any tax at all. So we are looking at a tax that is not fair.

This Nation has its taxes structured on the basis of graduated incomes, and you pay higher taxes. We have had tax reductions. Now, capital gains is 20 percent. The maximum rate we have on income is 39 percent. I am always willing to look at ways to reduce that.

Frankly, I think maybe one of the things we ought to consider—and I haven't run the costs on it—is to say that for people over 65 we even start reducing that 20 percent. Maybe by the time somebody is 70, there would be no capital gains tax, and maybe that will stimulate their investments into the economy and charities—the amount of money given philanthropically—because there is a pebble in the shoe, and also a generosity of spirit. Some people say they would rather give it to a university, a hospital, or a library, than just leave it out there to be taxed. That is a good idea. I know very few people who have these big fortunes who don't do a lot philanthropically. I also know some people who are in the multibillions of dollars worth of estates who have said they are not going to leave anything to their kids, that they will have given them their head start in a lifetime.

I see that the Chair is poised to strike the gavel. I thank you for the time I have had. I hope we are mindful of the public reaction. Taking care of the rich is not an obligation in which we have to specialize.

Mr. THOMAS. Mr. President, on this side, I believe we have 17 minutes remaining.

The PRESIDING OFFICER (Mr. HUTCHINSON). There are 16 minutes 35 seconds remaining.

Mr. THOMAS. Mr. President, I yield the remaining time to both Senators from Texas.

The PRESIDING OFFICER. The Senator from Texas, Mrs. HUTCHISON, is recognized.

Mrs. HUTCHISON. Mr. President, I rise today to speak in favor of this bill. There is no question that what the Senator from New Jersey has just said has some resonance when you talk about paying dues to society. But this is not money that has never been taxed before. This is money that was taxed when it was earned. It is money that was taxed when it was invested. It has been taxed and taxed and taxed. Who could say that an average family who now pays 40 percent of their income in taxes is not giving back enough to society?

On top of all of the taxes they paid on this money, now we are saying we want to change the American dream, which has always been to come to our country—come to America where you have the freedom to work as hard as you want to work, do as well as you want to do, and give your kids a better chance than you have. That is what the American dream has always been. Those who are against this tax are saying: No, no. That is not the American

dream anymore. What we are saying in America is come to America and you can be this successful, and as long as you don't go beyond this, it is OK.

We should not put boundaries on success in America. That built our country. Hard work of people who are judged on what they are and not on who their grandparents were is what has built this country.

The estate tax takes away part of the incentive for people who work so hard to give their kids a better chance than they had.

It hurts small business. Seventy percent of all family-owned businesses do not survive through the second generation, and 87 percent don't make it to the third generation. That affects the small business itself, but it affects a lot of people who have jobs in those small businesses. It is the little people who are getting hurt because they don't have jobs anymore.

I have read stories where the main employer in a small town had a family-owned business and could not make it because they had to sell the assets of the business in order to pay inheritance taxes.

Among a survey of black-owned enterprises, nearly one-third say their heirs will have to sell the businesses to pay the death tax, and more than 80 percent report they do not have sufficient assets to pay the death tax. In fact, the president and CEO of the National Black Chamber of Commerce has written a letter in support of this bill because he says the total net worth of African Americans is only 1.2 percent versus 14 percent of the population.

The CEO of the National Black Chamber of Commerce supports the bill before us today. He said African Americans have been stuck at 1.2 percent of the total net worth of this country since the end of the Civil War in 1865, and that getting rid of the death tax will start to create a new legacy and begin a cycle of wealth building for blacks in this country.

The U.S. Hispanic Chamber of Commerce supports the bill before us today. They write: When one family loses its business due to the unfair estate tax, which really is a death tax, the face of an entire community changes. Employers become ex-employers. The economy suffers and a thriving self-supporting group of individuals vanish.

This is a gut issue for small businesses in our country.

The reason is that the assets of a small business are not readily sellable. The assets of a farm and a ranch are oftentimes valued at much more than their actual productivity. So if they have to have a valuation that puts them in the category of needing to pay an estate tax, they have no choice; they have to sell the land in order to pay that tax.

It is not right. It is not perpetuating the American dream.

Let me talk about conservation and the effect of the death tax on conservation. This is an article published in the Dallas Morning News, written by David Langford of San Antonio, the executive vice president of the Texas Wildlife Association. He says it so much better than I ever could.

Since 1851, my family has worked the land in the Texas Hill Country. Through the ups and downs of the past 148 years, we have run flour mills, farmed, ranched and offered hunting and fishing opportunities.

Our land also serves as a habitat for many species of birds, including two endangered migratory songbirds—the golden-cheeked warbler and the black-capped vireo. As a result, my family and I consider ourselves stewards of precious natural resources.

But as is the case for much of the wildlife habitat in this country, the estate tax threatens to tear it apart. The need to pay large estate tax bills often forces families to sell or develop environmentally sensitive land. The estate tax is the No. 1 destroyer of wildlife habitat in this country.

Although we have managed to hold our land together, it hasn't been easy. Before my mother died in 1993, we did everything we could to protect our family's land. Like millions of other family businesses, we paid accountants, tax attorneys and estate planners to help manage our assets in ways to avoid the tax, but it still came to this.

In order to pay the estate taxes and keep the land together when my mother died, we had to sell almost everything she owned, including her home. My wife and I had to sell nearly everything we owned, including our home, and move into a two-bedroom condominium. We also had to borrow money for 35 years from the Federal Land Bank.

Because the value of the land has increased since 1993, if we were killed in a car accident tomorrow, my children would owe more inheritance taxes than the amount I originally had to borrow to pay mine. But that isn't the end of the story. Not only would they pay more taxes than me, but they still would inherit my 35-year note that they would have to continue to pay.

Could my children then keep the land? The short answer is no. It probably would become a subdivision.

Mr. President, these are people whom I hear the other side keep calling ''rich,'' needing to pay their debt to society. These are people who care so much about the land that has been in their families since 1851 that they now live in a two-bedroom condominium to keep that land together.

That is not the American way. That is not right in this country. It is not good for the environment. It is not good for conservation. It is not good for small businesses that create jobs. And it doesn't produce 1 percent of the revenue of this country.

It sends a powerful message that you can only succeed in America this much, and if you have this much, we will take part of what you have worked so hard to earn, what your parents and grandparents may have worked so hard to give you, and we are going to say, I'm sorry, you've done too much.

Mr. President, that is not the American dream. I agree with the U.S. Hispanic Chamber of Commerce; I agree with the U.S. Black Chamber of Commerce. They want the opportunity for their members to create a stability through the generations for their families. I stand with the people who want to keep their land together, to keep a tradition in their families. That is the American way. I hope we will send this bill to the President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, this has been a great debate. I count myself privileged to have the opportunity to close it.

I am proud of my colleague from Texas. If Members were not moved by the story the Senator portrayed, of people being forced to sacrifice their homes to keep their family farm together, then they don't have a heart and they don't care about the values that at least I consider to be the underpinnings of America.

No issue better defines the difference between the two great political parties than this issue. I am prepared to have every election in American history determined on this issue and this issue alone. The issue is very simple. People work their whole lives, they pay taxes on every dollar they earn; they scrimp, they save, they sacrifice, and they build up a business or they build up a family farm, and, when they die, they pass that business or that farm on to their children. In fact, that is the reason many people work and sacrifice.

My mama didn't graduate from high school, but she had a dream I was going to college. She sacrificed her whole life to achieve that dream. We don't believe that, when people have worked a lifetime to build up a family farm, or family business, or family assets, that their children ought to have to sell off their parents' life's work to give the Government up to 55 cents out of every dollar of everything they have accumulated in their lives. We think it is fundamentally wrong. We think it is un-American. And we believe it ought to end.

When we cut through all the political rhetoric of everything our Democrat colleagues have said in this debate, their reasons for opposing repeal of the death tax come down to two arguments. The first argument is, force people to sell off that family business, force them to sell that family farm, force them to sell off the lifework of their parents because Government can spend the money better.

We reject that. We believe that is a clear indication that somehow the opponents of repeal don't understand what America is really about. Those of us who favor repeal of the death tax don't believe Government can spend that money better. And we don't think it is right to take it from the people who built those assets up.

The second argument our Democrat colleagues make in opposition to repealing the death tax is that repeal would help rich people. When we reduce this argument down, it is an argument that the Government ought to level families, that somehow if a person were born in a family that owned a family business or family farm, that is not fair—the fact that your parents sacrificed and worked and scrimped to

build it, it is still not fair for you have it, and at least part of it ought to be taken away from you.

Let me explain why I reject this logic. First of all, the only thing I have ever been bequeathed or expect to be bequeathed was, when my grandmama's brother, my great uncle Bill, died, he left me a cardboard suitcase full of sports clippings. Had it been baseball cards, I would be a rich man today.

The family of our agriculture commissioner in Texas, a lady named Susan Combs, owned a ranch that had been in the family for four generations. When her father died, she was forced to sell off part of that ranch to pay death taxes. Now our Democrat colleagues would have us believe that is good because that levels society.

How did it help me? How did making Susan Combs sell off ranchland that her family had owned for four generations help me because my family didn't own a ranch or didn't own a business? I cannot see how I was helped, or how my children are helped. How does tearing down one family help build up another? How does destroying the life dream of one family build a life dream for another family? We do not believe it does. We think this is fundamentally wrong.

Granted, some rich people may benefit. But so will a lot more people who are not rich. I do not have any inherent objection to people being rich. If they didn't steal the money, if they worked hard for it, if they created jobs for people from families like I am from and they benefited from it, that is what America is about. I do not have a hate for rich people. I do not understand our Democrat colleagues who say they love capitalism but seem to hate capitalists, who claim to love progress but appear to harbor a distaste for the people who create it. We do not believe we can build up America by tearing down families. We believe we can build up America by giving people a chance to compete and use their God-given talents. But we don't want people to have to sell off their farm or sell off their business to give Government a new tax on money that has already been taxed. We do not think death ought to be a taxable event.

I congratulate those who have been involved in this debate. I think it is a good debate. I think it is a debate that defines what we stand for and what our Democrat colleagues stand for. We believe when you work a lifetime to build up a business or a family farm, it ought to be yours for keeps. If we are successful, we are going to kill the death tax—yes, you will still have to pay taxes on any gain if the business or farm is sold—but when you build up a family farm or build up a family business, it is yours for keeps. When you die, the people you built it for, your children, are going to get it. If you want to give it away, if you want to donate it to Texas A&M, that is God's work; or if you want to contribute it to trying to cure cancer, but you ought to get to decide how it is disposed of, not the Federal Government, not some bureaucrat at the IRS, and not some politician in Congress. That is what this debate is about. It is an important debate. I urge my colleagues, when we cast our votes on this bill, to vote to kill the death tax.

UNANIMOUS CONSENT AGREEMENT—H.R. 8

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 8 at the conclusion of morning votes on Thursday and it be considered under the following agreement:

That there be up to 10 amendments for each leader, with one of the 10 amendments for the minority leader described as the ''Democratic alternative'';

That no more than 20 amendments be in order, they be first-degree amendments only and limited to 40 minutes equally divided in the usual form, with the exception of the Democratic alternative, which would be limited to 2 hours equally divided, and an additional 90 minutes for each leader to be used at their discretion.

I further ask unanimous consent that following disposition of the amendments, the bill be advanced to third reading and passage occur, all without any intervening action or debate.

I finally ask unanimous consent that either leader be able to make this agreement null and void at any time during the consideration of this bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, this has been very delicately developed with a lot of careful consideration and very aggressive work with our colleagues on both sides of the aisle. I know Senator DASCHLE has Senators who have tax amendments they would like to offer.

I should emphasis that this is not the last effort to try to make our Tax Code fairer this year. We will have the reconciliation bill that will involve marriage penalty tax elimination, and obviously tax amendments would be offered in that area. We still have legislation that would eliminate the Spanish American telephone tax, which we probably can't get to until the first of September. But it is something we should eliminate. Obviously, there will be an opportunity for additional tax-related amendments to be offered to these two.

There may be a number of amendments on both sides that Senators would like to offer that maybe cannot be included in this type of agreement. But this is not the last train out of Dodge, thank goodness. We will have other opportunities to develop a fairer Tax Code, and Senators will have an opportunity on both sides to offer amendments.

I thank Senator DASCHLE for his effort. I did not want us to just get to a cloture vote which might or might not pass. But if it failed, we would get no result.

I think the death tax needs to be eliminated. It needs to be phased out. There may be some modifications in the bill as we go forward. But a result is what we should always seek for the American people—not just a show vote. This could get us to that point.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, while the majority leader and I have profound differences of opinion with regard to the estate tax and what to do with estate tax policy, I have been very appreciative of his willingness to work with us to accommodate the opportunity for Senators to offer amendments, which is what this agreement will allow.

This is a fair agreement. This isn't everything that our caucus or our colleagues have indicated they would like. There are far more amendments than this agreement will allow. But I underscore a comment just made by the majority leader. This is not going to be the last word on tax policy in this session of Congress. There will be other opportunities. I will do my utmost to accommodate Senators who have amendments they want to offer, if they are not going to be offered as part of this agreement.

I thank all of my caucus for their willingness to accommodate this agreement and for the opportunity to work through a very difficult set of procedural circumstances. This is far better than the old way that we were likely to be subscribing to, which is a cloture vote denying amendments of any kind, and maybe even denying an ultimate result. This will allow an ultimate result.

I hope we can have a good debate. I hope we can deal with these issues in a way that will afford us a real opportunity to consider alternatives. I think this agreement allows that.

I appreciate very much the majority leader's willingness to work with us. I appreciate especially the indulgence and the cooperation of all members of the Democratic caucus.

I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

VOTE ON AMENDMENT NO. 3185

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2549, and proceed to vote in relation to the pending amendment, No. 3185.

The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from New Hampshire (Mr. GREGG) are necessarily absent.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

The PRESIDING OFFICER (Mr. BURNS). Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 86, nays 11, as follows:

[Rollcall Vote No. 174 Leg.]

YEAS—86

Abraham	Enzi	Lott
Akaka	Feinstein	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McCain
Baucus	Gorton	McConnell
Bayh	Graham	Mikulski
Bennett	Gramm	Moynihan
Biden	Grams	Murkowski
Bingaman	Grassley	Murray
Bond	Hagel	Nickles
Boxer	Harkin	Reed
Breaux	Hatch	Reid
Brownback	Hollings	Robb
Bryan	Hutchinson	Roberts
Burns	Hutchison	Rockefeller
Byrd	Inhofe	Roth
Campbell	Inouye	Santorum
Chafee, L.	Jeffords	Sarbanes
Cleland	Johnson	Schumer
Cochran	Kennedy	Smith (OR)
Conrad	Kerrey	Stevens
Coverdell	Kerry	Thomas
Craig	Kohl	Thurmond
Crapo	Landrieu	Torricelli
Daschle	Lautenberg	Voinovich
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Durbin	Lieberman	Wyden
Edwards	Lincoln	

NAYS—11

Bunning	Kyl	Snowe
Collins	Sessions	Specter
DeWine	Shelby	Thompson
Feingold	Smith (NH)	

NOT VOTING—3

Dodd	Gregg	Helms

The amendment (No. 3185) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, in the presence of the assistant Democratic leader, I ask unanimous consent that, with the exception of the Byrd amendment on bilateral trade, which will be disposed of this evening, votes occur on the other amendments listed in that order beginning at 9:30 a.m. on Thursday, July 13, 2000.

I further ask unanimous consent that, upon final passage of H.R. 4205, the Senate amendment, be printed as passed.

I further ask unanimous consent that, following disposition of H.R. 4205 and the appointment of conferees the Senate proceed immediately to the consideration en bloc of S. 2550, S. 2551, and S. 2552, Calendar Order Nos. 544, 545, and 546; that all after the enacting clause of these bills be stricken and that the appropriate portion of S. 2549, as amended, be inserted in lieu thereof, as follows:

S. 2550: Insert Division A of S. 2549, as passed;

S. 2551: Insert Division B of S. 2549, as passed;

S. 2552: Insert Division C of S. 2549, as passed; that these bills be advanced to third reading and passed; that the motion to reconsider en bloc be laid upon the table; and that the above actions occur without intervening action or debate.

Finally, I ask unanimous consent with respect to S. 2549, S. 2550, S. 2551, and S. 2552, as just passed by the Senate, that if the Senate receives a message with respect to any of these bills from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two houses; that the Chair be authorized to appoint conferees; and that the foregoing occur without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, it is my further understanding that there are remaining four votes that are going to be needed, and they are on amendments by Senators FEINGOLD, DURBIN, HARKIN, and KERRY of Massachusetts.

Mr. GORTON. I believe the Senator is correct.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The Senate will resume consideration of the Interior appropriations bill, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4578) making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

Wellstone amendment No. 3772, to increase funding for emergency expenses resulting from wind storms.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, we are finally back on the appropriations bill for the Department of the Interior. We will be on it from now until 6:30 this evening, when I understand we go back to the Defense authorization bill.

We have made some very real progress in the last 24 hours in the sense that we have a finite list of amendments that can be brought up on this bill. The difficulty is that, as I count them, there are 112 of those amendments that are in order at this point. The distinguished Senator from West Virginia and I both hope and believe that many of them will not be brought up, but this is notification to Members that if they are interested in having their amendments discussed, if they want to get the views of the managers of the bill on those amendments, they should be prompt. We want to hear from everyone this afternoon because we want to finish the bill today or, more likely, tomorrow.

One amendment that is ready to go is the amendment proposed by the senior Senator from Minnesota, together with the junior Senator from Minnesota, that is technically, I believe, the business of the Senate at the present time. I now see both Senators from Minnesota here, prepared to deal with that amendment.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 3772

Mr. WELLSTONE. Mr. President, the pending order of business is amendment No. 3772. I can be very brief.

First, I thank my colleague, Senator GRAMS, for joining me in this effort. We have two amendments, I believe. I say to my colleague from Minnesota, I also join him in his effort.

We are both focused on the same question: a storm that happens about once every thousand years, a massive blowdown in northern Minnesota. We are both committed to helping get to the Forest Service the necessary resources to deal with the massive blowdown. There is a lot of important work to be done. This storm has been a nightmare for our State. One very positive outcome of the storm is the way in which the people in Minnesota have come together.

I thank Senator GORTON and Senator BYRD for accepting this amendment. It would restore about $7.2 million needed in emergency funding. It is critically important, and I thank my colleagues for their support. People in northern Minnesota will appreciate their support as well.

I say to Senator GRAMS, I have to leave the floor soon, but I also support the amendment he is introducing. I have another engagement. I am proud to be a cosponsor on that amendment with my colleague.

It is my understanding this amendment will be approved. I wonder whether we could now voice vote it.

Mr. GORTON. Mr. President, I think we want to let the other Senator from Minnesota speak.

Mr. WELLSTONE. Mr. President, I am sorry.

Mr. GORTON. The managers are prepared to accept the amendment.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I join with Senator WELLSTONE to speak about the urgent need for cleanup and fire threat reduction funding in northern Minnesota. I first want to thank Senator GORTON for his willingness to work with me on this crucial issue for our state.

As many of my colleagues know, I've been working with my colleagues in the Senate, including Senator WELLSTONE, Senator GORTON and Senator STEVENS, for months to ensure that this crucial funding would be available for the Superior and Chippewa National Forests. I've made my request repeatedly, in both letters and

in conversations with the Appropriations Committee and the Senate Leadership. My colleagues on the Appropriations Committee gave me their assurance that the needs of Minnesota would be met.

I just returned from hearing over five hours of testimony in northern Minnesota on last year's storm and its dramatic aftermath. Regardless of political affiliation or the specific interests of those testifying, everyone agreed that the most crucial need in northern Minnesota was the reduction of the tremendous amount of downed timber scattered across the Superior National Forest and the Boundary Waters Canoe Area Wilderness. Right now, there are over 450,000 forested acres in northern Minnesota upon which lie millions of broken, dead or dying trees. Right now, those downed trees pose a fire threat that the Forest Service cannot model. If they're not first burned in a catastrophic fire, many of those trees will become ridden with disease, creating another threat for nearby forested areas that weren't impacted by the storm.

While much of the area most impacted by this storm lies within a federally designated wilderness area, the region is also known for its many homes and resorts and for the diversity of recreational activity it offers. Most importantly for those of us who represent the area is the protection of the lives and property of those who live in and visit this wonderful area of Minnesota. That's why I've insisted that there's an immediate need to reduce the threat of catastrophic fire and provide the Forest Service with the funding it needs to conduct cleanup and fire threat mitigation efforts.

I want to take a moment to address the process through which we arrived at this point. As I said earlier, I've been working with the Appropriations Committee for a number of months to secure this important funding. I first wrote to Senator STEVENS on March 15th seeking emergency funding in a supplemental appropriations bill for cleanup activities this year. I then wrote to Senator GORTON on April 12 asking that he include $9.249 million in emergency funding to address the pressing needs of the Superior and Chippewa National Forests. When the Agriculture Appropriations bill passed through the Appropriations Committee, I was pleased that my request had been approved and would soon be before the full Senate. And finally, when the Military Construction Conference Report was brought out of committee, we were successful in getting a $2 million down payment on the $9.249 million and a commitment that the remainder would soon follow in either the Interior bill or in the Agriculture bill. As I said earlier, the agreement reached today between Senators GORTON, BYRD, WELLSTONE and me fulfills the commitment I received almost two weeks ago.

There have, however, been some suggestions that the funding we're discussing today had been approved in the House of Representatives and then stripped out by the Senate. However, the House has never passed a single dime in emergency funding for northern Minnesota. I would also like to address claims that the Senate had somehow stripped this money out and ignored the needs of northern Minnesota. I've been in almost constant contact over the past few months with the Senate Leadership and with the Appropriations Committee. I have been assured repeatedly that this money will be available for Minnesota and that the pressing needs in this region of my State would be met no later than on the Agriculture Appropriations bill and hopefully on this bill. I'm grateful that now those needs will be met, consistent with the previous assurances I had received.

I would also like to mention that this is not the end, but the beginning of our efforts to ensure the safety and well-being of the people who live in or visit northeastern Minnesota. Reducing the threat of fire, protecting human life and property, and ensuring the continued economic viability of this region of our State should be our number one priority. I intend to see to it that those concerns are addressed by the Federal Government in the coming weeks, months, and years.

To that end, I intend to secure, through an amendment I have already filed, additional funding of $6.947 million for blow-down recovery and fire threat reduction efforts in northern Minnesota for fiscal year 2001.

As, again, Senator WELLSTONE mentioned, he is joining me on this amendment as well in support of this request. This money will provide the Forest Service in northern Minnesota with the funding they need in the coming fiscal year so that they can continue the cleanup efforts beyond October of this year. This is a massive cleanup effort that will cost millions of dollars and will continue for years past fiscal year 2001. I hope we can reach agreement with Senator GORTON and Senator BYRD to accept this important amendment as soon as possible.

Again, I thank Senator GORTON, Senator STEVENS, the staff of the Appropriations Committee, and Senator WELLSTONE for working with me for so many months to secure the funding needed to protect the lives and the property of the people of northern Minnesota.

I yield the floor.

Mr. WELLSTONE. Mr. President, I ask my colleague from Washington whether we can voice vote my amendment.

Mr. GORTON. I believe we are ready to take a voice vote on this amendment.

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

The amendment (No. 3772) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. WELLSTONE. Mr. President, I thank my colleague from Washington and my colleague from Minnesota for their help.

Mr. GORTON. We are working with the two Senators from Minnesota on a follow-on amendment. I hope we will be in a position to accept that relatively quickly.

Mr. President, two amendments were inadvertently left off the list for consideration. I ask unanimous consent that Senator THOMAS' amendment regarding a management study be included, and Senator LINCOLN's amendment on black liquor gasification be included under the agreement.

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

Mr. GORTON. Mr. President, we started with 112 amendments. We have adopted 1 and added 2, so we are now at 113. With that, the floor is open. I believe the Senator from Michigan is here to speak on one of his amendments.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, I rise to talk with respect to one of the amendments on that list of 113, one that I had planned to offer, which would basically be an amendment that embodies a bill I introduced, S. 2808, the purpose of which was to temporarily suspend the Federal gasoline tax for 150 days, while holding harmless the highway trust fund and protecting the Social Security trust fund.

Obviously, this is not the type of legislation that would normally be brought on an appropriations bill. I have traveled throughout the State of Michigan in recent weeks where we are confronting gasoline prices that are so high that the motorists in our State and people in industries that depend on the purchase of gasoline and other fuels are up in arms at a level I don't believe I can ever remember.

Whether you are in the Abraham family, which owns a minivan and pays $50 to fill up the tank, or whether you are a family that has multiple minivans and fills up more than one tank a week, or whether you are a farmer who has many needs in the production of agricultural commodities for the use of motor vehicles and other machines that require oil and fuel, or whether you are in the automotive industry that depends on the purchase of SUVs, light trucks, and other American-made automobiles and motor vehicles, or whether it is the tourism industry that requires reasonably priced gasoline in order to make sure that summer vacation plans are carried out—and tourism is an economic sector that remains strong—regardless of your role in my State, you are very upset because today the price of gasoline in Michigan is almost 75 to 80 cents higher than it was a year ago. In

fact, this Monday, a national survey of gasoline prices indicated that in the city of Detroit, in the metropolitan area, we have the highest gasoline prices in America.

Something needs to be done about this. We have heard Senator MURKOWSKI and others on the Energy Committee talk about a variety of long-term strategies, ranging from the development of domestic energy, to addressing alternative energy sources, to conservation. We have talked a little bit here about regulations that have increased the cost of fuel development. We have talked about it in the Senate and have heard about issues that range from whether or not the oil companies are in some sort of collusive effort and are gouging the consumers of America.

We have heard all of these things. But the bottom line is, taking action in any of those areas will not dramatically change the price of gasoline in the short run. We may, if we develop more domestic energy sources, be in a better position to control production and supply and, as a consequence, price. We may, if we address certain regulations, make it possible to change the price. But none of that is going to happen overnight.

In my State and across the Midwest, and really across the entire country, people want action sooner, not later. There is only one thing we can do as a Congress that will bring action sooner rather than later with respect to the price of gasoline, and that is to temporarily suspend the Federal tax on gasoline of 18.4 cents. Overnight, at every filling station in America and every gas station, the price of gasoline would theoretically come down by about 18 cents. Believe me, people will show up to buy that less expensive gasoline.

In Michigan, just a few days ago, a gas station, having heard my plea to suspend the Federal gas tax, reduced the price of gasoline for 2 hours at that station in the Detroit metropolitan area by 18.4 cents. There were lines of traffic a quarter mile virtually in every direction to get into that station because people who had been desperate to pay less for gasoline had the chance to do so—for 2 hours at least.

Our State's economy and the Nation's economy is being affected by these high fuel costs. Recently, I conducted a hearing in Warren, MI. We heard from people in the Michigan agricultural community who indicated to us that, according to their estimates—and, in fact, we heard from a family farmer himself who said they expect their net family farm income this year to be approximately 35 percent lower than it was projected to be. But we heard from people in the Michigan automotive community who indicated that already they were beginning to see indications of a shift from the purchase of new vehicles made in America to the purchase of imported vehicles.

I think many of us remember back when we had energy problems in the 1970s and we saw a shift away from American-manufactured vehicles to foreign imports, and what that did not just to the economy of Michigan or the auto industry but its rippling effect across the entire economy of this country.

We heard from others as well. We heard from consumers who came to that hearing and talked about the impact on their families and the sort of things they could no longer afford to do.

It is not only people who came to the hearing that I heard from. Last weekend, I was up in Traverse City, MI, to participate in the annual cherry festival. I was confronted by a group calling themselves the ''Traverse City Gas Can Gang.'' When I was walking in the parade, they were imploring me, and virtually all other political figures present at that parade, to do something about the gasoline tax because basically they couldn't afford the price of gasoline.

I had a press conference in the city of Alpena, MI, and a lady senior citizen attending the press conference told me she had to walk to the press conference. She was interested in what I had to say about gas prices. She walked because she couldn't afford to pay for gas in order to drive. She was not a young constituent. She was an elderly senior citizen.

But I am not the only one confronting these kinds of constituents. These high prices across America are substantially more than they were a year ago. The metro Detroit area currently suffers under the highest gas prices in the country. Even though the price has come down from approximately $2 a gallon, it is still approximately $1.85 a gallon this week. These prices are 40 cents a gallon higher than they were in May of this year. That is a 27-percent increase in 2 months.

Of course, it is not in Michigan alone. Across the country people are confronting the same kind of significant increases. In June of 1999 gas prices in my State averaged just over $1.13 a gallon in Detroit, $1.17 a gallon throughout Michigan. One year later, gas prices were averaging $2.14 a gallon in Detroit, and just under $2.08 a gallon in the State of Michigan as a whole. That is almost a 90-percent rate of inflation for gas in the State.

As I pointed out, former Soviet Republics don't suffer inflation this aggravated. Even with the recent slight drop in gas prices, it is still 56 percent higher this year than it was 1 year ago.

There are a lot of possible explanations. There are a lot of factors that have come into play. This Congress and this Senate have a responsibility to deal with the long-term issues. But we also have a responsibility to provide relief in the short term, if we can. That is what can be accomplished if we were to temporarily suspend the Federal gas taxes. Eighteen cents a gallon would make a big difference to the people in my State.

This is not insignificant. It is more than a 10-percent reduction in the price of regular gasoline. For the typical one-car or one-minivan family, that would mean savings of $150 over the next 5 months. For those who are in the trucking industry, of course it would reduce their diesel prices by almost 25 cents a gallon. That would make a huge difference for them in terms of their bottom line as well.

My proposal is designed to simultaneously reduce the price at the pump and protect the road-funding dollars that many of our States, including certainly mine, are counting on from Washington. We would replenish any lost revenue to the highway trust fund at the same time we would suspend the gas tax.

As you know, we are confronting for this year as well as for the next year record high surpluses of non-Social Security dollars. Our proposed amendment would, in fact, use those non-Social Security surplus dollars to make sure that highway funding remains constant.

It is our projection and estimation that over the next 5 months the suspension of the gas tax would reduce the highway trust fund by approximately $6.5 billion. Our amendment would replenish those dollars from the general fund.

Indeed, the language of our amendment states specifically that nothing in this subsection may be construed as authorizing a reduction in the apportionments of the highway trust fund to the States as a result of the temporary reduction in rates of tax.

In short, the proposal embodied in my legislation and in the amendment I had planned to bring to the Interior bill would suspend the gas tax and make sure the highway funds continue to flow by using non-Social Security surplus dollars.

When we initially sought to bring this amendment on the Interior appropriations bill, it was unclear what the Senate schedule would be with respect to other appropriate legislation where we might bring this amendment. I am happy to hear this morning that a unanimous consent agreement was entered into which will allow us to take up tomorrow the estate tax—the death tax—legislation that has been discussed over the last day and a half, and that amendments such as this one would be in order at that time.

Indeed, I have already been in consultation with our leadership as to securing one of those amendment slots to bring this amendment in the context of the tax bill, which is clearly a more preferable vehicle for us to address these issues. It is my plan to return to the floor tomorrow when that tax bill is before us with one of the amendments to be offered on the Republican side.

Before I leave, I wish to make it very clear to my colleagues that this is a serious problem—not only in Michigan but across the country. If we continue to have to pay gas prices of the level we are paying today, even though they

have come down slightly in the last couple of weeks, it is going to have a very serious impact on the economy of this country. It is going to hurt our agricultural sector, our tourism sector, our automotive sector, and it will have a rippling effect across America. That means it is not only a problem for somebody who owns a minivan or for somebody who drives a truck; it is going to ultimately be a problem for all of us.

I believe over time a lot of this will be alleviated as supply and production increases by Saudi Arabia and others begin to take effect. But I can't wait that long. My constituents can't wait that long. We need to do something sooner, not later.

I believe the one thing that makes sense to do, that we can afford to do, that will make a difference immediately, and that will provide the consumers in my State with an opportunity to be able to afford gasoline—or at least more easily afford gasoline—is for us to recognize that we are going to have a huge surplus this year, a projected surplus next year, and that a little bit of that surplus over the next 5 months can be used to protect the highway trust fund and give consumers a break. I believe in doing that.

We will do something that will be immensely supported by the people across America who have to fill up their tanks once or twice a week by average working families in this country for whom a rise of 63 percent or 90 percent in the price makes a big difference. I believe it is an action that we should take. The last time we voted on it, there were approximately 43 votes in favor of a gas tax suspension. But that was before these prices crested to the level of today. I believe the Senate should have one more vote on this. I look forward to this debate tomorrow.

At this time, I will withdraw from the list my amendment and allow the Senator from Washington to continue with other amendments on this bill. I thank him for his indulgence. I look forward to debating this issue tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I am grateful to the Senator from Michigan on two fronts: One, that we will not have to deal with the amendment on this bill—at least not on the subject of the bill itself—and substantively for bringing up a vitally important issue; and for his dedication, which I am certain was key to giving him the ability to bring this amendment to the floor of the Senate on a bill for which it is relevant and in a way that Members of the Senate will be able to vote on it. I wish him good fortune in that quest. His case was persuasively stated.

AMENDMENT NO. 3773

Mr. GORTON. Mr. President, I call up amendment No. 3773.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington (Mr. GORTON) proposes an amendment numbered 3773.

Mr. GORTON. 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 167, line 15 of the bill, insert the number ''0'' between the numbers ''1'' and ''5''.

Mr. GORTON. Mr. President, this is a technical amendment. It is to correct an improper citation to public law referenced in the bill.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3773) was agreed to.

AMENDMENT NO. 3801

(Purpose: To approve the reprogramming of funds for computational services at the National Energy Technology Laboratory)

Mr. GORTON. Mr. President, on behalf of my colleague from West Virginia, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington (Mr. GORTON), for Mr. BYRD, proposes an amendment numbered 3801.

Mr. GORTON. 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:

At the end of Title III of the bill insert the following:

''SEC. . From funds previously appropriated under the heading ''Department of Energy, Fossil Energy Research and Development,'' $4,000,000 is immediately available from unobligated balances for computational services at the National Energy Technology Laboratory.''

Mr. GORTON. Mr. President, this confirms a reprogramming of an energy program in the State of West Virginia over which there have been some technical difficulties, and assures that money previously appropriated will be used for the purpose stated in the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3801) was agreed to.

AMENDMENT NO. 3802

(Purpose: To amend the amount provided for the State of Florida Restoration grants within National Park Service land acquisition)

Mr. GORTON. I send a further amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON] proposes an amendment numbered 3802.

Mr. GORTON. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 127, line 11, strike ''$10,000,000'' and insert ''$12,000,000''.

Mr. GORTON. Mr. President, this corrects a figure in the bill to bring it into conformance with the committee report and the intention of the committee in passing a bill. In other words, it was simply a drafting error.

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

The amendment (No. 3802) was agreed to.

Mr. GORTON. I move to reconsider the vote on all three amendments.

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

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, that is all I can deal with at the present time. I repeat—and I know my friend from Nevada is with me on this—we do have a very substantial number of additional amendments. It looks as if somewhere between 6 and 10 may require rollcalls. I particularly urge we start the debate on significant policy amendments to this bill. This is a request to Members who were eager to list amendments for debate to come to the floor and present those amendments.

Mr. REID. I say to my friend, this bill may not be around very long. This may be the only opportunity to offer these amendments because the two leaders have outlined a tremendously difficult legislative program in the next 2½ weeks. This may be the only time in the Sun for some of these amendments.

Mr. GORTON. We are going to the tax bill tomorrow with 20 amendments or so in order for it. Members desiring to deal with this Interior appropriations bill need to present themselves on the floor with those amendments as promptly as possible.

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. GORTON. 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. 3803

(Purpose: To provide funding for expenses resulting from windstorms, with an offset)

Mr. GORTON. Mr. President, I send an amendment to the desk for Mr. GRAMS and Mr. WELLSTONE, and I ask that it be immediately considered.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for Senators GRAMS and WELLSTONE, proposes an amendment numbered 3803.

Mr. GORTON. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 126, line 16, strike ''$207,079,000,'' and insert ''$202,950,000, of which not more than $511,000 shall be used for the preconstruction, engineering, and design of a heritage center for the Grand Portage National Monument in Minnesota,''.

On page 165, line 25, strike ''$618,500,000,'' and inserting ''$622,629,000, of which at least $6,947,000 shall be used for hazardous fuels reduction activities and expenses resulting from windstorm damage in the Superior National Forest in Minnesota, $3,000,000 of which shall not be available until September 30, 2001''.

Mr. GORTON. Mr. President, this amendment was discussed a few moments ago by Senator GRAMS and approved by Senator WELLSTONE. It deals further with the emergency in Minnesota they discussed earlier. I was delighted at the wonderful cooperation between those two Senators. I agree with their description of the emergency. I ask the amendment be agreed to.

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

The amendment (No. 3803) was agreed to.

Mr. GORTON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. GORTON. 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. 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.

Mr. BYRD. Mr. President, the chairman of the subcommittee and I are here on the floor. We are very eager to have Senators who want to call up amendments come to the floor and call up their amendments. I urge Senators: Make haste and come while the time is running and ripe. At some point we have to call up our amendments or go to third reading. It is a little early to go to third reading, but I would plead with Senators not to wait. This is an excellent opportunity. If I had an amendment to the bill, I would be eager to see a moment such as this when other Senators are not seeking recognition, and I would be eager to come to the floor, work out my amendment with the two managers, and be on my way back to the office and other things.

So I make that urgent plea because at some point, if Senators do not come to the floor with their amendments, I may move to go to third reading and get the yeas and nays on that. Of course, if that motion carries, there can be no more amendments. I am not saying I will do that yet, but there will come a time. That is a good fiddler's tune: There will come a time, there will come a time someday. This is your chance, now. Staffs of Senators who are working on amendments, this is your chance. Get your Senator here and let's get the amendments and get votes.

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

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

AMENDMENT NO. 3804

(Purpose: To provide additional funds for Payment in Lieu of Taxes program)

Mr. THOMAS. 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 Wyoming [Mr. THOMAS], for himself, Mr. HATCH, Mr. BURNS, and Mr. GRAMS, proposes an amendment numbered 3804.

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

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

The amendment is as follows:

On page 112, line 20, strike ''$693,133,000'' and insert ''$689,133,000 of which not to exceed $125,900,000 shall be for workforce and organizational support and $16,586,000 shall be for Land and Resource Information Systems''.

On page 113, line 14, strike ''$693,133,000'' and insert ''$689,133,000''.

On page 115, line 19, strike ''$145,000,000'' and insert ''$148,000,000''.

Mr. THOMAS. Mr. President, this is an amendment that deals with a program called Payment In Lieu of Taxes. Last year there was an appropriation of approximately $135 million. This year we intended to increase that amount. We have a letter that came from 57 of our colleagues urging an increase. We have changed the amendment to where it would be an increase in funding over the proposal by $3 million, bringing it up to $148 million.

This is substantially below what the authorizations are. However, I do understand the difficulty of the funding. I appreciate the opportunity to work with the chairman and the ranking member.

Basically what this does, of course, is provide payments to the States for the public lands that are owned there, public lands that if they were privately owned would be taxed and would be an income source.

These counties, despite the fact there is no taxable income, continue to carry on their services—lease services, hospital services, other kinds of services. So really it is sort of a fairness issue when the Federal Government has substantial amounts of ownership.

In Wyoming, 50 percent of the State belongs to the Federal Government. We have counties that run as high as 96 percent being federally owned lands and many that are over half. So this is sort of a payment to them. The Nation, of course, benefits from this ownership, but the counties have to pay the ticket.

I will not go into great detail. But I urge this amendment be agreed to.

Mr. President, I ask unanimous consent that the letter that was sent to the chairman be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, March 17, 2000.

Hon. SLADE GORTON, Chairman,
Hon. ROBERT C. BYRD, Ranking Member,
Subcommittee on Interior, Senate Appropriations Committee, U.S. Senate, Washington, DC.

DEAR SENATORS GORTON AND BYRD: We write to request your support for a multi year process that will lead us to full funding for the Payment in Lieu of Taxes (PILT) program on public lands across the country.

We believe the most favorable course of action would be to appropriate the full authorization level of PILT by FY 2010. The Bureau of Land Management has informed us that the authorized PILT funding level under PL. 103–397 in FY 2005 will be approximately $335 million based on current inflation rates. We realize there are many important needs to be addressed in the Interior Appropriations bill this year. However, a five-year $20 million per year increase would help more than 2000 counties and local governments meet the mandates imposed upon them by an ever increasing public land base. Additionally, it would allow the federal government to work toward fulfilling a commitment it made to counties in 1976 when Congress passed the original PILT act in a fiscally responsible manner.

You are keenly aware that counties, on behalf of the federal government, provide many critical infrastructure servides—including police, search and rescue, fire fighting, road maintenance, garbage collection and other services. Because of the amount of public lands in these counties, they do not have the ability to raise the necessary funds through traditional property taxes.

In the past public lands provided many economic benefits to local communities through multiple use activities such as grazing, mining, oil, gas and timber. The monies generated also stayed in public land counties. These resource activities face ongoing pressures and hardships, and are being replaced by people recreating in these areas. The effect is an increased demand for services often far in excess of resources that the tourism dollars bring to these rural communities.

It is common for federal land ownership in some counties to exceed 50 percent to more than 90 percent. With the trend toward additional acquisitions by the federal government of private taxable land, we believe it has become an absolute necessity that Congress meet its obligation and begin a process that will lead toward full funding of PILT within a reasonable period of time. Absent this, we fear counties will have no choice but to reduce or eliminate essential public services on public lands due to budgetary constraints. Please know you have our full support as we move forward working with you

on an incremental increase for PILT which allows for this critical program to eventually realize its full authorization level.

Best regards,

Craig Thomas; Mary L. Landrieu; Tim Johnson; Kent Conrad; Frank H. Murkowski; Richard Shelby; Conrad Burns; Mike DeWine; Ben Nighthorse Campbell; Byron L. Dorgan; Jon Kyl; Jesse Helms; Jim Bunning; Dick Lugar; Barbara Boxer; Michael B. Enzi; Rod Grams; Spencer Abraham; Larry E. Craig; Mike Crapo; Orrin Hatch; Wayne Allard; Dianne Feinstein; Gordon Smith; Chuck Hagel; Pete V. Domenici; Patrick Leahy; Judd Gregg; Olympia Snowe; Bob Smith; Strom Thurmond; Kay Bailey Hutchison; Tom Daschle; Ron Wyden; Jim Inhofe; Richard H. Bryan; Harry Reid; Patty Murray; Paul Wellstone; Trent Lott; Chuck Robb; John Edwards; Mitch McConnell; Jim Jeffords; Max Cleland; Jeff Bingaman; John Breaux; Rick Santorum; John Ashcroft; Dick Durbin; Max Baucus; Kit Bond; Tim Hutchinson; Bill Frist; Carl Levin; Paul D. Coverdell; Blanche L. Lincoln;

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, we have worked with the Senator from Wyoming on this subject, a subject in which he has been interested, I believe, ever since he came to the Senate, and one in which I am interested as well.

The bill does include an increase for this Payment In Lieu of Taxes. This money is very important to many counties—rural counties almost entirely—that have much or most of their property owned by the Federal Government.

I would like to be more generous than this. I think this is about as far as we can go. I appreciate the willingness of the Senator from Wyoming to come up with a reasonable increase. I am willing to accept it. I believe my colleague is as well.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I have no objection on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3804) was agreed to.

Mr. GORTON. I move to reconsider the vote.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I thank the chairman and Senator BYRD for accepting the amendment, and also Senators HATCH, GRAMS, and BURNS for cosponsoring this amendment. I think it is useful. I appreciate it very much.

Mr. STEVENS. Will the Senator yield?

Mr. DORGAN. I am happy to yield to the Senator.

AMENDMENT NO. 3774, WITHDRAWN

Mr. STEVENS. I ask unanimous consent my amendment No. 3774 be withdrawn.

The PRESIDING OFFICER (Mr. THOMAS). The Senator has a right to recall his amendment.

Without objection, it is so ordered.

The amendment (No. 3774) was withdrawn.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I begin by complimenting Senator SLADE GORTON and Senator ROBERT BYRD, the chairman and the ranking member of the subcommittee that brings this legislation to the floor. The Interior appropriations bill is a very important piece of legislation, but it faces the classic problem of trying to meet unlimited needs with limited resources. Senator GORTON and Senator BYRD had a very difficult task, but they have done quite a remarkable job and have certainly earned my compliments and I hope the compliments of my colleagues for the job they have done.

I wish to speak for a few moments, however, about a very difficult problem that is encountered by a group of Americans who suffer some of the highest unemployment rates, some of the most difficult health problems, and the most difficult challenges of any Americans. I'm speaking of Native Americans.

We have in North Dakota four Indian reservations. I frequently visit these reservations and meet with the tribal chairs, men, women, and children who live there. The conditions in some cases on these reservations are very much like those of a Third World country. The unmet health care needs are devastating. The unemployment rates in some cases are as high as 50, 60, and 70 percent because these areas are so remote and there are simply no jobs. And the quality of education regrettably is not up to the standards it should be.

As I talk about these problems today, I want to point out that this bill, for the first time, makes some significant steps in the right direction. This is an important moment. This appropriations bill does make some important progress in dealing with the issues of Indian health care and Indian education.

Yet there is so much left to do. The people in America who live in Indian country have the highest rates of poverty in our country. Over 30 percent of Native Americans live in poverty. The unemployment rate on Indian reservations in North Dakota averages 55 percent. Compare that to the unemployment rate of around 4 percent in the United States as a whole.

To help address the problems that Native Americans face, President Clinton recommended a $1.2 billion increase, government-wide, for priority health care, education, economic development, and other infrastructure needs in Indian country. I am particularly pleased about the President's recommendations in some key areas, including the $300 million he proposed for BIA school replacement and repair. This is $167 million more than the current level, the largest ever single year investment in BIA school infrastructure. The President's budget also proposes a $200 million, or 10-percent, increase in the Indian health services budget.

The increased funding levels in the Senate bill, even though they represent significant progress under difficult circumstances, still fall significantly short of both the President's budget request and what we need to do. Unfortunately, the House-passed Interior bill is far, far worse. We are going to fall short once again of meeting the actual needs of Native Americans.

Let me talk for a moment about the health care needs in Indian country. A Native American living on the reservation is 12 times more likely to have diabetes than the average American—not double or triple or quadruple but 12 times more likely to have diabetes—and 3 times more likely to die from diabetes. An American Indian is five times more likely to die from tuberculosis, four times more likely to die from chronic liver disease, 3 times more likely to die in an accident, especially an automobile accident, and nearly twice as likely to commit suicide.

I recently visited the Indian Health Service hospital in Fort Yates, ND. I have here a picture of that hospital. It has been around for a long while. It doesn't have an emergency room. The folks who use that hospital don't have access to an operating room, and they therefore can't deliver babies because they don't have an operating room. The emergency room is in the midst of the waiting rooms, so when an emergency occurs, everyone in the waiting room has to clear out. It is not visible in this picture, but there is a little old trailer house where the dentist practices. The 1 dentist practicing in that trailer serves 5,000 people.

Now this dentist is no doubt providing the best service that he can given the circumstances he has to work in, but just imagine the kind of dental care that is provided by 1 dentist for 5,000 people. Do you think that dentist is constructing difficult bridges or other complicated treatments for teeth that are in trouble, or is he more likely pulling teeth? This is at Fort Yates, ND, on the Standing Rock Indian Reservation.

The current funding for the Indian Health Service is about 43 percent less per capita than health care spending for the U.S. population generally. The Indian Health Service spends about $1,400 per patient, compared to the national per capita amount per patient of $3,200.

Let me also talk for a moment about education on the reservations. Again, I appreciate the leadership of Senator GORTON and Senator BYRD in providing $276 million for BIA school replacement and repair in this coming fiscal year.

The Federal government has a trust responsibility to provide an education

to Indian children. This is not a luxury or some discretionary choice. We have a trust responsibility to Indian children, just as we have a responsibility to provide for an education for the children of our military personnel residing on or near military bases. The Federal government runs the Department of Defense school system. We also have a trust responsibility to run the school system through the BIA. We have not done that very well. We are woefully short of the funds that are needed to keep these schools up to standard. Even with the funding increases in the Senate bill, there will continue to be a nearly $700 million backlog in repair and replacement of BIA schools.

The GAO says the schools that are serving these Indian children are among the poorest schools in the Nation. Yes, that is among all schools, even those in the inner-cities, where they also have a lot of problems. But the worst school facilities in the Nation are those on the Indian reservations.

This is a picture of a school on the Turtle Mountain Reservation. This happens to be the Ojibwa Indian School. This is a fundamentally unsafe school, as many health and safety investigations have found. One day, my fear is that something awful will happen at that school and people will say, How did that happen? It will happen because nobody paid attention to the warnings.

This is a picture of the fire escape. Notice, it is a wooden fire escape, which is rather unusual—a fire escape made of wood. This is clearly a fire code violation.

The children of the Ojibwa school are attending classes in trailers that have been constructed because the main school building is over 100 years old and has been condemned. So the kids are now put in the mobile units and are required to scurry back and forth, up and down these stairs, in the dead of winter in North Dakota, with temperatures at 30 below zero and with the wind blowing. The people who have inspected these facilities from time to time have found all kinds of problems with them. This wooden fire escape is simply one of many.

This is a picture of the plumbing at the school in Marty, SD, the Marty Indian School. Take a look at that plumbing. See if you want to take a drink of the water from those pipes. Or take a look at this rusted radiator. Not exactly the modern radiator needed to keep the students warm in the dead of a South Dakota winter.

Or, to return to another picture of the Ojibwa school, where the ground beneath the gymnasium is giving way. For safety purposes they have put up plywood, and that plywood is all that separates children from danger as the ground gives way under the corner of the gymnasium.

We have to do much better than this. We can and should do better than this. We have a responsibility to these kids. I have come to the floor many times and talked about these needs. I know I am repetitive, and I know people say that they have heard it all before. But frankly, a lot of these people don't have much of a voice in this appropriations process.

A little third grader, Rosie Two Bears, once asked me: Mr. Senator, are you going to build me a new school? I realize I can't build Rosie a new school even though she desperately needs one. She goes to a school that is terribly inadequate. Rosie goes to a school with sewer gas coming up through the floors of one classroom, which they had to evacuate once or twice a week. She goes to a school in which there are 150 students with 1 water fountain and 2 toilets, a school with no playground.

The fact is, we can do better than that. This bill makes some significant improvements in health and education. For that, I commend all the folks involved. On the Appropriations Committee, I tried to make even more improvements, and I'm glad I was able to do that marginally in the area of tribal college funding. However, I come to the floor to say we have to do better.

The superintendent of the Wahpeton Indian school, Joyce Burr, told me a while ago about a little girl attending that school. Many of these kids are sent to that school from around the country, and they come from troubled backgrounds, many without much of a family or home to go back to. Joyce told me the little girl came to her near Christmastime, when the school was going to close during the 2 week holiday at Christmas and the children would be sent back to their reservations, to their families. This little girl, a third or fourth grader, went to the superintendent and said: I would like to stay over at the school during the Christmas break. I know the school isn't going to be opened, but I promise if you let me stay here I won't eat very much. She had no place to go, so she was asking if she could stay at the school all alone over the Christmas break, promising, ''If you let me do that I won't eat much.'' We must do much better for these children.

On the other end of the education spectrum, with respect to tribal colleges, I want to say we are starting to make some progress there, for which I am very grateful. The tribal colleges represent an extension of educational opportunity and a way out of poverty. I went to a tribal college graduation once and met the oldest graduate in the graduating class. She was 42 or 43 years old, with four children, whose husband had left her. She was cleaning the toilets and the hallways at the tribal college and decided she was going to try and improve her lot in life by attending the college.

The day I was there, she graduated. I can hardly describe the smile on her face that day. This woman decided, with grim determination: I am going to graduate from this college. I know I am cleaning the hallways and bathrooms, but I want to do more than that. Through grit and determination, the help of relatives and scholarships, and because the tribal college was right there, guess what—the day I showed up to give the graduation speech, this proud woman graduated from college. Good for her.

Or the instance of Loretta. Loretta had dropped out of school. She was an unwed teenaged mother. Now she is a doctor, a Ph.D., a real expert on education who eventually went on to teach at a tribal college for awhile. She did that by herself, but she did it because we put in place a system of tribal colleges that give people like Loretta the opportunity to go to school and get a college education. That is why tribal colleges are so important. Frankly, we contribute only about half as much per student at tribal colleges as we do to other colleges around the rest of the country. We need to do better than that. I am pleased to say this piece of legislation starts down that road.

Let me conclude where I began. I am here because I am pleased we are making progress. These are important, critical issues. We cannot ignore the circumstances that exist on Indian reservations. It is easy enough for some people to say that this is the way Indians want to live. That is not the case at all. These are Americans who are beset by poverty, lack of opportunity, lack of jobs, a bad health care system, and a crumbling education system that we must improve. I believe we are taking the first steps in this legislation to do that. For that, I commend my colleagues who brought this bill to the floor —Senator GORTON and Senator BYRD.

I say to them, I will be back again next year, as we continue our work in the Appropriations Committee, saying that we have done a lot, we have made some first important steps and thanks for that. But let's continue to try to address these education and health care needs on our reservations for Indian Americans. Let's try to do even more in the coming fiscal year.

I yield the floor.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Washington.

Mr. GORTON. Mr. President, the Senator is eloquent and persistent and has had great successes, and I am sure he will have great successes in the future. I thank him for his comments and his support.

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. DOMENICI. 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. DOMENICI. Mr. President, I wonder if I can engage in a discussion with the distinguished chairman, Senator SLADE GORTON, on the bill before us.

By way of some opening remarks directed at the fine, excellent job he has done on this bill, I want to talk with him for a moment about what we have done for the U.S. Government-owned-and-maintained Indian schools in the United States in the Interior appropriations bill.

First, when we are finished supplying the numbers for the RECORD, which are obviously in the bill, it should not go unnoticed that this is the first time we have substantially—and I mean substantially—increased the money for the construction of Indian schools owned by the U.S. Government. Let's not be confused with public schools. These are schools that if the Federal Government does not pay for, I ask my chairman, nobody will pay for them, right; they belong to us?

Mr. GORTON. The Senator is entirely correct.

Mr. DOMENICI. And they are maintained by us. As the accounts will show, not only are we in a terrible state of disrepair, in terms of those schools that need management money, but we have a huge backlog of schools that should be built—that is, built anew—because the facilities that Indian children are occupying are truly intolerable.

Thus far, have I stated what the Senator from Washington has attempted to accomplish in this bill?

Mr. GORTON. The Senator from New Mexico is correct, but I really need to say more to respond to him in the affirmative. He has perhaps been the most eloquent, though he has been certainly strongly supported by the Senator from North Dakota on that side of the aisle, our friend, Senator INOUYE, from that side of the aisle, and the Senators from Arizona, in attempting at least to begin with the huge backlog in the absolute necessity of constructing new Indian schools that are 100 percent our responsibility and for renovating and repairing those that can constructively be renovated and repaired.

The Senator from New Mexico also knows how difficult this has been in past years because while the President of the United States has always asked us for big increases in the budget really for spending more money than we thought overall was appropriate to spend, he has always ignored these Indian school needs.

This year, in this budget, the President did dramatically reverse himself and did ask for a generous appropriation for new Indian school construction. That partnership, and the bipartisan partnership on the floor of the Senate, gave me the ability of drafting this bill to begin both appropriate new construction and a large number of repairs and rehabilitation.

I would be deficient in my own duty if I did not say that the first person who saw this need—not only saw this need but spoke eloquently to this need—was the Senator from New Mexico.

Mr. DOMENICI. Is it not true one other major function of activities that we must do in behalf of Indian people has to do with health care, wherein we have hospitals and medical facilities that are run by the U.S. Government for the Indian people? There, again, we have just been barely getting by in terms of keeping them open and properly maintained, and they are rather good medical facilities, I say to the American people. It is not like the public schools that we are ashamed of because they are in such disrepair.

Mr. GORTON. The Indian schools.

Mr. DOMENICI. The Indian schools, yes. They are in such a state of disrepair. Indian health is in pretty good health. In this bill, the President asked for substantially more money, and we were able to fund a substantial increase in Indian health money in the Interior appropriations bill; is that correct?

Mr. GORTON. The Senator from New Mexico, in this instance, as in the earlier instance, is correct.

Mr. DOMENICI. Mr. President, for a period of about 4 years, I was joined with bipartisan letters that we sent to the President of the United States and to the Assistant Secretary of the Bureau of Indian Affairs saying: Will you please put in your budget a 5- or 6-year proposal to pay for the great backlog we have in Indian school construction which, I repeat, only we can make. It is not a question of somebody being generous or kind in building an Indian school. These are Indian schools we own, we operate, and we pay the teachers—we being the United States of America.

The President, after a visit—not the last visit he made to Indian country which was to New Mexico, but one just before that, which was his first visit to Indian country as a President—came back and talked about doing something to enhance economic development—that is, jobs—for Indian people.

I was very privileged to be at the White House and discuss the issue with him personally, after which time we joined with a bipartisan group of Senators and put together a package that strengthened our construction and maintenance of schools, that did somewhat more for Indian health and a few other things. The aftermath of that was the introduction of a bill, and the aftermath of that is the bill on the floor which increases funding in these very important areas.

In closing, the funding in this bill, which essentially resulted from that meeting in the White House to which I just eluded, and then joining a bipartisan group of Senators, really is not going to move us much in the direction of better jobs in Indian country for the Indian people. All of these things that I mentioned are a necessity.

Essentially, there is something basic that the Indian leaders and local communities and the National Government are going to have to do that will make the climate in Indian country better for private sector job growth. I do not levy any criticism at anyone individually, but it is quite obvious that tax credits alone will not do it, for we did that 4 years ago. The most extensive tax credits were passed to give Indian communities a chance to bring in private sector jobs. It is still on the books. It is a huge tax credit per Indian employee. We passed accelerated depreciation at the same time. If somebody builds a plant, they get to accelerate the depreciation much more rapidly than if they were next door in non-Indian country.

The problem is that the combination of all of that has not worked to create any large acceleration in the number of Indian people being employed in Indian country in permanent jobs.

I submit it will take a kind of a change in the attitude of Indian leaders. I think they are beginning to understand that. Businesses will not go even to an Indian reservation in America with tax credits and other benefits if, in fact, they are not satisfied with the business climate on the reservation; that is, if they can go 50 miles to a community off reservation and believe they have a lot more certainty of law, more certainty with reference to rules and regulations, they are not going to be coming to Indian country.

I have been urging that the Indian leaders, while they claim their sovereignty, understand that every government entity that claims sovereignty, from time to time, shows that sovereignty by giving up a little bit of it, by waiving a piece of it, or by entering into an agreement where they share responsibilities with another unit of government, frequently called intergovernmental agreements. These things are going to have to happen if we are going to bring jobs to Indian country.

There is much more to be said about it. There are many people who have tried, and I do not know just when it will work or when it will start working to any significant degree, but I am confident that this year we took a giant step in terms of the public responsibility. There are things moving around, either at the White House or out in Indian country, that are trying to move this whole attitude issue in a direction of business feeling more comfortable on Indian country.

I thank the chairman, again, for the bill with reference to the Indian people and I thank the committee that worked with him to bring it here.

Having said that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. 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. 3795

(Purpose: To provide for a review committee for certain Forest Service rules)

Mr. CRAIG. Mr. President, I call up amendment No. 3795.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG] for himself, Mr. HUTCHINSON, Mr. CRAPO, Mr. THOMAS, Mr. ENZI, Mr. BENNETT, Mr. HATCH, Mr. NICKLES, and Mr. SMITH of Oregon, proposes an amendment numbered 3795.

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

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

The amendment is as follows:

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

SEC. . REVIEW COMMITTEE FOR FOREST SERVICE RULES.

(a)(1) From the amount appropriated for ''Forest Products,'' a sum of $1,000,000 shall be made available until expended to the Secretary of Agriculture for the purpose of reviewing certain proposed rules concerning the planning and management of National Forest System lands referred to in paragraph (2).

(2) The proposed rules subject to this section are the proposed road management and transportation system rule, and proposed special areas—roadless area conservation rule published at 64 Federal Register 54074 (October 5, 1999) and 65 Federal Register 11676 and 30276 (March 3 and May 10, 2000), respectively.

(b) With the funds allocated pursuant to subsection (a)(1):

(1) The Secretary shall appoint an advisory committee in accordance with the Federal Advisory Committee Act and subsection (d) of persons knowledgeable, and reflecting a diversity of viewpoints, concerning issues related to the planning and management of National Forest System lands. The appointments shall be made as soon as practicable after the date of enactment of this Act.

(2) The advisory committee shall—

(A) review and evaluate the proposed rules referred to in subsection (a)(2) and their prospective implementation, particularly as to their cumulative effects and the manner in which they relate to each other, are integrated, and will function together, including any inconsistencies or conflicts in their goals, purposes, application, or likely results and determined whether and in what way they may be improved; and

(B) submit a written report to the Secretary describing the results of the review and evaluation of the proposed rules required by, and any recommendations for improvement of such rules determined pursuant to, subparagraph (A), including any supplemental or minority views which any member or members of the advisory committee may wish to express.

(3) The Secretary shall make the report of the advisory committee required by paragraph (2)(B) available for public comment and submit the report to the Congress, together with a written response of the Secretary to the report and the public comment on the report.

(c) No funds appropriated by this Act or any other act of Congress may be expended for further development or promulgation of the proposed rules referred to in subsection (a)(2) prior to 60 days after the date of submission to the Congress of the report of the advisory committee and the response of the Secretary pursuant to subsection (b)(3).

(d)(1) The advisory committee appointed pursuant to subsection (b)(1) shall have no more than 15, nor less than 9, members who may not be officers or employees of the United States. The Chair of the advisory committee shall be selected from among and by its members.

(2) The members of the advisory committee, while attending conferences, hearing, or meetings of the advisory committee or while otherwise serving at the request of the Chair shall each be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5332 of title 5, United States Code, including travel time, and while away from their homes or regular places of business shall each be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

Mr. CRAIG. Mr. President, amendment No. 3795 to the Interior appropriations bill deals with the U.S. Forest Service's proposed roadless initiative. My amendment would earmark $1 million from the Forest Service's timber sales account and direct the Secretary of Agriculture to charter an advisory committee, under the provisions of the Federal Advisory Committee Act, to review the proposed rules and the accompanying draft environmental impact statement for the roadless area initiative. The advisory committee would be charged to provide the Secretary with advice on improving the proposed rule and the draft environmental impact statement.

My amendment would further prohibit the Secretary from spending any additional appropriations under this or any other act on the further development of the roadless area rule until the Secretary has received the report of the advisory committee.

Let me tell you why I am offering such an amendment. To date, the subcommittee that I chair, the Forests and Public Land Management Subcommittee, has held three oversight hearings on the roadless area initiative launched by our President last fall. I can tell the members of this committee unequivocally that this is the most slipshod rulemaking effort I have seen—the worst example—in over 20 years as a federally elected official.

Let me note an example we have found in an examination of the communiques with the White House. For example, this is a letter to Raymond Mosley, Director of the Federal Register. This comes from an officer within the U.S. Department of Agriculture.

She says:

Would you please correct our mistakes. In our haste to get the notice to the Register as quickly as possible, we failed to notice that the document heading was missing.

There has been such a phenomenal rush to judgment on this effort to fulfill the President's political agenda with this issue that all of the people have made mistakes and have had to go to the Federal Register's office to amend them. It is not unlike what we saw Katie McGinty do just this week with TMDL rules, where this Senate, 2 weeks ago, spoke to the fact that this rule ought to be delayed. The President withheld his signature of the MILCON appropriations bill, allowing the EPA to accelerate.

I suspect when we begin to examine the rules that have come out of EPA, signed by Katie McGinty yesterday, we will find the same kind of mistakes were made only because of a quick political rush to judgment to try to either circumvent the acts of Congress or to deny the public the kind of input that is important and justifiable in these kinds of procedures.

Among the numerous procedural violations of the Federal statute, I think the most egregious is the willful violation of the Federal Advisory Committee Act, an act that this administration has had trouble complying with many times. I could cite examples where other courts have ruled after the fact of the rulemaking that, yes, this administration had been in violation of FACA. Our oversight record and the executive branch's documents obtained during the oversight process provided a clear record of these violations.

Between May and July last year, a small group of environmental activists met with the White House, the Department of Agriculture, and Forest Service officials to develop what eventually became the proposed rule about which we are talking. All of these meetings were held behind closed doors with no notification provided to the public. Advice and materials were solicited from the environmentalists by executive branch officials in the form of legal memoranda, technical documents, polling data, media relations material, and paid advertising in support of the proposal. Here is an example: George Frampton, head of CEQ, from Mike Francis at the Wilderness Society. Through all of these processes, what they are suggesting is that we submit to you the necessary materials from which you can move to deal with this issue.

I think it is fascinating we find Mike Francis saying: I attach a draft of the ''letter to the chief'' concept that Charles, Mike, and I have worked on as an idea to provide historical linkage to the President.

Ironically, the very letter that George Frampton then sends to the Secretary of Agriculture proposing this rulemaking was a parallel letter, almost identical, word for word. Mr. Frampton, before our committee, did make reference to the fact that, yes, they were very similar, if not alike. That letter came from the Wilderness Society itself.

In many cases, these materials were used by executive branch officials in charge of developing the proposed rule. For example, the polling data was used by lower level officials to brief their superiors. In another instance, there was direct consultation between the outside groups and the administration to coordinate paid and earned media efforts.

Let me repeat that. Government officials sat down with outside groups prior to the rulemaking process and determined that they would launch a paid media campaign. There was even dialog within these memoranda that we gathered that suggested dates and times and the kinds of media markets we are talking about. Of course, I have referenced the letter to the Secretary from George Frampton, which is a mirror image of the letter that was proposed by staff at the Wilderness Society.

In response to the questions before my subcommittee, administration officials conceded that the issue of compliance with the Federal Advisory Committee Act was never raised in their meetings or deliberations, and counsel was never consulted on the matter.

This group of environmental advisers was in every way but one an advisory committee to the Federal Government. The one exception was that the committee was never chartered under the provisions of the Federal Advisory Committee Act. Had they been chartered, the composition of the committee would have had to have been balanced or at least more balanced than it was, and their meetings would have had to have been published and open to the media and to the public. In other words, the process of sunshine and public participation would have had to have been involved in this very process.

Those are citing just a few of the differences and what I believe are substantial violations. Left to its own devices, the administration will not correct the legal violations. They have been cited and examples have been given, both in my committee and at a comparable committee in the House. Lawsuits have been filed. Yet they will not respond. They are simply charging ahead to a pre-November deadline so that all of this fits into the political context that they chose to bring it into by the very announcement of the President last October.

I think, therefore, it is up to Congress to correct these violations and the resulting inequities. We must, unfortunately, intervene if we want to see the rule of law followed and direct the Secretary to follow the law and charter an advisory committee legally under FACA. Then a broader range of interests will have the opportunity afforded to a selected few with connections to high-level administration officials as insiders and friends. The advice they will offer to improve the proposed rule will be offered in the sunlight of public disclosure and ultimately cause the reaction, as it should, of public opinion. It will not be offered in secret, and it will not be offered behind closed doors as it was. This would restore the rule of law and sunshine in Government.

The reason I offer this is the magnitude and the significance of the issue. Some who are from States that are not impacted by large public landownerships or some who oftentimes think that environmental votes are just easy and free to make because they have little or no consequence to their constituency ought to react to this by saying that the administration stepped beyond the rule of law, clearly outside of the intent of what Congress designed in the Federal Advisory Committee Act.

This is the magnitude, the significance of what I am talking about. This chart is significant only as a visual. These red areas represent approximately 42 million acres of existing Forest Service wilderness. Every acre of this 42 million was heard before a House and Senate committee. It was a give and take between the delegates of the State and other Senators and Representatives. It was debated on the floor of the House and the Senate, and it was ultimately passed, all 42 million acres of existing Federal Forest Service designated wilderness. In other words, the public process was full.

What the President announced in October and what has been going on behind closed doors—with now a few public hearings—is the yellow or nearly 60 million acres of public lands now up for redesignation by this President.

What does that represent? It represents the whole State of Massachusetts and the whole State of Rhode Island and the whole State of Connecticut and the whole State of New Jersey and the whole State of Delaware and the whole State of Pennsylvania and the whole State of Maryland and the whole State of West Virginia. Sixty million acres of land are being decided by this President and a few of his administrators with Congress not speaking a word. Never before in the history of this country has an action of this magnitude been taken without full public process and without action and participation on the part of the Congress itself.

What I am suggesting by my amendment is meager in relation to the impact of what is going on behind the doors of the White House and USDA and the Forest Service. I am asking for $1 million out of the forest road fund.

I am asking that the Secretary inform an advisory committee of independent people, and that they advise us on the fact that FACA was or was not violated. I think the significance here is, if the President had operated under the law, or we believed that he did, I may not be here on the floor; although, I probably would be because I am dedicated to a public process. I believe that what my colleagues did in the sixties—the Democratic Party—in causing all meetings to be open and public and registered, and being the primary authors of the act, I think that is the right thing to do because I think the public ought to be involved. That is why we are here today—to involve the public in something that represents all of these States, 60 million acres of the public's land and the ultimate future of how that land will be managed. That is what is important about this amendment.

Mr. DURBIN. Will the Senator yield for a question?

Mr. CRAIG. Yes, briefly.

Mr. DURBIN. The Senator has made reference to the fact this is going to be an open, public process by this advisory committee. In the Senator's amendment, there is no reference to any public meeting by this committee. On page 2, line B(3), there is a reference that this advisory committee report will be available for public comment. That is the first use of the word ''public.'' There is no reference to the sunshine committee having any public hearings.

Mr. CRAIG. If I may answer, it is because this committee is formulated under FACA. Go to the Federal Advisory Committee Act and there before you will be all the terms by which this committee will be structured. So instead of listing page after page of documentation, I am simply saying that the Secretary will constitute a committee under FACA to make determinations as to whether the appropriate actions have been taken.

So the Senator is right; I didn't list all of those things. But you and I operate under the Federal Code. The Federal Code is there and that is why we have done that.

AMENDMENT NO. 3795, AS MODIFIED

Mr. DURBIN. Will the Senator yield for another question?

Mr. CRAIG. Just one more question, briefly.

Mr. DURBIN. I thank the Senator for that. It is almost like a debate on the floor. Will the Senator consider putting this language in: The advisory committee shall have public sessions, open for public review?

Mr. CRAIG. Most assuredly I will. I think the Senator knows exactly what I am saying. If he wants the guarantee that FACA will be used, I will be happy to restate it.

I ask unanimous consent that the words ''full public meetings'' appropriately be placed at the right stage of this. I will work to comply with that.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3795), as modified, is as follows:

At the appropriate place in the bill insert the following new section:

SEC. . REVIEW COMMITTEE FOR FOREST SERVICE RULES.

(a)(1) From the amount appropriated for ''Forest Products,'' a sum of $1,000,000 shall be made available until expended to the Secretary of Agriculture for the purpose of reviewing certain proposed rules concerning the planning and management of National Forest System lands referred to in paragraph (2).

(2) The proposed rules subject to this section are the proposed road management and transportation system rule, and proposed special areas—roadless area conservation rule published at 64 Federal Register 54074 (October 5, 1999) and 65 Federal Register 11676 and 30276 (March 3 and May 10, 2000), respectively.

(b) With the funds allocated pursuant to subsection (a)(1):

(1) The Secretary shall appoint an advisory committee in accordance with the Federal Advisory Committee Act and subsection (d) of persons knowledgeable, and reflecting a diversity of viewpoints, concerning issues related to the planning and management of National Forest System lands. The appointments shall be made as soon as practicable after the date of enactment of this Act.

(2) The advisory committee shall, with full public participation and open public meetings in accordance with the Federal Advisory Committee Act—

(A) review and evaluate the proposed rules referred to in subsection (a)(2) and their prospective implementation, particularly as to their cumulative effects and the manner in which they relate to each other, are integrated, and will function together, including any inconsistencies or conflicts in their goals, purposes, application, or likely results and determined whether and in what way they may be improved; and

(B) submit a written report to the Secretary describing the results of the review and evaluation of the proposed rules required by, and any recommendations for improvement of such rules determined pursuant to, subparagraph (A), including any supplemental or minority views which any member or members of the advisory committee may wish to express.

(3) The Secretary shall make the report of the advisory committee required by paragraph (2)(B) available for public comment and submit the report to the Congress, together with a written response of the Secretary to the report and the public comment on the report.

(c) No funds appropriated by this Act or any other act of Congress may be expended for further development or promulgation of the proposed rules referred to in subsection (a)(2) prior to 60 days after the date of submission to the Congress of the report of the advisory committee and the response of the Secretary pursuant to subsection (b)(3).

(d)(1) The advisory committee appointed pursuant to subsection (b)(1) shall have no more than 15, nor less than 9, members who may not be officers or employees of the United States. The Chair of the advisory committee shall be selected from among and by its members.

(2) The members of the advisory committee, while attending conferences, hearing, or meetings of the advisory committee or while otherwise serving at the request of the Chair shall each be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5332 of title 5, United States Code, including travel time, and while away from their homes or regular places of business shall each be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I say to my good friend, Senator CRAIG, that under our Constitution this body was enacted to have two Senators from every State. I hope every State is concerned with what happens in other States. I will be the first to admit that it is very easy not to pay attention to the speech the Senator just made because, obviously, there are whole States—many of them—that don't have this problem because they have no vast public ownership in the midst of their cities, out in their countrysides, or built right up against communities, be it the Bureau of Land Management or the Forest Service. So there is a tendency not to pay attention when a couple of States come to the floor and show some very dire problems that exist in the management of the public domain.

I have a few issues today that won't all be raised on this amendment I will offer. But before the Interior bill is finished, I will talk about some very serious problems out in the Southwest, which is more than one State. Over the last 3 or 4 weeks, New Mexico has had its share and then some. So I want to talk about, first, a substitute that I am going to offer, which the distinguished Senator CRAIG understands I will offer. I hope we can vote on both his suggested amendment and the one I am offering as a substitute.

But I think we have come to the conclusion—he and I and others—that if we can pass the substitute today and have it go to conference with the distinguished chairman and ranking member supporting it in the manner that it will receive support in the Senate—which I think is rather overwhelming—we will be satisfied that that is a good day's work and something that is very important for the forests of our country, which many Senators don't know about because they don't have any public forests. But they can take it from a group of us that the forests of the United States, whether they are run by the Forest Service or whether they are run by the Bureau of Land Management, are in terrible shape today.

Of course, there are people in the country who can talk about how they got that way. But I say to my good friend from Illinois, I know he doesn't have time, but it would be a pleasure to take him out to some areas surrounding Santa Fe, NM, or the areas that our good friend, Senator FEINSTEIN, will talk about in her State, or that Senator BINGAMAN has observed as he toured Los Alamos. The fire there and the fire on the other side of the State took almost 30,000 acres. It would kind of pale in comparison to that incendiary on the top of the hill that almost burnt down Los Alamos.

Let me tell you the reason we are offering this substitute. It is because there is an emergency existing in our forests that has to do with cleaning up the forest so that we can lower the threshold for fire. Anybody paying attention to the 48,000 acres that burned around Los Alamos would quickly come to the conclusion that the forest was almost like a storage of gasoline on the ground in barrels, and that when a fire started, it was just like gasoline burning because we never cleaned the forest. All over the place were knocked down trees with debris and trees that were so close together that if they started burning, it was just like the wind. The wind was blowing at 35 to 45 miles an hour in both of our fires. With the hazardous waste on the ground that we never clean up because either we don't have enough money, or there are certain people in the country who fight even cleanup, where you take the small logs in the forest and you take the kindling that has been accumulating and take it out of there and either control burn it or let it be used by those who can find usage for that kind of a resource.

So we have a substitute today that is called the Hazardous Fuel Reduction Act. We are asking the Senate to find that an emergency exists out there in our forests. I am very pleased to say that a number of Senators concur that there is an emergency and that we ought to put some money up in the state of emergency and get on with cleaning up these forests.

I thank my cosponsors today. We have done this without a lot of work because I have to do this rather quickly upon my return from New Mexico, seeing that the city of Santa Fe, NM, could possibly burn because the community is in direct contact with the forest. The watershed for the city of Santa Fe, which many people like to visit, is right up in the mountains and is filled with kindling and with hazardous waste waiting to burn. So what I have done is ask a few Senators to join me today. I will quickly summarize what we are doing.

The Senators who joined me are from both sides of the aisle. On the Democratic side, we have Senator FEINSTEIN and my colleague, Senator BINGAMAN. On the Republican side, in addition to myself, we have Senators KYL and CRAIG. I am sure Senator CRAIG would quickly indicate with me that if we wanted to circulate it, we would get many more Senators. The point is, we want to get this disposed of on this bill and not cause a great delay for the two distinguished managers.

Let me say up front that we don't change any environmental laws. We have worked at this, and we have had everybody work at it. We have not modified NEPA and we have not changed any other laws of that type in this measure. This measure will allow the Secretaries of Agriculture and Interior to use all current authorities for fuel reduction treatments. It will give new authority for using grants and cooperative agreements for fuel reduction.

It is at the sole discretion of the Secretaries. There is nothing mandatory about it, that they can provide jobs to local people in the local communities for fuel reduction activities.

In my State—which might be different from California—there is a very huge built-up desire on the part of people living in the rural communities of New Mexico to want to join in partnership through their communities and put people to work helping to clean up the forests.

There is nothing in this substitute that says we are going to log the forests. Yet if there is an opponent who comes to the floor to argue against this by some who do not want it, they will

say it is just another way to log the forests. If anybody says that, read the amendment. I don't choose to read it today, but it does not do that. In cleaning the forest, they will cut some small logs, but it will be pursuant to a plan which will show that the primary reason for all of this is to get rid of some of that hazardous fuel that has been piling up waiting to be burned.

In addition, the Secretaries will be able to include in some of this work nonprofits and cooperative groups, such as the YCC, or other partnerships and entities that will hire a high percentage of local folks. The Secretary has to publish a list.

The other things were options and discretionary. This one has to be published by September 30, identifying all urban wild land interfaces.

That is what we are worried about—not the whole forest, the interface, the communities at risk from wildfire, and, identify where fuel reduction treatment is going on, or will start by the end of the year. Then by May they will have to say why they have not and cannot treat the rest of these communities where the interface has occurred. For any reasons not limited to lack of funds, they will have to state why.

Finally, the Forest Service has to publish its cohesive fire strategy, which they have in draft form. They haven't published it. They will have to publish it and simply explain—not delay, but just explain—any differences in current rulemaking and how the new policy of closing roads could impact with firefighting. I know they don't want to do this.

The truth is that is the only way the public is going to find out how conflicts are occurring and whether they should be resolved or whether we should leave them lingering out there in a state of combat, ending up almost daily with lawsuits filed with one side trying to beat the other with some select group of environmentalists in nature most of the time filing these lawsuits.

I repeat that there is nothing that exempts environmental, labor, or civil rights laws. There is a lot of permissive language in here and very little that is mandatory.

But from what this Senator has seen of the forests after these two enormous fires, it is pretty obvious that the professionals will want to employ these techniques to get started where the interface of communities with forests have occurred to some major degree.

AMENDMENT NO. 3806 TO AMENDMENT NO. 3795, AS MODIFIED

(Purpose: To protect communities from wild land fire danger)

Mr. DOMENICI. Mr. President, I send the amendment in the nature of a substitute to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico (Mr. DOMENICI) proposes an amendment numbered 3806 to amendment No. 3795, as modified.

Mr. DOMENICI. 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:

In lieu of the matter proposed to be inserted, insert the following:

TITLE —HAZARDOUS FUELS REDUCTION

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'' to remove hazardous material to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of the Interior, $120.3 million 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 by such Act, is transmitted by the President to the Congress.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'' to remove hazardous material to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Agriculture, $120 million 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 by such Act, is transmitted by the President to the Congress: *Provided further,* That:

(a) In expending the funds provided in any Act with respect to any fiscal year for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may hereafter conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries. Notwithstanding Federal government procurement and contracting laws, the Secretaries may hereafter conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may hereafter, at their sole discretion, limit competition for any contracts, with respect to any fiscal year, including contracts for monitoring activities, to:

(1) local private, non-profit, or cooperative entities;

(2) Youth Conservation Corps crews or related partnerships with state, local, and nonprofit youth groups;

(3) small or micro-businesses; or

(4) other entities that will hire or train a significant percentage of local people to complete such contracts.

(b) Prior to September 30, 2000, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at risk from wildfire. This list shall include:

(1) an identification of communities around which hazardous fuel reduction treatments are ongoing; and

(2) an identification of communities around which the Secretaries are preparing to begin treatments in calendar year 2000.

(c) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands and at risk from wildfire that are included in the list published pursuant to subsection (b) but that are not included in paragraphs (b)(1) and (b)(2), along with an identification of reasons, not limited to lack of available funds, why there are no treatments ongoing or being prepared for these communities.

(d) Within 30 days after enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register the Forest Service's Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems, and an explanation of any differences between the Cohesive Strategy and other related ongoing policymaking activities including: proposed regulations revising the National Forest System transportation policy; proposed roadless area protection regulations; the Interior Columbia Basin Draft Supplemental Environmental Impact Statement; and the Sierra Nevada Framework/Sierra Nevada Forest Plan Draft Environmental Impact Statement. The Secretary shall also provide 30 days for public comment on the Cohesive Strategy and the accompanying explanation.

Mr. DOMENICI. Mr. President and fellow Senators, many of you for a week or more watched on the nightly news as the forests surrounding Los Alamos National Laboratory, America's most renowned scientific laboratory, in spite of some of the negatives that have come forth with reference to security—that laboratory which has supplied us with the very best by way of science expertise and nuclear weapons expertise, not the second best, but the best for the entire era when it was America versus the Soviet Union—we watched each night as that fire got closer and closer to that laboratory. In fact, it burned some buildings, albeit none were critical to the future of the laboratory.

We watched it move literally huge distances at night when the winds were blowing. We watched it go from an adjoining forest called Bandelier National Forest. We watched it grow from a tiny spot where park people had impropitiously started a fire to clear away a piece of land. They started with their torches, and there it went out of control—48,000 acres, 440 residences burned to the ground. When you go back and look, you see that these forests were in desperate need of being cleaned so that the kindling on the surface would be at a much, much lower temperature.

That brought forth from this Senator and others a very significant cry: Let's get on with doing some of this cleanup. Let's give them additional authority in this bill and some emergency money. Let's see if we can get it done.

I thank the cosponsors. I thank the chairman for his attention and for his giving me confidence to offer this amendment because this is the appropriate vehicle. It is my hope that Senator SLADE GORTON will support this measure before we are finished.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to add my support to the amendment of the distinguished Senator from New Mexico. I think this amendment is both needed and timely. It would provide emergency funding to address what has become a very dangerous fuel buildup on millions of acres of national forests.

In April of this year, the General Accounting Office released a report entitled ''Protecting People and Sustaining Resources in Fire Adapted Ecosystems, a Cohesive Strategy.'' The underpinning of this report is this comment:

> The most expensive and serious problem relating to the health of national forests in the interior west is the over-accumulation of vegetation.

The report goes on to say that throughout much of the interior west, dense vegetation and dead material is continuing to accumulate. Each year in the absence of treatment, more forests become high risk, choked with dense accumulations of small trees and dead wood. These accumulations of fuel and more damaging fires are more dangerous and more costly to control, especially during drought years.

As the GAO report points out, many experts attach a sense of urgency to the management of these ecosystems. Because of the high proportion of the total area classified as high risk—in this report it is what is called class 3—combined with the fact that without treatment more vegetation will grow into these high-risk conditions, it is apparent that time is running out for a strategy to successfully avert high cost/high loss consequences.

That is the backdrop for this amendment. The amendment would provide emergency funding to move ahead on this program. Because dead and dying and small-diameter trees and thick underbrush have accumulated in our national forests, the possibility of serious and highly destructive forest fires have dramatically increased. Without any action on our part, it is going to continue to increase in the future.

Senator DOMENICI, several of our colleagues, and I share the belief that we have a true emergency on our hands. The Forest Service has identified 24 million acres of land in the continental United States as being at the absolute highest level of catastrophic fire risk. Almost fully one-third of this—7.8 million acres—lies in California. That is more than any other State.

Last year in my State—and we counted it forest fire by forest fire—over 700,000 acres of forest burned down. Several people lost their lives and dozens of structures were burned. Seventy-thousand of these acres were prime California spotted owl habitat in the Lassen and Plumas Forests.

Last year, $365 million was spent nationally by the Federal Government putting out fires and rehabilitating the land. Of this, $144 million, or approximately one-half of the U.S. total, was spent in one State; that is, California. I think the money would be much better spent preventing fire rather than cleaning up after that fire.

The entire Sierra Nevada mountain range national forests continue to be classified as the highest fire risk. This includes the newly designated Sequoia Monument, over 361,000 acres. It includes the Plumas and Lassen Forests in and around Quincy, where forest fires in the past have destroyed homes and businesses and spotted owl habitat. It includes areas such as the Lake Tahoe Basin, where one-third of the forests are either dead or dying. And the probability of major fire conflagration remains and grows each year. Such a fire would permanently destroy the water quality of the lake.

Through the turn of the 20th century, the U.S. population was predominantly spread out and agrarian. Forest fires burned naturally at fairly predictable intervals, and they burned hot enough to restrict encroaching vegetation and prevent fuel from loading up on the ground but not hot enough to kill old growths. Forests in the United States survived in this fashion for literally thousands of years.

By the middle of the 20th century, however, an increasing population began to occupy new urban wild land zones on what had once been forests. Suddenly, forest fires had to be put out or suppressed in order to protect the surrounding communities. It seemed intuitive to simply continue fighting fires as they arose and leave the forests untouched. So nothing was done to groom the forests, to remove dead and dying trees, to reduce undergrowth, to prevent subsequent conflagrations.

What is called ''fuel load'' has grown to astronomic proportions in many of our national forests. Dead and dying trees, which were no longer consumed by fire, lingered while brush began to build up at ground level. Newer, different species of trees, no longer stifled by natural fire, began to crowd out some of the older growth trees. Forests became crowded and severely fire prone.

Anyone who wants to look at that should get a copy of this report. On page 23 of the report it points out how our forests have changed in species composition and forest structure. The first picture taken is the forest in 1909. We see old growth trees; we see them spaced; we see very little vegetation on the ground. That is because there had been these hot, fierce fires in the past.

Next is a 1948 photo of that same part of the forest. We see changes. We see changes in the species composition, the structure, as fire had been excluded for many years.

In a picture in 1990, the area is totally dense and we cannot see through it. At that time—and most of our forests are like this now—we had an overabundance of vegetation. This stresses the site and predisposes the area to infestation from pests, disease outbreaks, and, of course, catastrophic fire.

That is where we are today.

It is evident to me that the Forest Service's decade-old policy of fire suppression has failed. It is time to look anew at how we can better manage our forests.

In California, for example, fire-intolerant Douglas and white fir have grown underneath old growth ponderosa pine. What is the result? The newer firs, which are not resistant to fire, create potential fuel ladders that permit a fire to reach the top, or what is called the crown, of old growths for the first time. Old growth pine which previously was impervious to fire, since rarely did a fire ever reach all the way up to its crown—with this new fuel ladder, fire threats to old growth pine have become very real.

Drought periods have further stressed the forests, predisposing them to infestations of pests, disease, and of course severe wildfire. The bark beetle has gone through the Tahoe forests like a forest fire. One can see miles of forests standing dead after an infestation. The dead trees remain, year after year after year.

California forests provide homes for dozens of endangered and threatened species, including the marbled murrelet and the spotted owl. It is an understatement to say that today the risk of fire is the most serious threat to these species. I really believe that to be true. It may be the most immediate short-term environmental threat our western forests face. That is why this amendment and this funding is so important. It is imperative that the Forest Service use all available tools to clean up the forests and reduce fire risks.

The one-size-fits-all approach of the Forest Service, I believe, must be changed. Each forest is different. Topography is different, geography is different, climate is different, soils are different, vegetation is different, the kind and type of trees are different, in different places throughout the United States. What is proper stewardship for a California forest may not be proper stewardship in Pennsylvania or Alaska or Montana. We have to look at the area and look at the fire risk differently. A flexibility of management must be employed to fix the problem. Dead and dying trees should be removed. Overgrowth should be thinned. Mechanical treatment and controlled burns must each be used separately and carefully in conjunction with each other. If we don't do this, incidents of serious fire will only continue to increase.

As I said, it is only a matter of time before a cataclysmic fire strikes Lake Tahoe, with potential loss of life, habitat, and property. Already, run-off and problems associated with erosion have

threatened Lake Tahoe's world-renowned crystal blue waters. The last time I was there, scientists told me that if we don't reverse the trend of eutrophication of the water, which removes its clear crystal blue look, in 10 years it will be too late and we might as well not bother. A serious fire could make this happen even sooner.

This amendment helps provide funding to remove dead and dying trees from Lake Tahoe National Forest where almost one-third of that forest today is dead or dying.

Last year, Senators REID, BOXER, BRYAN, and Congressman DOOLITTLE, Congressman GIBBONS, and I introduced the Lake Tahoe Restoration Act to authorize the necessary funding to deal with this problem. It is very timely that this bill will be marked up by the Senate Energy and Natural Resources Committee on Thursday and has already been marked up at the subcommittee level in the House.

The Domenici-Feinstein amendment could be used in that forest. It could almost be used in the Quincy area. In 1998, Congress overwhelmingly passed the Quincy Library Group Project.

This legislation authorized a 5-year demonstration project based on the forest management plan assembled by the Quincy Library Group, a coalition of local environmentalists, public officials, timber industry representatives, and just plain concerned citizens who came together in the Quincy Library so they could not yell at each other, to resolve longstanding conflicts over timber management of national forests in the area.

The project, which is only a pilot, is to see if there is not a better way to manage our forests by combining strategic fuel breaks with selected mechanical thinning and controlled burn. I have had some disagreements with the Forest Service in the past over Quincy, but I believe the project is back on track and I am determined to see, if I can, that funding is appropriated to complete the project to the letter of the law.

I want to quickly speak about one other thing. One of the possibly most cataclysmic fires could occur in the newly designated Sequoia National Monument. This is about 366,000 acres. Once the monument was declared, two timber mills closed down. I have been working with the community in that area to be able to put forward a removal of hazardous fuels. These trees are the largest trees in the world. Around these large trees have built up this dense underbrush, this fuel load that I have spoken about. If this is not removed, this underbrush creates the kind of fuel ladder that can effectively destroy the Sequoias.

The State of California additionally has prepared an adaptive management plan and had been working in the Sequoia area. What they showed was, as you clear certain limited areas around the giant Sequoias, that the giant Sequoias actually grew bigger and grew fatter and were much healthier for it. It is my hope that over the next few years we can reduce the fuel loading on 24 million acres that the Forest Service has identified as being at this level 3. Level 3 is the most significant fire threat. Then focus on the other 18 million acres at jeopardy.

Let me just recount. One-third of all of the national forests at catastrophic fire level in the United States are in the State of California. It is the entire Sierra Nevada range, it is the Sequoia, it is part of the Plumas and Lassen National Forests, and of course the Tahoe National Forest. There is, indeed, a lot to be done if we are not only to protect our endangered species but also protect the property and the people who live in these areas as well.

I think Senator DOMENICI's legislation is timely. It is well thought out. I think making this an emergency and moving in the class 3 areas and being able to remove this underbrush is a major step forward in prudent forestry management all throughout the West.

I thank the Senator. It was a delight to work with him. I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Idaho.

Mr. CRAIG. Mr. President, I will take a few moments to clarify where we are because I think some of our colleagues are slightly confused as to the amendment I offered dealing with the roadless area review and the FACA committee process, and the amendment our colleague from New Mexico has offered, and the Senator from California has just spoken to, dealing with fuel reduction in our forests.

There is no doubt, what I was attempting to do dealt specifically with the roadless area rule specific to whether there had been a violation of the Federal Advisory Committee Act. I was asking the Secretary to formulate an advisory committee to review that.

I had visited with Senator DOMENICI and several things came together that I think are important for us to deal with in the immediate. First of all, there have already been two lawsuits filed against this administration on the Federal Advisory Committee Act process as it relates to the roadless area review process. We believe a judge will make a decision on those two lawsuits, as to their validity and their ripeness, by mid-August. What is important here is for the courts to clarify whether FACA, as a law, is either real or dead letter.

Let me explain that. This administration has been accused and found in violation of FACA on several occasions. But the problem is, once the court has made that determination, the rule was already on the ground. So it is like they violated the law, but so what. The process is over with.

What the court will decide this time is, Is FACA a law that should intervene prior to a final rule and cause an administrative agency to change its course of direction or action prior to a final rule? That is what will happen in August.

I have decided it is important we do not get in front of that ruling by the courts. I think it is very important for this Congress to know whether the law it crafted, known as the Federal Advisory Committee Act, is a dead letter or if it is operative. Right now, based on findings, it is a Catch-22: Yes, they violated the law but so what; the rule is already in place.

That is not the intent of Congress. The intent of Congress is to cause a cause of action change in a rulemaking process if the Federal Advisory Committee Act has been violated.

Then enters the Los Alamos fire and Senator BINGAMAN and Senator DOMENICI trying to resolve that particular crisis of bad policy and bad decisionmaking coming together to not only create a catastrophic environmental situation but also ultimately to cost the taxpayers of this country $1 billion, or somewhere near that. That is the tip of an iceberg of a current forest health problem to which the Senator from California has spoken so clearly.

What the Senator from New Mexico and the Senator from California saw, witnessed, experienced, with hundreds of lives and hundreds of families and lives displaced——

Mr. DOMENICI. Thousands.

Mr. CRAIG. Is the nature of a catastrophic event that is in the nature of forest health.

We now have 22 million acres of our forested lands in crisis because of the fuel loading that has been talked about because of a management style of the last 50 years. Yet there seems to be no desire to deal with this on a constructive, environmentally positive basis that begins to remove that fuel.

The amendment of the Senator from New Mexico, of which I am now a cosponsor, which is a substitute offered to my amendment, goes at this problem in a very real and direct way. That is why I think it is so important that we move forward. I have been advised—and I agree—we should allow the courts to act on the Federal Advisory Committee Act. We will find out whether we have a real law or whether we have a false law; whether it works or it does not work. We will know that by mid-August. If they rule otherwise, we have either to come in and revise it or I think the Congress should act and intervene against the President in his rulemaking process, outside the public policymaking process of the Congress itself. But in the meantime, there is no question in my mind, with my activities, looking at the U.S. forest-managed lands—last week I was in Great Falls, MN. Last year, on July 4, they had a 472,000-acre blowdown. There are fuel loading problems in that State and every other State in the Nation that has public forested lands, that are phenomenal in their nature.

Let me explain. The Senator from New Mexico, Mr. DOMENICI, talked about literally having barrels of gasoline on the ground, in equivalent Btus of fire capability. It is believed that in

these areas, 22 million acres, at least at the top of the stack, that fuel loading equivalency is nearly 10,000 gallons of gasoline per acre in equivalent Btu or firepower.

Yet our Forest Service and this administration choose not to do anything about it. If we are good stewards of the land, we will not allow the stand-altering, environmentally crazy policy of catastrophic fire of the kind in the forests of New Mexico and the kind that are burning across the West today to be the policy of the management of our forests.

I would be the first to tell you we ought to reenter fire as a management tool of the ecosystems of our forests, but fire ought not enter an acre of land that has 10,000 gallons of gasoline stored in the form of slash and dead and dying timber in equivalent Btu's. That we cannot tolerate, or it will truly destroy the land as we know it, the environment as we know it, the riparian areas as we know them, and certainly habitat for any wildlife, let alone any kind of constructive management that would provide the needed fiber for our public in home building, paper, and so many materials we have wisely used our forests for over the years.

I support Senator DOMENICI, Senator BINGAMAN, and Senator FEINSTEIN as a cosponsor of this substitute. It is critically important.

In closing, in the substitute there is an important analysis, and it is an analysis that deals with the roadless problem. If the amendment of the Senator from New Mexico becomes law, it will cause the Forest Service to develop a cohesive strategy for protecting people and sustaining resources in fire-adaptive ecosystems; in other words, a fire strategy to deal with these kinds of fuel loadings. It would then have to place that strategy against the other rulemaking processes that are underway.

One of those rulemaking processes is the roadless area review or the roadless area protection proposal, to see whether that proposal denies the Forest Service the ability to manage these lands to protect them from catastrophic fire. I find that an important test and a necessary analysis of where we are going and how we want to manage these lands.

It also causes them to look at the areas of concern of the Senator from California—the Sierra Nevada framework and the Sierra Nevada draft plan environmental impact statements. All of those deserve to be examined in light of the fire situation we have on these public lands at this moment. We cannot idly sit by and watch hundreds of thousands, if not millions, of acres a year burn in wildfires, destroying wildlife habitat, destroying fiber that could be constructively used and, most important, dramatically altering the ecosystems of those areas that embody these catastrophic fires.

I support the substitute. It is important we stay in focus on the Federal Advisory Committee Act. The courts will rule in August, and then Congress will be able to act according to that ruling if, in fact, the courts have decided the Federal Advisory Committee Act is a dead letter in public law.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, first, I commend my colleague, Senator DOMENICI, for this amendment and indicate I am very glad to be a cosponsor of it. It is an important amendment which is much needed in my State and throughout much of the country.

The problem has been well described by Senator DOMENICI, Senator FEINSTEIN, Senator CRAIG, and others. I do not need to elaborate on that to a great extent, except to say there are many communities in our State of New Mexico which genuinely feel threatened because of the fact that they are adjacent to our national forests and the forests have been allowed to build up underbrush in a way which makes them a fire hazard—communities such as Santa Fe and Los Alamos, which have been mentioned, Ruidoso, Cloudcroft, and Weed. I know my colleague was visiting with citizens in the small community of Weed, NM, about this very issue. There is no question the time has come when it needs to be addressed, and this amendment will allow us to do that on an emergency basis. It is, as I said before, much needed.

Let me give a little background. Even before this year's catastrophic fires, which have really been a wake-up call to all of us about the significance of this problem, particularly the fire at Los Alamos, the Cerro Grande fire, but the Scott Able fire in the southern part of New Mexico, the Cree fire in the southern part of New Mexico, and the Viveash fire in northern New Mexico—we have had a series of fires. Over, I believe, 65,000 acres in my State have burned so far this year. That does not begin to approach the number of acres perhaps in California, as cited by the Senator from California, but it is a great many acres for our State considering the amount of forests we have. Well over 400 homes have been destroyed in our State. So the problem is very real.

Last year, in the first session of this Congress, I was very pleased that, on a bipartisan basis, Senator DOMENICI and I cosponsored a bill, S. 1288, entitled the Community Forest Restoration Act which attempted a demonstration project in New Mexico to begin dealing with this problem of the urban wild land interface, to begin thinning of forest areas near these communities.

In putting this legislation together, we were able to get the cooperation not only of the communities themselves but of many of the groups which take a great interest in the health of our national forests, including several of the major environmental groups. I thought this was major progress. The bill passed the Senate unanimously. It went to the House of Representatives. It has been marked up in subcommittee. It will go to the full committee next week.

This legislation was very small. It was a demonstration project. It was aimed only at New Mexico communities, but it set a good precedent for the type of thing we are talking about, where the Forest Service and the other Federal land management agencies could make grants available to community groups to deal with this problem in a very real and responsible way.

I particularly appreciate the statement Senator DOMENICI made in his presentation that this amendment, to provide substantial additional funding to the land management agencies to deal with the problem, does not involve any change in environmental laws.

Also, this amendment does not involve any change in NEPA, the National Environmental Policy Act. This does not waive that law. This amendment is consistent with those laws. We are providing resources and directing that a substantial effort take place to deal with this problem around the communities that are adjacent to our national forests. It is very important that this happen.

I want to have printed in the RECORD three documents that are important as background. One is a letter that the New Mexico delegation sent to Mike Dombeck, the Chief of the Forest Service, on May 19 of this year, urging that the Forest Service come forward with a proposal for how they will begin to address this problem. The second document is a response by Chief Dombeck to me on the subject. And the third is a followup response to Senator DOMENICI from Chief Dombeck, also alluding to what the Forest Service thought they could do to address this very real problem.

I ask unanimous consent that these three letters be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. BINGAMAN. Mr. President, let me mention one other aspect of this which I think is significant, and that is the Forest Service has a program called a Cooperative Fire Protection Program which they try to use to educate people who own homes in or near the forests and also to work with people who have private homes in our forests, that are private property, so the benefits of some of this clearing, some of this thinning we are talking about can also be realized by the people who have those homes, and those homes can be better protected as a result.

One thing that became obvious to me as a result of the Los Alamos fire was that there had been a thinning that had taken place around the laboratory itself, around many of the structures of the Los Alamos National Laboratory; and because of that, because of that thinning activity, there was a dramatic

reduction in the fire risk to those facilities. We had much less damage there than we wound up having in the town of Los Alamos, where, of course, no similar thinning or no similar fire risk reduction activities had occurred.

I think it is very important that we try to take what we have learned about how to reduce the risks of fire and apply that in a responsible way, and do so as soon as possible.

For that reason, I am very pleased to see this amendment being considered. Again, I compliment my colleague for proposing the amendment.

Mr. President, I yield the floor.

EXHIBIT 1

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE,
Washington, DC, June 16, 2000.

Hon. PETE DOMENICI.
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR DOMENICI: With the Senate in final stages of completing the fiscal year 2000 emergency supplemental appropriation, I want to provide you with the information you requested on Forest Service capability to significantly reduce the risk of catastrophic fire in wildland-urban interface areas.

I know you agree that the tragic fires in New Mexico and those currently burning in Colorado, are focusing our attention on the critical need to reduce hazardous fuels throughout the national forests and particularly areas adjacent to urban interface areas. The emergency supplemental appropriation gives us an opportunity to immediately take action to avoid similar fire disasters in the future.

Enclosed is information identifying agency capability to respond in the immediate and near future based on estimates for completing environmental assessment work. This work can be accomplished within existing authorities. We have established projected implementation based on the date that all planning under the National Environmental Policy Act, Endangered Species Act and other statutes will be completed:

Acres:	Implementation date
59,722	[1]
189,098	12/31/2000
291,575	09/30/2001

[1]Currently ready.

I want to be sure that as the supplemental bill moves through the appropriations process, you have all the information you need to provide focus on the need to address this critical issue without letting the legislation get overburdened and consequently threatened by other agendas. My staff and I are ready to respond in order to assure you have all necessary information available.

MIKE DOMBECK, *Chief.*

WILDLAND URBAN INTERFACE HAZARDOUS FUEL TREATMENT PROJECTS

Listed below are the acres by Region grouped by the date all NEPA, ESA, review, and other planning actions will be completed and the projects will be completed and the projects will be ready for implementation. For the last two groups, planning is well underway and may be completed prior to the date listed. Includes all costs for implementation and monitoring.

Region	Acres	Implementation cost
ALL PROJECT PLANNING COMPLETED—IMPLEMENTATION CAN BEGIN IMMEDIATELY		
1	14,483	$2,425,000
2	5,000	1,400,000
3	16,085	3,981,000
5	8,700	2,267,000
6	3,350	844,000
8	7,600	2,830,000
9	4,504	1,404,000
Total	59,722	15,151,000
ALL PROJECT PLANNING WILL BE COMPLETED BY 12/31/2000.		
1	34,150	2,050,000
2	7,000	1,800,000
3	56,126	19,380,000
5	4,869	2,866,000
6	35,969	4,787,000
8	27,970	9,422,000
9	23,014	3,106,000
Total	189,098	43,411,000
ALL PROJECT PLANNING WILL BE COMPLETED BY 9/30/2001		
1	34,150	9,415,000
2	18,500	5,125,000
3	140,270	21,201,000
5	25,215	6,964,000
6	52,535	7.315,000
8	9,080	3,335,000
9	11,825	3,401,000
Total	291,575	56,756,000

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, DC, May 23, 2000.

Hon. JEFF BINGAMAN,
U.S. Senate, Senate Hart Office Building, Washington, DC.

DEAR SENATOR BINGAMAN: Thank you for your letter dated May 19, 2000. Like you, I am deeply concerned about the potential for unnaturally intense, catastrophic fires and their impact on communities in New Mexico and throughout the United States. The events of recent weeks make clear that we cannot stand by idly and allow the health of our forest and grassland ecosystems to deteriorate to the point that they cannot provide basic ecological services and pose a risk to the safety of our communities.

Unhealthy forest ecosystems evolved through decades of past management and fire suppression. Restoring their health and resiliency and protecting our communities from unnaturally severe wildland fires will take many years. That reality, however, is no excuse for inaction.

If emergency funds were made available, we would limit their use to the urban-wildland interface or within designated municipal watersheds that are determined to be at highest risk of unnaturally occurring catastrophic fire. Our activities would focus on the least controversial areas by concentrating on restoring fire-dependent ecosystems and reducing fire risks adjacent to wildland urban interface areas. We would define urban-wildland interface in one of the two following ways:

Where urban or suburban populations are directly adjacent to unpopulated areas characterized by wildland vegetation. (Urban and suburban areas are defined as places where population densities exceed 400 people per square mile of area.)

Where people and houses are scattered through areas characterized by wildland vegetation. These are areas where population density is from 40 to 400 people per square mile.

Treatment methods to minimize fire risk and restore land health in the interface areas would include: thinning, removal or over-accumulated vegetation and dead fuels, prescribed fire, and fuel breaks. All required project level planning, monitoring, consultation, and implementation would be included in our vegetation treatments. Our objective would be to leave forested areas in the interface in a range of stand densities that more fully represent healthy forest conditions.

Priority for treatment will be given to interface areas that historically experienced low intensity, high frequency fire and where current conditions favor uncharacteristically intense fires.

Projects may also be undertaken in other fire regimes where threats to populations or their water supplies are acute.

We would ensure that additional appropriations are spent in a manner that maximizes on-the-ground accomplishments and minimizes controversy, delay, and litigation. For example, projects would be implemented using service contracts that hire local people, volunteers and Youth Conservation Corps members, or by using Forest Service work crews, where appropriate. Where tree removal is necessary to reduce fire risks, these emergency appropriations would only be used to remove trees that are under 12 inches in diameter. Merchantable material that is generated as a byproduct of vegetative treatments could be sold under a separate contract to local industry or the public. We must also monitor our progress and report our results to Congress and the American people to demonstrate our accountability.

The type of program I describe will lead to demonstrable results and improvements in the near future. I must make clear, however, that a one-year emergency appropriation will not remedy what ails our forests and threatens our communities. We must fund and build a constituency for active forest restoration based on ecological principles. For example, we can partner with local communities to reduce fuel hazards, improve building codes, and suggest fire resistant landscaping to reduce fire risk. Such efforts can reduce insurance premiums, prevent wildland fires from destroying homes, reduce costs associated with fire suppression, and protect our treasured forests.

We expect to soon release a strategy to more broadly address wildland fire risks across National Forest System lands. We need a sustained level of funding to ensure that we can restore fire-dependent ecosystems and protect the lives and property of people in our communities. Restoring our forests not only makes our communities safer, it provides jobs—high paying, quality, family wage jobs.

Thank you for your continued interest in the health of our lands and the well-being of our communities.

Sincerely,

MIKE DOMBECK, *Chief.*

WASHINGTON, DC,
May 19, 2000.

DR. MICHAEL DOMBECK,
Chief, Forest Service, U.S. Department of Agriculture, Washington, DC.

DEAR MIKE: As you know, fires in New Mexico over the past week have burned more than 65,000 acres in New Mexico and destroyed well over 400 homes. While we commend Forest Service efforts to assist in protecting the lives of New Mexico's citizens, their property, and the public's resources, we are deeply concerned about the potential for future, unnaturally intense, catastrophic fires and their impact on communities in New Mexico and throughout the West.

The events of the past two weeks in New Mexico demonstrate that we cannot simply allow ''nature to take its course.'' The risks to our communities, Native American resources, and public resources are too great. We must take action to protect our communities and the forest resources upon which they depend. Inaction is not an option.

In order to provide adequate, or potentially additional, funding to assist the Forest Service in proactively addressing the risk of catastrophic wildland fires that can threaten communities in the West, as well as the health of our lands and waters, we need your assistance. A good first step in providing us with the information we need is the release of the Forest Service report on the subject currently under review by OMB.

In addition, we would like you to address what actions the Forest Service can undertake to minimize catastrophic fire in the wildland-urban interface; identify appropriate size limitations for thinning of trees; and provide information about specific contractual arrangements that should be employed to most effectively address the risk of wildland fire in the urban-wildland interface.

Thank you for your continued interest in the safety of communities and the health of our lands and waters. We look forward to your prompt response.

Sincerely,

JEFF BINGAMAN.
PETE DOMENICI.
TOM UDALL.
HEATHER WILSON.
JOE SKEEN.

Several Senators addressed the Chair.

Mr. SESSIONS. Mr. President, I would like to call up amendment No. 3790.

Mr. GORTON. This one is not done yet.

Mr. DOMENICI. I believe we have not finished this amendment yet.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to call up my amendment and to then debate it at a later time.

The PRESIDING OFFICER. Is there objection?

Mr. GORTON. Mr. President, if the Senator would yield, I think there are just two more relatively brief speakers, and we can then finish this amendment.

Mr. SESSIONS. I would set this amendment aside, but I have to go. I could come back, I suppose.

Mr. GORTON. Then, if it is brief, why don't you go ahead, I suppose.

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

The Chair hears none, and it is so ordered.

The Senator from Alabama may proceed to call up his amendment.

AMENDMENT NO. 3790

(Purpose: To prohibit the use of funds for the publication of certain procedures relating to gaming procedures)

Mr. SESSIONS. Mr. President, I call up amendment No. 3790.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself and Mr. GRAHAM, Mr. ENZI, Mr. LUGAR, Mr. VOINOVICH, Mr. GRAMS, Mr. REID, Mr. INHOFE, and Mr. BAYH, proposes an amendment numbered 3790.

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

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

The amendment is as follows:

On page 225, between lines 11 and 12, insert the following:

SEC. . None of the funds made available in this Act may be used to publish Class III gaming procedures under part 291 of title 25, Code of Federal Regulations.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the debate on this amendment be set aside pending the time that Senator CAMPBELL and others would be here to debate.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be set aside until such time.

Mr. SESSIONS. I thank the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, for some time now the Senate has been debating, somewhat interchangeably, two issues; one involves protection for roadless areas and the other involves the important issue of fire prevention.

I would like to take just a minute or 2 to discuss each one of these so that it is clear where we are with respect to this debate.

The original amendment offered by the senior Senator from Idaho, Mr. CRAIG, my longtime colleague on the Forestry Subcommittee, would have, in effect, presented the Senate with a referendum on the President's roadless proposal, a major environmental initiative, certainly supported by millions of Americans. There have been more than 180 public meetings on this roadless initiative, and more than 500,000 comments. This is certainly the centerpiece of the President's environmental agenda.

So had we been presented here in the Senate with an up-or-down vote on this roadless proposal, despite my friendship with the Senator from Idaho, I would have had to oppose that original amendment strongly. To me, the President's proposal on roadless areas makes sense for one reason: Protecting additional unspoiled areas can produce gains for fish runs across this country, as well as improving habitat and watershed quality. These environmental gains outweigh the benefits of commercial development on these particular lands.

A lawsuit is pending in Federal court concerning the FACA issue as related to the roadless initiative. Certainly Congress should allow the judicial process to operate without interference.

Several of my colleagues have noted that oral arguments are going to be heard on August 7 in that lawsuit. There will be plenty of time for the Senate to act with respect to any issues involving the Federal Advisory Committee. But I say, as the ranking Democrat on the Forestry Subcommittee, I think it would be a great mistake for the Senate to, in effect, ashcan the President's roadless area proposal. Fortunately, the Senate is not going to be asked to vote up or down on that issue today.

I have, for some time, along with a number of other colleagues, pursued an effort to modernize our policy with respect to both road and roadless areas. There is much that we can do that protects both habitat and also resource-dependent communities. But to have had a referendum on the President's roadless area proposal today, with a lawsuit pending, and with millions of Americans in support of that proposal, would have been, in my view, a very serious mistake.

Now we are presented with a substitute proposal, initiated by the two Senators from New Mexico, involving fire prevention. At this point, we are talking about something very different than the original Craig proposal. We are talking about an effort to protect homes and businesses, and, by the way, habitat as well.

I want it understood for the record that this amendment is not going to affect the completion of the roadless area initiative. That is why I am pleased to be able to say that I intend to support this fire prevention initiative. Again, this new amendment does not affect the roadless area proposal.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I compliment my friend from Oregon because everything he said speaks for me.

I will be brief, but I think it is important that I put some comments into the RECORD because I have a sense that perhaps Senator CRAIG may be back with a similar amendment at another time, and I think it is important to lay the groundwork for why I would not support it at that time.

I do support what Senators DOMENICI and BINGAMAN have brought us. I compliment them for bringing this to us. I know they have been very careful not to do anything in this amendment that would, in fact, stop any environmental rules from going forward, in particular the roadless rule that we are in the midst of promulgating.

I will be supporting the Domenici-Bingaman amendment. I am pleased in the way it has been presented. It is, in fact, a substitute for the Craig amendment.

Let me ask my friend from New Mexico, does he want to have the floor?

Mr. DOMENICI. No, thank you, I say to the Senator.

Mrs. BOXER. All right.

Mr. President, I have such a good feeling about Interior appropriations bills. My friend, Senator BYRD, and Senator DOMENICI and Senator GORTON have worked hard on this Interior bill.

For California it is so important. It is wonderful. I just got a reminder note from Senator BYRD on the wonderful things in this bill, for which I thank my colleagues on both sides of the aisle. Funding for the historic Presidio, for Lake Tahoe, so many others, the Manzanar historical site. For those of you who may not remember, it was the site where Japanese-Americans were essentially interned. We are going to make a monument out of it.

So when I see an antienvironmental rider come on this beautiful bill, it is always distressing because, to me, the Interior appropriations bill, it seems to me, should be a positive statement of good things that we are doing for the environment.

So when I heard a rumor that Senator CRAIG would offer his amendment, I decided at that time I would try to talk the Senate out of adopting it. And this has become unnecessary.

So let me quickly say, I am pleased that what is before us does nothing to stop this roadless policy from going into effect.

As Senator WYDEN has stated, there have been countless meetings on it. The fact is, the roadless areas are the remaining gems of a forest system that has been degraded by centuries of logging and other types of heavy use. If we look at the big picture, we are really talking only about setting aside 2 percent of all our land in this country as roadless areas. What an important thing that is for us to do because it will in fact preserve our beautiful, priceless environment for future generations and preserve the fishing industry, stop erosion. It is a very important environmental initiative.

So there is no misunderstanding, we know there are many inroads into these roadless areas. In the next 5 years alone, we are going to see more than 1,000 miles of roads inventoried. We are moving into these pristine areas.

At some point, we have to say enough is enough in terms of destruction of our natural wilderness and our wonderful natural heritage. I think the U.S. Forest Service has taken a bold and positive step forward with its effort. I am very glad that nothing in this bill will stop them.

Let me cite a couple of poll numbers. A recent poll done by some pollsters from the other side of the aisle found that 76 percent of the public supports the protection of roadless areas, and in my home State, asking Republicans and Democrats that question, 76 percent of Californians support roadless policies.

We have editorials that I ask unanimous consent to have printed in the RECORD.

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

[From the San Francisco Chronicle, Oct. 15, 1999]

CLINTON SEEKS LEGACY OF FOREST PROTECTION

In recent years, the Clinton administration has been pushing for a more balanced national forest policy, with a group of timber-oriented congressional leaders resisting every step of the way.

The administration's approach, under U.S. Forest Service Chief Mike Dombeck, was hardly radical. It was entirely consistent with the preservationist vision of President Theodore Roosevelt at the turn of the century when he greatly expanded the amount of national forest. It certainly jibes with the views of most Americans that conservation should get greater priority on public land.

President Clinton this week took a bold step toward cementing those values by protecting about 40 million acres of U.S. forest land from road building. The proposal would effectively halt logging and mining in those still-pristine areas. About 4 million of the acres are in California, including significant parts of the Sierra Nevada.

The timber industry, predictably, howled.

''These are not the king's lands, they are the serfs' lands, they are the people's lands,'' said Sen. Larry Craig, R-Idaho, arguing that Congress should decide forest policy. In a letter to Dombeck, he argued that the Clinton plan would limit forest access.

The Clinton plan will not curtail access to any of the 380,000 miles of logging roads in national forests—about eight times the length of the interstate highway system. These roads, typically dirt trails wide enough to accommodate a tractor-trailer, have often contributed to erosion, creek sedimentation and other environmental problems.

This modest but essential effort to curtail further intrusion into the nation's forests will not spell doom and gloom for the timber industry. Less than 5 percent of timber cut in the U.S. comes from national forests, and less than 5 percent of that volume comes from roadless areas.

It is important to note that the Clinton plan is not a done deal; it is the first step in a regulatory process that could take more than a year and most certainly will be influenced by public input.

Notably missing from the president's eloquent call to conservation was a commitment to include Alaska's Tongass National Forest, the nation's biggest and the heart of the world's largest remaining expanse of coastal temperate rain forest. Tongass has been a major battleground for lawsuits and legislation over logging in an area with healthy populations of grizzly bears, bald eagles and salmon.

These are the people's lands, natural treasures, and Americans who care about conservation must ensure their voices are heard in what promises to be a contentious process.

[From The Sacramento Bee, Oct. 22, 1999]

FIGHT OVER FORESTS—WHICH PUBLIC LANDS SHOULD REMAIN ROADLESS?

President Clinton used the Shenandoah Valley as the vista for his recent announcement to seek permanent protections for up to 40 million acres of pristine, roadless national forests. A more appropriate backdrop would have been somewhere between a rock and a hard place. Seeking to manufacture a legacy of forest protection in his remaining months in office, Clinton faces an uphill struggle.

The president and Congress are supposed to work together to pass laws that protect forests as wilderness. This is how approximately 34 million acres of the 191 million acre national forest system are now officially protected with the wilderness designation. These 40 million acres that are the target of Clinton's new effort are not now legally designated as wilderness, yet function in nature as such. There are no roads on these lands—each of 5,000 acres or greater—and in many cases they are adjacent to a designated wilderness area.

The Republican-led Congress, beholden on this issue to an extractionist ideology, is simply incapable of working with the president on wilderness issues, with the sole notable exception of an emerging bipartisan effort in western Utah. A compromise that could serve multiple interests—additions to wilderness areas in return for additional certainty on other lands for timber harvests—is not possible in this political environment. As Republicans use riders attached onto appropriation bills to thwart forestry planning efforts, many environmental groups have taken up the call for no logging whatsoever on any public lands. The average American, meanwhile, uses more paper products than anybody else on Earth.

As Clinton wades into this ideological war, he has few options. Legally, the strategy with the best chance of permanency is to embody new protections for roadless areas within an environmental impact statement that offers a scientific basis for the action.

The strategy may prove to be a long shot. On forestry issues in the Sierra, for example, the administration has been unable since 1993 to finish an environmental impact statement that offers final guidelines on how to protect the California spotted owl. Courts, meanwhile, have stalled Clinton's logging strategy for national forests in the Pacific Northwest. Environmental groups successfully challenged the adequacy of the environmental impact statements, which did not include surveys for certain rare species such as mollusks.

Ironically, the very legal techniques used by roadless advocates to challenge logging plans will be handy weapons to attack Clinton's roadless plan—if the Forest Service manages to produce the environmental documentation before he leaves office. There's not much time left to count mollusks on 40 million acres of roadless America. In the forests, the biologists better start counting. And in Washington, leaders on both sides of the aisle should contemplate a bipartisan approach to forestry policy.

[From the New York Times]

CLINTON'S LEGACY AS PRESERVATIONIST?

For someone who paid no attention to environmental issues during his first year in office, Bill Clinton may wind up with an impressive legacy as a preservationist. In addition to his earlier programs to restore the Everglades and to protect Yellowstone, the forests of the Pacific Northwest and the redwoods in California, the president recently set in motion a plan that would, in effect, create 40 million acres of new wilderness by blocking road building in much of the national forest.

In recent months, his secretary of the interior, Bruce Babbitt, has been exploring the possibility of additional action under the Antiquities Act of 1906, a little-known statute that allows presidents, by executive order, to protect public lands from development by designating them as national monuments. If used intelligently, the act offers Clinton a useful tool to set aside vulnerable public lands before he leaves office.

Because it allows a president to act on his own authority and without engaging Congress, the Antiquities Act is an attractive weapon to any president whose time is running out and who wishes to quickly enlarge his environmental record.

In 1978, President Jimmy Carter designated 15 monuments in Alaska, which in turn accelerated passage of a bill that added 47 million acres in Alaska to the national park system. Near the end of his first term, Clinton created the Grand Staircase-Escalante national monument on 1.7 million unprotected acres in Utah.

In the last 93 years, all but three presidents—Richard Nixon, Ronald Reagan and George Bush—have designated at least one national monument. There are now more than 100.

Congress has never revoked a designation, though it has the power to do so, and some monuments have become revered national parks, like the Grand Canyon. Yet Congress has never really liked the law because it so clearly gives the president the upper hand.

All it can do is rescind a designation, which is politically difficult. After Clinton's Grand Staircase-Escalante designation in 1996, a bill requiring congressional approval of any designation exceeding 5,000 acres passed the House, but died in the Senate.

Babbitt is considering a dozen sites. The largest is one million acres on the North Rim of the Grand Canyon. Others include the Missouri Breaks, along 140 miles of the Missouri River in Montana, and hundreds of thousands of acres in Arizona, Colorado, California and Oregon.

All the projects are worthy, but as a matter of caution he and the President need to winnow the list to sites most deserving of immediate protection. Western Republicans, complaining about a federal ''land grab,'' are looking for any excuse to revive their attack on the act, which has survived in part because it has been used sparingly.

Overuse could also divert support from even broader open-space initiatives, including what is expected to be another serious push to seek $1 billion annually in permanent financing for the Land and Water Conservation Fund.

Within these limitations, there is no reason not to use the act, a statute with an honorable history that has produced illustrious results.

[From the Ventura County Sunday Star, Nov. 7, 1999]

PRESCRIPTION FOR FOREST HEALTH PROBABLY WOULD KILL THE PATIENT

(By Arthur D. Partridge)

The Clinton administration's recent proposal to protect roadless areas in our national forests is already under attack in Congress. One often-repeated objection is that roads are needed for logging, logging is necessary for a healthy forest, and our forests are suffering a health crisis. As prescriptions go, this one verges on quackery.

The term ''forest health'' is so poorly understood and defined nowadays that it's virtually useless. When first coined, in 1932, it referred solely to insects and tree diseases. Now people use it to encompass fire, storms, or virtually anything. But all of the data, both from the Forest Service and studies by many forestry researchers including me, indicate there's been no change in the real condition of our forests, other than through excess and ill-advised logging.

In terms of disease and insects, there has been no difference in true forest health for at least 50 years. In fact, a report from the U.S. Forest Service indicated that between 1952 and 1992 the amount of damage from disease, insects and all other major causes—including fire—was less than 1 percent of the standing commercial timber throughout the United States. And the numbers stayed at those levels the entire time, with no ups and downs. The same thing is true of both public and private lands.

* * * * *

Unfortunately, this basic reality often gets distorted in order to accomplish some kind of cutting plan. In the Pacific Northwest, for instance, we hear that in many regions the Douglas fir is threatened by bark beetles. But when we go to those areas and investigate, we find that a significant problem just doesn't exist. There are some beetles, all right, but the overall beetle population is in decline and the amount of damage is extremely low. Of course if you only look for trees with beetles, you'll find them. But in the whole forest the mortality rates hover around the historical rates of 1 to 2 percent. And this is true of root diseases and other pests, of different species of trees, and in different areas of the country.

Claiming harm to forest health is merely an excuse to log, but logging in the roadless areas is plain foolishness. The reason they weren't logged long ago is that early loggers knew there was little worthwhile timber in these areas.

* * * * *

Widespread clearcutting has also brought changes in the water cycles, creating rapid runoff and melting during the spring, leaving little available water during the summer, when it's needed most. Even the local weather has been affected: If you change the structure of the forest, you change wind patterns and rainfall as well.

In spite of this, I'm more optimistic than I was 15 years ago. Back then, nobody would listen to such concerns. All they could think about was the product and not the results of producing that product. Now even the industry is more sensitive to what it's doing, and it's changing some logging practices.

We need to continue to improve the way we maintain our forests. If we cut timber, we have to do it more gently than in the past. And we have to stop using wrong-headed excuses like ''forest health'' to log in the few and fragmented remaining roadless areas that America still treasures. If we destroy such areas through needless incursion, we will leave our descendants far poorer than justified by the small immediate profits, and they will wonder what sort of physicians made such poor judgments about health.

[From the Central and East County Contra Costa Times, Oct. 26, 1999]

FORESTS NEED PROTECTION

President Clinton has directed the U.S. Forest Service to produce an environmental impact statement and develop a proposal that potentially will protect more than 40 million roadless acres of its 155 national forests and 20 grasslands. Reactions from the two most vocal sides insist Clinton has erred, but he is moving in the right direction.

The timber industry is angry about losing future access to these woods. Where will its product come from? Hmm. Well, probably the same place it comes from now—and that's not primarily federal forests. Only 5 percent of the annual timber load comes from national land and only 5 percent of that comes from areas that could come under protection. Besides, the 380,000 miles of road already in forests—more miles than the interstate system—will still be usable.

That the plan provides for only 40 million acres and only inventoried, roadless areas 5,000 acres or larger upsets many environmentalists, as does not including Alaska's Tongass Forest. The heart of the world's largest remaining expanse of coastal temperate rainforest, Tongass is under siege, its supporters feel. Logging does take place in specified areas, and efforts to increase cut levels in Tongass are already in progress. Supporters feel an urgent need for more federal protection and were intensely worried when this proposal that excludes Tongass was chosen by Clinton.

The plan also deals almost strictly with road-building; it will prohibit it, which hampers development. Environmentalists would of course like the regulation to stop logging, mining, many kinds of recreation and other exploitation.

Clinton went with what was the weakest of his choices of plans, particularly making no rule to protect wildlife, to avoid needing congressional approval. His is an effort to have something happen instead of nothing. Part of the proposal also calls for a 60-day (only about 45 days to go now) public review and comment process, and all sides are hoping your voice will make a difference on what the final plan becomes. (Send comments to: U.S. Forest Service-CAET, Attn: Roadless Areas NOI, P.O. Box 221090, Salt Lake City, UT 84122.)

We encourage you to support this effort. Only about 18 percent of the 192 million acres of federal forests are now protected from development. Roadless areas are reference areas for research, bulwarks against invasive species, and as aquatic strongholds for fish as well as vital habitat and migration routes for wildlife species, especially those requiring large home ranges. Tongass by merit of its uniqueness should be included in any plan that will protect it.

We also would like to see forest lands remain untouched where they can so that they will still be around for centuries to come and our children won't have to explain to their grandchildren what forests were.

Mrs. BOXER. These editorials are in favor of roadless protections. The two Senators from New Mexico have offered us a great service because they have essentially, by their amendment, stopped us from a very controversial amendment that was antienvironment, that the administration would have been very opposed to, and may well have caused a veto of this bill. I thank them again.

I say to my friend from Idaho, Senator CRAIG, I hope he will not bring this back to us. I think it would drive a wedge into the heart of our environmental heritage. I hope that will not happen.

I yield the floor.

Mr. KYL. Mr. President, I rise in support of the amendment to add $240 million to the budgets of the Bureau of Land Management and the Forest Service for fuels reduction on our public lands.

In April 1999, the General Accounting Office reported to the Congress that 39 million acres on the national forests in the interior West are at high risk of catastrophic wildfire. The GAO also stated in that same report to Congress that the ''most extensive and serious problem related to the health of national forests in the interior West is the over-accumulation of vegetation, which has caused an increasing number of large, intense, uncontrollable, and catastrophically destructive wildfires.''

As we've seen this summer on the Rim of the Grand Canyon in my state of Arizona, on the Hanford Reach in Washington State, in the community of Los Alamos, New Mexico, and now in Colorado and other western states, it's time to pay the piper. If we don't spend the money now to treat the forests and other public lands, mechanically and through the use of fire, we will pay later—and we will pay a lot more.

The National Research Council and FEMA have recognized wildland fires in California in 1993 and Florida in 1998 as among the defining natural disasters of the 1990s. The 1991 Oakland, CA fire was ranked by insurance claims as one of the ten most costly all-time natural disasters. And in terms of damage, the magnitude of these catastrophic fires was compared with the Northridge earthquake, Hurricane Andrew and the flooding of the Mississippi and Red River.

As the findings of these organizations reveal, we are setting ourselves up for costly and deadly disaster unless we act now and send money to the Forest Service and the Bureau of Land Management for hazardous fuels reduction in the wildland/urban interface.

In response to the GAO report, the Forest Service is working on a Cohesive Strategy to restore and maintain fire-adapted ecosystems across the interior West. I've seen a draft of that report, and the price tag on the draft is about $12 billion over 15 years to treat 60 million acres on the National Forest. As I understand it, the Forest Service had hoped to release a final Strategy about a month ago, but this Administration's OMB has put a hold on the Strategy as too expensive.

I'm not willing to wait until Flagstaff or Tucson or any other community virtually surrounded by the National Forest burns. I support providing the Forest Service and the Bureau of Land Management with emergency funds, assuming that the Administration designates these funds as emergency funds as required by the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. President, I also want to draw my colleagues' attention to the comments of Stewart Udall that were published in the Arizona Republic on Thursday, July 6th. As my colleagues know, Stewart Udall, who now lives in the fire-threatened community of Santa Fe, New Mexico, served as Secretary of the Interior and represented Arizona in the House of Representatives. Mr. Udall notes with complete accuracy that we have altered the ecology of our forests and that it is only a matter of time before these man-made tinderboxes will ignite. Mr. Udall implores citizens to unite and demand restoration plans and aggressive, science-oriented, landscape-scale restoration action plans to prevent Los Alamos-style disasters.

Mr. Udall praises an organization of which I, too, am proud, the Ecological Restoration Institute, located at Northern Arizona University, and its leader, Dr. Wallace Covington. Mr. Udall opines, and I agree, that with appropriate support, the Ecological Restoration Institute can show other forested states how to use controlled burns and mechanical thinning to eliminate the threat of devastating fires.

Mr. President, I ask unanimous consent that these remarks of Mr. Udall be printed in the RECORD.

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

[From the Arizona Republic, July 6, 2000]

LET'S BEGIN TO MANAGE OUR FORESTS

(By Stewart L. Udall)

SANTA FE.—As I survey the charred remains of the ''Cerro Grande'' fire that raged through Los Alamos, N.M., and its National Nuclear Laboratory, I am reminded that we have created an environment that invites a monster to rampage through our forests and threaten many communities.

In the Southwest, we have whetted its appetite by providing an overabundance of ponderosa pines and by mismanagement that has built a ladder of small, sickly trees that allows fires to leap into the crowns of old-growth yellow-bellies and into our mountain towns and homes. Meanwhile, we have wasted precious time looking for someone to blame and arguing over the definition of logging.

By altering the ecology of our ponderosa pine forest lands for a century, we have created unnatural conditions where fire can no longer play its natural role. Unhealthy forests abound in the West, and it is only a matter of time before these man-made tinderboxes are ignited and hapless ''disaster areas'' are proclaimed by presidents.

Before Western settlement began, fire strayed mostly on the ground, working its way through the grasses every few years as nature's steward, cleaning up the debris on the forest floor. Scientists at the Ecological Restoration Institute in Flagstaff have been telling us that the size and frequency of the recent fires have never before occurred in our ponderosa forests. They report, too, that the fires are growing larger, more damaging and more expensive and difficult to suppress.

Concerned citizens must unite and demand restoration plans and action that will reduce dangers and initiate campaigns to restore our forests and make them resilient and sustainable. Party lines and political agendas have no place in the upcoming battle. Republican Sen. Jon Kyl of Arizona and Interior Secretary Bruce Babbitt, a Democrat, have set an excellent example by locking arms and supporting projects to show what can be done to restore forest lands.

It will be incredibly short sighted if Arizona's affected cities do not, working in concert with the Forest Service, develop aggressive, science-oriented, landscape-scale restoration action plans and begin to implement them soon. Preventing Los Alamos-style disasters from decimating Arizona communities will test the grit and gumption of the Forest Service. And if emergency measures or funds are needed to get action started, it will also test the foresight and leadership of the state's congressional delegation.

Arizona's Ecological Restoration Institute is a national asset. It is led by Dr. Wallace Covington, a scientist who knows more about the ecology of ponderosa forests than any of his colleagues. With appropriate support, the institute can show other ponderosa states how to use controlled burns and thinning to eliminate the threat of devastating fires.

In a rich country, it is downright stupid to spend billions each year to put out destructive fires when modest resources can be invested to prevent such disasters. The bill presented to the federal government for fire suppression and reparations at Los Alamos is mounting daily toward $800 million. Experts are telling us this conflagration could have been prevented by forest-management measures costing $15 million to $20 million. When will we get smart?

Mr. ENZI. Mr. President, I rise in support of the amendment introduced by the Senator from Idaho, Senator LARRY CRAIG, to require the United States Forest Service to establish a Federal Advisory Committee Act committee to study and report on the proposed roadless area initiative and proposed transportation guidelines rule.

I have serious concerns regarding the process implemented by the United States Forest Service in developing these proposed rules. The House Energy and Natural Resources Subcommittee on Forests and Forest Health initiated a review on October 28, 1999, requesting documents from the Forest Service and the White House regarding development of the proposed roadless rule. While reviewing thousands of pages of documents provided by the Clinton administration, the committee found that the administration had held a number of meetings with, and used draft language, legal memoranda, and survey research data prepared by, a select group of representatives from national environmental organizations including: the Heritage Forest Campaign; the Wilderness Society; Natural Resources Defense Council; USPIRG, Earth Justice Legal Defense Fund, Audubon Society; and the Sierra Club.

In addition, the committee found no evidence of any effort to meet with or involve other groups or interested parties, and that the USFS' push to complete the proposed roadless initiative led to the use of poor data and errors in documentation, as is evidenced by letters from the National Forests and regional offices to the Washington Office expressing concern over the accuracy of the information being transmitted. For example, in one letter a USFS employee stated, ''This is an estimate that I hope we are not held accountable for.''

This reliance by a Federal agency upon a select group of individuals for the purpose of obtaining advice or recommendations is a de facto establishment of an advisory committee, an activity that must be conducted in accordance with the Federal Advisory Committee Act (FACA). FACA requires any agencies that establishes an advisory committee to file a formal charter, publish notice of all meetings in the Federal Register, ensure that all meeting are open to the public, keep minutes for each meeting, designate a Federal officer who must be present at each meeting, and must ensure that membership of the committee represents a cross section of groups interested in the subject—in this case the management and use of national forests.

This provision is also contained in the National Forest Management Act of 1976 (NFMA).

Unfortunately, the United States Forest Service's proposed roadless rule was developed without meeting any of the above FACA requirements. Instead, the Forest Service developed this rule in meetings with a small, insular group that represented only one, limited interest. Furthermore, the meetings were conducted behind closed doors and without any public notice.

Once again, the Clinton/Gore administration has demonstrated its unwillingness to include those most affected by federal land management decisions in developing land use policy. Instead of finding a way to include state and local governments, industry, recreationists and any other group interested in using and enjoying our national forests, this administration has chosen the politics of divisiveness and has excluded those who will ultimately have to live with the final decision from the development process. The

only inevitable conclusion from this kind of politics will be first, exclusion from the process, and finally exclusion from the forests themselves.

I support this amendment, and encourage the Forest Service to take this opportunity rethink its current process and to reconsider its proposed actions at a more appropriate level. The decisions being made pursuant these rules would be more responsive to local communities and forest health concerns if they were conducted properly and not in violation of current law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, as manager of this bill, I have been extraordinarily gratified by this debate on something I thought might be very controversial, but the Senator from New Mexico and his allies have given us a wonderful, totally bipartisan compromise on a significant issue, one I believe personally to be very constructive and very important. Rather than say anything more about it, I think we should take advantage of this opportunity and call for the question.

The PRESIDING OFFICER. Is there further debate on the secondary amendment?

Mr. DOMENICI. Mr. President, I thank everyone. There have been so many people working on this amendment. It has boiled down to a page and a half, but it is a very good amendment. It will permit the Forest Service and the BLM to do a lot of things they otherwise would not be able to do.

I am very thrilled today. I had originally nicknamed this bill ''happy forests'' because I thought maybe if we cleaned them up and took all this gasoline, using that figuratively, that is waiting around to burn them down—I thought they might just smile; they might just be happy forests. I want to say that is going to be the title of the bill. It has another fancy title. But when it passes today, let us just put in the RECORD, Senator DOMENICI is going to call this the happy forest bill.

I yield the floor.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to amendment No. 3806.

The amendment (No. 3806) was agreed to.

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

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is now on agreeing to amendment No. 3795, as modified, as amended.

The amendment (No. 3795), as modified, as amended, was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3807

(Purpose: To make emergency funds available to the United States Fish and Wildlife Service for salmon restoration and conservation efforts in the State of Maine)

Ms. COLLINS. 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 Maine [Ms. COLLINS], for herself and Ms. SNOWE, proposes an amendment numbered 3807.

Ms. COLLINS. 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 121, between lines 18 and 19, insert the following:

For an additional amount for salmon restoration and conservation efforts in the State of Maine, $5,000,000, to remain available until expended, which amount shall be made available to the National Fish and Wildlife Foundation to carry out a competitively awarded grant program for State, local, or other organizations in Maine to fund on-the-ground projects to further Atlantic salmon conservation or restoration efforts in coordination with the State of Maine and the Maine Atlantic Salmon Conservation Plan, including projects to (1) assist in land acquisition and conservation easements to benefit Atlantic salmon; (2) develop irrigation and water use management measures to minimize any adverse effects on salmon habitat; and (3) develop and phase in enhanced aquaculture cages to minimize escape of Atlantic salmon: *Provided*, That, of the amounts appropriated under this paragraph, $2,000,000 shall be made available to the Atlantic Salmon Commission for salmon restoration and conservation activities, including installing and upgrading weirs and fish collection facilities, conducting risk assessments, fish marking, and salmon genetics studies and testing, and developing and phasing in enhanced aquaculture cages to minimize escape of Atlantic salmon, and $500,000 shall be made available to the National Academy of Sciences to conduct a study of Atlantic salmon: *Provided further*, That the amounts appropriated under this paragraph shall not be subject to section 10(b)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(b)(1)): *Provided further*, That the National Fish and Wildlife Foundation shall give special consideration to proposals that include matching contributions (whether in currency, services, or property) made by private persons or organizations or by State or local government agencies, if such matching contributions are available: *Provided further*, That amounts made available under this paragraph shall be provided to the National Fish and Wildlife Foundation not later than 15 days after the date of enactment of this Act: *Provided further*, That the entire amount made available under this paragraph is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

Ms. COLLINS. Mr. President, let me begin by complimenting the Senator from Washington and the Senator from West Virginia for crafting an excellent bipartisan appropriations bill for these very important programs that matter so much to each of us in all our States. They have worked very well together and brought to the Senate for its consideration a bill that deserves support. I commend their efforts in that regard.

The amendment I am offering on behalf of myself and the senior Senator from Maine, Ms. SNOWE, concerns an issue of tremendous importance and urgency to the State of Maine. The issue involves the Federal Government's proposal to list the Atlantic salmon in the State of Maine under the Endangered Species Act. More specifically, the issue before us is whether the Federal Government will support the efforts of the State of Maine and other organizations to restore and conserve the Atlantic salmon in our State. Our amendment would appropriate $5 million in emergency funds for this very purpose.

I will give all of my colleagues an idea of just how critical it is for these funds to be invested in our State this year. This situation is truly an emergency. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service have proposed to list certain Atlantic salmon in Maine as an endangered species. Under an agreement reached last month between the services and the two organizations that filed suit in Federal court seeking emergency listing of the salmon, the services have agreed to make a final decision on whether or not to list the Atlantic salmon as endangered by November 17 of this year.

I emphasize this point: The services have already given up their statutory and—what is usually a matter of course—routine ability to seek an extension of time in which to make a determination of whether or not to list the Atlantic salmon in our State under the ESA. In short, the time is now to demonstrate a Federal financial commitment to salmon in our State and that a listing under the Endangered Species Act is not necessary to conserve and restore Maine's magnificent Atlantic salmon.

The stakes are decidedly high and the services' rush to judgment unfortunate. A decision to list the Atlantic salmon under the ESA could threaten the livelihood of thousands of Mainers, particularly in the eastern part of the State of Maine. This is one of the most beautiful sections of our State; unfortunately, it is one of the most challenged economically.

At risk is a $68-million-a-year agriculture industry employing 1,500 Mainers, a $100-million-a-year blueberry industry supporting 8,000 jobs, a developing cranberry industry into which more than $500 million has been invested already, and a forest products industry that is the linchpin of Maine's economy. As Maine's independent Governor, Angus King, put it, a listing would be ''a devastating economic blow to a region of the State least able to endure it.''

The $5 million we are seeking would make a substantial contribution to salmon conservation and restoration

efforts in our State. The funds would be made available to the National Fish and Wildlife Foundation, which has made a commitment to us to work very closely with the State of Maine to ensure that every single dollar is spent effectively. The funds would be used to assist in land acquisition and conservation easements to benefit Atlantic salmon, to develop irrigation and water use management measures, to minimize any adverse effects on salmon habitat, to develop and phase in enhanced agriculture cages to minimize the risk of escape, to install and upgrade weirs and fish collection facilities, and to conduct risk assessments, fish marking, and salmon genetics studies and testing.

The need for these emergency funds is right now. As noted, a listing decision is expected to be made early in the next fiscal year. The $5 million we are requesting needs to be appropriated prior to the Federal Government making its decision on whether or not to list the species, if it is to make a difference. We strongly believe that vigorous and effective salmon conservation and restoration efforts are needed in the State of Maine, but that listing the salmon as an endangered species is simply not the way to go. If these emergency funds are not appropriated this year, we will have missed an opportunity to convince the services that listing Atlantic salmon as endangered is not warranted. And we will have missed an opportunity of great importance to the people of Downeast Maine.

I thank the distinguished chairman and the ranking member of the subcommittee for their invaluable assistance on this critical matter. Senators GORTON, BYRD, and STEVENS have worked very hard to help us get to this point, and I have confidence that they will see this crucial amendment through to its enactment.

Mr. President, I understand that the amendment is acceptable to both managers of the bill, and I will urge its adoption following the remarks by the senior Senator from Maine.

Ms. SNOWE. Mr. President, today I am pleased to join Senator COLLINS in offering this amendment to the Interior Appropriations bill to make available $5 million in emergency supplemental funding for the restoration of Atlantic salmon. This is an issue that is critically important to the State of Maine. In 1997, the Fish and Wildlife Service and the National Marine Fisheries Service (the Services) enthusiastically endorsed the Maine Atlantic Salmon Conservation Plan as the best possible approach to restoring these fish to Maine rivers. Unfortunately, this five-year plan was essentially shut down less than halfway into its implementation when the Services re-initiated a proposed listing under the Endangered Species Act (ESA) on November 17, 1999.

This short-sighted action has placed in jeopardy an innovative and cooperative restoration strategy involving habitat restoration, water quality improvement, and widespread restocking programs statewide. The Services have yet to demonstrate what additional benefits will be afforded the salmon through such a designation despite my repeated requests for such information.

We in Maine have worked hard and made many sacrifices to restore our treasured Atlantic salmon. I continue to believe that a fully implemented Maine Plan remains the best means of restoring these fish and there is no benefit in cutting short such a promising effort.

Unfortunately, the Services have entered into an agreement with litigants that requires them to make their final listing determination by November 17, 2000. This action precludes the possibility of seeking a six month extension, as allowed under the ESA, to resolve any questions of scientific uncertainty. Many such questions have been raised. Questions range from whether or not these fish actually constitute a genetically distinct population segment as defined by the ESA to whether the Services' river specific hatchery stocking program has produced any benefits and is an appropriate restoration strategy. I have asked the National Academy of Sciences to thoroughly review the quality of the science that forms the basis of this proposed listing. This information will guide future restoration efforts in Maine. The funding under consideration today will make such a review possible.

Additionally, the Services have not undertaken a quantitative risk assessment to ascertain the relative importance of various factors which may influence salmon survival. Without such a risk assessment, we have no way of knowing if the Services are focusing on the right problems or potential problems and there is no clear way for the Services to evaluate what more needs to be done. In essence, the Services have no way of knowing if they are asking the impossible of the State. The State of Maine has been asking for such an assessment for over one year. Since the beginning, the Maine Plan has been incredibly dynamic and has evolved to address new problems or concerns. In fact, the State has addressed in some form every concern raised by the Services. This risk assessment will provide the necessary guidance to again strengthen salmon restoration efforts and target limited resources most effectively.

This risk assessment is but one example of the critical activities that need to take place prior to November 17th if the Services are to make an informed decision as to whether or not to list. The State of Maine is poised to take further action, such as upgrading weirs at the river mouths, conducing genetic analyses, and testing fish marking techniques, that might render a listing unnecessary. Unfortunately, despite the tripling of the State budget for salmon restoration, there is not sufficient funding available to complete these critical activities. If the State is able to complete these priority items prior to the November 17th deadline, we may be able to render a listing unnecessary. I would hope that the Services will adhere to the letter and spirit of the Endangered Species Act and fully consider the restoration activities paid for by these funds when making their final determination whether or not to list.

I would like to thank Senators GORTON, BYRD, and STEVENS for all of their assistance in making sure that this money is made available to Maine. I know that they share my concerns regarding the importance of the recovery of U.S. salmon populations, particularly Senators GORTON and STEVENS who have been working hard with people in their home states to restore populations of Pacific salmon. The funding we are seeking today was originally included in the Agriculture Appropriations bill. I am pleased that the managers acknowledge how time sensitive this issue is and are receptive to including it on this bill which is moving more rapidly. I can assure you that this money will make a tremendous difference in our efforts to restore Atlantic salmon in Maine. Thank you.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I have at least three reasons to urge adoption of the amendment of the Senator from Maine. The first, of course, is the eloquence that she has evidenced in presenting it and her persistence in pursuing this particular course of action.

Second is that this is directly analogous to the first amendment we adopted today by the two Senators from Minnesota. It is a decision, effectively, that we have already made that this money should be appropriated on an emergency basis. It is included in another bill that is slower to pass. Unfortunately, it was not included in the military construction bill, which did have a number of emergency expenditures in it.

The third comes even closer to home for this Senator because, as the Senator from Maine knows, Washington and Oregon, and for that matter, California, do have listed salmon species.

I may say to the Senator from Maine, we got an advance appropriation and it didn't prevent the listings from taking place, by any stretch of the imagination. But I think it did help my State and the other two States to prepare for what is going to be a long campaign toward their recovery. The hope that a listing may be prevented is a worthy goal on the part of the Senator from Maine. But even if it doesn't happen, this will have helped in connection with whatever the steps are thereafter. If the junior Senator from Maine would not mind, we can accept this amendment now and, of course, give other Senators an opportunity to speak. So she is ahead and she might as well win while she has a chance.

Ms. COLLINS. I thank the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, we in the minority share the feelings expressed by the distinguished manager of the bill. We, too, yield to the eloquence and the grace of the distinguished Senator from Maine.

Ms. COLLINS. Mr. President, I thank both my colleagues for their gracious comments and willingness to work with me on this very important issue. I urge adoption of the amendment.

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

The amendment (No. 3807) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I will be offering an amendment at the close of my remarks. It involves a section of this bill which I believe was authored by Senator DOMENICI of New Mexico. I just spoke to him a minute ago to tell him I will be offering this amendment to strike his section. He said to proceed. He will come to the floor in a few moments, and I am sure he is following this debate in the meantime.

First, I thank Senator BYRD and Senator GORTON for their fine work on this Interior appropriations bill. I think I have expressed the feelings of many Members of the Senate that this is a spending bill that is near and dear to our hearts. It involves so many of our Nation's greatest treasures, and the stewardship which they showed on this bill will not only reflect their feelings, but will inure to the benefit of generations to come, if we do it right.

This bill is considerably different and, in my estimation, considerably better than the bill in previous years. In the past, there have been the so-called environmental riders that have been added on a variety of different issues. Most of them involved public lands and how they were to be used.

I come from the State of Illinois. We have some public land in Illinois. We have a national forest in Illinois. We have part of a National Park System—a very small part. I know that some of my colleagues from the Western States have a much different situation. Many of them represent States where the majority of the land is owned by the Federal Government. I am sure that is an awkward situation, at best. I can't quite imagine all of the ramifications of that policy, of owning that public land and managing it. But I am sure it affects their daily lives and the economy of their States.

Having said that, though, I think all of us, whether we live in one of those States with a large portion of publicly owned land or whether we live in some other part of the country, have a vested interest in this debate about the use of the public lands. The reason we have a vested interest is twofold. First, these lands are being managed now by this Presidential administration in a temporary way. Soon there will be another President. It could be President Gore; it could be President Bush. I am not certain what the outcome of the election will be. But the next administration will then be handed the responsibility of managing this public land.

Each successive administration, each President, and Congress, for that matter, have a voice in determining how that land is to be managed. And if they do the job right, in my estimation, they will hand off to the next generation succeeding an even better stewardship of this Federal land. I drew from my desk a quote from the CONGRESSIONAL RECORD. It is a quote from a former Republican President of the United States by the name of Theodore Roosevelt. For those familiar with the administration of President Theodore Roosevelt, you know he created the first national park and that he had a special interest in conserving and protecting our natural heritage and, particularly, in establishing public lands to protect them for future generations. This short quote summarizes his philosophy and, I might add, my own:

> We must ask ourselves if we are leaving for future generations an environment that is as good or better than what we found.

That is a very simple, straightforward statement. I keep it in my desk here because, quite honestly, when the Interior appropriations bill comes up, that question is being asked of us. Are we going to manage the public lands of America in a way that future generations will look back and say we did a good job and protected that legacy from previous generations? It has been handled and managed well under your stewardship.

I think that is the test. It is the test of this appropriations bill, and it is the test of every amendment to that appropriations bill. That is half of the test. The other half of the test goes beyond our obligation to explain to future generations, if we did a good job—it goes to the question as to whether or not we have met our responsibility to God's creation because on these public lands we find a great many species, a lot of different plant life, wild flowers, grasses, which are things that, frankly, depend on our good stewardship. If we don't treat those lands well, we not only stand to disappoint future generations, we stand to destroy our natural legacy.

So when we talk about environmental issues, a lot of people like to categorize those as some kind of bureaucratic gobbledygook jargon in Washington. I think it is much more than that. It gets down to those two fundamental questions. At the end of the day, when we are called to judgment for our public service, can we say to future generations that the public lands you entrusted us with are given to you in at least as good a shape as we received them, and maybe better, and that we protected God's creation in a reasonable and thoughtful way during our years of management? That is the underlying debate that we hear on the floor of the Senate when we discuss so-called environmental riders; that is, questions of environmental policy raised in the Interior appropriations bill.

Let me address the specific issue before us in the amendment I will offer. The Bureau of Land Management is part of the Department of the Interior. It is entrusted with administering millions of acres of our Nation's valuable and diverse public lands located primarily in 12 Western States, including the State of Alaska.

Currently, the BLM manages more Federal lands than any other public agency. BLM oversees some 40 percent of our Nation's Federal lands—roughly 264 million acres of surface land predominantly in the western part of the United States. But acreage alone doesn't tell the story.

Our Nation's public lands contain a wealth of natural, cultural, historical, economic, and archaeological resources that belong to everybody. They are, in fact, part of the Treasury of the United States—not in dollar terms, but when you want to measure the assets of this country, you would certainly step back and say: I want to include not only what we find in our Treasury but our Grand Canyon, Yellowstone, Yosemite, and all of the land owned by the people of this country. These are our assets that we have a responsibility to protect and manage.

The natural and ecological diversity of the BLM-managed public lands is perhaps the greatest of any Federal agency. BLM manages extensive grasslands and forests, islands, wild rivers, high mountains, arctic tundra, and desert landscapes. As a result of the diversity of habitat, many thousands of wildlife and fish occupy these lands. These fish and wildlife species represent a wealth of recreational, national, and economic opportunities for local communities and States in our Nation.

The single most extensive use of public land under the jurisdiction of the BLM is grazing in the lower 48. Of the roughly 179 million acres of public land managed by the Bureau of Land Management outside of Alaska, grazing is allowed on almost 164 million acres out of 179 million, and millions of these acres also contain valuable and sensitive fish, wildlife, archaeological, recreation, or wilderness values.

At the present time, the BLM authorizes through the issuance of grazing permits approximately 17,000 livestock operators to graze on these 164 million acres of public land. These permits and public land grazing that they allow are important to thousands of Western livestock operators. Many of these livestock operators and ranchers use these permits to help secure bank

loans to provide important financial resources for their operations.

BLM typically issues grazing permits for a 10-year period on public lands. Many current grazing permits were issued in the late 1980s and are now expiring in large numbers over 2- or 3-year periods of time. These permits numbering in the thousands present the BLM with an unusually large and burdensome short-term renewable task.

We addressed this very issue in previous Interior appropriations bills. Can the Bureau of Land Management keep up with expiring permits or leases and reissue them in timely fashion so that someone who is using the land, the livestock operations, can continue their business, not lose money, and not face uncertainty when it comes to financing their operations?

The unusually large number of expiring grazing permits has created a dual dilemma for the Bureau and for its many public constituents. Western livestock operators who currently hold these expiring permits are worried that delays in the processing by the Bureau may cause them to lose their permits or otherwise threaten their ability to use the permits to secure bank loans for their operations.

Conservationists-environmentalists—meanwhile believe that the Bureau has a responsibility to perform responsibly for the governmental and environmental stewardship of these lands and analyze the grazing to make certain that if there is to be a renewal it is done in a reasonable and responsible way.

It is entirely understandable to me being from my State that ranchers are concerned about issues of security and predictability. So are my farmers. I understand this. Likewise, we require the BLM to wisely manage and protect our public lands for all Americans.

The on-the-ground permit level decisionmaking that should legally accompany the BLM's permit renewal process is fundamentally important to the ecologically sound and multiple-use management of our Nation's public lands.

The BLM must conduct what we call a NEPA, which is the National Environmental Policy Act, compliance and land use planning performance review before reauthorizing permits. In other words, before they give the permit back to the livestock operator to go back on public land to use it for grazing, they take a look at public land: How are we doing? Are we doing this in a responsible environmental way so ultimately the land is not so degraded or changed as to lessen its value or to endanger species and wildlife? That is a responsibility of BLM. It is an important one.

To meet the review requirements under NEPA and other existing Federal laws and regulations, the BLM uses a lot of different teams composed of agency professionals who look at wildlife, range, wild horse, bureau and cultural, and recreation wilderness activities. The BLM also solicits public comments and relevant information from a wide array of people interested in range management, including hunters, fishermen, and many others.

The simple fact is this: On most public land, grazing allotments and all of the important decisions that determine the condition of public rangeland resources are contained in the terms and conditions of the grazing permits and in the annual decision about the amount, timing, and location of livestock grazing. These decisions determine whether streams in the areas will flourish or be degraded and whether wildlife habitat will be maintained or destroyed. Public involvement in this process is essential for balanced public management. Without the application of NEPA and related laws, the American public has no real voice in public rangeland management.

Let me at this time give you an illustration. A picture is worth more than a thousand words. Any Senator is good for a thousand words at the drop of a hat. This picture will tell you an interesting story of a NEPA review of grazing on BLM land.

Let me drop some of these acronyms and abbreviations and try to speak English so those following the debate will understand.

The ecological picture here is one of the Santa Maria River in western Arizona, which has improved dramatically as a result of permit management changes under the environmental policies of the BLM.

It is important to note that the BLM continues to allow grazing in the areas you are looking at. However, they change some of the conditions of the grazing. As a result of environmental considerations, the grazing permits on the Santa Maria River in western Arizona now contain terms and conditions requiring livestock to be kept away from the rivers and streams during the spring and summer growing season.

The Santa Maria River in western Arizona is a rarity. It is a free-flowing river in the midst of a vast, hot, low-elevation desert.

The riparian corridor provides essential habitat for dozens of species of wildlife, including 15 species listed by Federal or State agencies as threatened, endangered, or some other special status. The riparian area of Santa Maria and its ability to support wildlife were severely degraded by many years of uncontrolled and unmanaged livestock grazing in the river corridor.

The vegetation was literally stripped away. Water was so polluted that streambanks were trampled and miles of riverbed areas and riparian areas were nearly as barren as the surrounding desert.

This is the picture of the overgrazed area around the Santa Maria River in Arizona. There is the ''before'' picture. Let me tell you a little bit about the ''after'' picture, which I will refer to in a second.

For decades, the BLM issued new grazing permits to ranchers along the Santa Maria River with no terms and conditions to protect the riparian areas.

Even though the BLM developed the land-use plan that required the river to be rested from livestock grazing, that requirement was not included in the permits. In the late 1980s, a portion of the Santa Maria River received an unplanned reprieve from grazing. The rancher who held the permit went bankrupt and had to sell all his cattle.

The result of 3 years of rest from grazing can be seen in the second photo. These are roughly the same areas. This one looks like a stripped desert; the second is much different. This is a stream bed from the Santa Maria River, showing the natural vegetation and grass that has grown back in the grazing area. The riparian vegetation has begun to return, the stream banks are rebuilding, and the water is cleaner than in other portions of the river.

In the early 1990s, the bankrupt rancher sold out to a new rancher who wanted to restock the river corridor with cattle and start the grazing again in this area. The BLM proposed to transfer the grazing permit to the new rancher with no NEPA analysis; that is, no environmental analysis and no public review. The transferred permit would have had the same terms and conditions and ultimately resulted in the same condition as seen in the before picture.

A number of individuals and organizations challenged the BLM decision to renew these permits without a NEPA review and public comment. As a result of the environmental assessment, the grazing permits on the Santa Maria contain terms and conditions requiring that livestock be kept out of the riparian area during the spring and summer growing seasons. There is now a chance for vegetation to recover and water quality and wildlife to be restored.

The reason this part of the debate is important is it relates directly to the amendment I will offer. If the amendment offered by the Senator from New Mexico remains in this bill, permit level management changes that I have just described will be much more difficult to obtain.

Let me speak for a minute about section 116 of this bill that I would strike. This is the so-called grazing right. Most Members of the Senate have received letters from virtually every major environmental group in Washington, asking them to join in supporting my amendment to strike section 116. Here is the reason. This is the third attempt in an Interior appropriations bill to allow grazing permits to bypass current environmental regulations. Section 116 allows renewal of grazing permits that expire in fiscal year 2001 under the same old terms and conditions in which the permits were first issued.

Last year, I offered substitute language to similar offerings by the Senator from New Mexico. My language

would have addressed ranchers' needs for the Bureau to process grazing permits in a timely fashion and in a manner by which ranching operations and financial arrangements would not be needlessly disrupted.

My intent last year was to not only protect the environment but to protect the ranchers, as well, to give them certainty as to when the new permits would be issued, and to also say that, where necessary, the Bureau of Land Management could step in and make the environmental changes to protect an area, changes that could avoid this and result more in this type of situation, which I think most of us would agree is better stewardship of the land.

However, I am pleased to report that my efforts to hold the BLM and their feet to the fire successfully on their own resulted in change. My amendment didn't succeed. But they went on to work to solve the backlog of expiring permits.

The bottom line is this: There is no longer any need whatever for section 116 in this bill.

Let me show a chart in reference to the activity of the Bureau of Land Management. The BLM issued 3,872 fully processed grazing permits and leases in fiscal year 1999. In fiscal year 2000, the Bureau of Land Management is scheduled to issue 2,893 fully processed grazing permits and leases; 1,408 have been holdovers from the previous year, but they, too, will be renewed this year. In fiscal year 2001, the Bureau of Land Management will only be faced with 1,646 permits that have expired, and a small carryover of 484 from the previous year, for a total workload of 2,130 permits in the next fiscal year. This number is fully within the capability of the Bureau of Land Management.

We will hear from the other side, those supporting this environmental rider—that is opposed by virtually every environmental group in the Nation's Capital—that we have to put this rider in place to renew old permits without review because the ranchers and livestock operators cannot be certain that the BLM will meet its obligation to issue the new permits as the old ones expire.

The numbers tell a totally different story: 3,872 permits reviewed and approved by the BLM in 1999; this year, another 2,885; in the year for which we are appropriating, the numbers will be down around the 2,100 range. Clearly, the BLM has the capability to handle many more permit renewals than we envision in the next fiscal year. There is no need for this environmental rider to create exception and to tell the old permit holders they don't have to go through the process. The process is there. It is timely. It will give them the certainty they want about their future. All but 79 of the expiring 2001 permits will be completely processed in 2001.

The BLM has decided to carry over the permits because they concern areas near the Grand Staircase Escalante National Monument and in the Bookcliffs allotment. Because of the environmental sensitivity of these areas, the Bureau of Land Management will conduct an environmental impact statement instead of the regular environmental assessment.

The question arises, if the BLM will no longer have a backlog of permits, why is there such concern that section 116 be included in this bill? Although that question can be easily reversed, the concern is that section 116 will create incentives for livestock operators to delay renewal of their permits in hopes of avoiding environmental compliance by gaining an automatic renewal of their old permits under the old terms and conditions.

Section 116, as presented in this bill, undercuts meaningful opportunities for public involvement in a range management process. Is that important? Remember the picture from the Santa Maria situation; the BLM didn't come up with policies that resulted in the second photo. The lands lying in rest for 3 years, and public comments, led to changes in permits, which means that instead of desert, we are going to have a very beautiful area, an important area for habitat which is not environmentally damaging.

Section 116 undercuts that opportunity for public comment because it provides for an automatic renewal of the old permit without going through public comment or environmental review. They have to renew under section 116 the old permits under the same terms and conditions for an indefinite period. It effectively eliminates public input into the stewardship of public lands.

The Senators in support of 116 are saying to the people of this country who own these lands all across America: Get out of the way. We don't want you to be part of the process. We don't want you to sit back and determine whether the livestock operator who has been on this land for 10 years has done a good job from an environmental viewpoint.

Frankly, that is why we are here. Those in Congress and in the administration who have responsibility for the management of the land have to leave it to future generations in at least as good shape as we received it. If we cannot take an objective appraisal of how a rancher or livestock operator has managed the land, if we cannot decide that perhaps there needs to be a change because the way he is managing the lands is destroying it, then frankly we are running away from our responsibility.

Section 116 in this bill, which I strike, does exactly that. It takes the public out of the process. It takes the Government, looking at this from an environmental viewpoint, an ecological viewpoint, out of the process. It says it is an automatic renewal, no questions asked or answered. That is why this section 116 is opposed by a wide array of groups, including the Wilderness Society, the Sierra Club, the U.S. Public Interest Research Group. It is important to note that the League of Conservation Voters views this as a very important vote, as well.

Let me address specifically the situation involving the State of New Mexico. The BLM says that New Mexico, which is the home State of the Senator who has offered this, will process and issue all fiscal year 2001 expiring permits, as well as all carryover permits from fiscal year 2000. So if we hear the argument on the floor that this backlog is hurting the State of New Mexico, the home State of the Senator who offered section 116, the facts don't back it up.

By September 30 of this year, New Mexico is committed to fully processing and issuing all 379 carryover 1999 permits and leases and 179 of the year 2000 permits, for a total of 558. New Mexico plans to issue 192 fiscal year 2000 permits, using Public Law 106–113.

In fiscal year 2001, 221 permits and leases will expire in New Mexico. Like the BLM as a whole, in fiscal year 2001, New Mexico will process and issue all fiscal year 2000 carryover and fiscal year 2001 expiring permits, a total of 413.

This environmental rider, this section, was sold to us in years gone by as a necessity because of the backlog of cases on permits. The argument no longer holds. The BLM is fully capable of issuing new permits after the environmental consideration and public comment period, without hardship to the livestock operators and ranchers.

Let me address one other aspect of this which I think is very important. The reason why section 116 should be stricken from the bill gets to the heart of the question. Assume for a minute that you have a permit for your cattle to graze on public lands. Assume that the permit is about to expire and you are now in a position where you are having a review by the Bureau of Land Management. They come to a conclusion that the way you have used your permit over the last 10 years has been bad, you have damaged the land, you have damaged the water quality, you have destroyed habitat for wildlife, you may have threatened some species that live in that land. So they want to change, in the next permit process, the way that you, for example, graze your cattle. If you remember the example from the previous photograph, the Santa Maria River, they decided at certain times of the year cattle could not graze near the river, for many of the reasons I just explained.

If section 116 goes forward as proposed by the Senator from New Mexico, if there is a dispute between the Bureau of Land Management and the permit owner, all the permit owner needs to do is to appeal the decision by the BLM, and, frankly, he gets to live under the terms of his old permit with no restrictions on when the cattle can graze and no restrictions on activity

that might be damaging to the environment. That is the net effect of section 116, that we allow any bad actors who are destroying the environment on our land, our public land, to continue under the old terms and conditions and not face changes that would be in place.

If section 116 were not part of this bill, the Bureau of Land Management could step in with a full force and effect order and say: Even while we are debating and appealing this question, you have to stop grazing your cattle near these streams and rivers in the summer and spring seasons when the area is the most vulnerable.

The bottom line is, those who support section 116 think environmental concerns should be removed, take second place to moving forward and renewing the old permits. That is the bottom line. That is what this debate is all about. Those who believe, as I do, that this land belongs to us and future generations, that this land is in fact the habitat for many species and wildlife that need to be protected, believe, I hope, section 116 should be stricken.

Aldo Leopold wrote a great book called ''A Sand County Almanac.'' It is one of the classics, legends, when it comes to the West and the environment. This is what he said about the land:

> Having to squeeze the last drop of utility out of the land has the same desperate finality as having to chop up the furniture to keep warm.

I hope Members of the Senate, Democrats and Republicans, will step back and acknowledge the obvious. The BLM can meet its obligation. It can renew these permits. It can do it in an environmentally sound way. It can leave this land in as good shape as we received it and maybe better. It can leave a legacy to future generations, and even future ranchers, of which they can be proud. We do not need to carve out an exception here. We do not need to walk away from our environmental responsibility. We do not need to take the public out of the process of debating the future of public lands.

A few minutes ago one of my colleagues from Idaho came to the floor, very critical of the Clinton administration because he said they went through a process on roadless lands in the national forests and they were not public enough. The facts are otherwise. There was room for a lot of public comment. But now we are going to hear those who defend section 116 come forward and say: Take the public out of the process. Automatically renew the permits. Don't make the evaluation.

That is shortsighted. That does not meet the standard and test that Teddy Roosevelt and so many others before us established for this Nation. If we do this, we are not managing this land in the best interests of the taxpayers and the best interests of our children and in the best interests of God's creation.

AMENDMENT NO. 3810

(Purpose: To strike the provision relating to renewal of grazing permits and leases)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

> The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 3810.

Mr. DURBIN. 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:

> Strike section 116.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I listened with great interest to the comments of the Senator from Illinois on striking section 116. Let me preface my point by saying the language in the bill is the same language that was in last year's bill. There is a reason for it. Contrary to the argument being voiced by one side of the aisle, this is compromise language. It passed the House and the Senate last year. It was cleared by the Council on Environmental Quality and signed into law by the President.

As part of his speech, the Senator from Illinois showed us a picture of rangeland in poor quality. Well, I could take that same picture in Yellowstone Park. There is not one cow in Yellowstone Park, not one. There are a lot of buffalo, though. It is all managed by educated, competent land managers. The problem is, they have a hard time cutting back on the herd there. So let's not say that all the ranchers in the world are the rapers and the pillagers of the land, because we can see range in worse shape being managed by the National Park Service.

I go back on open range, range country, with the BLM and Government land back to the 1950s, and even a little before that. I can remember riding into Chicago with cattle for J.C. Penney at the old International Stock Show. So I know a little bit about these cattlemen. I know a little bit about grass. I know a little bit about rain. I know a little bit about sunshine.

If it had not been for the ranching community in our public lands States, there would also be no wildlife on that range because there is no water. For the most part, the land that was not claimed under the Homestead Act was land without water. Water was later developed on that land by the people who leased it from the government. To water their cattle they built reservoirs and wells. They also used pipelines. Anyplace livestock can graze, one will find wildlife.

There was an organization formed just after World War II. The country was coming out of a depression and also some devastating years of drought in the thirties. There are probably not a lot of folks standing around here who know much about that. I do not see that much gray hair around.

An organization was formed to improve the range. It was called the Society for Range Management, long before Government had established any kind of environmental rules, long before there was an establishment of the BLM and guidelines for the men and women who would judge the quality of the range. Government did not fund the Society for Range Management. It was strictly funded by those stockmen who ran livestock on public lands. The Taylor Grazing Act was then established, and that is what governs how we handle permits today.

I want to talk about the Society for Range Management. Every year—and I started this in Montana by the way—we have Montana Range Days. About 300 to 400 people show up for a 3-day camp. They sleep on the ground, and they sleep in the back of pickups. The people run from little shavers in the first grade to seasoned stockmen. During the 3 days, we identify the grass, the foliage, noxious weeds, the carrying capacity of a particular strip of range.

I started that when I went into the broadcast business in 1975 because rangeland is the basis for the economies in the eastern counties of Montana. And as a result, the grazing permits on public lands are vital for Montana.

The range today carries a lot more livestock, a lot more recreation, and more activity overall because of a group called the Society for Range Management. They have been responsible, and that is something we should recognize. Oh, sure, you can take a picture of an area after a drought and it won't be pretty. But as I said, I can show you that in Yellowstone Park where the buffalo took the grass into the ground. I can show you that in Jackson Hole. I can show you that around Devils Tower in the Black Hills, and the rangeland of North Dakota. I could probably show you some pastures in the State of Illinois that are privately owned and are overgrazed. There are always one or two bad examples that one can magnify and say the whole world is doing this to my or our land.

I have yet to see any government organization that has taken care of its land, or our land, as well as a private landowner who has made an economic and cultural investment in that land. It just does not happen.

Last year, we compromised with those opposing the language that we would solve the problem of renewing the permits. We told them that in accepting this compromise, the language before us today, we would have to come back each year until the Bureau of Land Management cleared up the current backlog of permits.

The State of Montana does not have as much BLM acreage as some other States. I do not think we have as much as our neighboring State to the south,

Wyoming. They probably also have more people employed by the BLM because of the environmental laws that have been passed. Some of those BLM folks are very good land managers, but they are also hamstrung by some very narrow-minded people who think they know more about the rangeland than they do or the stockmen who run it.

In the meantime, there is a huge backlog of grazing permits that have gone unapproved, and that is the heart of Section 116. If they get the backlog cleared up, this language goes away. What is to fear? If the permit work is done and the permits have gone before the board, this language goes away. We are making sure everybody plays fair—just fair. That is all we are doing.

We are good to our word, and with the BLM's failure to process the backlog of permits, we have used the same compromise language we did last year to prevent kicking family ranchers off the land through no fault of their own. They get their work done. That is the bottom line. It cannot get any more definitive than that.

I do not want America to think that what I heard spoken before is an accurate assessment of our public lands because I will show you land managed by a stockman that lays next to what the Government manages, and there is a big contrast. It is huge. I will take the stockman's land 9 times out of 10 because I have seen it. I have seen the growth. I have seen the maturity and the things we put in place in range country to make it better, and we have done it with our own money. We did not do it with Government money. We did it with our own money to improve that range country.

I support my good friend from Illinois in the area of good environmental practices, but it is my belief that it is not just Government employees who understand good environmental practices. It is done all through farm and agricultural country, whether it be on public lands or private lands.

This change does nothing to impact the compromise language of a year ago.

I oppose striking section 116. I think it is necessary, understanding there are those who do not want anything, anybody, or any livestock on those lands whatsoever, and particularly people. I can put faces on the people who use these lands very conservatively and improve these lands.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to Senator DURBIN, I apologize for not being present on the floor when he gave what is always an eloquent speech, which he also did in this instance, with some very marvelous background information. Since that graphic is so alive, I suggest that the Senator should know when the vote starts he has to take it down.

In any event, the good Senator from Illinois said there is no good reason to continue to support the Domenici amendment from last year. Incidentally, on an up-or-down vote on the Durbin amendment last year—he will get up and say it is a different amendment, but essentially it is the same issue—58 Senators voted against Senator DURBIN in favor of the Domenici amendment and 37 voted against the Domenici amendment, and 5 did not vote. I am looking at those who did not vote on the Domenici amendment, and I think the numbers will get more lopsided, I say to the Senator from Illinois, because more of them will go my way than his way.

So we want everybody to understand that we still need what we needed last year. I will answer the rhetorical question, which was, there is no good reason for doing this again. I will say, there are 1,300 good reasons to do it this year, for there are 1,300 Americans—some in my State, some in the State of the Senator from Montana, some in the State of the Senator from Wyoming, but there are 1,300 permits that are still not done, and those are for the years 1999 and 2000. We have 2½ months left in 2000. But there are 1,300 permits backed up for processing that are not completed.

Let me make sure that in just a few minutes everybody understands what this means.

If you were to come around 5 years ago or 6 years ago and ask, what is the issue with the National Environmental Policy Act and the grazing permits—as I told my friend from Illinois last year, it did not exist because nobody thought that renewing a grazing lease qualified under the National Environmental Policy Act—get this—as a major Federal action.

But it has happened in this administration. They have concluded that these 10-year leases we give to ranchers, which are policed by the U.S. Government, are subject to NEPA. Be it the Forest Service rangers or the BLM rangers—they police these permits. They see that they are managed right. That is their job.

Incidentally, during that 10-year lease, if they violate it, they are penalized. If they do not take care of things, they get their allotment cut. It is not operating in a vacuum. It is operating all along with the rancher trying to make a living and the Government saying: Do it right.

Then here comes this administration and it says: Why don't we make both Forest Service permits and BLM permits go through a National Environmental Policy Act review for each and every one.

I can tell the Senator, they heard from me then, but all they heard from me were two things: One, it really isn't needed; and, two, if you are going to do it, you will never get it done on time.

I turned out to be right on both scores because, I say to the good Senator from Illinois, in my State, for each and every NEPA evaluation that preceded a lease renewal, about one from my entire State was changed significantly. That means across the board, 99 percent-plus of the time, the NEPA analysis found nothing needed to be dramatically changed.

As I said to the administration way back then, NEPA analyses aren't needed. And then secondly, I said: You will not get them done on time.

Lo and behold, 2 years into that process, we started getting letters from ranchers and property owners saying: Look what is happening. They are making us do a NEPA statement, but they have not done the work yet, for the Government does the NEPA statement. They have said: What is going to happen when our lease expires?

Nice question. The administration could say: We are not ready to give it to you because we have not done the environmental impact statement on each and every grazing lease, which almost everybody looking at the land says is unnecessary. But let us conclude that they had authority administratively to impose NEPA. Incidentally, they never got authority from Congress. Senator Scoop Jackson was the author of the NEPA law.

It would be very interesting if we could ask him from his place, wherever he is on high: Scoop, did you ever think that a grazing lease renewal was a major Federal action under your law? And I swear, if he is listening, he is turning over in his grave because ''major Federal action'' meant a major Federal action, not renewals of every single lease on the grazing lands of America, which are thousands.

Nonetheless, when I offered my amendment last year, all it said was: Look, Federal managers, because of your own fault, you did not get the NEPA work done. Here is all the money you need. How much money do you need? I remember in the Interior bill they asked for more funding. The distinguished chairman gave them that money, so they had no more complaints. They got every bit of the money they needed to do it.

They set about to complete each and every impact statement on leases that were expiring. The problem is, they have not gotten it done yet. All we said is, since you are the ones that are supposed to get it done, and you did not get it done, then you renew their lease. Give them the renewal, but write in this law and on that renewal that as soon as the NEPA work is finished—get this, my good friend, the Presiding Officer—as soon as the NEPA work is done, whatever your conclusions are, you have a right then to impose them on the permit.

I have every confidence in the world, since I believe only one lease in New Mexico had any major changes made because of NEPA, that this law that I am asking to continue again—because they are still behind—will do no damage to the public domain.

Let me make it very clear. There are some marvelous environmental groups in the United States. They have taken on some fantastic causes. Albeit they

do not like my voting record, that is all right with me. I like some of the things they have done. I do not necessarily ask how they want me to vote before I vote. I saw too much of that when I was a young Senator.

I saw Senators come to the floor, knowing little or nothing about it, who said: How are the environmentalists positioned on this vote?

They would say: They are an aye. They would vote aye.

I just do not happen to be one of those Senators. I am kind of proud of that, to be honest. I do not think anybody should come to the floor and say, I better vote with them. I hope I am informed before I get here.

In spite of what I just said, and that some of the brightest Americans are leading these environmental groups, believe it or not, I say to my fellow Senators, they have made this little amendment a major American environmental test. Using my name, they have spread it far across the country: The Domenici amendment is calculated to destroy the public domain, to let ranchers ranch without having the Federal Government oversee their growing malignancy which is destroying ranchlands.

I say to my friends, it did not destroy any because they did not find anything wrong on most of them. There is a chance they will not get completed on time, and we just ought to stay where we were last year because there are too many Americans who are desperately afraid of the arbitrary action that can be imposed on the rancher by lawsuits. They are afraid of arbitrary actions of people who represent the Federal Government.

They kind of cry out to us, when we go meet with them, saying: Just don't do another thing to us, not giving us our lease renewal, when we had nothing to do with the reason for the denial.

I can't put it any more succinct. That is the way it is.

I urge every Senator to do something very simple, and just send a word back that the proof in the pudding is that the NEPA reviews are not saving the public domain. They are just costing a lot of money, taking a lot of time. At least we ought to say to the ranchers who manage well—which is the overwhelming number—we are not going to hold you hostage out there and do what the distinguished Senator from Illinois recommends, which is that it is no longer mandatory that you proceed in a manner that the Domenici amendment last year said. That law allowed the renewal and then, in due course, when the NEPA analysis is finished, act accordingly, with the Government losing no rights. He would say the Government may do that if they want to. Everybody should know, if you turn the amendment into a ''you can do it if you want to, Federal Government,'' you know what is going to happen, at least for a while: The environmental pressure on the Department will be great enough that they won't do it for anybody. A ''may'' will turn into ''thou shalt not.''

I don't think that is fair. I have high regard for the Senator from Illinois. We were just talking before this debate, saying maybe one of these times we are going to be on the same side. I was thinking, if that happened, we might just overwhelm the Senate. We might get 99 votes.

In any event, I am sure hoping he doesn't get 99 votes tonight. I am hoping I get the same number I got last year, maybe even a few more who have thought about it a little bit. Those who understand that it is kind of ridiculous to claim this amendment that DOMENICI put in this bill is going to wreak havoc on the public domain.

I will go anywhere to debate this issue with anyone as to whether this justifies being a major environmental issue. If it does, we must not have very many environmental issues around. They must have paled from the horizon if one of the major environmental issues in America is this issue. This is an issue where the Government doesn't do its work and therefore can't give the rancher a 10-year permit renewal, which he might be completely entitled to. The agency just hold them in abeyance and says: When we get through with our work, we will give you a lease. In the meantime, maybe you will lose your financing.

A lot of Senators know about ranchers and financing. I wonder what the banks would do if their leases were not as certain as they have been because the BLM or the Forest Service can just say maybe we will be able to renew the permit.

I have spent a lot of time on the floor between the happy forest and perhaps the happy solution to this environmental issue. We will have a vote pretty soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I won't take a long time. My friends have covered many of the details.

This issue is not about the pictures that were shown by the Senator from Illinois. It has nothing to do with overgrazing or not overgrazing. That is not the issue. I hate to see it be left that way because it really has nothing to do with that. It has to do with what happens until the BLM can get to that piece of land to make the study to decide what to do with the lease. It is pretty simple.

Here is what it says:

> The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of Interior completes the processing of such permit or lease in accordance with all applicable laws and regulations, at which time such permit may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

I am sorry to say that doesn't fit much with what the Senator from Illinois described when he discussed this bill. I do think we need to briefly talk about what does it do.

It allows the BLM to have more time to complete the necessary environmental reviews for renewing permits and leases. By providing BLM more time, they are less susceptible to litigation and therefore less costly to the taxpayer, and it is more likely that BLM will not rush to finish their job and do a complete job of their review when the time comes. The language provides a better method for stewardship of Federal lands by having the BLM and the rancher work hand in hand on it. It provides the means for the agency to utilize sound processes and procedures. That is what they claim they have not had time to do. This provides that.

It subjects the permittee or lessee to potential modifications by the BLM of the terms and conditions, once the reviews are completed. It doesn't give them carte blanche. BLM is still able to revoke a permittee's grazing privileges at any time. They can do that.

It provides more stability, consistency, and security to ranching families. That is very important to us. Fifty percent of Wyoming belongs to the Federal Government. Most of that is BLM land. It is multiple-use land; it was designed to be under the law. This is a renewable resource, and it is done that way. I know that doesn't mean much in Chicago, but it means an awful lot in Wyoming, out where the Federal lands are. We have to talk about that.

The language eases the end-of-the-year backlog, of course, for BLM.

What does the language not do? It does not lessen the responsibility of the rancher in abiding by the terms and conditions of the permit or lease. It does not limit BLM's authority to manage grazing on public lands. It does not exempt the permittee or the lessee from any environmental law. It does not grant a permit in perpetuity. It simply provides for 10 years, until it is changed by the BLM.

It does not allow BLM to delay or ignore compliance of any environmental law or regulation, since BLM is mandated in those time lines to do those things.

Why is this language necessary? Frankly, it is very disappointing that the Senator from Illinois is back the second year in a row to fight against western livestock ranchers. This issue—BLM not being able to complete the required environmental renewal process on expiring grazing permits—is not the permittee's fault. The backlog was created by the administration, by the BLM. For some reason or other, the Senator from Illinois prefers to penalize the ranchers rather than hold the agency accountable.

Striking this section in the bill is really detrimental to management of these lands. The Senate language, which I agree with, states:

> The inability on the part of the Federal Government to accomplish permit renewal procedural requirements should not prevent or interrupt ongoing grazing activities on public land.

When they get back to doing their job, it continues on. It is pretty simple. It has worked. It can work in the future. I think it is important we have the same language President Clinton signed into law last year.

As a matter of fact, after being contacted by the cattlemen, he said:

> . . . the final 2000 budget does provide BLM with $2.5 million that will enable the agency to effectively conduct detailed reviews before renewing livestock grazing permits and leases to ensure environmental compliance. I am confident this funding will help us protect both the public lands and the livelihood of hardworking ranchers.

That was from President Clinton's letter.

That is where we are. What we need to do is vote against this amendment and allow the system to continue to work as we proved it can work last year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, in a few moments we may be voting on a motion to strike section 116 of this appropriations bill. That is the amendment offered by our colleague from Illinois. I hope Senators will join with us, as they did last year, in opposing this kind of striking of language.

The Senator from New Mexico has said it so clearly, as have the Senator from Montana and the Senator from Wyoming. They have caused all of us to understand where we are in the process of reexamining the grazing permits of western livestock grazers.

I don't think we have put it in the context we ought to for the Senator from Illinois. If we had, maybe he would be less inclined to come to the floor with this issue in hopes of gaining another environmental certificate this year from the Sierra Club for his charging, dynamic rhetoric on behalf of the environment.

Let me for a moment, if I may, deal with this in a hypothetical way. What if there had been a lawsuit in Rosemont, IL, that suggested the air traffic coming into O'Hare Airport was causing air congestion within that air shed and that air quality could not be arrived at there without changing the character of the management of the O'Hare Airport by reducing its flights by 50 percent?

Of course, the Senator from Illinois and I know—he lives in that region; I fly in and out of that region—if you do that, O'Hare Airport is out of business. Thousands and thousands of people would be laid off, if that were to become a Federal rule or a restriction against that activity. More importantly, this is a hypothetical case.

There is a lawsuit that the air traffic coming in and out of O'Hare has created a situation that disallowed that area from gaining its air quality standards. So EPA is in there examining it and establishing a rule to see whether O'Hare can continue to manage its air flights in and out in a way as to sustain its viability and meet the air quality standards. But the rule hasn't been made at a time that the judge has said: Either get it done or I will enforce a reduction in air traffic by 50 percent.

The Senator from Idaho likes that idea, so I come to the floor on the appropriations bill for the Department of Transportation and say: I want to strike an amendment the Senator from Illinois has in there. Let's extend this period of time and allow EPA to complete its rulemaking process so that we can keep O'Hare alive.

I think it is important that we put all of these kinds of things in context. Illinois is not a public grazing State. Idaho is, New Mexico is, Arizona is, Montana is, and so is Wyoming. What the Senator from New Mexico has said is that under today's environmental laws, and yesterday's environmental laws, these grazers will be allowed to graze during that period of time in which the permit process, through an examination by BLM or the Forest Service, is ongoing to reassess their permit and to adjust and change it in concert with current environmental law. I don't know why he would want to stop that. Obviously, he tried last year and the Council on Environmental Quality agreed with us, we defeated that amendment, and the environment is better today because of it.

I hope our colleagues will stand with the Senator from New Mexico, as they did last year, and say to the Senator from Illinois that we are not going to put ranchers out of business. We live with environmental law, we are sensitive to it, and we believe in it. We are not going to arbitrarily do as I suggested in my hypothetical case with O'Hare Airport, which is an area that is not of my interest, but it is an interest of the Senator from Illinois because it is in his State. I don't know much about it, but in my example I want to come in and arbitrarily change the name of the game. Of course, he would work to disallow that, and this Senator would respect the Senator from Illinois for saying that is not my business; that is the business of the Federal Aviation Administration and the State of Illinois, the city of Rosemont, and the Senator from Illinois—not the Senator from Idaho. I think that is the issue here.

In 1878, the diaries of a cavalry officer in charge of the cavalry in eastern Oregon, northern Nevada, and southern Idaho reflected the following:

> I believe the grazing lands of this region to be 50 to 60 percent depleted.

That was in 1878. Why? No BLM management. No Federal land management. No standards. Large grazing herds out of the Southwest swept through that country and their history, of course, has filled our history books with the nostalgia of the great trail drives. But there was a young man who was used to the land, and at that time he made an observation that the grazing in the region he used to ranch in and that these Senators are concerned about had already been depleted by over 50 percent—in 1878.

I can say to the Senator from Illinois, because of the standards established by the grazing industry, the environmental community, the Federal Government, U.S. Forest Service, and BLM, many of those lands are much better today than they have ever been. In fact, everyone who knows the western grazing lands and the riparian zones the Senator so eloquently spoke of know that they are hundreds of percent better than just a few decades ago. In fact, let us not forget that when the Secretary of the Interior, at the beginning of his tenure back a few years ago, wanted to go out and find some bad grazing examples that he could talk about to change his grazing land policy, his staff came back and said: Mr. Secretary, we can't find any. We can't find the kind of examples you want to bad mouth the grazing industry and management policies of the Forest Service and BLM because grazing has substantially improved and is continuing to improve.

That is what the Domenici provision, section 116, is all about—continuing that relationship of progressive improvement, environmentally, for the benefit of our country and for the benefit of the wildlife, but also for the benefit of the grazing industry.

Improved grazing and better grass in our country means fatter cattle. By the way, we sell them by the pound. I am not at all embarrassed for saying that. That is the way the industry works, in a balanced and necessary way. I thought it was important to bring this debate into context to the Senator from Illinois, who knows more about the subject I proposed hypothetically than I do. I suggest that I probably know a great deal more about public land grazing than he does. I and my family have used public lands for grazing for over 100 years. I have walked on them, I know the changes, and I have helped to get improved standards. We are doing it right on the public lands of the West today, and a great deal better than we used to do it. I think it is important that we recognize grass as an asset and a natural resource that can be used for a multitude of reasons. One of those reasons is to produce red meat protein for the American consumer. That is what the issue is about. I hope my colleagues will join with me in denying the Senator from Illinois his motion to strike.

I yield the floor.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Alabama is recognized.

Mr. SESSIONS. I want to speak on another subject, so I will yield to the Senator from Illinois.

Mr. DURBIN. I thank the Senator. Mr. President, if there is no other Senator wishing to speak the first time on

this, I will speak briefly in conclusion. I have spoken to the chairman of the committee. It is my hope that I can ask for the yeas and nays and that we can schedule a final vote on the amendment, as well as on any other pending amendments at a later hour when all Senators reassemble. If that is acceptable, I will speak for a few moments in conclusion.

Mr. GORTON. Will the Senator yield?

Mr. DURBIN. Yes.

Mr. GORTON. Mr. President, the majority leader has indicated that he hopes we can continue debating this bill and finish it tonight, or at least get to a point tonight where it can be finished, perhaps, with a vote on final passage tomorrow. I think that is possible, and this will be part of it.

So I hope the Senator from Illinois will finish his remarks on it. We will ask for a rollcall, and then we will set voting on it aside until we find out how many other amendments there are. I believe the Senator from Nevada, Mr. BRYAN, wishes to come in with an amendment that would require a vote. The Senator from California, Mrs. BOXER, may have an amendment. Senator NICKLES may have one. I am not sure about the Senator from Alabama. But there are a fairly small number that will require votes. I strongly suggest that anyone who feels that his or her amendment cannot be accommodated as a part of a managers' amendment—and we have a very large one now that includes many of the proposals made—if anybody wants to have a vote or debate, they really need to be on the floor very promptly to do so because we would like to go ahead and finish. With that, I thank the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, let me say in conclusion on this amendment that I have the highest respect for my friend from New Mexico. I often wonder why each year I decide to take on the chairman of the Budget Committee, and the powerful Appropriations Committee, with usually predictable results on the floor of the Senate. He has, much to my consternation, read last year's rollcall, which is another dagger to my heart on this same issue.

Notwithstanding that, I am going to soldier on here because, as the Senator from New Mexico does, there are times when you stand up and fight for something you believe in, even if you may not prevail. I still have the highest regard for him and all of my colleagues on the other side of the issue. I respect the fact that many of them have a much more personal knowledge of ranching and livestock operations than I do. When I think about Senator BURNS of Montana and all of his years as a rancher and auctioneer, he stared more cows in the eye than I will ever be able to.

I listened to my friends, Senator THOMAS, Senator CRAIG, and Senator DOMENICI. I can readily see that these are men in the Senate who represent areas with many more ranchers and many more livestock operators with much more personal knowledge on this subject, notwithstanding that I come to the floor not trying to preach to them about ranging practices but trying to ask them to at least respect the process of trying to protect our public lands.

The Senator from Idaho—I have heard this argument every year when I introduced this type of amendment—has basically said: Why are you sticking your nose into issues about the West? You live in the Midwest. When it comes to an issue such as O'Hare Airport, we would expect you to stand up and talk about it, being from Illinois. But goodness' sake, why are you talking about grazing in 13 Western States if you are from a Midwestern State?

I say to the Senator from Idaho that I think we all bear responsibility, no matter where we are from, for the stewardship of public lands. It isn't only Senators who represent Western States. It is all of us.

Frankly, if those lands are left to future generations, each one of us should take an interest in it, whether we live in Florida, or Illinois, or Maine. We all have a responsibility for those public lands—that Public Treasury, those resources that we count on so much.

I also say to my friend from Idaho that when we stand here and debate gun safety issues representing large cities where a lot of people are victims of gun violence, he stands up on the floor many times and tells us what he thinks gun policy should be in the city of Chicago. He thinks that is his opportunity and responsibility as a Senator from Idaho. So it works both ways.

I think he will concede the fact that, being elected to the Senate, we are not restricted in what we can speak to. We may be restricted in our success about what we speak to.

But let me also say that I want to get down to a couple of things that were not mentioned at the outset that should be mentioned. For those livestock operators who choose to graze on public lands, this is worthy of mention. The grazing fees paid by those ranchers and livestock operators are a bargain. They are an absolute bargain. This Congress and a President decided that we will continue to give these ranchers and livestock operators access to land owned by the people of the United States so they can make a living grazing their cattle for fees that are, frankly, a fraction of what they would pay on private land.

The Federal grazing fee for 1999 was $1.35 per animal unit month grazed. By contrast, the average grazing lease rate for private land is currently more than $11—almost 9 or 10 times the amount these same livestock operators are paying to graze on the lands owned by the people of the United States. In 1996, the fees charged on State land by Western States ranged from $2.18 to $2.20. There was not a single State that leased its grazing land to local livestock operators at a fee as low as the Federal Government.

In addition to the subsidized fees, ranchers with Federal permits enjoy subsidized range improvements. As a result, livestock operators with Federal grazing permits actually have lower production costs and higher profits than livestock ranchers without Federal permits.

As we talk about hardship that we may be creating for livestock operators, let us at least concede at the outset that we are giving these permit holders a bargain to make a living. I have not stood here and criticized ranchers and livestock operators, nor would I. In my State of Illinois, we have livestock products and a lot of farmers. I respect the men and women involved in my State, as I do in any other State. Nor am I bringing this issue before the Senate to try to put any ranchers out of business.

There is one fundamental flaw in the argument on the other side. It is the suggestion that if you had a 10-year permit that expired, that the Bureau of Land Management would cut you off and not give you the right to continue to graze land while they are going through the reissuing of the permit process.

I don't know of a single case where that has happened. The BLM goes out of its way to continue the grazing rights of these livestock operators, even while they are debating the terms of the new permit.

The suggestion has been just the opposite—that they somehow want to get the ranchers off the land. The only time I have read about that is in a situation where they have a rancher or a livestock operator using Federal land in a way they think is harmful to the environment. I think that is reasonable because BLM has a responsibility to protect those public lands from environmental damage.

Let me also address one other thing. The Senator from Montana got up and said there are people managing Yosemite and Yellowstone. There is buffalo and wildlife there, and many of them can destroy land just like any other livestock. I bet that is true. I don't question that it is true. He also went on to say that he thought when it came to range management that we should basically leave it up to the livestock operators to decide what is good for the land. I think that was his conclusion. I think this is a fair summary of his conclusion. I guess in some instance that would be true.

In my home State of Illinois, there are farmers who are responsible environmentalists. They think twice before they apply chemicals. They think about the right thing to do to avoid the loss of good topsoil, and about siltation going into the streams that run into the water supplies of surrounding towns. My hat is off to them. I usually spend Earth Day with farmers because I respect a lot of them. They take this

very seriously. I will tell you that conversely there are some I wouldn't put in that category. There are good and bad.

But let me tell you what the BLM has to say about the acreage that is being grazed by livestock now under their control. They estimate that only about a third of a total 160 million acres grazed by livestock are in good or excellent ecological condition—one-third. Worse yet, even a higher percentage—almost 70 percent of riparian areas, streams, and rivers and their associated fish and wildlife habitat—are in a damaged condition: A third in good condition; 70 percent near streams in bad condition. The General Accounting Office attributes the vast majority of these resource deficiencies to abusive and excessive grazing practices.

When I come before you and show this photo, they say this isn't the real world. But the statistics suggest that overwhelmingly this is the real world. This is a grazing situation where, unfortunately, someone put cattle on this land, and they grazed it down until it looked like a desert. For 3 years after bankruptcy, the land had a chance to recover in the Santa Maria River area of western Arizona. This is what we have to show for it.

What I am suggesting is that the statistics and the studies do not back up the statements on the floor which suggest that this land is being managed so well. There is a need for the BLM. There is a need for the environmentalists. There is a need for public comment.

That is what I think needs to be protected. That is what section 116 would deny us. Frankly, that is what this debate is all about.

It has been the suggestion of my friend from New Mexico—not a suggestion but his notation of the rules of the Senate—that when the time comes for a vote that I am required by the rules of the Senate to remove this photo from the floor. So my colleagues who have not been here for this debate cannot come in and see exhibit No. 1, in my case, for the passage of my amendment. I can understand it. I know why the Senator from New Mexico doesn't want my colleagues to look at this photo. This tells the story as to what section 116 is all about.

I made it a point—because I have such high respect for the chairman from New Mexico—to ask those who are well versed in the rules of the Senate. Once again, the chairman from New Mexico is right. I have to remove this photo under the Senate rules. I will probably appeal that to the Supreme Court at some later time. But, for today, I am going to, obviously, follow the rules of the Senate.

But it is of interest to me that the Senator from New Mexico doesn't want our colleagues to see this photograph. I hope they are watching it as we broadcast this debate on the Senate floor. It tells the story.

This is the bottom line. The BLM is going to process these applications. They are going to get them done on time. There is no need for this amendment. They are going to take a look. In the rare case where they find a livestock operator who is misusing Federal lands that he is getting for a bargain price—where he is misusing land, destroying the ecology, endangering species, and destroying riverbeds and riparian areas—they are going to make him sign a change. If the Senator from New Mexico prevails, they will lose the authority to do that. They will have to renew the permit under the old conditions.

That is my objection to it. That is why I think it should be stricken.

I sincerely hope we have a better outcome on the vote. If my colleagues have followed the debate and have had a chance to see this photo, which concerns my colleague so much, I am hoping they will support me in my motion to strike section 116.

I yield the floor.

Mr. DOMENICI. Mr. President, I ask unanimous consent the Senator be permitted to leave his picture up for the vote.

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

Mr. DURBIN. May I respond to my colleague from New Mexico?

Mr. DOMENICI. The Senator has been responding for 20 minutes.

Mr. DURBIN. The Senator from New Mexico is a gentleman, a scholar, and will receive a reward, I am sure, from the civil liberties group for defending the first amendment.

Mr. DOMENICI. Senator, let me say the idea of putting posters around has proliferated. I don't think we ought to add more to the confusion of a vote by having them around. I had no intention to pass judgment on the validity of your exhibit, which I find very difficult to interpret and rather irrelevant, but besides that, I don't have anything to say about it.

Let me say, why strike a provision that the Federal Government's inaction cries out to be left in this bill, which was signed by the President last year? I might even tell my friend from Illinois, can you believe it, I talked to him personally on this issue because he wanted to understand what the hoopla was about. I will not paraphrase him, but he signed the bill with this provision in it. It does no one any harm, and nothing has happened to say it has hurt the environment in this past year. And this issue has nothing in the world to do with how much ranchers are paying.

If we ever get into a debate upon the issue of, are they getting a great deal from the Government, I will bring from my State name after name of ranchers who are just not even making a living on the Federal domain today. Whatever price he suggested, they just can't hardly make a living under the rules and regulations of the U.S. Government.

That has nothing whatever to do with this issue. The assertion is not correct that the BLM has to leave correctable degradation in place and issue a new permit while damage could continue on the property. Read the amendment. Whatever power the Bureau of Land Management has, it keeps. That means if they issue a permit and they had the authority to make a correction to its terms to fix a problem, they still have it. Nothing is missing.

This provision lets the rancher feel a little more comfortable. He is not as denuded and vulnerable by having no permit until they get ready to issue it to him after they finish processing, which in the past would have taken a couple of years, maybe 2½ years. Now BLM is getting closer to finishing processing of all the expiring permits. I am glad. The amendment is working.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I believe the Senator from Illinois wanted a rollcall. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. GORTON. I ask unanimous consent we lay this amendment aside and proceed to an amendment by the Senator from Oklahoma.

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

The Senator from Oklahoma.

AMENDMENT NO. 3812

(Purpose: To provide $7,372,000 to the Indian Health Service for diabetes treatment, prevention, and research, with an offset)

Mr. INHOFE. 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 Oklahoma [Mr. INHOFE], for himself and Mr. NICKLES, proposes an amendment numbered 3812.

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

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

The amendment is as follows:

At the appropriate place, add the following:

SEC. . Notwithstanding any other provision of this Act—

(1) $7,372,000 shall be available to the Indian Health Service for diabetes treatment, prevention, and research; and

(2) the total amount made available under this Act under the heading ''NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES'' under the heading ''NATIONAL ENDOWMENT FOR THE ARTS'' under the heading ''GRANTS AND ADMINISTRATION'' shall be $97,628,000.

Mr. INHOFE. After going through that rather lengthy amendment of the Senator from Illinois, there should be a little relief that this amendment should not be controversial. This amendment takes the amount of money that was increased—increased—to the National Endowment for the

Arts and transfers that to a fund for Indian diabetes. It is the Indian Health Service for Diabetes.

Probably the least understood illness in this country is that of diabetes among Indians. It is a chronic disease. It has no cure. There are two different types. Type II is what we are addressing, diabetes among adults. Among American Indians, 12.2 percent of those over age 19 have diabetes. This is the highest risk of any ethnic group.

One Pima tribe in Arizona has the highest rate of diabetes in the world, about 50 percent of the tribe between the ages of 30 and 64. In Oklahoma, a lot of people are not aware, during the 1990 census, preliminary figures show the largest percentage of Indian population and the largest number of Indians of any of the 50 States. We spent a lot of time talking to our Indian population and looking at the problems that are peculiar to that population.

Not long ago, I spent some time at an Indian hospital in Talihina, OK, operated by the Choctaws. Case studies include one young male patient I talked to, 20 years of age, who already has been partially blinded with diabetes. He is already suffering from renal failure. He has a 40-year-old father who has gone blind. They recently had to amputate his leg, and probably the other one will go next. In one family, the father and mother both have type II diabetes. The mother is going to start dialysis next month. The son, who is 20 years old, has eye and kidney damage. The daughter is 17 years old and suffered a stroke, requiring weekly medical care. She has a 3-year life expectancy. The average life expectancy of the American Indian patient with diabetes is only 45 to 50 years.

It is very peculiar to the Indian population. It is very clear to see our money is better spent there and we can actually try to do something through research, through medication, through programs, to get the Indian population where they can be treated, where they know how to deal with infections they don't know how to deal with now.

It is unacceptable that, nationwide, 12.2 percent of the Indian adult population has type II diabetes. There is no cure. It is not a lot of money but will go a long way toward saving lives, not just in Oklahoma but in the Indian population all over the country.

The PRESIDING OFFICER. The Senator from Washington State.

Mr. GORTON. Mr. President, with all respect, it seems to this Senator that this amendment is more about the National Endowment for the Arts than it is about the Indian Health Service.

To give a comparison, the amount of money for the Indian Health Service in this bill is more than $2.5 billion. The amount for the National Endowment for the Arts cultural institutions is $105 million. As a consequence, this amendment would add to the Indian Health Service something less than one-third of 1 percent of the budget of the Indian Health Service —something less than one-third of 1 percent. It would subtract from the National Endowment for the Arts some 7 percent of the amount of money appropriated to it.

Our bill provides a $143 million increase for the Indian Health Service for next year over the current year, more than the entire appropriation for the National Endowment for the Arts. I find it ironic it was less than an hour ago that this Senator was praised by the Senator from New Mexico, who is a vocal advocate for the Indian Health Service, for the generosity with which we were treating that service.

Of the amount we are talking about for the Indian Health Service, $56 million is specifically for improved clinical services, which obviously could include diabetes treatment and prevention efforts. But even more significant in connection with this amendment is the fact that the Balanced Budget Act of 1997 provides $30 million a year for 5 years specifically to accelerate diabetes efforts for Native Americans. This year is the fourth such year. So there is $30 million for the fourth consecutive year for the specific purpose of this amendment.

On the other hand, the National Endowment for the Arts has not had a single increase in its funding since 1992. In many respects, the $7 million increase for the National Endowment for the Arts is symbolic; $7 million is real, but in a sense it is symbolic—but it is an important symbol. It is far less than the President's budget has in it. In fact, one of the elements in the long letter from the Executive complaining about this bill is that we are not generous enough with the National Endowment for the Arts.

But when we had our great debates on that subject during the mid-1990s, one of the focal points of the debate was that the National Endowment for the Arts was not using its money correctly and was funding objectionable artistic efforts, objectionable groups, and organizations and individuals. In the intensity of the debate, I believe in 1995 and 1996, an extensive list of reforms was imposed on the National Endowment for the Arts with respect to the way in which it spent its money and made its grants.

Now far more of its money goes to grants to the States. More of its money is spread more broadly around the United States, particularly to relatively small communities rather than a concentration in New York and Washington, DC, and Los Angeles and San Francisco. In other words, the very reforms that were demanded by the Congress have been, I think, cheerfully and thoroughly carried out by the National Endowment for the Arts in a manner quite responsive to what Congress asked for. To continue to punish the Endowment for the sins of its predecessors, or the supposed sins of its predecessors, seems to me to be perverse. I do not believe it appropriate for literally the 10th straight year either to reduce or freeze the appropriation for the National Endowment for the Arts.

I would have to say I think it is doing good work. It is one of those fields in which relatively small grants provide sort of a Good Housekeeping Seal of Approval to a multitude of arts organizations around the country, and provides a tremendous help to them in securing private contributions for their efforts. Some say the money that we provide through the National Endowment for these organizations comes back tenfold, fiftyfold, a hundredfold in private and local contributions.

It does seem to me long past time that we recognize the changes in the National Endowment and reward them for a job well done, even though the reward contained in this bill is modest. I said 2 days ago when this debate began that last year we included such a modest increase. The House was adamant about freezing the appropriation for the Endowment and we ultimately receded to the House. I said then I don't intend that should happen this year. I think it is time for the House to recede to us. I think it is time to deal fairly with an important part of the culture of the United States, and I think this amendment is unnecessary for the purpose for which it is stated because we have far more money in the bill already for the purpose of this amendment than is included in the amendment itself.

I believe we should leave this modest increase and encourage the National Endowment for the Arts to continue the good work and to continue to follow the dictates of this Congress about the way in which it does that work, rather than to continue to punish it for perceived past sins which I am now convinced have long since been cured.

For that reason, Mr. President, I oppose the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I thank the Senator from Washington for his comments. I do not agree, obviously. I do think, though, I find two reasons to disagree with his arguments: One, to use percentages, as to what percentage this represents that would be decreased from the NEA as opposed to increase for diabetes because of the seriousness of this; the second thing is why carry this into a discussion and a debate on the merits of the National Endowment for the Arts.

If we were to do that, I would be glad to join in that debate. In fact, I voted many times to defund the National Endowment for the Arts. However, that is not this amendment. Right now they have, from last year, $97 million, the NEA, and they are talking about not keeping it level but increasing it by $7.3 million. I am saying the $7.3 million is going to end up saving lives, particularly lives of Indians with diabetes, as opposed to rewarding and increasing the appropriation to the NEA.

I think we need to look at it in that light. As I said, it is just incredible for

people to comprehend the seriousness of this affliction among the Indian population. Yes, I am prejudiced. Yes, the State of Oklahoma has the largest number of Indians of all 50 States, and there are a lot of States that do not have that concern. I can tell you right now, we are going to do everything we can.

What the Senator from Washington says is true. We have increased it by some $30 million and it is going to be increased again over the next 4 years. However, every incremental increase is going to have a very positive effect on the research and the treatment of the Indians with diabetes. So I am going to ask for the yeas and nays on this for a vote.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. INHOFE. I have no objection to setting it aside and voting when we vote on the rest of the amendments.

Mr. GORTON. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have.

Mr. GORTON. I ask unanimous consent the vote on the amendment be set aside. I had told Senator BRYAN we could go to him next. Does the Senator from Alabama——

Mr. SESSIONS. I had an amendment I did want to talk on tonight. I wanted to take 2 minutes on one other subject, to thank the distinguished floor leader of the bill. I could do one of those, if Senator BRYAN is ahead of me. I have been here longer than he has, I think.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Washington for his understanding and support, accepting an amendment I offered involving the Rosa Parks Museum in Montgomery, AL. Last year, about this time, Senator ABRAHAM and I submitted a bill to give a Congressional Gold Medal to Rosa Parks. That bill was passed in the Senate and the House, and the President presented it to her last summer in the Rotunda of the Capitol in a most remarkable ceremony.

Rosa Parks, as most people know, was a native of Alabama, Tuskegee. She moved to Montgomery. She was a seamstress. She was riding on a bus one day, the bus was full and she was tired, and simply because of the color of her skin she was asked to go to the back of the bus and she refused and was arrested. That arrest commenced the Montgomery Alabama bus boycott over that rule, leading to a Federal court lawsuit that went to the Supreme Court, in which the Supreme Court held that kind of segregated public transportation was not legal and could not continue.

The leader of that boycott turned out to be a young minister at Dexter Avenue Baptist Church by the name of Martin Luther King, Jr. The Federal judge who originally heard the case was Frank M. Johnson, Jr., one of the great Federal judges in civil rights in American history, as far as I am concerned. Fred Gray was an attorney involved. Mr. Fred Gray, one of the first black attorneys in Montgomery, told the story in his book ''Bus Ride To Justice.'' How little did they know that the events they started on that day in 1955 would commence a movement that has reverberated, not only in Montgomery, in Alabama, but throughout the United States and, in fact, throughout the world, to a claim for rights and freedom and equality—great ideals.

Troy State University in Montgomery, a 3,000-student university, is building a museum and library on the very spot of this arrest. These funds will help create in that building a museum to Rosa Parks with an interactive video friendly to visitors and children about the story of what happened on that day and the importance of it.

I thank the distinguished Senator from Washington for supporting us in this effort.

I see Senator BRYAN. Mr. President, I say to him, I had 15 minutes on an amendment I called up earlier. Would it be all right for me to go ahead? I have a time crisis.

Mr. BRYAN. I inquire of the Chair, there is a unanimous consent agreement that at 6:30 p.m. draconian things happen. I do not want to be precluded from offering my amendment.

Mr. GORTON. Will the Senator yield?

Mr. BRYAN. I will be happy to yield.

Mr. GORTON. The majority leader said 6:30 p.m. can come and go. If there is a prospect of finishing this bill tonight, the defense debate will be diverted. I think we can finish, I hope, by 8 o'clock this evening. The Senator is protected.

Mr. BRYAN. As long as I am protected, I will be happy to yield to my friend from Alabama, and I ask unanimous consent that I be next in line for the purposes of offering an amendment after our distinguished colleague from Alabama.

Mr. GORTON. I put that in the form of a unanimous consent request.

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

Mr. BRYAN. I thank the distinguished floor manager.

Mr. DOMENICI. Mr. President, I ask the Senator to yield 30 seconds for an inquiry. I have an amendment that is pending with reference to a water situation in my State. I ask unanimous consent to follow Senator BRYAN whenever he has finished.

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

The Senator from Alabama.

AMENDMENT NO. 3790

Mr. SESSIONS. Mr. President, I offer amendment No. 3790 to the Interior appropriations bill. It will prevent the Secretary of the Interior from utilizing regulations that he has issued which would grant him the authority to approve class III casino gambling for Indian tribes in States throughout the United States in which class III gambling compacts between the State and a tribe have not been entered.

This amendment had been adopted in the past several years. An identical amendment was accepted last year by voice vote. The original cosponsors already this year are: Senators GRAHAM, REID, BAYH, GRAMS, ENZI, LUGAR, VOINOVICH, and INHOFE. Others are signing on.

Essentially, this amendment will prevent any 2001 funds allocated to the Department of the Interior from being spent on the publication of gaming procedures under the regulations found under part 291 of title 25 of the Code of Federal Regulations, which by now is probably 100,000 pages of regulations issued by the different Secretaries.

The intent of this funding restriction is to render these regulations inoperative next year only so the Department can take no action under the regulations until a case brought by the States of Alabama and Florida concerning the legality of these regulations is first resolved. In fact, Secretary Babbitt himself has expressed on numerous occasions his desire for the Alabama-Florida case to be decided first.

This amendment simply seeks to place the Secretary's public commitments in law to ensure that a Federal court has the opportunity to rule on the validity of these regulations prior to any departmental action next year. This is an important and timely amendment. I urge anyone who is concerned about local control and freedom and concerned about bureaucracy and the spread of gambling within this country to join me in support of this amendment. I want to take a moment to provide some background.

In April of 1999, Secretary Babbitt promulgated final regulations which empower him to resolve gambling controversies between federally recognized Indian tribes seeking to open a class III gambling operation—that is generally casinos—in a State which has not agreed with him to enter into a compact with the tribe or has not agreed to waive its 11th amendment right to exert sovereign immunity from suit.

As a result, tribes located within certain States, such as Alabama and Florida, would be able to use these regulations to obtain class III gambling facilities by negotiating directly with the Secretary of the Interior in Washington, DC, even if the people of the State itself remained opposed to the spread of such gambling or even if the types of gambling sought were illegal under State law.

In my opinion—and the Attorneys General Association of the United States has written us in opposition to this Babbitt rule and regulation and in support of this amendment—in my

opinion, these regulations turn the statutory system created under IGRA, the Indian Gaming Regulatory Act, on its ear because they undercut a State's ability to negotiate with tribes and because it places the gambling decisions in the hands of an unelected bureaucrat who, as a matter of law, also happens to stand in a trust relationship with the Indian tribes, not an unbiased arbiter.

Not only do these regulations offend my notions of federalism, but they also promote an impermissible conflict of interest between the tribes who are asking for a class III gambling license and the Secretary of the Interior who enjoys a special relationship with them. He is not a neutral arbitrator and was never given this power to arbitrate these acts by the Congress. I do not believe these regulations are a valid extension of his regulatory power.

It is breathtaking to me, in fact, and it is another example we in Congress are seeing of unelected, appointed officials, through the power of the Code of Federal Regulations, implanting policies that may be strongly opposed by a majority of citizens. Indeed, none of these people is elected.

My concerns about these gambling regulations were shared by the attorneys general of Alabama and Florida who filed a suit in Federal district court in Florida to challenge the validity. This lawsuit is currently working its way through a Federal court, and its resolution will provide an important initial reading as to whether these regulations are, in fact, legal and constitutional. Allow me to share some of the legal questions raised in the suits.

The States point out that the regulations effectively and improperly amend the Indian Gaming and Regulatory Act because:

> . . . under IGRA, an Indian tribe is entitled to nothing other than an expectation that a State will negotiate in good faith. If an impasse is reached in good faith under the statute, the tribe has no alternative but to go back to the negotiating table and work out a deal. The rules significantly change this——

That is, the rules by Secretary Babbitt—

> by removing any necessity for a finding that a State has failed to negotiate in good faith.

Further, the lawsuit points out:

> The rules at issue here arrogate to the Secretary the power to decide factual and legal disputes between States and Indian tribes related to those rights. Pursuant to 25 U.S.C., section 2 and section 9, the Secretary of the Interior stands in a trust relationship to the Indian tribes of this Nation. The rules set up the Secretary, who is the tribes' trustee and therefore has an irreconcilable conflict of interest as the judge of these disputes—

Between a tribe and a State.

> Therefore the rules, on their face, deny the States their due process and are invalid.

I think the concerns raised by the States are legitimate, that these rules are, in fact, seriously flawed. But do not take my word for it alone. In fact, even Secretary Babbitt admits that the test of legality should be passed first.

On October 12, 1999, the Secretary contacted Senator GORTON—who is managing this bill, and doing an excellent job of it in every way—and wrote him:

> If (a) I determine that a Tribe is eligible for procedures under those regulations, (b) I approve procedures for that tribe, and (c) a State seeks judicial review of that decision, I will not publish the procedures in the Federal Register (a step that is required to make them effective) until a federal court has ruled on the lawfulness of my action.

Similarly, on June 14 of this year, the Secretary wrote Representative REGULA, the chairman of the House Subcommittee on Interior and Related Agencies, to further clarify his position on these regulations. He offered these thoughts:

> I feel it is very important for the court to clarify and settle the Secretary's authority in this area. I anticipate that the court ruling in the Florida case will be favorable of the Secretary's authority to promulgate the regulation.

I disagree. But he goes on:

> However the Department will defer from publishing the procedures in the Federal Register until a final judgment is issued in the Florida case, whether by the District Court or on appeal.

I have written the Secretary to ask him to write me a similar letter and have not yet heard from him.

All the amendment I am offering would do is to back up those public statements with the force of law, by ensuring that the Department could not spend funds to publish these procedures until a Federal appellate court had finally ruled on them. They would not seek to repeal the regulations, nor would they affect any existing compacts with States that wish to negotiate a compact with a tribe.

Personally, I would support an outright repeal of the regulations, but for now I am content to make the Secretary's own words binding because I believe that legal review of these regulations is needed and proper, and that he should not be allowed to take action until such time as a court has made a final ruling on the merits of these regulations, which are, indeed, breathtaking.

Make no mistake about it, it is an important issue in my State. As I speak, there are reports in the local papers that Alabama's lone federally recognized tribe—we have one tribe—is in the process of finalizing a deal with Harrods, which would result in the future construction of a casino on land operated within the small town of Wetumpka, AL, not far from Montgomery.

No Indians now live on this land. It is land they simply own. It is about 180 miles from the small tribe lands that exist there. Because Alabama has not entered into a compact with the tribe, to allow them to put a casino there, they have gone to the Secretary of the Interior and had him issue regulations that would give them the power to override the State of Alabama's decision not to have casinos anywhere in the State.

They have a power to compact. They have a power to say no on certain things. Alabama does have a dog track. The Indians would be entitled to a dog track. They have bingo and related activities at the Indian tribal lands further to the south in the State, but they are not being allowed, under the State's negotiating position, to have a casino, a position that I would support.

Allow me to quote a few of the public comments that were made concerning this effort. The office of the Governor of Alabama, Governor Siegelman, has stated:

> The governor is ''adamantly opposed'' to casino gambling in any form within the state and will take whatever steps are necessary to stop it.

That is a Democratic Governor.

Attorney General Pryor, a Republican, has stated that the Attorney General:

> . . . will take whatever action necessary to prevent illegal gambling by any Indian tribe in the State of Alabama [because Attorney General Pryor] believes Babbitt has no authority to allow gambling by Indians in states where such gambling is prohibited by law.

Representatives EVERETT and RILEY oppose any future casino development.

Mayor Jo Glenn of Wetumpka—I think everybody in the city council has written me about it—has expressed her strong opposition to the presence of a casino in her town and wrote me:

> Our infrastructure and police and fire departments could not cope with the burdens this type of activity would bring. The demand for greater social services that comes to areas around gambling facilities could not be adequately funded. Please once again convey to the Secretary our City's strong and adamant opposition to the establishment of an Indian Gambling facility here.

The Secretary does not have to live with the community whose nature is changed overnight by a major Harrods gambling facility. He does not live in that community. He is not elected. He is not answerable to anybody. Yet he thinks he has the power to tell them what they have to do and dramatically change the nature of that town and the lives of the people who live there. No, sir.

The Montgomery Advertiser wrote:

> Direct Federal negotiations with tribes without State involvement would be an unjustifiably heavy handed imposition of authority on Alabama. The decision whether to allow gambling here is too significant a decision economically, politically, socially to be made in the absence of extensive State involvement. A casino in Wetumpka—not to mention the others that would undoubtedly follow in other parts of the State—has implications far too great to allow the critical decisions to be reached in Washington. Alabama has to have a hand in this high stakes game.

Unelected and unaccountable, the Secretary of the Interior has issued regulations that would completely change the nature of beautiful Wetumpka, a bedroom community to Montgomery, AL, and a historic community in its own right, against its will. It is a shocking and amazing event, in my view.

Clearly, the unmistakable sentiments of the Alabama public can be heard through these diverse voices. Not only would the regulations allow the tribe to obtain permission to engage in activity that is currently illegal under Alabama law, but the actual placement of the casino itself would result in the destruction of an important archaeological site that is listed on both the National Register of Historic Places and the Alabama Historical Commission and the Alabama Preservation Alliance's list of historic ''Places in Peril.''

The site that is most frequently mentioned for development is known as Hickory Ground, and it is an important historical site that served as the capital of the National Council of the Creek Indians, and was visited by Andrew Jackson, and which contains graves and other important subsurface features.

The site is, in fact, revered by other Creek Indian groups within the State and the Nation, as represented by the comments of Chief Erma Lois Davenport of the Star Clan of Muscogee Creeks in Goshen in Pike County who stated:

Developers' bulldozers should not be allowed to destroy the archaeological resources at the Creek site.

What is ironic about the choice of this site by the tribe is that the land was acquired by the tribe in 1980 in the name of historic preservation in an attempt to prevent the previous landowner from developing the site for commercial purposes.

In fact, the tribal owners of this site once wrote:

The property will serve as a valuable resource for the cultural enrichment of the Creek people. The site can serve as a place where classes of Creek culture may be held. The Creek people in Oklahoma have pride in heritage, and ties to original homeland can only be enhanced. There is still an existing Hickory Ground tribal town in Oklahoma. They will be pleased to know their home in Alabama is being preserved.

As you can see, should the tribe receive the ability to conduct class III gambling and construct a casino, Alabama will run the very real risk of losing an important part of its cultural heritage, as will Creek peoples throughout the country.

It is for these reasons I am offering this amendment. We should not allow these gaming regulations to go into effect until we have had a final ruling of the court. We should not allow the Secretary of Interior to promulgate these regulations when he has an untenable conflict of interest. I think it is appropriate to put a 1-year moratorium on it.

I am glad to have broad bipartisan support from Senators GRAHAM, REID, BAYH, GRAMS, INHOFE, VOINOVICH, LUGAR, and ENZI.

I ask unanimous consent that Senator MACK be added as a cosponsor of the amendment.

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

Mr. SESSIONS. This is an important matter, Mr. President. I care about it. I believe it is important from a governmental point of view. The Chair understands, as a former Governor, the importance of protecting the interest of the State to make decisions the people of the State care about and not have them undermined or overruled by unelected bureaucrats in Washington.

I ask unanimous consent to print in the RECORD a letter to me from the Attorney General of the State of Florida, Robert Butterworth, and a letter from the Attorney General of the State of Alabama detailing eloquently their objections to the Babbitt regulations.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STATE OF FLORIDA,
OFFICE OF ATTORNEY GENERAL,
July 12, 2000.

Re Amendment to H.R. 4578

Hon. JEFF, SESSIONS,
United States Senate, Washington, DC.

DEAR SENATOR SESSIONS: This letter is presented in support of the rider that you will be sponsoring on the Interior Appropriations Bill preventing the Secretary of the Interior from issuing procedures which would allow class III gambling on Indian lands in the absence of a Tribal-State compact during the fiscal year ending September 31, 2001. Such a rider would be welcomed by the State of Florida and I strongly support your effort to so restrict the actions of the Secretary.

In April of 1999, the Secretary promulgated final rules allowing him to issue procedures which would license class III gambling on Indian lands in a State where there has been no Tribal-State compact negotiated as required by section 2710(d) of the Indian Gaming Regulatory Act. Florida and Alabama immediately challenged those regulations asserting that they are in excess of the authority delegated to the Secretary by Congress in IGRA and that they are inconsistent with IGRA's statutory scheme. In letters to various members of Congress, the Secretary stated that he would allow the litigation to conclude prior to finalizing any such procedures through publication in the Federal Register. During recent deliberations on a House measure similar to the one you propose, the Secretary indicated that he would forbear publication until after the completion of any appeals.

Such a promise by the Secretary is not legally binding on this Secretary or any successor. If the trial court rules in his favor and the States appeal, the State of Florida faces the prospect of the Secretary publishing final procedures for Florida Tribes thereby licensing full scale casino gambling on Indian lands in our state while the appeal is pending. Should the States prevail on appeal and the Secretary's actions are determined to be invalid by either the Court of Appeals or the Supreme Court, Florida will be faced with an intolerable situation. The Tribes will have invested in and opened full scale casinos which will then be deemed illegal under IGRA. In the past, the federal government has been either unable or unwilling to see that the requirements of the law—IGRA—be faithfully enforced. Both the Seminole and Miccosukee Tribes in Florida have for some time operated uncompacted class III gambling operations with no response from the responsible federal officials.

I believe that your proposal is in order. The proposal is consistent with the Secretary's position that the court should be given an opportunity to rule on the validity of his regulations prior to the implementation of any gambling purporting to be licensed under them. By preventing the Secretary from acting in the next fiscal year, the proposal protects all concerned from a miscarriage of justice and will inject the certainty necessary for proper relations among the parties to this dispute.

Thank you again for your continued attention to this very important matter and I remain at your service to help in any way I can.

Sincerely,
ROBERT A. BUTTERWORTH,
Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
STATE OF ALABAMA,
July 11, 2000.

Re Sessions-Graham Amendment to H.R. 4578

Senator JEFF SESSIONS,
United States Senate,
Washington, DC.

DEAR SENATOR SESSIONS: I write in support of the amendment that you and Senator Graham have proposed to H.R. 4578, the FY 2001 appropriations bill for the Department of the Interior, which would prohibit the Secretary of the Interior from using appropriated funds to publish Class III gaming procedures under part 291 of title 25, Code of Federal Regulations.

As you know, substantial questions have been raised regarding the Secretary's authority to promulgate Indian gaming regulations. At the Notice and Comment stage, the Attorneys General of several states, including Alabama, pointed out that the Secretary lacked statutory authority to promulgate procedures that would allow Indian tribes to obtain gaming compacts from Interior rather than by negotiation with the States. The Attorneys General also pointed out that the Secretary had an incurable conflict of interest that would preclude his acting as a mediator in disputes between the tribes and the States because he is a trustee for the tribes and owes them a fiduciary duty. After the Secretary overrode these objections and promulgated Indian gaming regulations, the States of Alabama and Florida filed suit in federal district court to challenge the Secretary's action. That lawsuit remains pending.

The proposed rider preserves the status quo and allows the federal courts to resolve the issues raised in the lawsuit filed by Alabama and Florida. More particularly, the rider precludes the Secretary from spending appropriated funds to take the last step necessary to allow a tribe to conduct Class III gaming over State objection. The Secretary should withhold this final step until the Alabama and Florida lawsuit has been resolved and all appeals are precluded.

The rider will not only preserve the status quo, it will preclude injury to the States and any tribe that may rely to its detriment on Secretarial action that has not been conclusively held to be statutorily authorized.

Very truly yours,
BILL PRYOR,
Attorney General.

The PRESIDING OFFICER. Does the Senator seek to make his amendment the pending amendment?

Mr. SESSIONS. I ask unanimous consent the amendment be made the pending amendment.

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

Mr. SESSIONS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise today as I have in prior years to oppose the amendment proposed by my colleague, Senator SESSIONS, related to Indian gaming.

I have had the privilege of serving on the Committee on Indian Affairs for 20 years now.

Over the course of that time, I have learned a little bit about the state of Indian country, and the pervasive poverty which is both the remnant and result of too many years of failed Federal policies

There was a time in our history when the native people of this land thrived.

They lived in a state of optimum health.

They took from the land and the water only those resources that were necessary to sustain their well-being.

They were the first stewards of the environment, and those who later came here, found this continent in pristine condition because of their wise stewardship.

Even after the advent of European contact, most tribal groups continued their subsistence way of life.

Their culture and religion sustained them.

They had sophisticated forms of government.

It was so sophisticated and so clearly efficient and effective over many centuries, that our Founding Fathers could find no other better form of government upon which to structure the government of our new Nation.

So they adopted the framework of the Iroquois Confederacy—a true democracy—and it is upon that foundation that we have built this great Nation.

Unfortunately, there came a time in our history when those in power decided that the native people were an obstacle, and obstruction to the new American way of life and later, to the westward expansion of the United States.

So our Nation embarked upon a course of terminating the Indians by exterminating them through war and the distribution of blankets infested with smallpox.

We very nearly succeeded in wiping them out.

Anthropologists and historians estimate that there were anywhere from 10 to 50 million indigenous people occupying this continent at the time of European contact.

By 1849, when the United States finally declared and end to the era known as the Indian Wars, we had managed to so effectively decimate the Indian population that there were a bare 250,000 native people remaining.

Having failed in that undertaking, we next proceeded to round up those who survived, forcibly marched them away from their traditional lands and across the country.

Not surprisingly, these forced marches—and there were many of these ''trails of tears''—further reduced the Indian population because many died along the way.

Later, we found the most inhospitable areas of the country on which to relocate the native people, and expected them to scratch out a living there.

Of course, we made some promises along the way:

That in exchange for the cession by the tribes of millions of acres of land to the United States, we would provide them with education and health care and shelter.

We told them, often in solemn treaties, that these new lands would be theirs in perpetuity—that their traditional way of life would be protected from encroachment by non-Indians and that we would recognize their inherent right as sovereigns to retain all powers of government not relinquished.

Their rights to hunt and fish and gather food, to use the waters that were necessary to sustain life on a reservation and the natural resources, were also recognized as preserved in perpetuity to their use.

But over the years, these promises and others were broken by our National Government, and our vacillations in policies—of which there were many—left most reservation communities in economic ruin.

It might interest my colleagues in the Senate to know that the Government of the United States entered into 800 treaties with Indian nations, sovereign nations. Of the 800 treaties, 470 were filed. I presume they are still filed in some of our cabinets. Three hundred seventy were ratified. Of the 370 treaties ratified by this Senate, we found it necessary to violate provisions in every single one of them.

The cumulative effects of our treatment of the native people of this land have proven to be nearly fatal to them.

Poverty in Indian country is unequaled anywhere else in the United States.

The desperation and despair which inevitably accompanies the pervasive economic devastation that is found in Indian country accounts for the astronomically high rates of suicide and mortality from diseases.

Within this context, along comes an opportunity for some tribal governments to explore the economic potential of gaming.

It doesn't prove to be a panacea, but it begins to bring in revenues that tribal communities haven't had before.

And then the State of California enters the picture by bringing a legal action against the Cabazon Band of Mission Indians—a case that ultimately makes it to the Supreme Court.

Consistent with 150 years of Federal law and constitutional principles, the Supreme Court rules that the State of California cannot exercise its jurisdiction on Indian lands to regulate gaming activities.

This is in May 1987, and in the aftermath of the Court's ruling, attention turns to the Congress.

Mr. President, it was now in the 100th session of the Congress that I found myself serving as the primary sponsor of the Indian Gaming Regulatory Act of 1988.

There were many hearings and many drafts leading up to the formulation of the bill that was ultimately signed into law.

Intially, our inclination was to follow the well-established and time-honored model of Federal Indian law—which was to provide for an exclusive Federal presence in the regulation of gaming activities on Indian lands.

Such a framework would be consistent with constitutional principles, with the majority of our Federal statutes addressing Indian country, and would reflect the fact that as a general proposition—it is Federal law, along with tribal law, that governs most all of what may transpire in Indian country.

But representatives of several States came to the Congress—demanding a role in the regulation of Indian gaming—and ultimately, we acquiesced to those demands.

We selected a mechanism that has become customary in the dealings amongst sovereign governments.

This mechanism—a compact between a State government and a tribal government—would be recognized by the Federal Government as the agreement between the two sovereigns as to how the conduct of gaming on Indian lands would proceed.

This Federal recognition of the agreement would be accompanied when the Secretary of the Department of the Interior approved the tribal-State compact.

In an effort to assure that the parties would come to the table and negotiate a compact in good faith, and in order to provide for the possibility that the parties might not reach agreement, we also provided a means by which the parties could seek the involvement of a Federal district court, and if ordered by the court, could avail themselves of a mediation process.

That judicial remedy and the potential for a mediated solution when the parties find themselves at an impasse has subsequently been frustrated by a ruling of the Supreme Court upholding the 11th amendment immunity of the several States.

Thus, while there are some who have consistently maintained that sovereign immunity is an anachronism in contemporary times, in this area at least, the States still jealously guard their sovereign immunity to suit in the courts of another sovereign.

In so doing, the States have presented us with a clear conflict, which we have been trying to resolve for several years.

Although 24 of the 28 States that have Indian reservations within their boundaries have now entered into 159 tribal-State compacts with 148 tribal governments, there are a few States in which tribal-state compacts have not been reached.

And the conflict we are challenged with resolving is how to accommodate the desire of these States to be involved in the regulation of Indian gaming and their equally strong desire to avoid any process which might enable the parties to overcome an impasse in their negotiations.

The Secretary of the Interior is to be commended in his efforts to achieve what the Congress has been unable to accomplish in the past few years.

Following the Supreme Court's 11th amendment ruling, the Secretary took a reasonable course of action.

He published a notice of proposed rulemaking, inviting comments on his authority to promulgate regulations for an alternative process to the tribal-State compacting process established in the Indian Gaming Regulatory Act.

Thereafter, he followed the next appropriate steps under the Administrative Procedures Act, inviting the input of all interested parties in the promulgation of regulations.

When the Senate acted to prohibit him from proceeding in this time-honored fashion, he brought together representatives of the National Governors Association, the National Association of Attorneys General, and the tribal governments, to explore whether a consensus could be reached on these and other matters.

In the meantime, my colleagues propose an amendment that would prohibit the Secretary from proceeding with the regulatory process.

Once again, there have been no hearings on this proposal—no public consideration of this formulation—no input from the governments involved and directly affected by this proposal.

Last year, the Secretary of the Department of the Interior made clear his intention to recommend a veto of the Interior appropriations bill should this provision be adopted by the Senate and approved in House-Senate conference.

I suggest that it is unlikely that the Secretary's position has changed in any material respect—particularly in light of all that he has undertaken to accomplish, including frank discussion amongst the State and tribal governments.

As one who initiated a similar discussion process several years ago, I am more than a little familiar with the issues that require resolution.

However, in the intervening years, court rulings have clarified and put to rest many of the issues that were in contention in that earlier process.

I have continued to talk to Governors and attorneys general and tribal government leaders on a weekly, if not daily basis, and I believe, as the Secretary does, that the potential is there for the State and tribal governments to come to some mutually acceptable resolution of the matters that remain outstanding between them.

I believe the Secretary's process should be allowed to proceed.

I also believe that pre-empting that process through an amendment to this bill could well serve as the death knell for what is ultimately the only viable way to accomplish a final resolution.

The alternative is to proceed in this piecemeal fashion each year—an amendment each year to prohibit the Secretary from taking any action that would bridge the gap in the Indian Gaming Regulatory Act that was created by the Court's ruling and which will inevitably discourage the State and tribal governments from fashioning solutions.

This is not the way to do the business of the people.

There are those in this body who are opposed to gaming.

As many of my colleagues know, I count myself in their numbers. I am opposed to gaming.

Hawaii and Utah are the only two States in our Union that criminally prohibit all forms of gaming, and I support that prohibition in my State.

But I have walked many miles in Indian country, and I have seen the poverty, and the desperation and despair in the eyes of many Indian parents and their children.

I have looked into the eyes of the elders—eyes that express great sadness.

I have met young Indian people who are now dead because they saw no hope for the future.

And I have seen what gaming has enabled tribal governments to do, for the first time—to build hospitals and clinics, to repair and construct safe schools, to provide jobs or the adults and educational opportunities for the youth—and perhaps most importantly, to engender a real optimism that there can be and will be—the prospects for a brighter future.

It is for these reasons, and because of their rights as sovereigns to pursue activities that hold the potential for making their tribal economies become both viable and stable over the long term, that I support Indian gaming.

And it is for these reasons, that I must, again this year, strongly oppose the efforts of my colleagues to take from Indian country, what unfortunately has become the single ray of hope for the future that native people have had for a very long time.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I just have a minute and then I will yield to Senator CAMPBELL.

Mr. President, Alabama has one very small tribe of a few hundred people down at the south end of the State, near my home of Mobile. This land is around Montgomery, 150 miles further north, and there are no Indians living on it, where they want to build this casino.

The tribe is a group of the finest people I know. The chief tribal administrator, Eddie Tullis, is a long time friend of mine. I admire him. I admire what they have done. They have a bingo parlor that has been successful and is doing well. They have a motel and a restaurant that I eat at frequently. I love the people who are there. I care about them. Eddie Tullis recently said in the paper: JEFF is OK. He is just letting his morality get in the way of his good judgment.

I didn't know whether I should take that as a compliment, or what.

But my view is simply this: I don't think IGRA would have passed if the people in the Senate and the House thought that if a State said to the tribe: You can have horse racing, you can have dog racing, you can have bingo, as we have in Alabama, but we are not going to remove casino gambling from the State.

That is the question I have.

The Secretary of Interior is talking about stepping into this dispute and taking the position that he alone can decide what is done.

I care about the fine Indian people who are members of the Poarch Band in Atmore, AL. I have visited that area many times. I know quite a number of them personally. This isn't a personal thing. I think they understand it. It is matter of law. I was former Attorney General of the State of Alabama. I don't believe this is good policy.

We ought to pass this amendment.

I see Senator CAMPBELL, whom I respect highly. I know he wants to speak on the matter.

I yield to Senator CAMPBELL.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Mr. President, I thank my friend.

Mr. President, certainly there are Members of this Chamber who are downright against gaming. I understand that. As Senator INOUYE mentioned, even his State has no gaming. But I do not believe that is what this debate is about. For me, very frankly, it is about whether we keep our word or we do not keep our word.

The Senator mentioned that literally for every treaty ever signed by the Federal Government, Indian tribes ended up losing by virtue of the Government breaking the treaty.

No one speaks more eloquently than Senator INOUYE about the destructive forces that have been heaped upon American Indians at the hands of the U.S. Government. I think he does it very eloquently because of his own background. He is a man of great bravery, who just received America's highest award. He is a Medal of Honor recipient. Yet he fought in a war during which his own people were interned in camps at the hands of the Federal Government. Certainly, Senator INOUYE is held in the highest esteem throughout Indian country, as he is in this body.

But I think many of our colleagues ought to study the old treaties, even though most of them were broken—not all—by the Federal Government. Indian people have a very special relationship with the Federal Government. It would do us well if we read some of the old promises we made and didn't keep.

The Senator talked a little about the problems we have on reservations. But

I don't think it is really understood by people who spend most of their time, as we say, ''outside the reservation.'' You ought to go to Pine Ridge, SD, where unemployment is 70 percent, usually. It is rarely less than 50 percent. It is sometimes higher than 70 percent—where every third young lady tries suicide before she is out of her teenage years; and young men, too. Too many of them succeed.

With fetal alcohol syndrome compared to the national average, 1 out of every 50,000 babies born in America suffers from fetal alcohol syndrome. For those who do not know what that is, that is a disease they get when they are inside of their mother because their mother drinks. It is about 1 out of 50,000 nationwide. But in Pine Ridge, SD, in some years it is 1 out of 4 babies. It is a disease that is totally preventable. Yet it is incurable once they have it. They get it from their mother drinking too much. They are institutionalized for life, at a huge cost in terms of human tragedy and the American taxpayer.

If you had those numbers in any town in America—whether it is the high school dropout rate, or the suicide rate, whether it is death by violent actions, whether it is fetal alcohol syndrome, or anything else—if you had anything near that in the outside culture, it would be considered devastating to that community. Believe me, people would be here on the floor clamoring for the Senate to do something about it.

There are very few things that work on Indian reservations that try to bring new money to the reservation.

In 1988, when Senator INOUYE was the leader on the Senate side on the Indian Gaming and Regulatory Act, and I was on the House side as one of the people involved originally in the writing of that bill, certainly then none of us knew that it would grow to such proportions. But clearly it has done some good. It is not all good. Obviously, there are stresses and pressures. When you increase any kind of economic activity in a local community, there are more people on the highways. There are more people in the schools and parks. We understand that.

If you look at the outside of it in terms of what it has done to help youngsters with scholarships, what it has done to help senior citizens who had no other income, and what it has done to provide money for tribes that have been able to invest that money into other enterprises, it is overwhelmingly positive.

I have to tell you that it seems that every year we have to fight this fight. Almost every year, somebody comes down here with a microphone who wants to take a hit at the little opportunities Indians have in Indian country because of gaming.

I point out, my gosh, that I live on the Southern Ute Reservation in Colorado 150 yards from a tribal casino. I see who works it. I see if there is any increase in crime—or other kinds of wild accusations we sometimes hear on the Senate floor. Believe me, they are mostly wrong.

First of all, the majority of people who work in the Indian reservations are not Indian. At least 50 percent in most of the casinos are not Indians. It has helped whole communities. They pay income taxes just as anybody else—Indian people and non-Indian. It has put revenue into the coffers of the Federal Government and State governments.

Under Federal law, in 1988, as you know, tribes were limited to the types of gaming allowed under the laws of the States in which they reside. Some States simply don't allow gaming at all. Therefore, those tribes in those States can't do it. We made sure that the tribes were factored in in 1988. In my own State, tribes are limited to just slot machines and low-stakes table games.

The State of our friend from New Mexico has a little higher limit. Other States have higher limits. But it is with the approval of the States under a contractual agreement between the States and the tribes.

In Utah, there is no gambling whatsoever. Therefore, the tribes cannot have any form of gaming.

The intent of the Federal Indian Gaming Act was that in States where gaming is limited or prohibited, tribes would be similarly limited or prohibited. It was an agreement made with the States. They were not locked out. They were completely included in the process and certainly in the dialog when we wrote this bill in the first place.

There are many tribes and States that sat down and worked out their agreements that are binding and effective.

We often hear about an isolated case where something is not working very well. But often we don't study all of the overwhelmingly positive effects.

There are some Governors whom we know who have refused to negotiate at all with the tribes in their States, leaving those tribes without the ability to legally conduct gaming activities. That wasn't assumed. We passed the IGRA Act in 1988. We didn't think there would be some Governors who simply wouldn't negotiate and would stonewall and not come to the table. But there have been some.

We should remember how we got here.

In the wake of the 1987 Cabazon decision by the Supreme Court which held that State gaming laws did not apply to Indian gaming conducted on Indian lands, States clamored for a role in the writing of IGRA and regulating of the gaming on Indian lands. They got it.

Congress responded in 1988 by enacting the Indian Gaming Regulatory Act which provided an unprecedented opportunity for States to participate in the conduct and regulation of Indian gaming conducted entirely on Indian lands.

Reverse that a little bit. Do you think Indian tribes are in the loop or are able to participate in the conduct of regulation of State activities that are off Indian lands? They don't have the voice that States do within tribal governments.

That act was a compromise and for the first time gave the State governments a role in what gaming would occur on Indian lands. While Congress intended State participation, we intended to participate but we never intended that the States' refusal to negotiate would serve as an effective veto by any State over a tribe's right to conduct such gaming.

Today's debate is about whether a Governor or State can limit the type of activity of certain groups simply by refusing to negotiate. That is unfair. I think it is un-American.

As my colleagues know, I happen to be from the West. Most westerners are strong States rights people. We continually harangue the Federal Government for eroding States rights. We are always down here over business development or use of public lands. If it is good enough for a tribe to have to negotiate, then it should also be good enough for the State to have to negotiate, as was implied in IGRA.

While I believe that each State's public policy should determine the scope of gaming in that State, I also believe the current state of the law gives States what is in reality a veto over tribes. That is unacceptable.

I should point out to my colleagues that in many cases non-Indian gaming is promoted and even operated by State governments, such as State lotteries. It is an element of competition that should not be lost on this body. No one wants to share the revenue if they think they can make it all. I understand that. That is American business. But I believe some States have refused to bargain simply in order to preserve that monopoly on gaming.

To begin to break the stalemate, the Interior Department proposed a process based on the IGRA statute. Senator INOUYE alluded to that. Though the process may need refinement, I don't believe the Secretary should be stopped from developing alternative approaches to this impasse.

I believe it is in the interests of all parties that the Federal courts be allowed to render final, binding decisions to clarify the authority of the Secretary. That has not been finished. That is ongoing now. Adoption of this amendment would certainly short circuit that process.

By the way, there has been a similar amendment already rejected by the House of Representatives. I think it will unduly interfere with the litigation that is now at hand and deny the parties the clarification they need.

Last year, Secretary Babbitt made a commitment to Chairman GORTON, to the Senate as a whole, to refrain from implementing any further regulations until the Federal courts, including the

appellate level, rule on the merits of the legal issues involved. That litigation is now endangered by this amendment, which prohibits the Secretary from taking any action to implement those regulations, including the actions that will allow the matter to ''ripen'' and allow it to be pursued to a conclusion.

Coming from a Western State, I am as supportive as anyone in this body of States rights, but those who say this process ''overrides the Governors'' are wrong.

Under the proposal, if a State objects to a decision made by the Interior Secretary, that State can challenge the decision in Federal court.

For those who fear the Department is acting without oversight I point out that Congress has the authority to review any proposed regulations before they take effect.

As the proposal comes before the authorizing committees, any new regulations will get a careful review and if they are found wanting, they will not pass.

I urge my colleagues to vote against this amendment and allow the process to work.

Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Washington.

AMENDMENT NO. 3790

Mr. GORTON. Mr. President, I believe Senator SESSIONS is willing to withdraw the rollcall on this amendment. It will be accepted by voice vote.

Also, I have a unanimous consent request with respect to the votes that have already been ordered.

Mr. SESSIONS. Mr. President, that is correct. First, we are asking today in this amendment basically what the Secretary has agreed to. He has agreed, to the House but not to us, that he would hold off until after the appeal, and this 1-year delay would cover the circumstance in which we are likely to have a new Secretary come January—whether President Bush or GORE is elected. This may not be binding on the new one. It will guarantee the status quo until we get a court ruling.

In light of that and the discussions I have had, I vitiate my request for the yeas and nays and ask for a voice vote.

Mr. CAMPBELL. I have no objection to the voice vote. I will be on the losing side, but when we get to conference, I will have a lot more to say about it.

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

The amendment (No. 3790) was agreed to.

Mr. GORTON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, I ask unanimous consent, notwithstanding the DOD concept, that the votes occur in the following order, with no second-degree amendments in order prior to the votes, with 2 minutes prior to each vote for explanation in relation to the Durbin amendment on the subject of grazing and the Inhofe amendment on the subject of the National Endowment.

CHANGE OF VOTE—NO. 169

Mr. REID. Reserving the right to object, on rollcall vote 169, I was recorded as voting yea and I voted nay. Therefore, I ask unanimous consent the official record be corrected. This will in no way affect the outcome of the vote.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Reserving the right to object, on rollcall vote No. 169, I was recorded as voting nay and I voted yea. Therefore, I ask unanimous consent that the official record be corrected to accurately reflect my vote. This will in no way affect the outcome of the vote.

Mr. LEVIN. Reserving the right to object, do I understand that the unanimous consent request would bring the Senate back to the previous order, immediately after those two votes?

Mr. GORTON. The Senator is correct. Basically, we will have two rollcall votes now and then go to DOD. I understand the leaders were attempting to arrange to finish Interior on Monday.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Washington?

Without objection, it is so ordered.

The PRESIDING OFFICER. Is there objection to the request of the Senators from Nevada and Rhode Island?

Without objection, their requests are so ordered.

VOTE ON AMENDMENT NO. 3810

Mr. GORTON. Mr. President, I don't believe the Senator from Illinois is available.

Mr. REID. Why don't we waive our 2 minutes? We heard from the Senators previously.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment No. 3810. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 38, nays 62, as follows:

[Rollcall Vote No. 175 Leg.]

YEAS—38

Akaka	Hollings	Moynihan
Bayh	Jeffords	Murray
Biden	Johnson	Reed
Boxer	Kennedy	Reid
Bryan	Kerry	Robb
Chafee, L.	Kohl	Rockefeller
Cleland	Landrieu	Sarbanes
Collins	Lautenberg	Schumer
Durbin	Leahy	Snowe
Edwards	Levin	Torricelli
Feingold	Lieberman	Wellstone
Graham	Lincoln	Wyden
Harkin	Mikulski	

NAYS—62

Abraham	Bond	Campbell
Allard	Breaux	Cochran
Ashcroft	Brownback	Conrad
Baucus	Bunning	Coverdell
Bennett	Burns	Craig
Bingaman	Byrd	Crapo
Daschle	Hatch	Roberts
DeWine	Helms	Roth
Dodd	Hutchinson	Santorum
Domenici	Hutchison	Sessions
Dorgan	Inhofe	Shelby
Enzi	Inouye	Smith (NH)
Feinstein	Kerrey	Smith (OR)
Fitzgerald	Kyl	Specter
Frist	Lott	Stevens
Gorton	Lugar	Thomas
Gramm	Mack	Thompson
Grams	McCain	Thurmond
Grassley	McConnell	Voinovich
Gregg	Murkowski	Warner
Hagel	Nickles	

The amendment (No. 3810) was rejected.

Mr. GORTON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. BROWNBACK). Under the previous order, there are 2 minutes equally divided prior to a vote on the Inhofe amendment.

The Senator from Nevada.

Mr. REID. Mr. President, the two managers of the Defense authorization bill, after we complete this vote, in an effort for people to understand what is going on, would like to be able to tell Members who have amendments to offer to that legislation what the sequence would be. Under the order that is now in effect, Senator BYRD will be first.

I think it would be appropriate if Senator WARNER and Senator LEVIN could give us some indication how the next amendments would flow so we know what happens after this vote.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the distinguished leader.

We are here to try to convenience the Senate tonight. After this next vote, under the order, we go to the defense authorization bill. There are only four amendments scheduled in addition to Mr. BYRD's amendment. That would make five.

Senator LEVIN and I will accommodate the Members who are going to be debating tonight. If we can get into some short meeting with them, in between these votes right now, perhaps at the end we can announce a UC request sequencing the four amendments. That is my intention.

Mr. LEVIN. If the Senator would yield, there is just one more vote now scheduled?

Mr. WARNER. That is correct.

Mr. LEVIN. Then we would go to Senator BYRD, who is in the UC, dispose of that amendment. Then the other four that are listed are not sequenced yet.

Mr. WARNER. That is correct.

Mr. LEVIN. We would attempt to sequence them. If we fail, as far as I am concerned, then it's whoever gets recognized first. But we are going to make a real effort to sequence those amendments and then vote on them in the morning.

Mr. WARNER. Yes. Mr. President, we will try to reduce the times so that we are not here for a lengthy period.

Mr. REID. The Senators involved are Senators FEINGOLD, DURBIN, HARKIN, and KERRY of Massachusetts.

Mr. LEVIN. But there are others involved in those amendments.

AMENDMENT NO. 3812

The PRESIDING OFFICER. Under the previous order, there are 2 minutes equally divided prior to a vote on the Inhofe amendment.

Who yields time?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, this is a very simple, straightforward, easy-to-understand amendment. It merely takes $7.3 million and puts it into the Indian Health Services for diabetes. It does take that out of the National Endowment for the Arts, but all it does is take it out of the increase. Last year they had $97 million. They are increasing it this year to $105 million. All I am asking is to take that $7 million, instead of increasing the National Endowment for the Arts, and to put it into the Indian Health Services' diabetes program.

I am prejudiced because I come from the State that has in terms of percentages, the largest Indian population. However, I can tell you this, that of the national Indian population, 12.2 percent of them have diabetes because of the environment in which they live. It is an unhealthy environment. There are cases where they have all kinds of infections that set in where they are unable to keep from having amputations. So it is a very serious thing.

You will hear from the other side an argument that says we are hurting the National Endowment for the Arts. I want Senators to remember, when you cast your vote, this does not take any money away from the allocation they had last year; it merely freezes that allocation in for the coming year. Even with the increase of $30 million that is currently in this program, that still is less than 10 percent of the amount of money that is spent for research on cancer and AIDS.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The Senator from Washington.

Mr. GORTON. Mr. President, this bill includes a $143 million increase for the Indian Health Service, an amount much larger than the entire appropriations for the National Endowment for the Arts. Due to the work of Senator DOMENICI, there is a $30 million-a-year entitlement for the very subject of diabetes control for Indians that is already a part of the funding of Indian programs in the United States.

The National Endowment for the Arts, which has abided by all of the restrictions put on it over the last several years by this body, has not had an increase since 1992. This is a fair and modest increase for the National Endowment for the Arts. It ought to be rewarded for following the commands of Congress, itself. The money is not needed for the purposes of the amendment because that function is already very generously supported both in this bill and through an entitlement.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to amendment No. 3812. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 27, nays 73, as follows:

[Rollcall Vote No. 176 Leg.]

YEAS—27

Abraham	Gramm	McConnell
Allard	Grams	Murkowski
Ashcroft	Hagel	Nickles
Brownback	Helms	Roberts
Bunning	Hutchinson	Sessions
Burns	Inhofe	Shelby
Coverdell	Kyl	Smith (NH)
Enzi	Mack	Thomas
Fitzgerald	McCain	Thurmond

NAYS—73

Akaka	Edwards	Lott
Baucus	Feingold	Lugar
Bayh	Feinstein	Mikulski
Bennett	Frist	Moynihan
Biden	Gorton	Murray
Bingaman	Graham	Reed
Bond	Grassley	Reid
Boxer	Gregg	Robb
Breaux	Harkin	Rockefeller
Bryan	Hatch	Roth
Byrd	Hollings	Santorum
Campbell	Hutchison	Sarbanes
Chafee, L.	Inouye	Schumer
Cleland	Jeffords	Smith (OR)
Cochran	Johnson	Snowe
Collins	Kennedy	Specter
Conrad	Kerrey	Stevens
Craig	Kerry	Thompson
Crapo	Kohl	Torricelli
Daschle	Landrieu	Voinovich
DeWine	Lautenberg	Warner
Dodd	Leahy	Wellstone
Domenici	Levin	Wyden
Dorgan	Lieberman	
Durbin	Lincoln	

The amendment (No. 3812) was rejected.

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

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

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT

Mr. GORTON. Mr. President, I ask unanimous consent that the only remaining first-degree amendments in order to the Interior bill other than the managers' package of amendments be the following and subject to relevant second-degree amendments:

Boxer on pesticides;

Bryan on timber sales;

Nickles on monuments language;

Torricelli on UPAR;

Torricelli on highlands;

Reed of Rhode Island on weatherization;

Bingaman on forest health;

Bingaman on Ramah Navajo;

Feingold on Park Service;

And Domenici on Rio Grande water.

I further ask unanimous consent that on Monday, July 17, the Senate resume the Interior bill at a time to be determined by the majority leader, after consultation with the minority leader, and the amendments listed above be offered and debated during Monday's session, other than the Feingold amendment which will be debated on Tuesday with 15 minutes under the control of Senator FEINGOLD and 15 minutes under the control of Senator BINGAMAN regarding the Navajo amendment; further, with consent granted, to lay aside each amendment where deemed necessary by the two leaders.

I also ask unanimous consent that all amendments and debate be concluded during Monday's session and the votes occur at 9:45 a.m. on Tuesday, with 2 minutes prior to each vote for explanation, with the bill being advanced to third reading and passage to occur after disposition of these amendments, all without any intervening action or debate. Further, I ask unanimous consent that additional relevant second degrees be in order if necessary to the first degree after disposition of any offered second-degree amendment on Tuesday.

Finally, I ask unanimous consent that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, which will be the entire Interior Subcommittee.

Mr. REID. Reserving the right to object, Senator BOXER has instructed me to make sure she has an up-or-down vote on her amendment. It is one that is in order. She wants to make sure that if there is a second degree she has a right to reoffer her amendment. She is willing to take a voice vote. She wants to make sure there is a vote on her amendment, and I ask the Chair if that would be permissible under this consent agreement.

The PRESIDING OFFICER. That is correct.

Without objection, it is so ordered.

Mr. GORTON. Mr. President, in light of this agreement, there will be no further votes this evening. The next vote will occur in a stacked sequence beginning at 9:30 a.m. tomorrow. The Senate will begin the death tax repeal at 8:30 a.m. tomorrow, Thursday morning.

Mr. SMITH of Oregon. Mr. President, I want to comment briefly on the Senate's adoption of the Domenici substitute amendment to the Craig amendment regarding the President's Roadless Initiative. I was unable to be on the floor earlier today when the Craig amendment and Domenici substitute amendment were considered.

First, let me say that I was a cosponsor of the underlying Craig amendment and I continue to share his concern about blatant Federal Advisory Committee Act violations by this administration in the development of their Roadless Initiative. In any case, I don't believe ''one-size-fits-all'' proposals like the President's Roadless Initiative, hatched in the halls of bureaucracy in Washington, D.C., can be any substitute for sound land management policies developed in collaboration with people at the local level. Oregonians, if given a chance, have proven

time and again that they can be better stewards of the land than federal bureaucrats.

I understand that Senator CRAIG agreed to the Domenici substitute in part because this matter of FACA violations will be considered by the courts this August. I trust that the Congress will have an opportunity to review this matter this session if the courts fail to do so, and I praise Senator CRAIG for his continued leadership on this important issue.

With that said, I wanted to add my voice to those who spoke earlier in favor of the Domenici substitute amendment that seeks to address the growing threat of catastrophic wildfire in areas of urban-wildland interface. A century of fire suppression followed by years of inactive forest management under this administration have left our National Forest system overstocked with underbrush and unnaturally dense tree stands that are now at risk of catastrophic wildfire. The GAO recently found that at least 39 million acres of the National Forest system are at high risk for catastrophic fire. According to the Forest Service, twenty-six million acres are at risk from insects and disease infestations as well. The built up fuel loads in these forests create abnormally hot wildfires that are extremely difficult to control. To prevent catastrophic fire and widespread insect infestation and disease outbreaks, these forests need to be treated. The underbrush needs to be removed. The forests must be thinned to allow the remaining trees to grow more rapidly and more naturally. This year's fires in New Mexico have given us a preview of what is to come throughout our National Forest system if we continue this administration's policy of passive forest management.

I believe the Domenici amendment will help this reluctant administration to face up to this growing threat to homes, wildlife, and watersheds. I commend Senator DOMENICI and the bipartisan group of Senators who worked very hard to craft this compromise.

Mr. DOMENICI. Mr. President, I am pleased to rise today in strong support of H.R. 4578, the Interior and related agencies appropriations bill for FY 2001.

As a member of the Interior Appropriations Subcommittee and the full Appropriations Committee, I appreciate the difficult task before the distinguished subcommittee chairman and ranking member to balance the diverse priorities funded in this bill—from our public lands, to major Indian programs and agencies, energy conservation and research, and the Smithsonian and federal arts agencies. They have done a masterful job meeting important program needs within existing spending caps.

The pending bill provides $15.6 billion in new budget authority and $10.1 billion in new outlays to fund Department of Interior and related agencies. When outlays from prior-year budget authority and other completed actions are taken into account the Senate bill totals $15.5 billion in BA and $15.6 billion in outlays for FY 2001. The Senate bill is at its Section 302(b) allocation for BA and $2 million under the Subcommittee's revised 302(b) allocation in outlays.

I would particularly like to thank Senator GORTON and Senator BYRD for their commitment to Indian programs in this year's Interior and Related Agencies appropriation bill. They have included increases of $144 million for Bureau of Indian Affairs construction, $110 million for the Indian Health service and $65 million for the operation of Indian programs.

I commend the subcommittee chairman and ranking member for bringing this important measure to the floor within the 302(b) allocation. I urge the adoption of the bill, and ask for unanimous consent that the Budget Committee scoring of the bill be printed in the RECORD at this point.

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

H.R. 4578, INTERIOR APPROPRIATIONS, 2001, SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2001, in millions of dollars]

	General Purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	15,474	59	15,533
Outlays	15,509	70	15,579
Senate 302(b) allocation:			
Budget authority	15,474	59	15,533
Outlays	15,511	70	15,581
2000 level:			
Budget authority	14,769	59	14,828
Outlays	14,833	83	14,916
President's request:			
Budget authority	16,286	59	16,345
Outlays	15,982	70	16,052
House-passed bill:			
Budget authority	14,723	59	14,782
Outlays	15,224	70	15,294
SENATE-REPORTED BILL COMPARED TO			
Senate 302(b) allocation:			
Budget authority	.....	.....	.....
Outlays	−2	.....	−2
2000 level:			
Budget authority	705	.....	705
Outlays	676	−13	663
President's request:			
Budget authority	−812	.....	−812
Outlays	−473	.....	−473
House-passed bill:			
Budget authority	751	.....	751
Outlays	285	.....	285

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001—Continued

The PRESIDING OFFICER. The clerk will report the Defense authorization bill.

The legislative clerk read as follows:

A bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Mr. WARNER. Mr. President, I have in mind, and I think other Members do at this juncture, operating under the unanimous consent agreement reached last night. I amend that unanimous consent to the extent that the senior Senator from West Virginia very graciously is willing to withhold the presentation of his amendment until such time that the distinguished Senator from Massachusetts and the Senator from Alaska bring up their amendments, which is sequenced, and they indicate to this manager that it will not take more than 10 or 12 minutes. Therefore, I ask that.

I further request, following the disposition of the Byrd amendment, Mr. FEINGOLD be recognized; following the completion of his amendment, the Senator from Illinois, Mr. DURBIN, be recognized.

Mr. LEVIN. I understand the Senator from Wisconsin is willing to have 30 minutes equally divided instead of 40 minutes on his amendment. I ask that the unanimous consent agreement be so modified.

Mr. WARNER. I have no objection.

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

The Senator from Alaska.

AMENDMENT NO. 3815

(Purpose: To provide that the limitation on payment of fines and penalties for environmental compliance violations applies only to fines and penalties imposed by Federal agencies)

Mr. STEVENS. Mr. President, the Senator from Massachusetts had an amendment pending concerning section 342 of this bill. We have discussed this. That was an amendment that would change the existing text that came from an amendment I suggested. I will offer an amendment to strike the existing section 342 and insert language we agreed upon. I do believe the Senator from Massachusetts wants to be heard on this. I want a word after his comments.

Mr. KERRY. I suggest the Senator from Alaska go first, since he wants to frame the change, and I will be happy to respond.

Mr. STEVENS. The Senator is very gracious. I have become increasingly concerned about the fines that EPA has been assessing against military reservations or elements of the Department of Defense, and had requested this provision in the bill to curtail that activity. In fact, it would have originally applied to similar fines from State and local agencies also.

We have now agreed on a version of this section 342 that will limit the fines that can be assessed against military entities by the EPA to $1.5 million unless the amount in excess of that is approved by Congress. It will be a provision, if accepted, which will be in effect for 3 years. My feeling is that there are many things that go into the operation of the Department of Defense that are subject to review by EPA, and it is my opinion that they have been excessive in terms of applying fines against the military departments. I do believe it results in an alteration of the lands we have for particular installations and it reduces the amount of money available

to operate those installations when they face these fines.

This amendment does not prohibit the fines. It only says they cannot assess any and have them paid to the EPA in excess of $1.5 million unless that fine is approved by an act of Congress.

I thank the Senator for working this out.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank my good friend from Alaska for his efforts to try to reach an accommodation. I listened carefully to the arguments of the Senator from Alaska who made it clear that he had a very strong belief that certain facilities in the State of Alaska had been treated in a way that he believed very deeply was inappropriate and resulted in fines that were excessive and, in his judgment, wrought with some bureaucratic issues that he had no recourse to resolve.

The initial section in the bill reported by the committee would regrettably have prohibited the EPA entirely from being able to enforce. A number of Members felt very strongly that was an overreaction in how we cure the problem that the Senator from Alaska was bringing to our attention without destroying the ability of the EPA to be able to enforce across the country.

So we reached an agreement where 98 percent of all those enforcement actions in the country which are under $1.5 million, the EPA will continue to be able to enforce as it currently does. It is appropriate for this 3-year period only to review what the impact may be of some larger level over that period of time.

To have proceeded down the road we were going to proceed, in my and other people's judgment, would have created a terrible double standard. Under current law, a DOD facility that violates the Resource Conservation and Recovery Act or the Safe Drinking Water Act or the Toxic Substances Control Act or the Clean Air Act is subject to the same kinds of penalties as a private facility. By waiving sovereign immunity and subjecting Federal facilities to fines, we created the financial hammer to be able to force a sometimes reluctant Government and a Government bureaucracy to comply.

Congress recognized this principle in 1992 when we passed the law. The bill was sponsored by majority leader Mitchell. He said at the time that a waiver of sovereign immunity would move us from the disorder of Federal noncompliance to a forum in which all entities were subject to the same law and to full enforcement action. I am pleased to say it passed the Senate by a vote of 94–3, and it passed the House by a vote of 403–3. It was signed into law by President Bush, who at the time said it would bring all Federal facilities into compliance with applicable Federal and State hazardous waste laws.

I think that very much is our purpose today—to protect our capacity to be able to secure that kind of enforcement. I thank the Senator from Alaska for his very reasonable approach to this. I think we have been able to resolve the most egregious situations about which he has expressed appropriate concern, but at the same time we have been able to preserve the principle of Federal compliance and the principle of all people being treated equally.

I thank the Chair and I thank the distinguished Senator from West Virginia for his courtesy in allowing us to deal with this issue.

Mr. STEVENS. Mr. President, I thank the Senator from West Virginia for his courtesy and the Senator from Massachusetts. I ask unanimous consent that the amendment I have at the desk be accepted in lieu of the amendment offered by the Senator from Massachusetts, Senator KERRY.

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

Mr. STEVENS. I thank the Chair.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 3815.

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:

Section 342 is amended by striking the provisions therein and inserting:

SEC. 342. PAYMENT OF FINES AND PENALTIES FOR ENVIRONMENTAL COMPLIANCE VIOLATIONS.

(a) PAYMENT OF FINES AND PENALTIES.—(1) Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2710. Environmental compliance: payment of fines and penalties for violations

''(a) IN GENERAL.—The Secretary of Defense or the Secretary of a military department may not pay a fine or penalty for an environmental compliance violation that is imposed by a Federal agency against the Department of Defense or such military department, as the case may be, unless the payment of the fine or penalty is specifically authorized by law, if the amount of the fine or penalty (including any supplemental environmental projects carried out as part of such penalty) is $1,500,000 or more.

''(b) DEFINITIONS.—In this section:

''(1)(A) Except as provided in subparagraph (B), the term 'environmental compliance', in the case of on-going operations, functions, or activities at a Department of Defense facility, means the activities necessary to ensure that such operations, functions, or activities meet requirements under applicable environmental law.

''(B) The term does not include operations, functions, or activities relating to environmental restoration under this chapter that are conducted using funds in an environmental restoration account under section 2703(a) of this title.

''(2) The term 'violation', in the case of environmental compliance, means an act or omission resulting in the failure to ensure the compliance.

''(c) EXPIRATION OF PROHIBITION.—This section does not apply to any part of a violation described in subsection (a) that occurs on or after the date that is three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2710. Environmental compliance: payment of fines and penalties for violations.''.

(b) APPLICABILITY.—(1) Section 2710 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of the enactment of this Act.

(2) Subsection (a)(1) of that section, as so added, shall not apply with respect to any supplemental environmental projects referred to in that subsection that were agreed to before the date of the enactment of this Act.

Mr. STEVENS. Mr. President, regarding the Fort Wainwright central heat and powerplant, on March 5, 1999, the EPA Region 10 issued a notice of violation against the U.S. Army Alaska claiming they had violated the Clean Air Act with their central heat and powerplant.

After several meetings between regulators and Army officials, the EPA sent them a settlement offer proposing that the Army pay a $16 million penalty to resolve the alleged clean air violations.

In the offer, the EPA advised the Army that it would file a formal complaint if the Army failed to make a good-faith counteroffer within one month. The EPA also indicated that the size of fine sought will likely increase if a complaint was filed.

This $16 million penalty is the largest single fine ever sought from the Department of the Army or against any installation within the Department of Defense. It also exceeds the combined total of all other fines previously sought from the Army.

While U.S. Army Alaska had been aware for some time that the 50-year old central heat and powerplant required numerous upgrades, significant progress had been made toward bringing the plant into compliance.

The Army also had been working closely with the Alaska Department of Environmental Conservation—which had been delegated Clean Air Act enforcement authority from the EPA—regarding the timetable for compliance.

That same year, in fiscal year 1999, the Army sought and received authorization and appropriations from the Congress to build a $16 million baghouse to control emissions from the plant.

In addition, an additional $22 million had been budgeted for fiscal year 2000 for plant upgrades.

The Army and the Department of Defense were surprised by the basis for the proposed penalty.

In EPA's settlement letter, EPA stated that it was seeking to recover the ''economic benefit'' the Army received by not constructing the baghouse sooner.

Over $15.8 million of the proposed fine, roughly 98 percent, is directly tied to the ''saved'' cost that U.S. Army Alaska purportedly enjoyed.

This is also the first time the EPA proposed a fine whose economic benefit components dwarf the assessed penalty based on the seriousness of the alleged violations.

Regarding the EPA visit to Shemya Air Force Base, the Air Force had a 50-year problem of waste and drum accumulation at Shemya Island—complicated by the large quantity generator status at Shemya AFB. This status required processing of accumulated hazardous wastes from the island within 90 days of generation. To meet the 90-day requirement, airlift had to be used as the primary method of disposal of the accumulated hazardous wastes. Also, the airlift crews had to have special qualifications to handle and process hazardous wastes.

From 1989 through 1991, 13,781 gallons of hazardous waste were shipped off Shemya Island. Following the 1991 Gulf War, airlift outside of the Middle East was impossible to get.

Complicating matters, Elmendorf AFB in Alaska could not handle the amounts of hazardous waste being returned from remote Alaskan defense sites. Movement of hazardous waste from remote sites came to a standstill due to strained airlift requirements and limited hazardous waste storage and processing capabilities.

In January of 1993, the Air Force started airlifting and removing 100 waste drums every week vice 100 per month.

Two months later, in March, the EPA gave the Air Force a 10-day notice of inspection. During the inspection, the Air Force had 660 barrels on the Shemya airfield processed awaiting air transportation.

During the out-briefing with senior Air Force personnel, the inspectors commented that the Air Force was making good progress in reducing the backlog of waste drums.

A long period of time ensued between the inspection and the publicly announced result and proposed fine by EPA.

EPA assessed the Air Force a fine of $483,000—this was the largest environmental noncompliance fine levied against the Air Force at that point in time.

Mr. KERRY. Mr. President, tonight, Senator STEVENS offered an amendment to the National Defense Authorization Act for Fiscal Year 2001 to amend Section 342. The amendment reflects a compromise reached between Senator STEVENS, BAUCUS, LAUTENBERG and myself. I want to thank Senator STEVENS for working with us to address grave concerns we had with Section 342 of the bill.

Mr. President, I would like to make a few comments about Section 342 and discuss why I had such great concerns over the impact it would have had on environmental compliance. Section 342, as it was passed out of the Armed Services Committee, would have weakened a fundamental environmental principle that protects the environment and public health in communities across the nation. It is the principle that national environmental laws should apply to the federal government in the same manner as they apply to state and local governments and to private facilities, including companies, universities, hospitals, and nonprofit entities.

Section 342 would have created a double standard by subjecting corporations, state and local facilities to one legal standard and Department of Defense facilities to a second, weaker standard. More importantly, it had the great potential to undermine compliance with national environmental and public health protections at military facilities across the nation—putting the environment and citizens at risk.

Specifically, the provision amended existing law to require Congressional authorization before the DOD pays environmental and public health penalties assessed by state and federal authorities in excess of $1.5 million or based on ''economic benefit'' or ''size-of-business'' criteria. As a result, it provided DOD a congressional reprieve not provided to any other entity.

It created a double standard. Under current law, a DOD facility that violates the Resource Conservation and Recovery Act, the Safe Drinking Water Act, Toxic Substances Control Act, or the Clean Air Act is subject to the same kind of penalties as a private facility. By waiving sovereign immunity—and subjecting federal facilities to fines—we create the financial hammer that forces sometimes reluctant government bureaucracies to comply. And we apply the law equally to all.

Congress recognized this principle in 1992 with the enactment of the Federal Facilities Compliance Act, which waived sovereign immunity under the Resource Conservation and Recovery Act. The bill was sponsored by Majority Leader George Mitchell, who said in floor debate that, ''A waiver of sovereign immunity moves us from the disorder of Federal noncompliance to a forum in which all entities are subject to the same law and to full enforcement action.'' He added that: ''The principle [of waving sovereign immunity] is important because, without it, there is only voluntary compliance. History demonstrates that voluntary compliance does not work.''

The Federal Facilities Compliance Act had 33 cosponsors in the Senate—myself included. It was a bipartisan effort that passed the Senate with a vote of 94–3 and the House by a vote of 403–3. It was signed into law by President George Bush, who said that, ''The objective of the bill is to bring all Federal facilities into compliance with applicable Federal and State hazardous waste laws, to waive Federal Sovereign immunity under those laws, and to allow the imposition of fines and penalties.'' He added, ''Four years ago I promised the American people that I would make the federal government live up to the same environmental standards that apply to private citizens. By signing this bill, we take another step toward fulfillment of that promise.''

It was an important step for the states coping with federal agencies that were immune to enforcement and that refused to comply. The California Secretary of Environmental Protection, James M. Strock, said that in passing the Act, Congress took ''an important step in restoring the link between environmental responsibility and remediation of environmental damage at federal facilities.'' He continued, ''The Act provides an essential tool to states and localities which seek compliance with hazardous waste laws.''

The National Association of Attorneys General applauded the passage of the Act. Their statement read that, ''The [legislation] has been among the Association's highest priorities on Capitol Hill for the past five years. . . . [The] Attorneys General have repeatedly called upon Congress to clarify the waiver of federal sovereign immunity, which has thus far prevented the states from ensuring compliance at contaminated facilities through assessment of fines and penalties.''

I feel that Section 342 would have rolled back the progress we've made with the Federal Facilities Compliance Act and other laws. It would have been a mistake. We should allow our law enforcement agencies to do their job. Section 342 of the DOD bill was opposed by the National Governors' Association, the National Association of Attorneys General, and the National Conference of State Legislatures. In a joint letter they write that, ''States report that the federal government is the nation's largest polluter and military installations are a major contributor to that pollution. Section 342 is a step backward from the progress we have made in changing the attitude of military installations toward compliance with the nation's environmental laws. We urge you to support efforts to strike the provisions.'' This letter is signed by Governor Kenny Guinn of Nevada, Attorney General Christine Gregoire of Washington, and Senator Beverly Gard of Indiana.

Section 342 was also opposed by the Environmental Council of the States. It writes that, ''The state environmental commissioners, along with governors, state legislators, attorneys general and other officials of state government have insisted that the federal government live by exactly the same standards and requirements that it imposes on all other parties, and we all oppose this provision in S. 2549. Exempting military installations from one of the basic tools of environmental enforcement is bad policy, and would seriously erode our capacity to ensure our citizens the protection of federal and state laws.'' The letter is signed by R. Lewis Shaw, Deputy Commissioner, South Carolina Department of Health and Environmental Control and President of the Council.

Mr. President, even Governor George W. Bush of Texas recognizes the important principle of treating federal facilities as we treat state and local governments and private facilities. On Governor Bush's website—georgebush.com—the Governor has posted his environmental platform. The sixth plank in that platform reads as follows: ''Direct active federal facilities to comply with the environmental protection laws and hold them accountable.'' It continues, ''Governor Bush will expect the federal government to lead by example. He believes it is time to end the double standard that has federal government acting as enforcer of the nation's environmental laws, while at the same time causing pollution that violates those laws.''

Mr. President, last year, a provision similar to Section 342 was incorporated into the FY 2000 DOD appropriations bill. The Congressional Budget Office evaluated that provision and concluded that, ''Based on information from DOD and on conversations with representatives of state governments, CBO believes that requiring DOD to seek specific authorization from the Congress before paying each fine . . . will likely delay the payment of some fines. To the extent the Congress fails to authorize fines in the future, it is possible that the section would make it more difficult for states and local governments to negotiate for compliance with environmental laws.'' The letter is signed by Dan. L. Crippen, Director of the CBO.

Plain and simple, if we had passed Section 342 we would have rolled back environmental and public health protections for thousands of Americans who live near DOD facilities and for generations who will face the costs of cleanup. Our state attorneys—the people in the field enforcing our laws—our governors and our state environmental commissioners—and even the likely Republican nominee for President are telling us it is a mistake to do so.

Mr. President, the principle is not just rhetoric—it is supported by the record. In 1993, compliance by federal facilities with the Resources Conservation and Restoration Act was 55.4 percent. Almost half of all federal facilities operated out of compliance. Why? Because the law was unclear as to whether or not environmental fines could be assessed against federal facilities. But with the passage of the Federal Facilities Compliance Act in 1992—when DOD and other federal facilities faced fines and penalties for the first time—compliance started to climb. By 1998, compliance at federal facilities had reached 88.2 percent. And the opposite has also proven true. Federal compliance under the Clean Water Act, which does not have a clear waiver, has dropped at federal facilities. In 1993, more than 94 percent of federal facilities were in compliance, and by 1998 that number had dropped to just 61.5 percent. According to enforcement officials at EPA and state government, that decline coincided with court decisions that interpreted the Clean Water Act as having only a limited waiver of sovereign immunity. To reverse that trend, I understand that Senator COVERDELL has introduced legislation to waive sovereign immunity for federal facilities. That Republican-led initiative now has now been cosponsored by Senators BREAUX, CHAFEE, DEWINE, GRAMS, and VOINOVICH.

Some argued that last year's provision wouldn't impact enforcement because, like Section 342, Congress can authorize the fine. But the numbers don't bear out that prediction. Why? Because investigators and attorneys knew full well that DOD was about to get a ''Get Out Of Jail Free Card'' from Congress. Even the best legal work can be overturned if Congress simply decides not to act on an authorization. As a result, enforcement actions have dropped off. As with any law, without strong enforcement, compliance will fall.

The principle is simple, Mr. President. If you want people, companies, institutions, and the government to comply with the law you must be tough on crime—including environmental crime. The way to ensure that all facilities comply with the law is to make sure that pollution does not pay. If the threat of a large fine is on the horizon—if the laws have teeth—everyone will be far more inclined to comply.

Mr. President, I want to focus some on the issue of ''economic benefit'' and ''size-of-business'' criteria and what it means to limit the federal and state authority to impose a fine based on those criteria. There seems to be some confusion as to why a federal or state authority would seek a penalty based on economic benefits at a DOD facility. The Report language accompanying Section 342 notes that the DOD, in the Committee's view, has no economic competitors in regard to the Clean Air Act. Therefore, the principle of economic benefit or size-of-business should not apply. Mr. President, I believe that is an incorrect reading of the Clean Air Act and other relevant statutes.

Foremost, an economic benefit provision prevents a facility, whether it's private or federal, from benefitting financially from noncompliance. Federal and state authorities need the power to make noncompliance economically unviable. We cannot have a system that rewards people for breaking the law. The Report language accompanying Section 342 argues that economic benefit is tied to ''competition'' among businesses and intended to prevent economic advantage through noncompliance. That is a narrow, misreading of the Clean Air Act. For example, all across the country, electric utilities—including municipal facilities—operate without ''competitors'' as the report defines the term. Utilities are guaranteed a market in return for providing a set amount of power. This is changing with competition, but many did and some still do operate as sanctioned monopolies. But they are not exempt from fines and penalties in the Clean Air Act. Further, EPA and the states assess ''economic benefit'' fines against hospitals, universities, and local and state governments. For example, in a Clean Water Act challenge, the United States versus City of San Diego in 1991, a federal court found that the ''plaintiffs' analysis of economic benefit is valid as to municipalities. While it is difficult to quantify precisely the savings realized by the City as a result of its intransigence, plaintiffs have demonstrated by a preponderance of the evidence that the city has saved in excess of $300 million over approximately the last thirty years by failing to invest in capital improvements.'' The case shows that economic benefits apply to nonbusiness entities—the City of San Diego and that economic benefit is based on ''savings'' from noncompliance.

Mr. President, ''economic benefit'' and ''size-of-business'' criteria are as applicable to DOD as they are to private companies, non-profits, states, and other federal agencies. We should not rollback protections and create a situation in which a manager within the DOD could rationalize noncompliance because it saves money—we must demand compliance from federal facilities.

Further, Mr. President, the use of these criteria to enforce the law has been endorsed by the states. The Attorneys Generals, the Governors and the Conference of Legislatures specifically addressed this issue in their letter opposing Section 342. They write that, ''The economic benefit analysis, in particular, is important to states because it prevents DOD from considering a fine merely as a cost of doing business . . .'' The Environmental Council of the States, which represents our state environmental commissioners, writes, ''Section 342 would have severely restricted the ability of states to ensure that facilities do not realize financial gain through noncompliance. Typically, states include in their penalties an amount that offsets these financial benefits. In this way, they significantly reduce economic incentives to avoid environmental and public health requirements.'' A cursory review of state policy conducted by the Governors, Attorneys General and the State Commissioners at my request, found that most states use economic benefits, including Texas, Montana, South Carolina, Minnesota, Colorado, Indiana, Pennsylvania, North Carolina, Alaska, Connecticut, and California.

The Armed Services Committee Report with S. 2549 states that ''[i]t is the committee's view that the application of the economic benefit or size of business penalty assessment criteria to the DOD is inconsistent with the statutory language and the legislative history under the [Clean Air Act.]'' Again, I

disagree and suggest that is narrow and incorrect reading of the Act. I believe a plain reading of the Clean Air Act makes it clear that all fines and sanctions apply to DOD. Section 118(a) of the Act reads as follows: ''Each department, agency, and instrumentality of executive, legislative, and judicial branches of the Federal Government . . . shall be subject to, and comply with, all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of air pollution in the same manner, and to the same extent as any nongovernmental entity. The preceding sentence shall apply (A) to any requirement whether substantive or procedural (including any record keeping or reporting requirement, any requirement respecting permits and any other requirement whatsoever), (B) to any requirement to pay a fee or charge imposed by any State or local agency to defray the costs of its air pollution regulatory program, (C) to the exercise of any Federal, State, or local administrative authority, and (D) to any process and sanction, whether enforced in Federal, State, or local courts, or in any other manner.'' In addition, the managers report for the 1990 amendments regarding Section 118(a) reads that, ''the new language is intended to refute the argument [DOD is not subject to fee requirements] and to affirm the obligation of federal agencies to comply with all requirements, including such fees or charges.'' I add that Section 118(b) of the Clean Air Act is titled ''Exemptions'' and it specifically delineates under what circumstances the DOD can be exempted from enforcement action—and it makes no reference to the size of a fine or the criteria set forth in the penalty section. The Clean Air Act is very clear on this point.

Mr. President, Section 342 reached beyond the Clean Air Act. It also applies to the Resources Conservation and Restoration Act, Toxic Substances Control Act and the Safe Drinking Water Act. I believe that a plain reading of RCRA and the Federal Facilities Compliance Act makes clear that DOD should be treated the same as private facilities. There is no ambiguity in the law or the legislative history. In the floor debate Senator Mitchell said, ''A waiver of sovereign immunity moves us from the disorder of Federal noncompliance to a forum in which all entities are subject to the same law and to full enforcement action.'' At the bill signing Bush said, ''The objective of the bill is to bring all Federal facilities into compliance with applicable Federal and State hazardous waste laws, to waive Federal Sovereign immunity under those laws, and to allow the imposition of fines and penalties.'' Section 102 of RCRA reads, ''The Federal, State, interstate, and local substantive and procedural requirements referred to in this subsection include, but are not limited to, all administrative orders and all civil and administrative penalties and fines, regardless of whether such penalties or fines are punitive or coercive in nature or are imposed for isolated, intermittent, or continuing violations.'' In regard to EPA actions against DOD, the Act reads that, ''The Administrator may commence an administrative enforcement action against any department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government pursuant to the enforcement authorities contained in this Act. The Administrator shall initiate an administrative enforcement action against such a department, agency, or instrumentality in the same manner and under the same circumstances as an action would be initiated against another person.'' Mr. President, I believe the law is clear. The Report language with S. 2549 offers us an inaccurate reading of the Clean Air Act and fails to address other environmental law statutes it impacts.

Some have suggested that Section 342 would have almost no impact on enforcement because few cases exceed $1.5 million. As a result, we will rarely—if ever—need a congressional authorization to impose a fine. That's simply wrong. Section 342 reads that congressional authorization is needed if the fine exceeds $1.5 million or if it is based on ''economic benefit'' or ''size of business'' criteria. In theory, Mr. President, all fines originating with the Environmental Protection Agency would have been caught by Section 342, regardless of their size. It is EPA's policy and that of many states that all fines should incorporate the economic benefit gained from noncompliance. It is difficult to know how many fines will need to pass through the new process created by Section 342 and how many will not be authorized or authorized at a lower amount. But, we do know that it could be a fine of any size, no matter how small.

Moreover, the threat of a large fine will be gone if Section 342 passed. This alone will deter compliance. The Congressional Budget Office specifically noted in its letter from last year that, ''the States, local governments, and federal agencies often use the threat of theses fines as part of the negotiation with facilities to achieve compliance with environmental laws.'' The Attorneys General—the people in the field doing the work—write of Section 342 that, ''The threat of a significant fine or penalty is one of the more effective ways state officials have for encouraging violators, including military installations, to take responsibility for the environmental consequences of their operations.'' Any prosecutor, whether they are involved in a criminal action, or civil environmental compliance, will tell you that the threat of long jail term or a large fine is critical to enforcing the law. Finally and most importantly, Mr. President, by giving the largest violators, those fined over $1.5 million, a chance for congressional reprieve, Section 342 created a perverse system where only the most egregious violators get a special legal loophole unavailable to less egregious violators. It is a bad precedent.

Mr. President, the compromise we have reached does not resolve all of my concerns, but it addresses many of them. Under the agreement reached tonight, offered by Senator STEVENS and passed, all fines of $1.5 million or more, assessed against DOD by a federal agency for environmental noncompliance, over the next three years, must be approved by Congress. State enforcement actions are not impacted by this agreement and our state Attorneys General can continue to enforce the law as they now do. The concepts of economic benefits and size of business remain in place in our environmental enforcement at the state and federal level. Only fines equal to or in excess of $1.5 million will require a congressional authorization and that result in only a small percentage of fines needing authorization. And it expires in three years. I do have some concerns with the agreement. By requiring a congressional authorization on fines of $1.5 million or more, we provide the most egregious violators a congressional reprieve and, therefore, it will limit our ability to deter noncompliance because the threat of a large fine will be reduced. However, I want to note and recognize the concerns Senator STEVENS has raised. Enforcement power, whether it sits with the EPA or the states, can be abused. The agreement expires in three years. In that time, Congress will have a close look at EPA's actions in assessing large fines.

Again, I want to thank Senators STEVENS, BAUCUS and LAUTENBERG.

Mr. LAUTENBERG. Mr. President, I rise in strong support of Senator KERRY's effort to make sure the Federal government plays by the same environmental rules that the private sector lives by. The Defense Department, in carrying out its military mission operates a vast, sprawling industrial complex with a potentially huge impact on the environment.

I think I'm only stating the obvious when I say it's absolutely crucial to make sure that the Defense Department and all federal agencies are held to the same environmental standards that apply to the private sector.

Under most current environmental laws, that's already the case. Federal facilities, including military installations, are subject to civil penalties for violating the Resource Conservation and Recovery Act, certain provisions of the Toxic Substances Control Act, the Safe Drinking Water Act, and the Clean Air Act. Congress specifically recognized the importance of these penalties when it passed the Federal Facility Compliance Act of 1992.

During the past several months I've received letters on this issue from environmental and state organizations, as

well as the Statement of the Administration's strong opposition to this provision. I ask unanimous consent that copies of these letters be printed in the RECORD.

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

June 6, 2000.

DEAR SENATOR: On behalf of millions of our members nationwide, we urge you to support the Kerry amendment to strip an extremely damaging legislative provision included in the National Defense Authorization bill for fiscal year 2001 (sec. 342 of S. 2549). This provision would make a permanent change in the law that could delay and even block DOD from having to pay civil penalties for environmental violations occurring at DOD facilities. We strongly urge you to support this effort to remove it from the authorization bill this year.

Section 342 of the authorization bill would require specific congressional authorization for the payment of environmental fines and penalties that exceed $1.5 million, or those that are based on the application of economic benefit or size-of-business criteria. This provision also would block the use of funds to implement supplemental environmental projects that may be required as part of, or in lieu of, a proposed civil penalty. Section 342 would negate the current law that requires that the DOD pay fines and penalties assessed by state and federal regulatory agencies for violations of environmental laws just like every other federal agency or private party that violates the law. This provision has far-reaching ramifications and yet has not had the benefit of any public hearings to allow the Congress to examine the full impacts of the action.

This provision was added specifically in response to a large environmental fine proposed by the U.S. Environmental Protection Agency at Fort Wainwright, Alaska. At Fort Wainwright, the Army operates the largest coal burning power plant owned by the U.S. military. According to EPA documents, violations at this facility appear to be more extensive than any found to date in private coal-fired power plants. The Fort Wainwright facility clearly should pay state and federal penalties for at least 11 years of continual and serious violations of clean air standards (which may have even given rise to at least one criminal investigation by the Army). The Kerry amendment would also require a General Accounting Office report to Congress on the circumstances surrounding the Fort Wainwright facility.

Section 342 would undermine years of progress at federal, state and local levels towards improved environmental compliance by federal agencies. Congress has repeatedly declared that both state and federal environmental regulators should have the clear authority to enforce most environmental laws at federal facilities, including Defense Department installations. For example, in 1992 Congress enacted the Federal Facilities Compliance Act, clarifying regulatory agencies' authority to enforce laws governing the treatment, storage, disposal, and cleanup of hazardous wastes. In signing that law, President Bush noted that it represented a step towards fulfilling his promise to the American people that ''the Federal Government live up to the same environmental standards that apply to private citizens.'' Implementation of Section 342 could severely undermine this trend towards better compliance and likely will result in increased violations.

This provision could create a perverse incentive for the military to incur large fines so that it can seek respite from Congress. Additionally, without the threat of economic benefit fines, DOD would have less incentive to comply with state and federal environmental laws and be more likely to divert resources that should be spent on environmental compliance to other military projects. Military facilities will be above the law—eroding public confidence in government. Dan L. Crippen, the Director of the Congressional Budget Office (CBO), found that since 1994 the DOD has paid over $14 million in fines—most of which have been paid to state and local governments. The CBO also found that this program ''will likely delay payment of some fines'' and could ''make it more difficult for state and local governments to negotiate for compliance with environmental laws.''

This provisions impairs a valuable tool that states have used to improve environmental protection and derails the current trend toward federal facility accountability. Creating a special exemption for DOD from penalties for environmental violations sends the message that this federal agency can ignore and discount the laws by which everyone else must abide. Because of the serious ramifications for federal accountability and protection of the environment and public health, we strongly urge you to oppose Section 342 of the FY 2001 National Defense Authorization bill and support the Kerry amendment to strike it.

Sincerely,

Robert Dewey, Vice President of Government Relations and External Affairs, Defenders of Wildlife; Courtney Cuff, Legislative Director, Friends of the Earth; Faith Weiss, Legislative Counsel, Natural Resources Defense Council; James K. Wyerman, Executive Director, 20/20 Vision; Aimee R. Houghton, Associate Director, Center for Public Environmental Oversight; Joan Mulhern, Legislative Counsel, Earthjustice Legal Defense Fund; Betsy Loyless, Political Director, League of Conservation Voters; Anna Aurilio, Staff Scientist, U.S. Public Interest Research Group; Cindy Shogan, Alaskan Wilderness League; Dan L. Astott, President, AMAC: The AuSable Manistee Action Council; Craig Williams, Director, Chemical Weapons Working Group, Berea, KY; Peter Hille, Chairman, Kentucky Environmental Foundation, Berea, KY; Theresa Freeman, Executive Director, Military Toxics Project; Elizabeth Crowe, Director, Non-Stockpile Chemical Weapons, Citizens Coalition, Berea, KY; Carol Jahnkow, Executive Director, Peace Resource Center of San Diego; Marylia Kelly, Executive Director, Tri-Valley CAREs (Communities Against a Radioactive Environment), Livermore, CA; Naomi Shultz, Steering Committee, Common Ground, Berea, KY; DelMar Callaway, Community Co-Chair, McClellan AFB RAB; Walter R. Stochel, Jr., Edison, NJ; Richard Hugus, Otis Conversion Project, Falmouth, MA; Peter Strauss, President, PM Strauss & Associates, San Francisco, CA.

NATIONAL GOVERNORS' ASSOCIATION
NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
NATIONAL CONFERENCE OF STATE LEGISLATURES

May 18, 2000.

Hon. TED STEVENS,
U.S. Senate, Washington, DC.
Hon. ROBERT C. BYRD,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN AND SENATOR BYRD: We, the undersigned, are writing in opposition to a proposal we understand might be offered for inclusion in the FY 2001 Defense Appropriations bill and which would require Congressional approval for payment of large environmental penalties issued against the Department of Defense. This proposal would be similar to the language in the FY 2001 defense authorization bill. Section 342 of Subtitle E. This provision would, if enacted, limit the waiver of sovereign immunity enacted by Congress in the 1992 Federal Facilities Compliance Act and the 1996 Safe Drinking Water Act Amendments, among other laws and continues an unfortunate policy created in last year's Appropriations law.

The language proposed would prohibit payment of large fines or penalties for violations of environmental laws at military installations from funds appropriated in the bill unless authorized by Congress. Such a proposal has the unfortunate effect of interjecting the legislature into what should be an independent system of law enforcement operated by the states and other environmental regulators. This approach to environmental regulation undermines the ability of states to use the threat of penalties as a means of forcing federal facilities to take responsibility for the environmental consequences of their operations.

The fact that this language applies only to large penalties is of little comfort. The federal government is the nation's largest polluter and military installations are a major contributor to that pollution. The threat of significant penalties can only be an effective deterrent to environmental violations where the penalty may be potentially proportional to the cost of compliance. A requirement for Congressional approval of penalties of a certain size unduly limits the ability of states to use this threat to effectively regulate the Department of Defense.

Congress recognized the importance of penalties in 1992 when it enacted the Federal Facilities Compliance Act clarifying the waiver of sovereign immunity in the Resource Conservation and Recovery Act. With the aid of the Federal Facilities Compliance Act and vigilance by states and other environmental regulators, we are finally making progress toward changing the attitude toward environmental compliance at federal facilities. We urge you to oppose any proposal that weakens the ability of states to continue to assess fines and penalties in whatever levels are determined by the states as necessary to ensure compliance.

Sincerely,

CHRISTINE GREGORIE,
Attorney General of Washington, President, NAAG.
KEN SALAZAR,
Attorney General of Colorado, Co-Chair, NAAG Environmental Committee.
GOVERNOR KENNY C. GUINN,
State of Nevada, NGA Chair, Committee on Natural Resources.
SENATOR BEVERLY GARD,
Indiana State Senate, Chair, NCSL Environment Committee.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, June 6, 2000.

STATEMENT OF ADMINISTRATION POLICY

S. 2549—NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

The Administration supports prompt congressional action on the national defense authorization bill for FY 2001 and appreciates

the Armed Services Committee's support for many of the President's national defense priorities. S. 2549, however, raises serious budget, policy, and constitutional concerns as outlined below in the SAP and in the attachment.

ENVIRONMENTAL PROVISIONS

The Administration strongly opposes section 342, which would require DOD to obtain specific authorization to comply with environmental fines and penalties assessed against the Department. The Administration is opposed to any limitation on the ability of DOD to pay fines or penalties it is liable for under law. This provision could erode public confidence in the commitment of DOD to comply with environmental laws. The Administration also believes that all Federal agencies should be held fully accountable for environmental violations and should be held to the same standards as the private sector.

Mr. LAUTENBERG. Mr. President, these letters are opposed to authorization or appropriation language that limits the importance of penalties in deterring environmental violations.

In fact, the letter signed by twenty-one environmental groups states ''Creating a special exemption for DoD from penalties for environmental violations sends the message that this federal agency can ignore and discount the laws by which everyone else must abide.''

My final point is that every time the Senate Environmental and Public Works Committee has raised this topic in hearings, the Committee has leaned toward expanding the role of fines and penalties in enforcing environmental laws at federal facilities. They did that so federal, state, and local governments would have all the tools they need to make sure all federal facilities comply with health and environmental laws.

Finally, as the Administration pointed out, ''all federal agencies should be held fully accountable for environmental violations and should be held to the same standards as the private sector.''

That is precisely what the Kerry amendment would do and I urge my colleagues to support it.

Mr. STEVENS. I urge the adoption of the amendment.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3815) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized.

AMENDMENT NO. 3794

Mr. BYRD. Mr. President, the China trade measure which passed the House eliminates the annual congressional renewal of most-favored-nation treatment of China, and gives China permanent normal trade relations with the United States. This legislation has not yet been scheduled for action on the Senate floor, yet there is already a concerted effort to defeat any amendments by Senators which might deviate from the provisions of the bill as passed by the House. The fear is that a different Senate version would require a conference committee, and another House vote, both of which may make it more uncertain that the legislation will be enacted this session.

Given this situation, which is an obvious egregious deviation from the traditional role of the Senate in foreign affairs, those of us who believe that the House bill can be improved must find a way to pass separate legislation which still addresses matters of importance in the burgeoning U.S.-Chinese trade relationship. There is one particular area, in which I believe the House bill and the amendments passed to it, are silent, and cry out for some adequate treatment, and that is in the area of national security. The administration argued in getting enough votes for its China trade bill in the House, that it is in the national security interest of the United States to pass the bill. I do not believe that for one moment. That is quite an assertion given the brutal Communist dictatorship in China, which systematically violates the agreements it has signed with us, and which routinely pressures U.S. firms to hand over key technologies as the price for doing business in China. This is the same Chinese dictatorship which talks about financial war with the United States, and which periodically intimidates Taiwan with threats of invasion. This is the same Chinese dictatorship which hunts down dissenters, hunts down free expression, and religious organizations with a club.

Despite this assertion, there is no mechanism to thoroughly and regularly assess the national security impacts on, and implications of, the developing trading relationship with China. The huge trade and dollar surpluses that are amassed by the Chinese Government and the tensions between the United States and China on trade and national security issues, as well as on human and labor rights, need informed and periodic review. There are those who argue that our annual debate over renewal of most-favored-nation treatment of China did not amount to much because we never failed to renew MFN. However, annual MFN review was of great importance to the Chinese Government, since it certainly provided a regular open window to expose questionable Chinese trading, human rights, military, and other policies to a wide audience.

Such monitoring and regular reporting to Congress from a reliable source is particularly important in an era where massive and unbalanced trade flows are certain to continue, and where, because of China's membership in the WTO, U.S. bilateral leverage and congressional authority under the commerce clause have been severely reduced. I would contend that the U.S.-Chinese relationship is likely to be of enduring concern to this body. Surely, the national security implications of that relationship, the impacts of massive trade deficits which now approach some $70 billion a year, the voracious appetite of the Chinese Government for military technologies, and the pressures it brings on our Asian allies are important to us. The implications of systematic unfair trade practices by the Chinese Government, of dumping into our markets, of not enforcing and not complying with agreements they have signed with us, and of pressuring Western companies to hand over important technologies as a price for doing business in China and as a quid pro quo for being able to relocate and invest in China, should be of concern to the elected representatives of the American people.

The chief Chinese imports from the United States are primarily sophisticated manufactured products, like aircraft, telecommunications equipment, and semiconductors. Many of these technologies have multiple uses, both civilian and military. China's development effort is heavily dependent on Western companies as sources of capital and technology. There are some who contend that the large surpluses, as well as the capital, and many technologies are being funneled to a concerted effort to fuel a military buildup which the Chinese could not otherwise muster. There are those who contend that we are unwittingly giving the Chinese the tools to intimidate Taiwan, our democratic friend, and our other Asian allies, such as Thailand, South Korea, Japan, and the Philippines.

Chinese military officers have recently written about the need to practice financial war, cyber war, and other economic and technologically sophisticated means of affecting the security relationship with the United States. Given the technological prowess of the United States in prosecuting the Gulf War and the Kosovo conflict, the Chinese have been reportedly alarmed regarding the obsolescence of their military machine and their military practices. The standing armies, upon which they have traditionally relied, cannot perform effectively against the new weaponry demonstrated by the United States in those conflicts. There are those in China who believe that their long-term interests lie in competition and possibly confrontation with the United States, and thus in order to compete they must rapidly acquire a range of technologies and expertise that is only available from Western firms. Are we unwittingly supplying those factions in China with the means to confront us? Certainly our own self-interest would dictate that we need to monitor these trends systematically and periodically and that is the purpose of the Byrd-Warner amendment.

I think that it is only prudent that we provide for an annual systematic review and a report to the Congress on the full range of national security implications engendered by the increased

trade and investment relationship with China. The House has a commission in its China trade bill, an executive-legislative commission to monitor a staggering range of human rights and democracy-building reforms in China. It has a full plate of responsibilities. While this sort of monitoring is certainly important, no less important should be the existence of a congressional commission to focus on the national security relationship between our two nations. The President has argued that it is in our national security interest to further open and widen our trading relations with China. That proposition should be regularly tested by an independent commission, which has the narrow mandate of monitoring our growing bilateral relationship with an eye toward United States security concerns.

The Congress last year created a 12-person commission, equally divided between Republicans and Democrats, to examine our growing negative trade balance. The Trade Deficit Review Commission will likely finish its work in a few months, with a report to the Congress and the President, on the implications of our global deficits, recommending new practices, institutions and policies. It has already conducted hearings and studies on the Chinese relationship. Mr. WARNER and I suggest that this same commission is an appropriate tool, extended and refocused, to conduct an annual Chinese assessment and review. Such a refocused commission would serve as a good companion to the one proposed by the House bill on human rights and democratic reforms in China. Its existence and assessments would certainly help to repair the dangerous erosion of congressional involvement in, and leverage over, foreign commerce envisioned as essential to our national well being by the framers. It would help to replace congressional monitoring of China resulting from her accession to the World Trade Organization, in an area critical to the deeply rooted constitutional responsibilities of this body.

That is the purpose of the amendment which Senator WARNER and I and other Senators have offered. In summary, the commission would review the national security implications of our trade and investment relations with China, including the following elements:

One, the portion of trade in goods and services dedicated by the Chinese Government to military systems;

Two, an analysis of the statements and writings of Chinese officials bearing on the intentions of the Chinese Government regarding military competition with and leverage over the United States and its Asian allies;

Three, the military actions taken by the Chinese Government over the preceding years bearing on the national security of the United States and its Asian allies;

Four, the acquisition by the Chinese Government of advanced military technologies and systems through U.S. trade and Chinese procurement policies;

Five, the use of financial transactions, capital flows, and currency manipulations to affect the national security of the United States;

Six, actions taken by the Chinese Government in the context of the WTO which are adverse to U.S. national security interests;

Seven, an overall assessment of the state of any security challenges to the U.S. by the Chinese Government and whether the trend from previous years is increasing or declining; and finally, the commission would also provide recommendations for action, including any use of the national defense waiver provision that already exists in the GATT Treaty, and applies to the WTO. This article, article 21 of the GATT, has never been used by any nation state, but remains available to be triggered if the Congress finds some aspect of our growing relationship with China on the trade account which adversely affects our national security and needs to be stopped or somehow moderated.

In addition to these matters, there is also growing concern over the activities of China in transferring missile technologies to other nations, affecting the security of the United States and, also, our Asian allies. The proliferation of such technologies to Pakistan is the subject of ongoing discussions between the United States and the Government of China. Unfortunately, the Chinese have given no sign that they intend to halt their highly dangerous trade in missile technologies and components.

Many Senators have expressed their concern over this practice, including the distinguished Senator from Tennessee, Mr. THOMPSON, and the distinguished Senator from New Jersey, Mr. TORRICELLI. It is my intention, and my expectation, and it is the intention of my very close and dear colleague, Senator WARNER—it is our intention and expectation that the U.S.-China Security Review Commission will investigate, report and make recommendations on Chinese trade in missile components, which affects our long-term security and that of our Asian allies. In this amendment by Mr. WARNER and myself, both paragraphs (E), dealing with military actions taken by the Chinese Government, and (J), requiring an overall assessment of the state of the security challenges presented by China to the United States provide ample mandate to the commission to conduct such investigations on a regular basis.

I will be happy to yield the floor to my colleague, Mr. WARNER.

I cannot yield the floor to another Senator. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I am, indeed, very honored to be a principal cosponsor with my friend and fellow member of the Armed Services Committee on this piece of legislation. This is a very important step. China should not perceive this as a threat. China should not perceive this in any other way than a positive step by the Congress to establish or keep in place this ongoing commission for the purpose of advising the Congress from time to time.

We do not have as individual Members—of course, our committees perform oversight, but we do not have an opportunity, on a daily or weekly basis, to monitor the various criteria as set forth in the Byrd-Warner legislation. This commission will, again, be established by the Congress with six Members appointed by the Senate and six Members appointed by the House in a bipartisan manner, and it will be the watchdog to inform us from time to time.

China in this millennium will compete with the United States, the world's only superpower, on a broad range of fronts—not just foreign affairs, not just national security, not just trade and economics, but in areas which we cannot even envision tonight, as this new millennium unfolds and this cyberspace in which we are all involved engulfs us day after day. The distinguished Senator from West Virginia pointed out some representations by certain individuals in China about their desire to get more involved in cyberspace for national security reasons. That is one of the important functions of this commission.

I am very pleased to join with him because China will be the competitor. The Senate and the House—the Congress collectively—needs its own resource, and I underline that. I commend my distinguished colleague and friend from West Virginia.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. WARNER. Yes.

Mr. BYRD. Otherwise, the Congress is at the mercy of an administration—the administration—for information.

Mr. WARNER. That is correct.

Mr. BYRD. In this case, this commission will report to the Congress, so we do not have to depend upon information from the Executive; we have our own.

Mr. WARNER. Of course, Mr. President, from time to time, committees of this body—indeed, the Committee on Foreign Relations, the Committee on Armed Services, the Governmental Affairs Committee—take active roles, but they do not do it every single day as this commission will monitor, together with the chairman and members and the staff.

Mr. BYRD. Yes.

Mr. WARNER. I yield the floor.

Mr. ROTH. Mr. President, I rise today in opposition to the amendment offered by my distinguished colleague from West Virginia, Mr. BYRD. I do so because the commission created by this legislation is, in my view, flawed. That is why I tried to work with my good friend from West Virginia to address the concerns that I am raising. Unfortunately, we were unable to come to an

agreement. For the following reasons, I must oppose this amendment and I urge my colleagues to do the same.

First, let me say that if my colleague's intent is to establish a commission to provide sound advice to Congress regarding our broader relationship with China and its effect on our national security, then there are ways to create a meaningful mechanism for doing just that. One, for example, would have been to build the Senator's concerns into the quadrennial defense review required under previous versions of the National Defense Authorization Act. By giving the responsibility to a standing body like the National Defense Panel that already conducts the quadrennial defense review, we would have saved the taxpayers' money, while getting the benefit of the unchallenged expertise of many of the foremost authorities on our national security and on military matters. And, we would have put the report in Congress' hands by next spring.

Instead, my colleague has adopted an approach I have not seen in my years in the Senate. He wants to take the commissioners, staff and clerical personnel of a commission constructed for very different purposes and employ it to look at our security relationship with China. That commission—the Trade Deficit Review Commission—is staffed with commissioners and staff appointed due to their expertise in economic policy. Frankly, this is simply the wrong group to undertake a serious review of the impact on our national security of our relationship with China. And, there is absolutely no benefit in terms of accelerating the progress toward a final report when compared to giving the responsibility to the National Defense Panel.

I must say that I do not understand my friend's interest in perpetuating the life of the Trade Deficit Review Commission for this task. The Trade Deficit Review Commission is already overdue in providing us its report on the trade deficit. My expectation when we created that commission was that we would have had its work product by now. Instead, my colleague recently supported a three-month extension so the Trade Deficit Review Commission could complete its now amply-delayed report. In my view, we should let the Trade Deficit Commission complete its existing work, rather than burdening it with new responsibilities, even if only administrative in nature, before it has completed its primary task.

Second, I am concerned that the way the issues as stated in my friend's bill could be read to imply that the United States already considers China an enemy and a threat to our national security. China clearly is an emerging force in the international arena. In many ways, China's emergence could be beneficial to the United States. There are, nonetheless, concerns, which I share, regarding the PRC's behavior on security-related matters. Those issues bear careful scrutiny.

Having said that, it should also be clear that the shape and direction of the relationship between our countries is evolving and remains to be shaped. What that suggests is the need for a thoughtful, comprehensive and, most importantly, balanced review of the security implications of our bilateral relationship with China. That is, in fact, what I suggested to my colleague we should do.

Third, I offered my friend my thoughts on the technical changes needed to make the commission's job clear. I worry, however, that, as it stands now, the commission's duties will be extremely difficult for any commissioner to decipher. For example, the proposed commission is supposed to examine the ''portion of trade in goods and services that the People's Republic of China dedicates to military systems or systems of a dual nature that could be used for military purposes.'' The problem is no country dedicates its trade to military systems. That is simply not a meaningful concept. I am not even sure what a ''system of a dual nature'' is? It is, furthermore, literally impossible for a country to dedicate a portion of a trade surplus to its military budget because a trade surplus is not cash in hand, as the proposal implies.

Similarly, the proposal simply misunderstands the nature of the World Trade Organization and particularly Article XXI if it asks for recommendations as to how China's participation there would harm us or whether Article XXI should be more frequently invoked. What the WTO provides is a forum in which to negotiate the reduction of tariffs and other trade barriers. What do we have to fear from China lowering its trade barriers in national security terms? As to Article XXI, that provision is invoked when we do something to China in trade terms, not when China does something to us.

That leads me to my final point. What the statement of the proposed commission's duties makes clear, and what I object to most strongly to, is its premise. There are many issues that I could conceive of addressing in a serious, comprehensive and balanced review of our security relationship with China. Issues related to regional stability and weapons proliferation to name just two. But, what this amendment suggests is that our commercial engagement with China somehow threatens our national security interests—that in some way, the fact that we buy toys and appliances from the Chinese, and the fact that they buy agricultural products and heavy equipment from us endangers the American people. That is simply not the case.

Nor is there anything about China's upcoming accession to the World Trade Organization that makes such a review any more relevant. After all, China has committed to open its market to our goods and services to gain entry to the WTO. China's accession to the WTO does nothing to reduce our security. If anything, it reduces a point of friction in our relationship with China in a way that is only positive.

Under the circumstances, I cannot support the creation of a permanent commission with an uncertain mission that would not reach many of the fundamental issues that should be addressed in our relationship with China. I urge my colleagues to oppose the amendment as well.

Mr. BYRD. Mr. President, will the clerk read the other cosponsors of the amendment, in addition to Mr. WARNER and myself.

The PRESIDING OFFICER. The clerk will read the names.

The assistant legislative clerk read as follows:

Mr. BYRD, for himself, Mr. WARNER, Mr. LEVIN, Mr. HOLLINGS, Mr. HELMS, Mr. BREAUX, Mr. HATCH, Mr. CAMPBELL, Mrs. LINCOLN, and Mr. WELLSTONE.

Mr. BYRD. I thank the Chair, and I thank the clerk.

Mr. President, I ask for a vote on the amendment.

Mr. WARNER. Mr. President, with the concurrence of my distinguished senior colleagues, I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3794.

The amendment (No. 3794) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3767, as amended.

The amendment (No. 3767), as amended, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. WARNER. I thank the Chair.

Mr. BYRD. Do we not wish to proceed on the vote on the amendment in the first degree, as amended?

The PRESIDING OFFICER. We have agreed to the first and the second-degree amendments.

Mr. BYRD. I thank the Chair. I thank all Senators. And I thank my colleague, Mr. WARNER.

Mr. WARNER. I thank my colleague, the senior Senator from West Virginia.

Now, from the unanimous consent agreement, the distinguished Senator from Wisconsin is to be recognized.

AMENDMENT NO. 3759

(Purpose: To terminate production under the D5 submarine-launched ballistic missile program)

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I call up amendment No. 3759 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself, Mr. HARKIN, Mr. WELLSTONE, and Mr. WYDEN, proposes an amendment numbered 3759.

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

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

The amendment is as follows:

On page 31, between lines 18 and 19, insert the following:

SEC. 126. D5 SUBMARINE-LAUNCHED BALLISTIC MISSILE PROGRAM.

(a) REDUCTION OF AMOUNT FOR PROGRAM.—Notwithstanding any other provision of this Act, the total amount authorized to be appropriated by this Act is reduced by $462,733,000.

(b) PROHIBITION.—None of the remaining funds authorized to be appropriated by this Act after the reduction made by subsection (a) may be used for the procurement of D5 submarine-launched ballistic missiles or components for D5 missiles.

(c) TERMINATION OF PROGRAM.—The Secretary of Defense shall terminate production of D5 submarine ballistic missiles under the D5 submarine-launched ballistic missile program after fiscal year 2001.

(d) PAYMENT OF TERMINATION COSTS.—Funds available on or after the date of the enactment of this Act for obligation for the D5 submarine-launched ballistic missile program may be obligated for production under that program only for payment of the costs associated with the termination of production under this Act.

(e) INAPPLICABILITY TO MISSILES IN PRODUCTION.—Subsections (c) and (d) do not apply to missiles in production on the date of the enactment of this Act.

Mr. FEINGOLD. Mr. President, quite simply, this amendment will terminate the future production of the Navy's Trident II missile. I am pleased to be joined in this effort by the Senator from Iowa, Mr. HARKIN, the Senator from Minnesota, Mr. WELLSTONE, and the Senator from Oregon, Mr. WYDEN.

I have made it a priority to seek to eliminate unnecessary Government spending. To the occasional consternation of some in this Chamber and elsewhere, I have come to the floor time and time again to try to scale back or terminate costly Federal programs, many of which have outlived their usefulness.

In my view, the Trident II program is just the kind of cold war relic that we can and should eliminate.

The Trident II, also called the D–5, is the Navy's submarine-launched ballistic missile. It was designed specifically to be a first-strike strategic missile that would attack targets inside the Soviet Union from waters off the continental United States.

By halting further production of the Trident II missile, we would save American taxpayers more than $460 million in fiscal year 2001 alone, and according to the CBO, we would save $2.6 billion over the next 10 years, from 2001 to 2010.

The Navy now has in its arsenal 372 Trident II missiles, and has requested funding this year for an additional 12. The legislation currently before this body includes more than $430 million for those additional 12 missiles.

It also authorizes an additional $28.8 million for advanced procurement for still more Trident II missiles that the Navy hopes to purchase in future years.

Let me be clear. My amendment would halt production of additional Trident II missiles. It does not in any way prevent the Navy from operating or maintaining its current arsenal of 372 Trident II missiles.

I would like to take a moment to talk about the Trident II, its predecessor, the Trident I, and the reasons why I believe this Trident II program should be terminated.

The Trident II is deployed aboard the Navy's fleet of 18 Ohio-class submarines. Ten of these subs are equipped with Trident II missiles. The oldest eight subs in the fleet are equipped with the older Trident I, or C-4, missile.

The Navy is already moving toward downsizing its Trident fleet from 18 to 14 in order to comply with the provisions of the START II treaty. Some observers suggest simply retiring the four oldest Ohio-class submarines in order to achieve that goal. Others support converting those subs, which carry the older Trident I missle, to carry conventional missiles. The CBO estimates that this conversion alone would cost about $3.3 billion over 10 years.

That leaves four other submarines that are equipped with the older Trident I missiles. The Navy wants to backfit those four subs to carry newer Trident II missiles.

The Navy's current goal is to have 14 submarines with 24 Trident II missiles each, for a total of 336 missiles, with a number of additional missiles for testing purposes. The CBO estimates that a total of 425 missiles would be required to fully arm 14 submarines and have sufficient missiles also for testing. That would mean the purchase of at least 53 more missiles.

We already have 372 Trident II missiles—more than enough to fully arm the 10 existing Trident II submarines and to maintain an inventory for testing. So why do we need 12 more?

Why do we need to spend the taxpayers' money on advanced procurement to buy even more missiles in future years?

And why do we need to backfit the aging remains of the Trident I fleet at all? Ten fully-equipped Trident II submarines are more than capable of being an effective deterrent against the moth-balled Russian submarine fleet and against the ballistic missile aspirations of rogue states, including China and North Korea.

And the aging Trident I subs won't outlast the Trident I missiles they currently carry, let alone the additional Trident II missiles the Navy wants to build for them to the tune of about $40 million per missile.

The CBO has recommended terminating the further production of the Trident II missile, which would save $2.6 billion over the next 10 years, and retiring all eight of the Trident I submarines, which would save an additional $2.3 billion over the next 10 years, for a total savings of $4.9 billion.

I do recognize that there is still a potential threat from rogue states and from independent operators who seek to acquire ballistic missiles and other weapons of mass destruction. I also recognize that our submarine fleet and our arsenal of strategic nuclear weapons still have an important role to pay in warding off these threats. Their role, however, has diminished dramatically from what it was at the time of the cold war. Our missile procurement decisions should really reflect that change and it should reflect the realities of the post-cold-war world.

Our existing inventory of 372 Trident II missiles is far superior to any other country on the globe. And each of these missiles contains eight independently targetable nuclear warheads, for a total of 192 warheads per submarine. The 372 missiles currently in the Navy's inventory contain 2,976 warheads. Each warhead packs between 300 to 450 kilotons of explosive power.

For a comparison—which is really quite striking—the first atomic bomb that the United States dropped on Hiroshima generated 15 kilotons of force. Let's do the math for just one fully-equipped Trident II submarine.

Each warhead can generate up to 450 kilotons of force. Each missile has eight warheads, and each submarine has 24 missiles. That equals 86.4 megatons of force per submarine. That is the equivalent of 5,760 Hiroshimas. Let me say that again: the power of 5,760 Hiroshimas on just one submarine.

The Navy currently has 10 such submarines, and they want to backfit another four with these devastating weapons. It is hard to imagine why we need to procure more of these weapons when those we already have could destroy the Earth many times over.

And it is especially hard to comprehend why we need more Trident II missiles when we take into account the fact that the Trident II is only one of the several types of ballistic missiles the Department of Defense has in its arsenal.

The world is changing. Earlier this year, the Russian Duma ratified the START II treaty, a move that seemed highly unlikely just 1 year ago. And Russia has also ratified the Comprehensive Nuclear Test Ban Treaty, something that this body regrettably failed to do last fall.

I cannot understand the need for more Trident II missiles at a time when the Governments of the United States and Russia are in negotiations to implement START II and are also discussing a framework for START III. These agreements call for reductions in our nuclear arsenal, not increases. To spend scarce resources on building

more missiles now is short sighted and could seriously undermine our efforts to negotiate further arms reductions with Russia.

The debate on the underlying legislation is one about priorities. We should stop spending taxpayer dollars on defense programs that have unfortunately survived the cold war and should instead concentrate on military readiness and better pay and benefits for our men and women in uniform.

So I urge my colleagues to support this sensible amendment, which has been endorsed by Taxpayers for Common Sense, the Center for Defense Information, the Peace Action Education Fund, the Union of Concerned Scientists, the Council for a Liveable World, Physicians for Social Responsibility, and the 20/20 Vision Education Fund.

Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. FEINGOLD. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I rise in opposition to the Feingold amendment. I happen to believe we need a strong national defense. I think an important ingredient in having a strong national defense is that we have a defense system that is technologically advanced over any opposition we may face in the world; that we have a versatile defense system; and that we have some mobility so we can avoid duplication.

A key ingredient of a strong national defense is our submarine program, which includes the submarine-launched ballistic missile. An important part of a submarine-launched ballistic missile is the D–5.

The Feingold amendment would cut $462.7 million in funds to procure the Trident D–5 missiles and, in effect, would terminate the D–5 production program. For that reason, I strongly oppose this amendment.

The Department of Defense also happens to oppose this amendment. That was not an easy decision. There was a lot of consideration on what should be the proper level of defense and how submarine defenses should be a part of that. The Navy, after a considerable amount of thought, decided they needed to outfit a total of 14 Trident submarines with the D–5 missile. This will require a total inventory of 425 Trident missiles. With the fiscal year 2000 budget, the Navy will have 53 missiles left to procure to meet this inventory objective. We have gone through most of the program. We are not going to have much left, as far as funding missiles, after this fiscal year.

In 1994, there was a nuclear posture review. This review was done by the Department of Defense and it has been persistently evaluated. The conclusion is that the U.S. needs 14 Trident submarines at a minimum to be able to maintain a two-ocean SLBM force that is stabilizing, operationally effective, and which enhances deterrence.

The Department of Defense is planning on maintaining 14 Trident submarines for the foreseeable future regardless of arms control developments. Current plans are to maintain 14 boats under START II as well as under START III. Terminating the D–5 program, after fiscal year 2000, would mean the Navy would only have enough missiles to outfit 11 boats. Over time, as operational flight testing uses up an already inadequate missile inventory, you begin to reduce the number of submarines you would be able to maintain on operational status even further. We would decidedly have a lack of missiles to meet the goal for a two-ocean SLBM force.

The Feingold amendment cuts the entire fiscal year 2001 budget request for D–5 production. However, even if the Congress wanted to terminate the D–5 program following the fiscal year 2001 procurement, the Navy would still need to spend over $330 million in procurement funds to terminate the production program. Hence, the Feingold amendment would not only prematurely stop production, but it would also preclude orderly termination of the program.

Way back in January of this year, in a report to Congress, the Secretary of Defense stated that the impact of procuring less than 425 of the D–5 missiles would be very severe. Specifically, the Secretary of Defense indicated that such a decision would have adverse impacts on the effectiveness of the U.S. strategic deterrent, severely weaken reliability, accuracy, and safety assessments associated with the D–5 operational flight test program, and would undermine the strategic missile industrial and production base of the United States at a time when the D–5 missile is the only strategic missile still in production.

The Secretary's report also indicated that termination of the D–5 missile before the planned completion of 425 missiles would result in a unilateral reduction of deployed U.S. strategic warheads in both the START I and the START II regimes and is not consistent with U.S. START III plans.

The Navy also looked at retaining older C–4 missiles to fill in the lack of the D–5 missiles. It concluded that this would be even more costly and inefficient than simply completing the D–5 production run.

With only 53 missiles to procure, termination at this point will produce only marginal savings and will have a severe operational impact on our ability to maintain a stable deterrent force.

It is based on these factors that I strongly urge my colleagues to oppose the amendment by the Senator from Wisconsin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I appreciate the opportunity to debate this with the Senator from Colorado. I will clear up a couple of factual points before I make a few general statements.

First, as I understand it, the question of termination costs will not be a problem that will be absorbed because of this amendment, because any unexpended funds can be used for purposes of the termination costs. I don't think that is a major objection.

Secondly, I believe the Senator suggested this would have some impact on missiles already in production. That is not the case. That is not the way our amendment is drafted. That is not what it will do.

The most important point is that the Senator from Colorado indicates that these missiles are a key ingredient in our national defense. Let's assume that is the case. The fact is, we already have 372 of these missiles. I believe the burden is on those asking for this additional funding to show that that is not enough.

Assuming it is a key ingredient, do we really need more than 372? Do we really need these additional 53 missiles? As I indicated earlier, we have 2,976 warheads based on our current 372 missiles, and that is the equivalent of 25,760 Hiroshimas per submarine. I think the burden is on those wanting to spend this additional money to show that we need a stronger deterrent than that.

The Senator from Colorado suggested adverse impacts on deterrence if we don't do these additional 12. After 25,760 Hiroshimas per submarine, we need additional deterrence? I didn't hear a single statement from the Senator from Colorado suggesting exactly what the real adverse impacts are of just not doing these additional missiles.

I suggest the money is desperately needed not only in general but, even within the defense budget, for the people who serve our country, their pay, their conditions, their housing, readiness, including that of the National Guard, for example. In my State, the people in the National Guard desperately need these resources, for example, for inventory, for training. They are very strapped. They are now taking a great deal of responsibility for our standing Army. To me, the priorities are wrong. We have more than adequate deterrence with these 372 missiles.

I suggest the case has not been made, as it must be, by those who want to make the expenditure for these additional missiles.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I will respond, if I may.

The amendment cuts funds which would require termination of the program, plain and simple. DOD has repeatedly reviewed that very question.

Each time they have concluded we need 53 additional missiles.

Keep in mind, the goal originally was set up that we needed to maintain a submarine force in the Pacific Ocean as well as the Atlantic Ocean. It was determined that, at a minimum, we had to have 14 submarines, and we needed to have them adequately armed in order to provide the defenses we need.

The Trident submarine is the core of the U.S. strategic deterrent force, and the Trident force is the most survivable leg of our strategic triad.

I think it is important we go ahead and complete this program, recognizing that we are towards the end of manufacturing of the missiles.

I think it only makes sense that we complete it and maintain a strong defense. I believe a strong defense does serve as a deterrent, and it helps assure world peace. For that reason, I strongly oppose the amendment of the Senator from Wisconsin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin has 3 minutes 25 seconds.

Mr. FEINGOLD. Mr. President, I don't know how much more I will debate this. I want to respond to the point about the study and analysis that the Senator from Colorado appears to rely on most exclusively. That analysis was done prior to the time the Russian Duma approved START II. This is an example. It is not looking at the present relationship we have and our goals with regard to Russia and the future negotiations, not only with regard to what is going on now, but with START III.

The whole point is that we have to look at current realities, look at what we have—372 missiles—and their capacity, and our goals as to what message we want to send to Russia as we negotiate what is hoped to be a reduction in the nuclear arsenals. I think it is simply not only an unwise expenditure, but also an attitude that does not reflect what we are trying to accomplish with regard to our negotiations with Russia.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I believe I need to respond again. We have had a report as late as January of this year, and it is that we should maintain 14 Trident submarines not only through START I and II, but also START III. So I think this is forward looking. I think it helps us assure our goals of a strong defense. It maintains a versatile force and keeps us technologically advanced, with the mobility we need. I think it is an essential aspect of our defense, and I think it would be foolhardy for us to cut the funds necessary to fully develop the 425 D–5 missiles for the Trident submarine.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I yield back the remainder of my time.

Mr. ALLARD. Mr. President, I yield back the remainder of our time on this side.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, might I inquire? I was off the floor. Have the yeas and nays been ordered for tomorrow?

The PRESIDING OFFICER. Yes, that is correct.

Mr. WARNER. It is ready to be sequenced tomorrow for the purpose of voting?

The PRESIDING OFFICER. Yes.

Mr. WARNER. I thank the Senators. We are now ready to hear from our distinguished colleague from Illinois, if he is ready.

I will ask our colleague from Illinois two questions. One, on the assumption that Mr. LEVIN will soon return to the floor, I ask if we could interrupt for the purpose of clearing some en bloc amendments, which will enable the staff who otherwise would be here to return to their offices and use their time productively. We will ask for that at the appropriate time. Has the Senator indicated the amount of time he might seek for purposes of debate?

Mr. DURBIN. Mr. President, there are three Members on the floor who will be seeking recognition, and we anticipate a maximum of 60 minutes on this side. I don't know how much is needed on the other side.

Mr. WARNER. I thank the Senator. In looking this over, I am inclined to think that we can, in the course of the conference, gain some support. I hope it remains in a factual manner and that the legislative history you are about to make in terms of your remarks, together with your colleagues, support what is in this amendment.

Mr. DURBIN. Mr. President, I thank the chairman for his forbearance in scheduling this debate. I don't think any of us had hoped it would occur at 8:30 at night, but that is the situation we are in. This is a very important debate.

AMENDMENT NO. 3732

(Purpose: To provide for operationally realistic testing of National Missile Defense systems against countermeasures, and to establish an independent panel to review the testing)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Mr. WELLSTONE, Mr. BINGAMAN, Mr. JOHNSON, Mr. KERRY, Mr. KENNEDY, Mr. HARKIN, and Mr. WYDEN, proposes an amendment numbered 3732.

Mr. DURBIN. 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 53, after line 23, insert the following:

SEC. 243. OPERATIONALLY-REALISTIC TESTING AGAINST COUNTERMEASURES FOR NATIONAL MISSILE DEFENSE.

(a) TESTING REQUIREMENTS.—The Secretary of Defense shall direct 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.

(b) FUTURE FUNDING REQUIREMENTS.—The Secretary, in consultation with the Director of the Ballistic Missile Defense Organization shall—

(1) determine what additional funding, if any, may be necessary for fulfilling the testing requirements set forth in subsection (a) in fiscal years after fiscal year 2001; and

(2) submit the determination to the congressional defense committees at the same time that the President submits the budget for fiscal year 2002 to Congress under section 1105(a) of title 31, United States Code.

(c) REPORT BY SECRETARY OF DEFENSE.—(1) The Secretary of Defense shall, except as provided in paragraph (4), submit to Congress an annual report on the Department's efforts to establish a program for operationally realistic testing of the National Missile Defense system against countermeasures. The report shall be in both classified and unclassified forms.

(2) The report shall include the Secretary's assessment of the following:

(A) The countermeasures available to foreign countries with ballistic missiles that the National Missile Defense system could encounter in a launch of such missiles against the United States.

(B) The ability of the National Missile Defense system to defeat such countermeasures, including the ability of the system to discriminate between countermeasures and reentry vehicles.

(C) The plans to demonstrate the capability of the National Missile Defense system to defeat such countermeasures and the adequacy of the ground and flight testing to demonstrate that capability.

(3) The report shall be submitted not later than January 15 of each year. The first report shall be submitted not later than January 15, 2001.

(4) No annual report is required under this section after the National Missile Defense system becomes operational.

(d) INDEPENDENT REVIEW PANEL.—(1) The Secretary of Defense shall reconvene the Panel on Reducing Risk in Ballistic Missile Defense Flight Test Programs.

(2) The Panel shall assess the following:

(A) The countermeasures available for use against the United States National Missile Defense system.

(B) The operational effectiveness of that system against those countermeasures.

(C) The adequacy of the National Missile Defense flight testing program to demonstrate the capability of the system to defeat the countermeasures.

(3) After conducting the assessment required under paragraph (2), the Panel shall evaluate—

(A) whether sufficient ground and flight testing of the system will have been conducted before the system becomes operational to support the making of a determination, with a justifiably high level of confidence, regarding the operational effectiveness of the system;

(B) whether adequate ground and flight testing of the system will have been conducted, before the system becomes operational, against the countermeasures that are likely, or at least realistically possible, to be used against the system and that other countries have or likely could acquire; and

(C) whether the exoatmospheric kill vehicle and the rest of the National Missile Defense system can reliably discriminate between warheads and such countermeasures.

(4) Not later than March 15, 2001, the Panel shall submit a report on its assessments and evaluations to the Secretary of Defense and to Congress. The report shall include any recommendations for improving the flight testing program for the National Missile Defense system or the operational capability of the system to defeat countermeasures that the Panel determines appropriate.

(e) COUNTERMEASURE DEFINED.—In this section, the term ''countermeasure''—

(1) means any deliberate action taken by a country with long-range ballistic missiles to defeat or otherwise counter a United States National Missile Defense system; and

(2) includes, among other actions—

(A) use of a submunition released by a ballistic missile soon after the boost phase of the missile;

(B) use of anti-simulation, together with such decoys as Mylar balloons, to disguise the signature of the warhead; and

(C) use of a shroud cooled with liquid nitrogen to reduce the infrared signature of the warhead.

Mr. DURBIN. Mr. President, what we are going to discuss this evening is one of the most expensive, and perhaps one of the most important, elements in our Nation's national defense. We are going to discuss the national missile defense system.

The reason for its importance, I guess, could be summarized in several ways. First, it is an extraordinary expenditure of money. It is anticipated that if we are going to meet our first goal by 2005, we will spend up to $60 billion. That is an exceptional expenditure, even by Federal standards, even by the standards of the Department of Defense.

Second, those who support this system are telling us that our goal is to basically protect America from attack by rogue missiles, by those enemies of the United States who might launch a missile at us and threaten our cities and population. So the importance of the system we are talking about cannot be overstated.

Third, we know that if we go forward with this, we run the risk of complicating our negotiations with other countries in the world—particularly Russia and China—about the reduction in their nuclear arsenals. So this is high-stakes poker. We are talking about a decision, in terms of our national defense, which may be one of the most important in history.

I have a very straightforward amendment that will require that the national missile defense system test realistic countermeasures before becoming operational, and that an independent review panel—the Welch panel—assess the testing program in light of these countermeasure problems. The President is slated to decide soon whether to deploy a national missile defense system. This bill we are debating authorizes spending almost $5 billion in the next fiscal year for this program.

The Congressional Budget Office has estimated the contemplated national missile defense total cost at $60 billion, when all components are considered. Whether one thinks that deciding to deploy a national missile defense system at this moment is a good idea or not, I hope we can all agree that once that system becomes operational, it should work. If we are going to spend $60 billion, we ought to have a high level of confidence that it will in fact protect us from rogue states firing a missile. If the fate of America will truly hang in the balance, we owe this Nation and every family and every mother, father, and child our very best effort in building a credible, effective deterrence.

Such a high level of confidence is not possible until this system is tested against likely responses from emerging missile states, known as countermeasures or decoys. If the missile system cannot discriminate between warheads and decoys, it is, as a practical matter, useless because enemies will simply be able to overwhelm it with cheap decoys.

At this point, I will yield time to my colleagues who have gathered here to be part of this debate. At the end of their statements, I will reclaim my time and conclude.

Mr. WARNER. Mr. President, I ask at this time if I may clear some amendments and ask unanimous consent that the time consumed by the two managers not in any way be counted against the time for the Senator from Illinois.

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

AMENDMENTS NOS. 3733, 3734, 3737, AND 3762, AS MODIFIED, EN BLOC

Mr. WARNER. Mr. President, Senator LEVIN and I have several amendments cleared by myself and the ranking member, some of which have been modified. I call up amendments Nos. 3733, 3737, 3734, and I send to the desk a modified version of amendment No. 3762. I ask unanimous consent that these amendments be considered en bloc, that the Senate agree to the amendments, and that the motions to reconsider be laid on the table.

Finally, I ask unanimous consent that statements relating to individual amendments be printed at the appropriate place in the RECORD.

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

The amendments (Nos. 3733, 3734, 3737, and 3762, as modified) were agreed to, as follows:

AMENDMENT NO. 3733

(Purpose: To authorize grants for the maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense employees)

On page 123, between lines 12 and 13, insert the following:

SEC. 377. ASSISTANCE FOR MAINTENANCE, REPAIR, AND RENOVATION OF SCHOOL FACILITIES THAT SERVE DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) GRANTS AUTHORIZED.—Chapter 111 of title 10, United States Code, is amended—

(1) by redesignating section 2199 as section 2199a; and

(2) by inserting after section 2198 the following new section:

''§ 2199. Quality of life education facilities grants

''(a) REPAIR AND RENOVATION ASSISTANCE.—(1) The Secretary of Defense may make a grant to an eligible local educational agency to assist the agency to repair and renovate—

''(A) an impacted school facility that is used by significant numbers of military dependent students; or

''(B) a school facility that was a former Department of Defense domestic dependent elementary or secondary school.

''(2) Authorized repair and renovation projects may include repairs and improvements to an impacted school facility (including the grounds of the facility) designed to ensure compliance with the requirements of the Americans with Disabilities Act or local health and safety ordinances, to meet classroom size requirements, or to accommodate school population increases.

''(3) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $5,000,000 during any period of two fiscal years.

''(b) MAINTENANCE ASSISTANCE.—(1) The Secretary of Defense may make a grant to an eligible local educational agency whose boundaries are the same as a military installation to assist the agency to maintain an impacted school facility, including the grounds of such a facility.

''(2) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $250,000 during any fiscal year.

''(c) DETERMINATION OF ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—(1) A local educational agency is an eligible local educational agency under this section only if the Secretary of Defense determines that the local educational agency has—

''(A) one or more federally impacted school facilities and satisfies at least one of the additional eligibility requirements specified in paragraph (2); or

''(B) a school facility that was a former Department of Defense domestic dependent elementary or secondary school, but assistance provided under this subparagraph may only be used to repair and renovate that facility.

''(2) The additional eligibility requirements referred to in paragraph (1) are the following:

''(A) The local educational agency is eligible to receive assistance under subsection (f) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) and at least 10 percent of the students who were in average daily attendance in the schools of such agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

''(B) At least 35 percent of the students who were in average daily attendance in the

schools of the local educational agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

''(C) The State education system and the local educational agency are one and the same.

''(d) NOTIFICATION OF ELIGIBILITY.—Not later than June 30 of each fiscal year, the Secretary of Defense shall notify each local educational agency identified under subsection (c) that the local educational agency is eligible during that fiscal year to apply for a grant under subsection (a), subsection (b), or both subsections.

''(e) RELATION TO IMPACT AID CONSTRUCTION ASSISTANCE.—A local education agency that receives a grant under subsection (a) to repair and renovate a school facility may not also receive a payment for school construction under section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) for the same fiscal year.

''(f) GRANT CONSIDERATIONS.—In determining which eligible local educational agencies will receive a grant under this section for a fiscal year, the Secretary of Defense shall take into consideration the following conditions and needs at impacted school facilities of eligible local educational agencies:

''(1) The repair or renovation of facilities is needed to meet State mandated class size requirements, including student-teacher ratios and instructional space size requirements.

''(2) There is a increase in the number of military dependent students in facilities of the agency due to increases in unit strength as part of military readiness.

''(3) There are unhoused students on a military installation due to other strength adjustments at military installations.

''(4) The repair or renovation of facilities is needed to address any of the following conditions:

''(A) The condition of the facility poses a threat to the safety and well-being of students.

''(B) The requirements of the Americans with Disabilities Act.

''(C) The cost associated with asbestos removal, energy conservation, or technology upgrades.

''(D) Overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment.

''(5) The repair or renovation of facilities is needed to meet any other Federal or State mandate.

''(6) The number of military dependent students as a percentage of the total student population in the particular school facility.

''(7) The age of facility to be repaired or renovated.

''(g) DEFINITIONS.—In this section:

''(1) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

''(2) IMPACTED SCHOOL FACILITY.—The term 'impacted school facility' means a facility of a local educational agency—

''(A) that is used to provide elementary or secondary education at or near a military installation; and

''(B) at which the average annual enrollment of military dependent students is a high percentage of the total student enrollment at the facility, as determined by the Secretary of Defense.

''(3) MILITARY DEPENDENT STUDENTS.—The term 'military dependent students' means students who are dependents of members of the armed forces or Department of Defense civilian employees.

''(4) MILITARY INSTALLATION.—The term 'military installation' has the meaning given that term in section 2687(e) of this title.''.

(b) AMENDMENTS TO CHAPTER HEADING AND TABLES OF CONTENTS.—(1) The heading of chapter 111 of title 10, United States Code, is amended to read as follows:

''CHAPTER 111—SUPPORT OF EDUCATION''.

(2) The table of sections at the beginning of such chapter is amended by striking the item relating to section 2199 and inserting the following new items:

''2199. Quality of life education facilities grants.

''2199a. Definitions.''.

(3) The tables of chapters at the beginning of subtitle A, and at the beginning of part III of subtitle A, of such title are amended by striking the item relating to chapter 111 and inserting the following:

''111. Support of Education ..... 2191''.

(c) FUNDING FOR FISCAL YEAR 2001.—Amounts appropriated in the Department of Defense Appropriations Act, 2001, under the heading ''QUALITY OF LIFE ENHANCEMENTS, DEFENSE'' may be used by the Secretary of Defense to make grants under section 2199 of title 10, United States Code, as added by subsection (a).

AMENDMENT NO. 3734

(Purpose: To postpone implementation of the Defense Joint Accounting System (DJAS) pending an analysis of the system)

On page 123, between lines 12 and 13, insert the following:

SEC. 377. POSTPONEMENT OF IMPLEMENTATION OF DEFENSE JOINT ACCOUNTING SYSTEM (DJAS) PENDING ANALYSIS OF THE SYSTEM.

(a) POSTPONEMENT.—The Secretary of Defense may not grant a Milestone III decision for the Defense Joint Accounting System (DJAS) until the Secretary—

(1) conducts, with the participation of the Inspector General of the Department of Defense and the inspectors general of the military departments, an analysis of alternatives to the system to determine whether the system warrants deployment; and

(2) if the Secretary determines that the system warrants deployment, submits to the congressional defense committees a report certifying that the system meets Milestone I and Milestone II requirements and applicable requirements of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106).

(b) DEADLINE FOR REPORT.—The report referred to in subsection (a)(2) shall be submitted, if at all, not later than March 30, 2001.

AMENDMENT NO. 3737

(Purpose: To repeal the prohibition on use of Department of Defense funds for the procurement of a nuclear-capable shipyard crane from a foreign source)

On page 32, after line 24, add the following:

SEC. 142. REPEAL OF PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR PROCUREMENT OF NUCLEAR-CAPABLE SHIPYARD CRANE FROM A FOREIGN SOURCE.

Section 8093 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1253) is amended by striking subsection (d), relating to a prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

AMENDMENT NO. 3762, AS MODIFIED

(Purpose: To provide for the humane administration of Department of Defense secrecy oaths and policies, consistent with national security needs, where workers and communities at nuclear weapons facilities may have had their health compromised by exposure to radioactive and other hazardous substances)

On page 415; between lines 2 and 3, insert the following:

SEC. 1061. SECRECY POLICIES AND WORKER HEALTH.

(a) REVIEW OF SECRECY POLICIES.—The Secretary of Defense in consultation with the Secretary of Energy shall review classification and security policies and; within appropriate national security constraints, ensure that such policies do not prevent or discourage employees at former nuclear weapons facilities who may have been exposed to radioactive or other hazardous substances associated with nuclear weapons from discussing such exposures with appropriate health care providers and with other appropriate officials. The policies reviewed should include the policy to neither confirm nor deny the presence of nuclear weapons as it is applied to former U.S. nuclear weapons facilities that no longer contain nuclear weapons or materials.

(c) NOTIFICATION OF AFFECTED EMPLOYEES.—(1) The Secretary of Defense in consultation with the Secretary of Energy shall seek to identify individuals who are or were employed at Department of Defense sites that no longer store, assemble, disassemble, or maintain nuclear weapons.

(2) Upon determination that such employees may have been exposed to radioactive or hazardous substances associated with nuclear weapons at such sites, such employees shall be notified of any such exposures to radiation, or hazardous substances associated with nuclear weapons.

(3) Such notification shall include an explanation of how such employees can discuss any such exposures with health care providers who do not possess security clearances without violating security or classification procedures or, if necessary, provide guidance to facilitate the ability of such individuals to contact health care providers with appropriate security clearances or discuss such exposures with other officials who are determined by the Secretary of Defense to be appropriate.

(d) The Secretary of Defense in consultation with the Secretary of Energy shall, no later than May 1, 2001, submit a report to the Congressional Defense Committees setting forth:

(1) the results of the review in paragraph (a) including any changes made or recommendations for legislation; and

(2) the status of the notification in paragraph (b) and an anticipated date on which such notification will be completed.

AMENDMENT NO. 3733

Mrs. HUTCHISON. Mr. President, I am deeply concerned about the condition of the classrooms within our military dependent schools. A number of our classrooms contain asbestos, roofs leak, classes are overcrowded, three or four teachers have to share the same desk, science labs are 30 plus years old and potentially unsafe, and some schools are not in compliance with the American with Disabilities Act.

I am ashamed that military families who live on base are forced to send their kids to school facilities in these conditions. I was even more disturbed when I found out the many other

school districts that teach large numbers of military dependents have similar infrastructure problems.

Amazingly most kids have done well despite this environment but I worry about the impact the deteriorating school facilities has on declining military retention and recruitment. The condition of these schools is clearly a quality of life issue for military families.

Mr. President, I offer an amendment today to help alleviate these problems and ensure a safe and comfortable learning environment for more than 80,000 children of members of our armed forces.

My amendment establishes a grant program within the Department of Defense to assist school districts with repair and renovation costs for facilities used to educate large numbers of military kids. The program would enable qualified school districts to apply for grants up to $5 million every two years to help meet health and safety, class size, ADA, asbestos removal, and technology requirements.

The program would also assist school districts faced with significant enrollment increases due to increases in on-base housing or mission changes. Lastly, school districts could seek assistance for repair and renovation costs of Department of Defense owned schools being transferred to a local school district.

For example, at Robins Air Force Base in Georgia a DOD owned elementary school is being transferred to the local school district but $4 million in repairs is needed to bring the school up to the local district's safety and fire standards.

Why is Department of Defense assistance needed? Most of the school districts serving large numbers of military children have limited bonding ability or no tax base to raise the necessary capital funding.

For example, seven public schools districts that serve military dependents are located solely on the military installation and in turn have no tax base or bonding authority. The seven schools rely on impact aid and state funding and almost all repair or renovation expenditures come at the expense of instructional funding.

The Department of Education is authorized to provide construction funding for impacted schools but only $10 million is provided for hundreds of impacted schools nationwide. An additional $5 million is available for school facilities owned by the Department of Education but the needs of those schools far exceed the available funding.

The Department of Education has essentially abdicated its responsibility to ensure a safe and comfortable learning environment at federally impacted schools. We often hear of the need for more federal dollars for school construction but who deserves this more than the children whose parents serve in our armed forces.

Schools that teach large numbers of military dependents receive supplemental impact aid assistance through the Department of Defense, $30 million in FY 2000 benefitting about 130 schools. However, the funding is not sufficient to meet major repair and renovation costs.

A comprehensive program is needed to address this serious quality of life issue. And, without Department of Defense assistance tens of thousands of military children will continue to learn in inadequate and unsafe facilities.

This amendment would benefit the 30 most heavily impacted school districts that teach military children.

Mr. President, I urge my colleagues to support this important quality of life issue that will benefit more than 80,000 military children.

AMENDMENT NO. 3762, AS MODIFIED

Mr. HARKIN. Mr. President, I have an amendment to correct an absurdity in our application of important secrecy policies. This issue would be a laughable example of bureaucratic intransigence except that it is harming workers who may have gotten sick from working on our nuclear weapons.

I'm sure that by now all my colleagues are aware that many of our citizens were exposed to radioactive and other hazardous materials at nuclear weapons production plants in the United States. While working to protect our national security, workers at places like Paducah, Kentucky, Portsmouth, Ohio, and Oak Ridge, Tennessee were subjected to severe hazards, sometimes without their knowledge or consent. We recently passed an amendment to provide compensation to some of those who became seriously ill because of their dangerous work at nuclear weapons plants.

The dangers at these plants thrived in the darkness of government secrecy. Public oversight was especially weak at a factory for assembling and disassembling nuclear weapons at the Iowa Army Ammunition Plant in Middletown, Iowa. I first found out about the nuclear weapons work there from a constituent letter from a former worker, Robert Anderson. He was concerned that his non-Hodgkins lymphoma was caused by exposures at the plant. But when I asked the Department of Energy about the plant, at first they denied that any nuclear weapons work took place there. The constituent's story was only confirmed when my staff saw a promotional video from the contractor at the site that mentioned the nuclear weapons work.

The nuclear weapons production plants were run not by the Defense Department but by the Atomic Energy Commission, which has since been made part of the Department of Energy. The Department of Energy has since acknowledged what happened, and is now actively trying to help the current and former workers in Iowa and elsewhere by reviewing records, helping them get medical testing and care, and seeking compensation. I was pleased this past January to host Energy Secretary Richardson at a meeting with former workers and community members near the plant. The Department specifically acknowledges that the Iowa Army Ammunition Plant assembled and disassembled nuclear weapons from 1947–1975. And their work has helped uncover potential health concerns at the plant, such as explosions around depleted uranium that created clouds of radioactive dust, and workers' exposure to high explosives that literally turned their skin yellow.

But at the Iowa nuclear weapons plant the Defense Department was inseparably intertwined with the AEC. The AEC operations were located on the site of an Army ammunition plant. The workers at both sides of the plant actually worked for the same contractor, workers often switched between the plant parts, and workers on both sides of the plant were even exposed to many of the same hazardous materials, including beryllium and depleted uranium. Thus former workers at the plant do not always clearly distinguish the Army from the AEC.

And while the Department of Energy is investigating what happened and seeking solutions, the Army is stuck, still mired in a nonsensical policy. It is the policy of the Department of Defense to ''neither confirm nor deny'' the presence of nuclear weapons at any place at any time. They could not admit that nuclear weapons were assembled in Iowa without admitting that there were nuclear weapons in Iowa. So they write vaguely about ''AEC activities,'' but don't say what those activities were.

There have been no nuclear weapons at the Iowa site since 1975, but it's well known that weapons were there before that. The DOE says the weapons were there. A promotional video of the Army contractor at the site even says the weapons were there. But the Army can't say it. This makes the Army look ridiculous.

But worse, it sends the wrong signal to the former workers. These workers swore oaths never to reveal what they did at the plant. And many of them are still reluctant to talk. They are worried that their cancers or other health problems were caused by their work at the plant. But they feel that they can't even tell their doctors or site cleanup crews about the materials they worked with or the tasks they did. They don't want to violate the oaths of secrecy they took. One worker at the Iowa plant said recently, ''There's still stuff buried out there that we don't know where it is. And we know people who do know, but they will not say anything yet because they are still afraid of repercussions.'' Instead of helping those workers speak out, the Army is forced to share their silence.

And Mr. President, to make the position even more indefensible for my workers in Iowa, the Pentagon is not even consistently applying the ''neither confirm nor deny,'' or ''NCND,''

policy. A document recently released by the Pentagon stated that the U.S. had nuclear weapons in Alaska, Cuba, Guam, Hawaii, the Johnston Islands, Midway, Puerto Rico, the United Kingdom, and West Germany. After the document was released, a Department spokesman said on television that the U.S. never had nuclear weapons in Iceland. Why can the Pentagon talk about nuclear weapons in Iceland but not in Iowa?

Mr. President, for the health of our workers, it's time for the Pentagon to come clean. No one is more concerned with keeping real nuclear secrets than I am. But the Pentagon must not hide behind inconsistent policies when workers' lives may be at risk.

This amendment is narrowly targeted to require the Defense Department and Energy Department to review their classification and secrecy policies and change them if they prevent or discourage workers at nuclear weapons facilities from discussing possible exposures with their health care providers. The amendment specifically recognizes that this must be done within national security constraints. It also directs the Departments to contact people who may have been exposed to radioactive or hazardous substances at former nuclear weapons facilities, including the Iowa plant. The Department is to notify them of any exposures and of how they can discuss the exposures with their health care providers and other appropriate officials without violating secrecy oaths or policies.

I hope all my colleagues will support this common-sense change for government consistency and worker health.

AMENDMENTS NOS. 3816 AND 3817

Mr. WARNER. Mr. President, I send two amendments to the desk which have been cleared by myself and the ranking member. Therefore, I ask unanimous consent that the Senate consider these amendments en bloc, they be agreed to, and the motions to reconsider laid upon the table. Finally, I ask that any statements relating to any of the individual amendments be printed at the appropriate place in the RECORD.

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

The amendments (Nos. 3816 and 3817) were agreed to, as follows:

AMENDMENT NO. 3816

(Purpose: To streamline the requirements for procurement notice when access to notice is provided electronically through the single Governmentwide point of access designated in the Federal Acquisition Regulation)

On page 303, between lines 6 and 7, insert the following:

SEC. 814. PROCUREMENT NOTICE THROUGH ELECTRONIC ACCESS TO CONTRACTING OPPORTUNITIES.

(a) PUBLICATION BY ELECTRONIC ACCESSIBILITY.—Subsection (a) of section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published by means of—

''(i) electronic accessibility that meets the requirements of paragraph (7); or

''(ii) publication in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) by adding at the end the following:

''(7) A publication of a notice of solicitation by means of electronic accessibility meets the requirements of this paragraph for electronic accessibility if the notice is electronically accessible in a form that allows convenient and universal user access through the single Government-wide point of entry designated in the Federal Acquisition Regulation.''.

(b) WAITING PERIOD FOR ISSUANCE OF SOLICITATION.—Paragraph (3) of such subsection is amended—

(1) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(2) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(c) CONFORMING AMENDMENTS FOR SMALL BUSINESS ACT.—Subsection (e) of section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published by means of—

''(i) electronic accessibility that meets the requirements of section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7)); or

''(ii) publication in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(B) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(d) PERIODIC REPORTS ON IMPLEMENTATION OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.—Section 30(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 426(e)) is amended—

(1) in the first sentence, by striking ''Not later than March 1, 1998, and every year afterward through 2003'' and inserting ''Not later than March 1 of each even-numbered year through 2004''; and

(2) in paragraph (4)—

(A) by striking ''Beginning with the report submitted on March 1, 1999,''; and

(B) by striking ''calendar year'' and inserting ''two fiscal years''.

(e) EFFECTIVE DATE AND APPLICABILITY.—This section and the amendments made by this section shall take effect on October 1, 2000. The amendments made by subsections (a), (b) and (c) shall apply with respect to solicitations issued on or after that date.

AMENDMENT NO. 3817

(Purpose: To authorize a land conveyance, Mukilteo Tank Farm, Everett, Washington)

On page 543, strike line 20 and insert the following:

Part III—Air Force Conveyances

SEC. 2861. LAND CONVEYANCE, MUKILTEO TANK FARM, EVERETT, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Port of Everett, Washington (in this section referred to as the ''Port''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 22 acres and known as the Mukilteo Tank Farm for the purposes of permitting the Port to use the parcel for the development and operation of a port facility and for other public purposes.

(b) PERSONAL PROPERTY.—The Secretary of the Air Force may include as part of the conveyance authorized by subsection (a) any personal property at the Mukilteo Tank Farm that is excess to the needs of the Air Force if the Secretary of Transportation determines that such personal property is appropriate for the development or operation of the Mukilteo Tank Farm as a port facility.

(c) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary of the Air Force may lease all or part of the real property to the Port if the Secretary determines that the real property is suitable for lease and the lease of the property under this subsection will not interfere with any environmental remediation activities or schedules under applicable law or agreements.

(2) The determination under paragraph (1) whether the lease of the real property will interfere with environmental remediation activities or schedules referred to in that paragraph shall be based upon an environmental baseline survey conducted in accordance with applicable Air Force regulations and policy.

(3) Except as provided by paragraph (4), as consideration for the lease under this subsection, the Port shall pay the Secretary an amount equal to the fair market of the lease, as determined by the Secretary.

(4) The amount of consideration paid by the Port for the lease under this subsection may be an amount, as determined by the Secretary, less than the fair market value of the lease if the Secretary determines that—

(A) the public interest will be served by an amount of consideration for the lease that is less than the fair market value of the lease; and

(B) payment of an amount equal to the fair market value of the lease is unobtainable.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the Port.

(e) ADDITIONAL TERMS.—The Secretary of the Air Force, in consultation with the Secretary of Transportation, may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

Part IV—Defense Agencies Conveyances

Mr. WARNER. Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, for the time allotted in debate in support of the amendment, I would like to yield 10 minutes to the Senator from Minnesota, Senator WELLSTONE.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President. I am very proud to have worked with Senator DURBIN to be a cosponsor and have Senator KERRY here on the floor as well.

I think this important amendment requiring more realistic testing of the national missile system is an extremely important step for us to take. First of all, it requires more realistic testing. Second, it calls for the reconvening of the Welch commission to independently evaluate the testing program. Third, it requires a report to the Congress on the adequacy of the program.

This is the fourth time since the late fifties that we have talked about a missile defense program. Each time there is a tremendous amount of enthusiasm. Then scientists and independent observers do a careful analysis. After that, the enthusiasm wanes. I do not believe this time will be any different.

I am sure every Senator read on Sunday morning that this past Saturday's test was an utter failure. What you may not know is that an earlier test was unsuccessful as well. But regardless of the actual successes and failures of the tests, the fact is, the current testing program does not test the feasibility of the system in the real world. Current testing determines whether or not the system works against cooperative targets on a test range. This methodology is insufficient to determine the technological feasibility of the system against likely threats. At present, even if the tests had been hailed as total successes, they would have proved nothing more than the system is unproven against real threats. At present, we know that this system might work if the other side is not making it hard to detect its weapons. This hardly seems a reason to move forward to deployment.

Some might argue that this amendment demands too much. Some might argue that today's testing program is a first step in a long process towards full deployment. But demanding an adequate testing program, which is what this amendment calls for, certainly does not put the bar too far. It sets it where any reasonable person or scientist would put it. We must stick to development and work within the confines of a realistic test before even considering moving to deployment.

The aim of the national missile defense is to defend the United States from limited attacks by intercontinental-range ballistic missiles armed with nuclear, chemical, or biological weapons. However, biological or chemical weapons can be divided into many small warheads called submunitions. These submunitions could overwhelm the planned defense, and more importantly, because some munitions allow for more effective dispersal of biological and chemical agents, an attacker would have a strong incentive to use them even in the absence of missile defenses. When it comes to biological warfare and these biological and chemical agents, the greater likelihood is that they will be carried by suitcase into this country. I pray that doesn't happen.

Current testing does not take countermeasures into account. An attack could overwhelm the system by using something as simple as ballooned decoys, for example, by deploying nuclear weapons inside balloons and releasing numerous empty balloons along with them. Or an attacker could cover its nuclear warheads with cooled shrouds which would prevent the interceptor from detecting it. We are talking about testing which takes into account these countermeasures. That is what we would have to deal with.

Current testing does not take these countermeasures into account. The Pentagon assessment will consider only whether the first phase of the system would be effective against a threat with no credible countermeasures. It will not consider whether the full system would be effective against a threat with realistic countermeasures. Any decision on whether or not the United States should deploy a national missile defense should take into account how effective that system is likely to be in the real world, not just whether or not it works against cooperative targets on a test range.

Unfortunately, the technological feasibility of the proposed national defense system, which will be determined in the Pentagon's upcoming deployment readiness review, will be assessed precisely on the basis of such test results. Even worse, it will be based upon only a few tests.

The administration requested that the Pentagon provide an estimate of whether a national missile defense can be deployed in 5 year's time. General Kadish, the head of the Pentagon's ballistic missile defense program, has described the 2005 timetable as ''high risk.'' He has made it clear that the timetable is much faster than military planners would like. The recommendation of the Pentagon's own Office of the Operational and Test Evaluation Program stated clearly that the deployment readiness review ''is a strongly 'schedule driven' approach'' rather than one based upon results.

Is it too much to ask that we be certain that this system works before we move ahead with deployment?

That is what this amendment is about.

If the proposed national missile defense system is to have any possibility of enhancing U.S. security, it must work, and it must work well. At present, the evidence isn't there to prove that it does, and the tests underway to establish that proof are simplified and unrealistic. We must demand that any deployment decision on national missile defense be postponed until the system has been tested successfully against real-world realistic threats.

Last year, I voted against a resolution urging the administration to make a decision to deploy a national missile defense system. I believed then, as I do now, that a decision to deploy before a decision is made there needs to be a careful evaluation of the effectiveness of the system.

I also believe that we need to look at this in the context of overall U.S. security needs. The goal should be to increase U.S. security—not to undermine it. Deploying a system now, I fear, does the opposite. It threatens to disrupt the current arms control regimen and undermine the credibility of our commitment to nonproliferation.

Deployment of a national missile defense system would be a violation of the ABM Treaty. Are we prepared to discard this arms control regimen? I worry—and I think every Senator, Democrat and Republican alike, worries—about proliferation of these weapons of mass destruction. If this regimen of arms control breaks down with Russia—and, perhaps even more importantly, breaks down with China, then there is India, then there is Pakistan, then there is South Korea, then there is Japan—I fear the direction in which we are moving.

Colleagues, for 40 years the United States of America has led international efforts to reduce and contain the danger from nuclear weapons. We must not now renounce the responsibilities of that leadership with a hasty and shortsighted decision that will have lasting consequences. We must answer a number of questions before we proceed:

Does it make sense to unilaterally deploy a system now if the result might be to put the American people at even greater risk?

Should we take the time to work with allies and others to find a mutually acceptable nonthreatening way of proceeding?

Have the threats to which we are responding been exaggerated and more driven by politics than accurate threat assessments and hard science?

Is the technology there to deploy a system that would actually work in the real world?

This amendment speaks directly to that last question.

I urge my colleagues to demand to know more about the complexities of a national missile defense system prior to deploying that system. I don't think that is an unreasonable request.

The failure of Saturday's test is only a fraction of the real story. Even a successful test would prove nothing given the current testing conditions.

I urge my colleagues to support this amendment requiring a more realistic testing of the national missile defense system, reconvening the Welch panel to independently evaluate a testing program, and requiring a report to the Congress on the adequacy of the program.

We should not commit ourselves blindly to a program that can cost billions of dollars and could very well decrease our overall security rather than

to enhance it. Our future and our children's children's future could depend on the decision we make on this amendment. Let's do the right thing. I hope we can have a strong vote on this amendment.

Mr. WARNER. Mr. President, I ask my colleague a question and the time allocated to the Senator from Virginia be charged for the portion of the colloquy I use.

The Senator makes a fairly strong statement indirectly at our former colleague, Senator Cohen, now Secretary of Defense, that he would proceed blindly on this program which is so vital to the security of the United States, assuming, as you say, under the full criteria that the President addressed goes forward—that he would go blindly. Is that a purposeful choice of words directed at this distinguished former colleague who, in my judgment, having been on the Armed Services Committee 22 years and having served 18 or 19 of those years with him, I cannot imagine undertaking the responsibility to oversee a program of this importance and proceeding, as the Senator said, ''blindly.''

Mr. WELLSTONE. Mr. President, I say to my colleague I can't imagine the Secretary of Defense doing that, either. My plea was to Senators. I said we must not proceed blindly and I urge all Members to understand the complexity of this testing and to at least call for a thorough evaluation to make sure that this system will really work. My comments were not directed to Secretary Cohen.

I also say to my colleague, I don't believe the Secretary of Defense has made a final recommendation to the President.

Mr. WARNER. I certainly agree.

Mr. WELLSTONE. In light of the failure of this past week, I don't know what the Secretary's decision will be.

I think all Members are just making the reasonable request that before we go forward with deployment, let's have the kind of operational testing that will prove that this system will work in the real world against credible threats, and let's have an independent evaluation by the Welch commission and have at least a report to the Congress.

That is what I am referring to, I say to my colleague from Virginia. I am glad he asked the question. In no way would I direct these comments toward the Secretary of Defense.

Mr. WARNER. I have to say with all due respect to our three colleagues, opponents on this amendment, indirectly this amendment is suggesting that the Department is not proceeding in a prudent way towards their responsibilities on this program. I have to state that.

I do not find any specific fault with some of the requests made but momentarily when I take the floor in my own right, I will have documentation to show that the Welch panel is doing the very things for which the Senator asked. I will point to the fact that the Secretary of Defense has said in previous testimony what he is doing on this program. In fact, I say to the Presiding Officer, being a member of the Armed Services Committee and indeed the chairman of the strategic subcommittee, I asked the Secretary of Defense to come up at his earliest opportunity and report to the Committee on Armed Services. He has agreed to do so shortly after his return from his trip currently in Asia. I thought he addressed the test program, which did, regrettably, end in a failure, I thought in a very courageous and forthright way he addressed that failure to the American public and, indeed, the world.

Mr. WELLSTONE. I probably need not respond. I appreciate my colleague's comments.

One final comment in response to his comments. One of the things I have liked best about preparing for this amendment for me as a Senator has been the way I imagined Senate work to be. I tried to immerse myself on this issue and get the best security briefings from the Pentagon, get other briefings from other people in the Pentagon, and talked to a whole range of experts. The Welch Commission report is a very interesting report.

This amendment certainly says we need to make absolutely sure that we are involved in the kind of testing that will show this system will work before we move forward. That is true. That is certainly the premise of this amendment. I think this is a reasonable premise. Senators ought to raise these kinds of questions. That is why we are here. That is why I think this amendment is important.

Mr. WARNER. The Welch panel was before the Armed Services Committee just last week and testified.

Mr. KERRY. Will the Senator yield?

Mr. WARNER. Yes.

Mr. KERRY. It is my understanding, and I ask the Senator from Virginia, that the testing that has been laid out in the protocols that I have seen contemplates testing almost exclusively from off the coast of California and Kwajalein Island, which by their own admission, the military has said are less than ideal in representing the multiple different sources from which a legitimate attack could come.

There is nothing in any protocol that I have seen to date suggesting that the testing that will take place meets the kind of testing that the Senator from Illinois is looking for.

Mr. WARNER. Mr. President, I will look into that. I recognize the military had indicated that this perhaps doesn't give them the diversity of tests they desire.

Certainly, I am interested in the comment that this Nation is faced with a multiple of sources, and that confirms my concern about the overall threat posed to this Nation by the rogue or accidental firing of a missile. That is why we need this national missile defense program.

Mr. KERRY. If the Senator will yield further for a question, when we talk about multiple sources, it is possible for a so-called rogue state—and the term itself is one that is perhaps questionable today, but the so-called rogue state could take a rusty tanker, fit it out with the capacity to shoot, drive it out of a harbor to almost any location in an ocean in the world, and decide to shoot from there. Is that accurate?

Mr. WARNER. The Senator is correct.

Mr. KERRY. If we are strictly testing between one location, one direction, and our radar system is specifically positioned to anticipate an attack from a certain location, if that were to be the case, we would face a completely different situation, would we not?

Mr. WARNER. The Senator is correct. There is a diversity of scenarios we have to protect this Nation against. This test program was designed in large measure to prioritize those sources from whence an attack might emanate.

Mr. KERRY. Finally, I ask the Senator, the entire program is currently driven by a date essentially arrived at by the national intelligence estimate, that suggested that 2005 is the first date there might be a possibility of a missile being fired; is that correct?

Mr. WARNER. That is correct, as a result of the national intelligence estimate.

Mr. LEVIN. If the Senator will yield.

Mr. KERRY. We are on the time of the Senator from Virginia or I wouldn't be doing this.

Mr. WARNER. Let's make it clear. I think in my request I said the time that I consumed would be chargeable to my side.

Mr. KERRY. I thought it was the entire colloquy.

The PRESIDING OFFICER (Mr. ALLARD). That was the exchange with the Senator from Minnesota. The Senator has been yielding for questions on his time.

Mr. WARNER. Let's make it clear for purposes of future colloquies. The time consumed by Mr. LEVIN and myself will be charged to our side, and the time for response will be charged to the other side.

Mr. KERRY. With that understanding, I am afraid I have to refrain from this colloquy.

Mr. LEVIN. I say to my good friend from Massachusetts, I happen to agree with his thoughts on this subject. We are very close in terms of our views. However, there is a complete misunderstanding about the year 2005. That is not the year when the intelligence estimates say North Korea will be able to pose a threat to us.

Mr. KERRY. Correct; they can do it today.

Mr. LEVIN. They can do it today. But 2005 is the year which the Secretary of Defense thought at the time he was making an assessment some time ago would be the earliest time that we would be able to field the national missile defense.

So everybody—in the media, on this floor and just about everywhere—has

now taken the common wisdom that the 2005 date is when the national intelligence estimate says the threat will arrive.

That is not what the national intelligence estimate is. The threat is any time when a three-stage Taepo Dong II could deliver a several-hundred-kilogram payload anywhere in the United States. And that day is when they next test it.

With the general point my good friend from Massachusetts is making, I happen to agree with what he is saying. I certainly support the good Senator from Illinois on his amendment, but I think we ought to try to change the wisdom which has evolved around that date or the assumption or the press coverage of that date.

Everybody uses that date for the wrong reason. Whether it is possible to reverse it, correct it, I don't know. But I think it would help the debate a great deal if we were able to look at that date for what it is, which is the first date that the Secretary of Defense thought, at the time he made the assessment some months ago, that a national missile defense could possibly be deployed.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I ask for a clarification now of the time that has been allocated to each side and how much is remaining. I have requests from several of my colleagues, and I want to give them all a chance.

The PRESIDING OFFICER. The Senator from Virginia has 51 minutes, 41 seconds. The Senator from Illinois has 44 minutes, 43 seconds.

Mr. DURBIN. I yield 10 minutes to the Senator from Massachusetts, Mr. KERRY.

Mr. KERRY. Mr. President, I thank the distinguished Senator from Illinois for his leadership, and I thank also the Senator from Minnesota for his common sense, leadership, and eloquence on it.

This is really a matter of—I guess the best word to summarize it—common sense. My prayer is that we in the Senate are not going to become prisoners of politics on an issue that is as critical to the national security interests of our country—indeed, of the world. This is the most important arms decision we will make in years. I am not going to get into the comparisons of when the last one was, but certainly in the last 10 or 15 years. I think what the Senator from Illinois is asking for ought to fit into the political philosophy of every single member of the Republican Party. I would have hoped the Senator, the distinguished chairman of the Armed Services Committee, would say we should accept this amendment. How is it that we could be talking about deploying a weapons system?

Mr. WARNER. What did the Senator say?

Mr. KERRY. I said to the distinguished chairman of the committee, I don't understand why he would not want to accept this, because, as a matter of common sense, every Member of the Senate ought to be interested in knowing that if we are going to spend $10 billion, $20 billion, $40 billion, $60 billion, $100 billion to create a weapons system, a defensive or offensive system, we ought to know that it works. We ought to know it can accomplish its goal.

Some of the best scientists in the United States of America are not politicians. They do not come at this as Republicans and Democrats, conservatives and liberals. They are scientists. They win Nobel Prizes for their science. They go to MIT, Stanford, New York University, all over this country.

Mr. WARNER. Will the Senator yield for a moment?

Mr. KERRY. We have a limited time.

Mr. WARNER. You asked me a question.

Mr. KERRY. If we can do it on the Senator's time?

Mr. WARNER. Of course. You asked if I would accept it, as chairman of the committee, one of the managers. The answer is yes. I think our distinguished colleague from Illinois knows that. We have said to him three times: We accept the amendment. Am I not correct? Let the RECORD indicate he is nodding assent to the question. The Senator from Michigan has urged him we would accept it.

So rally on, dear colleague. We will listen to you. I don't mean to deflate your argument as to why we would not do it, because we have offered to do it.

Mr. KERRY. This is the most welcome acceptance of the power of my argument I have ever had on the floor of the Senate. I thank the distinguished chairman. But I am confident what the Senator from Illinois wanted to do—and I share this belief—was to have the Senate talk about this. I think we ought to talk about this. So I do not think taking 1 hour to discuss something which hopefully will pass overwhelmingly, or that we then accept, is inappropriate. I think we need to think about this.

Mr. WARNER. No one is suggesting that.

Mr. KERRY. We face a situation where we are talking about putting together a system that the best scientists in the world tell us could literally be rendered absolutely inoperative, if it is simply deployed; all you have to do is put the system out there, and you have the ability to create decoys with fairly unsophisticated technology. In fact, General Welch himself has said in his report, and he said it before the Armed Services Committee the other day, that they anticipate the C–1 deployment, which is the deployment currently contemplated, with countermeasures by year 2005, is a deployment in which they anticipate current technology, current state-of-the-art technology, has the ability to deploy countermeasures.

They say you could have bomblets. After the stage separates in outer space and it is in that midstage, you could have bomblets, up to 100 of them, released from 1 single warhead. Strictly speaking, that is not a countermeasure because it is not directed at the entire system. But it is a countermeasure in that it voids the effectiveness of the system or the capacity of the system to work effectively.

I ask my colleagues to look around the wall of this Chamber. I counted earlier, in the great amount of time we had to wait for this debate, 88 lights up there on the outer section. That is fewer than 100 of these bomblets. I ask you to just look at those. We are supposed to talk about a system that would be effective enough to destroy bombs coming at us from outer space, at a spacing far greater than any of those lights, at tens of hundreds of miles an hour, with the capacity to distinguish and break through every single one of them to prevent a chemical weapon or biological weapon, that could be completely lethal to the entire city of New York, Los Angeles, to a whole State, from hitting this country.

Does anybody here really believe we are going to be able to go down that kind of sophisticated, discriminative capacity? Some say maybe we might get there in 10 years, 20 years, 30 years; that we might have that ability if everything worked correctly. Maybe we can develop that kind of system ultimately. But at what cost? Then the question is, What is the next tier of countermeasure that defeats whatever it is we did to defeat their countermeasure?

People sit here and say: Don't worry about that, Senator; we are just going to have a technological superiority.

All you have to do is go back to the cold war, 50 years of point-counterpoint; step-counterstep. We do the atom bomb; they do the atom bomb. We do the hydrogen bomb; they do the hydrogen bomb. We put them on long-range aircraft; they put them on long-range aircraft. We MIRV; they MIRV. They do Sputnik; we do Sputnik.

Out of all of the measures through the entire cold war, the United States of America was the first to do them almost every single time. I think the record is all but once and maybe twice. Every single time we did it, it may have taken them 5 years, it may have taken them 7 years, but they did it. And finally we decided that we were safer by passing the ABM Treaty and beginning to move in the opposite direction, first with SALT and then with START.

Now all we are asking in this amendment is let's be certain, before we spend these billions of dollars. I happen to support this. I want to be very clear about this. I support the notion of developing a limited, capable, mutually deployed system for national defense that could, indeed, strike down a potential rogue missile or accidental firing. No leader of the United States could responsibly suggest we are going

to write off an entire city or State, or half our country. Of course we have an obligation to go down that road, but we have an equal obligation to do it in a way that does not wind up upsetting the entire balance of the arms race, or our current process of diminishing arms, that does not tell all our allies the United States is going to break out, at some point, of their regime at our own will; that we have not established a sufficient level of scrutiny, of transparency, of mutuality, that brings people along with us so they understand where we are going.

I say to my friend, I am all for continuing as rapidly as we can the technological development, the research, the capacity to do this, but don't we want to do it in a way that guarantees we have a system that can do what it sets out to do without inviting a set of unintended consequences that actually wind up making the world not as safe as we were when we began the process? That is all we are asking.

I can envision a world where the Russians and the Chinese and others decide we are all safer if we have a capacity to prevent a terrorist from firing some kind of missile from anywhere, but we are only safer if other countries move along with us and perceive that they are sharing in that safety and that, somehow, it is not a new measure directed by the United States against their current level of perceived security or threat level.

All of this is an ongoing process of perceptions: How they perceive us; how we perceive them. It is important to be sensitive to those perceptions.

I believe what the amendment of the Senator from Illinois will do will actually build on General Welch's recommendations. It will explicitly set out what the BMDO should do. It will require ground and flight testing that will make the system safer and better. It will ultimately guarantee us that we will get the kind of system we want.

General Welch says he intends for the independent review team to address these countermeasure issues. It seems to me what the Senator from Illinois is doing is guaranteeing that the Congress is going on record, just as we did in saying we think we ought to pursue this, just as we did in suggesting that there are certain threshold levels that we ought to respond to with respect to our intelligence.

My final comment is, picking up where the Senator from Michigan closed, the 2005 deadline is exactly what the Senator from Michigan defined it as. It is, in effect, an out-of-the-sky, artificially arrived at deadline. Yet it has been driving this debate and driving the Congress' actions. We have time to pursue this thoughtfully and efficiently. That is what this amendment sets out to do. I congratulate the Senator from Illinois.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Virginia.

Mr. WARNER. Mr. President, if I may address my colleague on my time and his reply can be charged to his time, I wish to associate myself with the response of my distinguished colleague from Michigan with regard to 2005. He is absolutely correct. The threat exists today. The warhead content is a different subject for a different time, but it is a part of this equation in calculation of time.

I am pleased the Senator from Massachusetts said on the floor tonight that he supports going forward with the concept of what we call the Cochran bill which was signed by the President of the United States. That is my understanding of what he said. He did vote for it. But he said collectively, we, and he opened his arms. The record also shows that the other two colleagues on this amendment did not vote for the Cochran bill and were two of the three who voted against it. The ''we'' I think we want to make a little clearer.

Here is my problem with this amendment, and I find myself in somewhat of an awkward position. I am defending Bill Cohen, my good friend, the Secretary of Defense of the administration with which my colleagues pride themselves with a long-time association. Fine.

Here is what it says on page 4 of the amendment:

> Independent Review Panel.— (1) The Secretary of Defense shall reconvene the Panel on Reducing Risk in Ballistic Missile Defense Flight Test Program.

There it is, ''shall reconvene.''

Here is the panel to which he was speaking which reported to the Nation on June 13 of this year, and on page 3, General Welch and his colleagues said the following:

> The IRT believes that design discrimination capabilities are adequate to meet the defined C–1 threat. However, more advanced decoy suites are likely to escalate the discrimination challenge. The mid-course phase BMD concept used in the current NMD program has important architectural advantages. At the same time, that concept requires critical attention to potential countermeasure challenges.

Precisely what my colleague from Massachusetts is saying. Let me finish:

> There is extensive potential in the system design to grow discrimination capabilities. The program to more fully understand needs and to exploit and expand this growth potential to meet future threats needs to be well defined, clearly assigned, and funded now.

The concluding sentence:

> A panel of the IRT is continuing work in this area.

When you direct the Secretary of Defense to do something the panel is already doing, I say to my good friends and colleagues, what is this about? That is why we will not accept the amendment. It has some constructive parts to it, but you are directing the Secretary of Defense to do something he is already doing. That is my concern.

Mr. KERRY. If I can answer the distinguished Senator, and I know the Senator from Illinois will talk about it more, the truth is, if you read the Senator's amendment in full, the Senator is very precise about those kinds of tests that he thinks the Congress ought to guarantee take place.

The Secretary of Defense is a friend of mine, too. I went to meet with him 3 weeks ago on this very subject to spend some time talking it through with him, but I find nothing inappropriate, nor do I think he would as a former Member of this Chamber, in this Chamber expressing its will in requiring a certain set of tests with respect to a system.

This is not the first time we will have required the Secretary of Defense to do something. In point of fact, when we pass the DOD authorization bill, we have literally hundreds of directives for the Secretary of Defense with respect to housing, treatment of deployments, recruitments—there are countless numbers of ways we direct him to do things. It is entirely appropriate we direct him——

Mr. WARNER. Mr. President, I agree, but the amendment says clearly you shall do something he is already doing.

Mr. KERRY. I say to my friend from Virginia, I read that report very carefully. There is nothing in it that guarantees to me—there is terminology about further investigation, further evaluation, but that could be on paper; that could be a computer model; that could be in any number of ways that they decide satisfy a fairly strong compulsion, shall we say, within the institution to build.

What we want to guarantee is that compulsion is appropriately measured against a clear empirical standard that we are establishing. I find absolutely nothing inconsistent in that.

Moreover, with respect to the date that is compelling us—I know the chairman of the committee will agree with me on this —the fact is that significant changes have been made in the intelligence estimating process which has also made many people nervous about how people want to push this process a little bit.

The Senator from Michigan talked about the possibility of a missile being fired by North Korea. Until, I think, a year ago or 2 years ago—I will finish very quickly. I am not going to go on long. I want to make this point because it is important.

We used to measure in an intelligence estimate more than mere possibility. We measure intention, and it was only in response to the 1995 Rumsfeld process that suddenly we changed the way we evaluate this. We now no longer contemplate intention; we merely look at possibility. I say to my friend, it may be a possibility that North Korea has one missile that they could fire, but they would have to be beyond insane to do it because they would not last on the face of this planet more than 30 minutes because of our response.

So do they have an intention to do it, particularly when you measure it against the Perry mission, when you

measure it against Kim Dae-jung's recent visit and the entire rapprochement that is currently taking place? Are we to believe this is a legitimate threat we should be responding to with such speed that will not guarantee the kind of testing the Senator from Illinois is asking for?

That is our point. I think this is one where there are suspicions sufficient to raise questions about the guarantees that the testing will be there that we need.

Mr. WARNER. Mr. President, I thank my colleague.

It is important we do have colloquies on this issue. You have hit on a very important point, and that is ''contentious.'' Throughout our long history, through the cold war with the former Soviet Union—indeed, today with Russia—there was always the underlying predicate that the Soviet Union—and now Russia—would handle decisionmaking as it relates to strategic intercontinental ballistic missiles in a responsible way.

Up until recently, we knew very little about North Korea, we knew very little about the intentions of the deceased leader, and now the new leader. Some ground has been broken. I happen to be on the cautious side.

So let us watch, not just for a month, not just for 2 months, but for over a period of time. It may well be that we can get a different perspective and understanding about the new leadership. But as yet, we cannot, and we have to rely on much in the past.

Mr. KERRY. I thank the Senator from Illinois for his indulgence because he has allowed us to go ahead longer than he gave me. I thank him.

Mr. WARNER. Yes.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, what is the status of the time allocation for both sides?

The PRESIDING OFFICER. The Senator from Illinois has 32 minutes 42 seconds; and the Senator from Virginia has 42 minutes 48 seconds.

Mr. DURBIN. I thank the Chair.

Mr. President, I yield myself no more than 3 minutes to make one point.

Let me say, first to the chairman of the committee, who has been kind enough to stay here this evening for this important debate, that I think the level of exchange and dialog here this evening is an indication of the knowledge on the subject of the Members who have stayed and the level of their interest. I hope it adds to the national debate.

I also say to the chairman of the committee, I believe all of us in this Chamber share mutual respect for our current Secretary of Defense. I think he is doing an excellent job. Nothing that any of us have said or will say should bring into question our admiration and respect for his ability and his service to our country.

I also tell my colleagues, I had the good fortune, in preparing for the debate, to go through a classified briefing and also to meet with Director Philip Coyle, who is in charge of Operational Test and Evaluation at the Department of Defense under the leadership of Secretary Cohen.

I asked him to put in common terms, that I can take back to a town meeting in Illinois, what we are talking about when we use the words ''technologically feasible.''

He said: Well, consider it this way. Is it technologically feasible to hit a hole in one in golf? Yes. Is it technologically feasible to hit a hole in one if the hole you are shooting at is moving? Yes, but it is getting a little more difficult. Is it technologically feasible to hit a hole in one if the hole you are shooting at is moving, as is the flag in that hole, and five or six other flags are moving as well, and you are not sure which one is actually the hole you are shooting at? Yes, I suppose that is technologically feasible, but now it is getting to be very difficult.

But it raises the very question of this debate about countermeasures.

I would like to quote and make part of this RECORD a letter that was sent to me on July 11 by Philip Coyle, director of the Office of Operational Test and Evaluation, in which he said:

This letter is to support your effort to reinforce the need for realistic testing of the National Missile Defense (NMD) system. It is still very early in the developmental testing of NMD. As we move forward, test realism will need to grow with system capability, and it will become more and more important to achieve realistic operational conditions in NMD system tests. This will include realistic countermeasures and engagement conditions.

The very nature of missile defense means that it will not be possible to demonstrate all possible engagements in open air flight intercept tests. Accordingly, it will be necessary to develop realistic ground test simulations including realistic hardware-in-the-loop and scene generation facilities. I especially appreciate your commitment to both ground based and open air flight tests.

If I can provide additional information, please don't hesitate to call me.

I say to the chairman of the committee, it is true that we are giving a directive to the Department of Defense and it is also true that the gentleman in charge of the testing under this program has said to us he believes it is an honest effort to make certain the system works.

Mr. WARNER. Could the distinguished Senator provide us with a copy of that letter?

Mr. DURBIN. I would be happy to.

Mr. WARNER. Perhaps it would be important to put it in the RECORD.

Mr. DURBIN. Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

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

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, DC, July 11, 2000.

Hon. RICHARD J. DURBIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR DURBIN: This letter is to support your effort to reinforce the need for realistic testing of the National Missile Defense (NMD) system. It is still very early in the developmental testing of NMD. As we move forward, test realism will need to grow with system capability, and it will become more and more important to achieve realistic operational conditions in NMD system tests. This will include realistic countermeasures and engagement conditions.

The very nature of missile defense means that it will not be possible to demonstrate all possible engagements in open air flight intercept tests. Accordingly, it will be necessary to develop realistic ground test simulations, including realistic hardware-in-the-loop and scene generation facilities. I especially appreciate your commitment to both ground based and open air flight tests.

If I can provide additional information, please don't hesitate to call me.

Sincerely,

PHILIP E. COYLE,
Director.

Mr. DURBIN. Mr. President, I yield 6 minutes to the Democratic leader on our Armed Services Committee, Senator LEVIN of Michigan.

Mr. LEVIN. Mr. President, first, I commend the Senator from Illinois for this amendment. It is a very important amendment. It really shows congressional interest in an area which is going to require a great deal of attention. That is the statement of General Welch himself, which my good friend from Virginia just read.

I want to reread one of the lines in the Welch report, which is that: ''more advanced decoy suites are likely to escalate the discrimination challenge. The mid-course phase BMD concept used in the current national missile defense program has important architectural advantages. At the same time, that concept requires critical attention to potential countermeasure challenges.''

The countermeasures issue requires critical attention.

What the Senator from Illinois is saying is that the Congress should pay some attention to this, not just the executive branch. I have no doubt, and my good friend from Virginia has no doubt, Secretary Cohen will pay attention to this. We do not know if the next Secretary of Defense will be as interested in this issue—we hope he will be—as this Secretary.

But the fact that the executive branch is doing something has never prevented the Congress from putting something into law. We have had Presidents who have had Executive orders that we agree with, that we repeat in law. Why would we hesitate to simply express our own view, show congressional interest, and reinforce something which hopefully the Defense Department will continue to do? So it is not unusual for us to direct something. I think we ought to adopt this amendment overwhelmingly.

This is a very complicated system. The Senator from Virginia pointed out that a few of our colleagues voted against the Cochran bill. Almost all of us voted in favor of it. One part of the

Cochran bill said it should be our national policy—it is our national policy—to deploy a system when ''technologically feasible'' or words to that effect.

But there is another provision in the Cochran bill which was added by amendment, by the Senator from Louisiana, Ms. LANDRIEU, which I cosponsored, which said that it is also the policy of the United States to seek to continue to reduce, by negotiations, the number of nuclear weapons in this world. That is also the policy of the United States.

We have two policies—a policy to deploy a limited missile defense and a policy to reduce the number of nuclear weapons. What happens when those two policies clash is unresolved in the Cochran bill.

We must continue on both those courses. If there is a conflict between deploying a limited defense, after it is technologically proven—assuming it is—and reducing the number of nuclear weapons through continuing negotiations, if there is a conflict—as there apparently is at the moment, since Russia says she will not reduce further nuclear weapons if we are going to unilaterally deploy a national missile defense—if and when there is such a conflict, that conflict will have to be resolved under the circumstances at that time.

So I think the Senator from Massachusetts was very proper in using the term ''we'' because many of us supported the Missile Defense Act because of the presence of a number of policies, both to deploy a system when technologically feasible, subject to appropriation, as well as to reduce, through negotiations, the number of nuclear weapons in this world.

This amendment is a commonsense, fly-before-you-buy amendment. It is consistent with the Senate's traditions. And it is something we have almost always required.

The few times we have deviated from the fly-before-you-buy approach, we have paid heavily for it, at least in a number of those instances. We should test against countermeasures. We are testing against countermeasures. This amendment simply says that it wants the Welch panel to be reauthorized, to continue in existence, to report to the Congress on defenses against countermeasures.

Finally, I will reread the one line which I think is so important from the Welch panel: The national missile defense program requires critical attention to potential countermeasures challenges.

That says it all to me. The current system does not address future countermeasure threats. It only addresses the so-called C–1 threat, as the Senator from Massachusetts pointed out. There are going to be in the future much more sophisticated countermeasures which this system has to be able to address or else it won't make sense to deploy. That is what we would be going on record as saying we believe is important. We would be doing what the Welch panel says is important: paying critical attention to potential countermeasures challenges, saying that the Congress cares about this issue, that it makes sense to us that as part of any decision of operational effectiveness, that there be testing against reasonably likely countermeasures that could be faced by a national missile defense.

I am glad my good friend from Virginia believes this is kind of a commonsense amendment, that it reinforces what the Secretary is already doing. I think it is very appropriate for Congress to do exactly that, to show our support when we do support something that is done by the executive branch and to state our opinion on the subject, and to put it in law so the next Secretary of Defense realizes it is in law and that there is congressional interest in the subject.

The PRESIDING OFFICER. The Senator's 6 minutes have expired.

The Senator from Virginia.

Mr. WARNER. Mr. President, I have no better friend than my distinguished colleague from Michigan. What troubles me is he used the term ''reauthorize.'' Congress never authorized the Welch panel. It was convened by the Secretary of Defense.

Mr. LEVIN. I said the Secretary, not Congress.

Mr. WARNER. My friend used the term this amendment ''reauthorizes.'' I say to my good friend, Congress had nothing to do with it. This is a panel of the Secretary of Defense. The amendment language says ''to reconvene.'' It is not necessary to reconvene something which is ongoing. I want accuracy in this debate.

Mr. LEVIN. If my friend will yield, if I said Congress reauthorized instead of urging the Secretary to reconvene and to keep reconvened, I stand corrected and am happy to stand corrected.

I think the intent was clear, however, of what the Senator from Michigan said.

Mr. DURBIN. If the Senator from Virginia is not seeking time, I will continue allocating.

Mr. WARNER. The Senator may go ahead.

Mr. DURBIN. Mr. President, I yield 10 minutes to the Senator from Rhode Island, Mr. REED.

Mr. REED. Mr. President, I rise in support of the Durbin amendment. I commend him for raising this very important issue this evening.

This debate has already illustrated the knowledge of the participants and also the commitment of both sides in this debate to try to reach a very important and principled decision with respect to national missile defense. The obvious fact is that this is the most expensive military program we have contemplated, perhaps, in the history of this country, and there is a great deal riding on it.

It is not only financial, it is also strategic in terms of our increased security in the world and in terms of the reaction of our allies, reaction of potential adversaries, all of which makes this debate critical.

At the heart of this debate—one of the reasons the Senator from Illinois is contributing mightily to the debate—is the issue of countermeasures. The importance of countermeasures should be obvious to all of us. My colleague from Massachusetts talked about this. In the history of conflict, for every development, there is an attempt to circumvent or to neutralize that development. So it should be no wonder, as we contemplate deploying a national missile defense, our adversaries are at this time thinking of ways they could, in fact, defeat such a national missile defense.

There are two general ways to do that. One is to build more launchers with more warheads so you essentially overwhelm whatever missile defense we have in place. Or—this is probably the most likely response—you develop countermeasures on your missiles to confuse our defense and allow your missiles to penetrate despite our national missile defense.

At the heart of what we should be doing in contemplating the deployment and funding of this system is ensuring that in the testing we pay particular attention to the issue of countermeasures, because that is the most likely response of an adversary to defeat the system we are proposing. That is common sense in many respects. Anyone with a cursory knowledge of history would immediately arrive at that conclusion.

This is not a merely theoretical discussion. Sophisticated countermeasures already exist. They are the penetrating aids which are on most of the Russian missiles. There is the possibility, of course, that these penetrating aids will either be copied by rogue nations or, in fact, be traded or exchanged to these rogue nations.

I found very interesting a report by the intelligence community which was unclassified and issued last September. In their words:

> We assess that countries developing ballistic missiles would also develop various responses to U.S. theater and national defenses. Russia and China each have developed numerous countermeasures and probably are willing to sell the requisite technologies.
>
> Many countries, such as North Korea, Iran and Iraq, probably would rely initially on readily available technology—including separating RVs, spin-stabilized RVs, RV reorientation, radar absorbing material, booster fragmentation, low-power jammers, chaff, and simple balloon decoys—to develop penetration aids and countermeasures.
>
> These countries could develop countermeasures based on these technologies by the time they flight test their missiles.

Frankly, what we are testing against today is a very small fraction of these possible countermeasures penetrating aids. We have selected a very discrete set of the most primitive countermeasures, and we have used that as our benchmark to determine whether or

not the proposed national missile defense system will work well enough to fund development and ultimate deployment, when, in fact, our own intelligence community is telling us today there are numerous sophisticated penetrating aids that are readily available.

They are also telling us that as we build up this national missile defense, our potential adversaries, while they build their missiles, are not just waiting around. They are also developing their countermeasures. So countermeasures takes on a very important role in our deliberations.

Senator DURBIN has identified this critical issue and has focused the attention of the Senate on how we will respond to this particular issue. His response is not only principled but is entirely logical.

What he is saying is, let's ensure that in the testing process, we don't test the just rudimentary countermeasures, we test for robust countermeasures. If we can defeat those countermeasures, then we have a system that not only we can deploy, but that system will be much more stable, much more effective over time; in effect, increasing the longevity of the system. When we are going to spend upwards of $60 billion—I think that was one figure quoted; frankly, I believe whatever figure we have now, it will be much more when we finish paying the price—if we are spending that much money, we don't want to buy something that has a half-life of 1 year, 2 years, 3 years or 4 years. We want something that will justify the expense and defend the country against likely threats for many years.

Senator DURBIN used the analogy of golf. The other analogy that is very popular to try to bring into popular parlance what is going on here is essentially what we are trying to do is hit a bullet with another bullet, small objects flying through space at relatively large speeds. Think about how difficult that is right now.

We have made progress in terms of supercomputers, in terms of large-scale computer capacity. So the problem of identifying a speeding bullet and then calculating instantaneously through billions of calculations its trajectory and then sending that message to another bullet is a daunting physical problem, but we have made progress.

However, the countermeasures takes that daunting task and infinitely increases its complexity because to our system and our kinetic kill vehicle that is hurling through space, it won't be only one target; it could be multiple targets. To differentiate those targets, identify the real targets, and strike it in a matter of seconds is an incredibly complex technological task.

So I believe, once again, that the Senator has identified something that is critical to our responsibilities—not the responsibility of the Secretary of Defense, not the President's responsibility, but our responsibility as the Senate of the United States to supervise, to carefully review, and, ultimately, through appropriations and authorization, to give the final say about this system. That is our responsibility, and we would be rejecting that responsibility if we didn't look hard and insist that the executive look hard at this whole issue of countermeasures.

The other issue that has been discussed tonight is, why should we tell the Department of Defense to do something such as this when they are already doing it? Well, the simple answer is: We do it all the time.

Here are a few examples recently: Last December, the F–22, a very sophisticated fighter aircraft, was supposed to start its low-rate initial production; but this decision was delayed because there was dissatisfaction with its progress, with whether or not it was living up to its capabilities. We mandated tests because we were unsatisfied with the deployment schedule and its ability to be brought to the forces in the field. That was done much further along the line than the place we are in developing the national missile defense. In many respects, we are doing the same thing with the Joint Strike Fighter this year.

So it is not unusual to tell the Department of Defense, or to look over the Secretary's shoulder and say, even though you might be doing it, we want to make sure you are doing it, we want to make sure that they are looking specifically at the countermeasures. We want to know more specifically, when he talks about the capacity of this system to grow, will it grow up to all the countermeasures listed by the Intelligence Committee? Will it go from C–1 to C–2? We are not sure whether it will reach that ultimate test of countermeasures. This is a valuable role we must play.

There is another aspect to this whole debate, which I think should be noted. It is a very difficult thing and, in some respects, an intellectual challenge. For years and years, decades and decades, we have relied upon deterrence policy——

The PRESIDING OFFICER. The 10 minutes of the Senator have expired.

Mr. DURBIN. I yield an additional 1 minute to the Senator.

Mr. REED. I will wrap up quickly.

We have relied upon deterrence policy. At the heart of deterrence policy is the notion that the other side is rational, and they will calculate the damage you can do them just as you can calculate the damage that is done by them.

What has changed now? I would say that intellectually why we are even having this debate is we have abandoned this concept of rationality. We don't think North Korea is rational. Again, that is an assumption that we have to look at closely as we look at some of these other things. In some respects, if they are totally irrational, then maybe there is a little hope of deterring them from doing anything, even with the national missile defense. But that is the difference. That is why my colleague from Massachusetts said we used to think about intentions, and now we don't. We made an intellectual decision we weren't going to look at that because we concluded they were irrational. I suggest that as we pursue this debate, we should look seriously at whether or not that assumption is valid.

I thank the Senator from Illinois. I yield back my time.

Mr. DURBIN. Mr. President, I thank the Senator from Rhode Island. How much time is remaining on our side?

The PRESIDING OFFICER. Eleven and a half minutes remain.

Mr. DURBIN. Unless the Senator from Virginia wants to seek time, I will conclude at this point, as briefly as possible.

Mr. WARNER. I welcome that. We have had a good debate. Having said that, let's wrap it up and pay our respects to the Presiding Officer and the staff who have all indulged us for this period of time.

Mr. DURBIN. Mr. President, why do we test? We test so we can justify the taxpayers of America the expenditure of their hard-earned money in the defense of our country, to make certain that the expenditure is made in a way that we can stand and be proud of it.

Secondly, we test to make sure that whatever we are building in the defense of this country will work. That is all this amendment is about. It is to make certain if the national missile defense is to go forward and to provide assurance to American families not only now but for years to come, it is because we have a missile defense system that will work.

We have heard from a variety of different experts that the question of countermeasures is a critically important question. In the language of this amendment, we are asking the Secretary of Defense to come forward and give us guidance as to what the state of countermeasures might be in the world and to judge whether or not our missile defense system can deal with those countermeasures and whether we are testing to make certain that that happens. That is the bottom line.

The response from the Senator from Virginia, and virtually every Senator who has spoken, is the understanding that what we are asking for in this amendment is reasonably calculated to ensure that any missile defense system, in fact, gives us a real sense of security and not a false sense of security.

This amendment is not intended to derail the national missile defense system. It is intended to make certain that the system, if America comes to rely on it for national defense, actually works.

In years gone by, when we hurried along the testing process, we have had some sorry results. The B–1 bomber went into production in the late 1970s and wasn't fully integrated into flying units for 24 years. There were major problems with avionics, the engines,

and the defensive stealth configuration that costs literally hundreds of millions of dollars. Adequate testing did not take place before money was spent on a system that was not capable of meeting the need of our national defense. Let us not allow that to happen when it comes to something as critical as our national missile defense system.

I thank the Senator from Virginia for his patience this evening. I hope he believes, as I do, that this valuable debate will not only help the Senate but the country on this very important issue in a much more complete fashion. I thank the Senator.

Mr. WARNER. I thank my colleague. I daresay the final conference report in the Armed Services bill will draw on this amendment for certain portions of the law that we will write.

Mr. WELLSTONE. Mr. President, I also thank the chairman for making this a very important substantive debate. I thank the ranking minority member.

Mr. WARNER. I wonder if my colleagues might consider reviewing their position on the COCHRAN bill, while there may be other opportunities to express affirmation.

Mr. DURBIN. I thank the Senator from Virginia. We will.

Mr. WARNER. Mr. President, I believe the regular order would provide that we have concluded the matters in the unanimous consent agreement as it relates to this bill. We can wrap up for the night on this bill. I will yield to my colleague.

Mr. DURBIN. Mr. President, if I might, I don't believe I asked for the yeas and nays on the amendment. I do so now.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, I believe the proposed amendment on testing of our National Missile defense system is overly broad, unnecessary, and counterproductive.

The amendment asks that we direct the Defense Department to conduct testing of our National Missile Defense system against—and I quote—''any countermeasures (including decoys) that . . . are likely, or at least realistically possible, to be used against the system.'' And it defines a countermeasure as ''any deliberate action taken by a country with long-range ballistic missiles to defeat or otherwise counter a United States National Missile Defense system.'' With language as broad as this, there is virtually no bound to what we would be directing the Ballistic Missile Defense Organization, as a matter of law, to go off and test against. I don't believe it is useful to legislate such broad and open-ended requirements.

Nor is it necessary. There is already a process in place to ensure that the National Missile Defense system—like every other weapon system we have—is properly tested against the likely threats if faces, including potential countermeasures. Our acquisition system has a methodical process by which requirements for any new weapon system are studied and approved, and National Missile Defense is no different. Moreover, there is an independent operational test and evaluation organization in the Defense Department as a second layer of oversight to make sure new systems are adequately tested. With those processes in place, there is no need for a third layer of requirements, levied in an overly broad statute, to deal with some vague technical notions that someone somewhere has imagined.

There are possible countermeasures to every weapon and those are considered as a matter of course in the design and testing of every system. We don't have legislation directing realistic operational testing against any possible countermeasures for the F–22, for example, and I see no reason to single out this particular weapon system for such treatment.

Most of the recent talk about countermeasures to the NMD system has been generated by wild accusations from some college professors who have long opposed missile defenses of any sort. They would have us believe that countermeasures can become reality for even technologically unsophisticated nations simply because they can be imagined. But in the real world, in which ideas have to be translated to design, and design to hardware, and the hardware tested, the reality is far different.

Those who are building our missile defense system understand this and that is why they have built in to that system the capability to deal with countermeasures as they evolve. The pending amendment would direct a reconvening of the Welsh Commission to examine this issue, but the fact is that General Welsh and his team have already looked at this issue. This is what he told the Senate just a couple weeks ago:

> There is very significant potential designed into the C–1 [initial NMD] system to grow to beyond the capability to deal with those countermeasures. The problem with estimates as to what people can give was that—the Chinese will share it, the Russians will share it—it's one thing to share technology, it's something else to incorporate it into your system. And, so unless they share an all-out system ready to launch, there is still a very significant technical challenge to integrating somebody else's countermeasure technology into your offensive weapons system.

Those who believe it will be easy for rogue states to incorporate countermeasures into their long-range ballistic missiles should consider what happened last Friday night in the test of the National Missile Defense system. A Minuteman target missile was launched from Vandenberg Air force Base carrying a dummy warhead and a balloon decoy. No nation except perhaps Russia has more experience than the United States with technically sophisticated countermeasures, and those who say such measures will be easy for rogue states to deploy derided this balloon decoy as laughably simple. Well, the decoy didn't deploy properly. As Undersecretary of Defense Jacques Gansler noted following the test, ''Others have said how easy it is to put up decoys, by the way. This is the proof that one decoy we were trying to put up didn't go up.''

Mr. President, countermeasures will eventually challenge the National Missile Defense system, just as they have challenged every other weapons system that has ever been deployed. But they aren't anywhere near as easy to perfect as opponents of missile defense would have us believe, and we already have adequate measures in place to ensure the National Missile Defense system is adequately designed and tested to account for potential countermeasures. This legislation is vague, overly broad, and unnecessary. I urge Senators to vote against it.

Mr. BINGAMAN. Mr. President, I rise to support the amendment being offered by my colleague, Senator DURBIN, calling for effective testing of the National Missile Defense (NMD) program now under development by the Department of Defense.

When the President signed H.R. 4, the National Missile Defense Act of 1999, into law a year ago, he made the statement that ''any NMD system we deploy must be operationally effective, cost-effective, and enhance our security.'' The key word in the President's statement, Mr. President, is ''effective.'' In other words, before we decide to move ahead with the NMD program, among other important considerations, we must be confident that the system will be an ''effective'' one.

Last year, when we debated this matter in the Senate, I spoke with my colleague, Senator COCHRAN, who agreed with me that we shouldn't buy the system until we know that it will work. It's common sense, of course, to hold back on a decision to purchase something until we know that it will work as advertised. We know that as private consumers. The same is true for the government as a consumer.

Indeed, that is the policy of the Department of Defense (DoD) with respect to its purchase of ALL major weapon systems. DoD's policy instruction governing acquisition of all major weapon systems, DoD Directive 5000.1, contains a number of provisions intended to ensure that the customer, DoD as well as the nation as a whole, will get what we pay for.

The bottom line for the Department of Defense regarding ''effectiveness'' is whether a weapon system is tested successfully in realistic operating situations. The DoD instruction states that ''before purchasing a weapon system from the production line, the Director of Operational Test and Evaluation must report to the Secretary of Defense that the system is operationally effective and suitable for use in combat.'' That should be true for missile

interceptors as well as for conventional guns, tanks, and airplanes.

Mr. President, the Congress has on many occasions expressed its commitment to the taxpayer that the billions spent on weapons will provide the nation with the real military capability we may need. The provision of DoD Instruction 5000.1 that I have cited is one such example. Another was legislation enacted during the 1980's requiring warranties on all major weapon systems and their components.

We also, know, Mr. President, that when we fail to require that a system meet operational standards, we pay a heavy price. In the early 1980's, the Congress appropriated over $20 billion dollars to purchase 100 B–1B bombers. The problem was that we had never tested them. The B–1B looked like the B–1A, but in fact was a far different weapon. It needed to be tested. We didn't do it and went ahead with the purchase. Mr. President, we now know the unfortunate history of that purchase. It wasn't until recently that the DoD used the B–1B in combat, and even then under very special operational circumstances. In the intervening decade and a half, the Air Force chose other ways to get the job done. I'm convinced that, in part, it was because the Air Force knew that the B–1B would not have been capable of getting the job done. There are other expensive examples I could use to illustrate the price we've paid for inadequate testing. Design flaws in the C–5 and F–18 have ended up costing the taxpayer a bundle. I'm sure you've recently read the news reports about flaws in the protective suits for our troops to use in a chemical or biological warfare environment. They weren't adequately tested either.

The amendment Senator DURBIN is sponsoring today seeks simply to affirm Congressional commitment to the taxpayer, to the men and women in uniform who must operate our weapons, and to the nation that must depend on it for our defense. I am pleased to cosponsor this amendment that would require that the NMD system be tested against possible countermeasures that are likely, or at least realistically possible, to be used to accompany attacking warheads that potential enemies could launch against us. The amendment calls for the Ballistic Missile Defense Organization (BMDO) to plan ground and flight tests to address those threats, to seek funds to support what's needed to meet them, and to report annually on the status and progress of the NMD program regarding countermeasures. In short, Mr. President, the amendment proposes concrete actions to ensure that we know the exact nature of the threat, that we plan appropriate technical responses, and that we test adequately to make sure that those responses work.

We are all aware of the recent outcome of the latest NMD flight test, IFT–5. In that test, a developmental test, the kill vehicle failed to separate from its booster to engage the incoming target warhead. Mr. President, this was a test designed and conducted under very controlled, hardly realistic, conditions. It was a test in which all the pieces of the complex NMD system were given special capabilities to carry out their job in a controlled, experimental environment.

I think we can all agree that it's appropriate to walk before we run. In ''walking'' through this test, IFT–5, we have discovered once again how difficult it is to ''hit a bullet with a bullet'' even though we think we know how each piece of the system will function. I'd like to emphasize, Mr. President, that this was not an operational test under realistic conditions that DoD requires for every other major weapon system before it decides to go ahead and buy it. This was a controlled, laboratory test in which one of the pieces we thought we know most about failed.

I believe that although the NMD test program to date indicates that we are developing some amazing capabilities, we are a very long way from being confident that the NMD system as a whole will work. Indeed, in order for an NMD test to be truly realistic, there are a whole host of variables that must differ significantly from the conditions that were present during the IFT–5 test. In order to be more realistic, for example, future tests should reorient the basic geographic direction of the test from West to East rather than East to West. The flight test envelope would have to be greatly enlarged. Various types of countermeasures, the subject of the amendment, should be used. Actual military personnel who would operate the system should be at the controls. Information from the warning system should reflect likely warning times. We are a very long way from realistic testing the NMD system in those regards and a number of others. This amendment addresses only one of those variables, albeit a very important one. Adopting this amendment will provide us with critical information about the feasibility of the NMD system to get the job done. Committing ourselves to procuring and deploying the NMD system until we know the answers to questions regarding key operational capabilities would be premature and ill-advised.

There are other critical factors that will play important and necessary roles in determining whether the President will commit the nation to deploying NMD. Surely the nature of the threat must be assessed and reassessed to make sure that this program is warranted. Surely the possible responses of our allies and potential adversaries will play an important part in the President's calculation. At the end of the day, the President will have determined whether the nation is more or less secure as a result of deciding to deploy the NMD system.

In the meantime, as responsible stewards for public expenditures, it behooves us to take all measures necessary to ensure that the billions we are spending for NMD are giving the taxpayer real dividends. This amendment is an important means to make that happen. I urge all of my colleagues to support realistic testing before committing the nation to procurement and deployment of NMD. Thank you, Mr. President. I yield the floor.

Mr. JEFFORDS. Mr. President, this discussion of a national missile defense system comes at a timely moment. As we struggle to complete action on our thirteen appropriations bills that fund the Federal Government, we are confronted with many unmet needs and the desire to reduce the amount the Federal Government takes from the American taxpayers' hard earned income. The budget agreement locks in spending limits and requires a balanced budget, thereby preventing us from increasing spending on missile defense without cutting other programs. The debate over how much to spend in research on a national missile defense (NMD) system and whether it is time to make a decision on deployment strongly effects both the government's ability to meet the needs of Americans and the likelihood that we will be able to return money to the taxpayers of this country. The costs of such a system and the choices it would force us to make must be carefully weighed against the benefit of an NMD system, the chances that it would work, and the effect that deployment would have on the arms control agenda of the United States.

The decision on how much to spend on an NMD research program cannot be made without considering these questions. We must ask how much we can afford to spend on defense. I argue that national security also has a social component: affordable health care for all Americans, better job opportunities, a strong education system and economic security for America's seniors are all facets of a strong America. Without these things, military technology cannot protect America from the real threats against us.

I have long supported a reasonable program of research and testing of anti-ballistic missile technologies, while opposing efforts to throw huge increases at the program. I hope that thoughtful research will lead to some technological breakthroughs on ways to counter ballistic missiles. Their proliferation, especially in the hands of irresponsible leaders such as North Korea's Kim Jong Il, requires that we actively investigate possible defenses. We cannot ignore the emergence of new nuclear threats to the United States.

A premature decision to deploy an inadequately tested national missile defense system would also be a risk to national security. We cannot afford to spend huge amounts of money on a system we are not certain would work, or on a system that might provoke the very reaction from rogue states that we are ultimately trying to prevent. I

am a strong believer in strengthening international non-proliferation regimes such as the Non-Proliferation Treaty and the Comprehensive Test Ban Treaty, which I am very disappointed the Senate has failed to ratify. Successful non-proliferation efforts are worth every penny! The Anti-Ballistic Missile Treaty has also served us well for many years, and we must be careful to not throw out a valuable asset in our rush to jump on the newest technology.

I am pleased to be a cosponsor of Senator DURBIN's amendment to add some important requirements to any national missile defense testing regime. This amendment would require realistic testing of an NMD system against the countermeasures that might be deployed against it. Senator DURBIN's amendment would help ensure that if we move to consider deployment of an NMD system, we would have a realistic assessment of that system's expected performance. Any evaluation of the effectiveness of an NMD system must consider not only the capabilities of the system itself, but its ability to survive what we expect might be thrown up to defeat it. Without this information, it would be hard to judge the true utility of such a system, and easy to overestimate its performance.

This past Friday's failed test of a space intercept brings into sharper focus the issue of claims and performance of an NMD system. Without realistic tests proving the expectations of researchers, we can never be sure that laboratory results can be duplicated in practice. It might be tempting to rush to deploy a system that appeared to provide significant protection for the American people. Passage of this amendment would help ensure that any system have a reasonable chance of working before it is considered for deployment.

I continue to believe that our greatest vulnerability to nuclear attack is not from a nuclear bomb delivered by an intercontinental ballistic missile, but rather from a nuclear devise slipped into the country in some much less visible way, like hidden in some cargo coming into a major U.S. seaport. Committing many billions of dollars to deploy the proposed defense systems would do nothing to protect us against this very real threat. At this time, it would be much more productive to invest these funds in stopping the spread of nuclear technologies and in using other means to counter terrorist organizations and other rogue elements.

Personally, I believe that the politics of missile defense have gotten way out ahead of the science of missile defense. This amendment would help restore the proper order of these concepts. I urge my colleagues to support the Durbin amendment.

Mrs. BOXER. Mr. President, the Durbin amendment to the fiscal year 2001 Defense authorization bill is a common sense proposal that will ensure that a National Missile Defense system is properly tested before it becomes operational.

President Clinton is expected to make a decision in the next few months on whether or not to begin the deployment of a National Missile Defense system. He has said that the decision will be based on four criteria: the readiness of the technology, the impact on arms control and our relations with Russia, the cost of the system, and the threat. Based on these criteria, I do not believe that a decision to deploy should be made at this time.

This amendment deals with just one of these criteria, the readiness of the technology. It says that the National Missile Defense system should be tested against realistic decoys and other counter-measures before it becomes operational. Initial operating capability is now scheduled for 2005.

Let me be clear, this amendment would not prevent a deployment decision this year, nor would it delay the deployment of the system.

Mr. President, this is no different from school. if you cannot pass the exams, you cannot graduate. In this case, if NMD cannot pass a test against realistic counter-measures, it will not be made operational. There will be no social promotion of missile defense. The strategic implications of this system are too great. We do not want to make a system operational that we are not sure will work against an incoming warhead.

Now the opponents of this legislation might say: Senator Boxer, this amendment is unnecessary. The U.S. would never make a missile defense system operational that wouldn't work.

Well, in 1969 the U.S. made a decision to deploy the Safeguard missile defense system to defend U.S. missile against incoming Soviet missiles. This system would have used Spartan missiles armed with small nuclear warheads to intercept incoming ICBMs.

On October 1, 1975, after spending $6 billion (over $20 billion in today's dollars), the first ABM site became operational at Nekoma, North Dakota. Five months later the project was terminated.

Why was the project terminated? Because it didn't work. There were at least two major problems with the Safeguard system. First, its radars were vulnerable to destruction by Soviet missiles. Destruction of these radar systems would blind the defensive system. Second it was found that when the nuclear warheads on defending Spartan missiles were detonated, these explosions themselves would also blind the radar systems. You do not have to be a rocket scientist to know that it is important for the system to work before it is made operational.

So why is the Senator from Illinois concerned about countermeasures? A September 1999 National Intelligence Estimate warned that emerging missile states would use counter-measures.

Let me quote from the unclassified version of the report:

> Many countries, such as North Korea, Iran, and Iraq would rely initially on readily available technology—including separating warheads, spin-stabilized warheads, warhead reorientation, radar absorbing material, booster fragmentation, low power jammers, chaff, and simple balloon decoys.

It goes on to say that ''Russia and China each have developed numerous counter-measures and probably are willing to sell the requisite technology.''

Many of our best scientists have said that the planned NMD system would be defeated by counter-measures. An April 2000 report released jointly by the Union of Concerned Scientists and MIT Security Studies Program found that ''the current testing program is not capable of assessing the system's effectiveness against a realistic attack.''

So Mr. President, this is an important amendment. It would ensure that our NMD system is tested against realistic counter-measures and require detailed reports from the Secretary of Defense and the Independent Review Panel which is headed by retired Air Force General Larry Welch.

I congratulate my friend, Senator DURBIN, for offering this important amendment and I urge the Senate to adopt it.

Mr. HATCH. Mr. President, I want to extend my personal gratitude to the Armed Services Committee Chairman and the Ranking Member, as well as to the Chairman and Ranking Member of the Subcommittee on Readiness for their consideration of my recommended language at Sec. 361 of this bill. This provision requires the Secretary of Defense to report on the consequences of high OPTEMPO on military aviation and ground equipment. Let me explain why I applaud this provision. My particular interest is somewhat more focused on aviation assets.

Quite simply, we need to know the adverse effects that the worldwide contingency operations engaged in by our military high-performance aircraft are having on the integrity of the aircraft's frame, engines and other components.

I raise this issue, Mr. President, because my state proudly hosts the Ogden Air Logistics Center at Hill Air Force Base, Utah. Just recently, a team of depot technicians at Hill discovered that the mechanical assembly designed to brake or halt the rise and fall of the stabilizer on the Air Force KC–135 tanker had been prematurely wearing out because of a surge of KC–135 flight activity, much of it related to the frantic deployment schedules that these aircrews are tied to.

The shortage of replacement parts for the stabilizer braking system forced the Air Force to come up with a methodology to refurbish the old part. There had never been a refurbishment of the braking assembly before this time.

This is an important fact because the engineering design missed a critical step in the refurbishment process designed to heat out hydrogen that

risked getting into microscopic fissures in the brake ratchet. This would have eventually embrittled the system, causing the stabilizer to fail. It would have meant with near certainty that we would have lost aircraft in midair flight as well as some aircrew lives.

The Secretary of the Air Force, Whitten Peters, has commended the depot technicians for their astute recommendations to the Air Force Materiel Command to ground the KC–135 fleet; this was done, and I am convinced that lives were saved.

But I am no less convinced that we need better visibility over the rapidly aging aircraft airframes and other parts are suffering from the near-frenetic flying schedules and deployments that they and their crews are committed to. Put more directly: we cannot and must not push these brave aircrews into harm's way in aircraft that are even remotely vulnerable to critical component failures.

Mr. President, my concern extends to all tactical and strategic, as well as support and service support aviation assets used in these contingency and peacekeeping operations by the Navy, Marine Corps, and the Air Force. The provision asks for a study of the effects of these deployments on all such assets. Wisely, the Committee has added Army aviation since its predominately rotary wing—or helicopter—operations warrant inclusion in the scope of this assessment.

If one looks at the Air Force commitments, which have carried the bulk of many of the contingency operations, the statistics are as staggering as they are telling: 18,400 sorties over Iraq; 73 percent of the air assets patrolling the Northern watch no-fly zone which produced 75 percent of the total number of sorties in that region. In the Southern Watch no-fly zone, the Air Force also provided 35 percent of the total air assets and produced 68 percent of the sorties. But I don't want to ignore the Navy with its carrier-based aircraft that undergo take-off and, especially, landing procedures that create unimaginably harsh stresses on aircraft. Many members of this body have witnessed carrier operations and know precisely what I am talking about. Some of our colleagues, like my good friends John McCain and Tom Harkin, are even former Navy carrier pilots.

The Secretary of Defense has tried to deal with this issue. And we have tried to help him in the past year. Secretary Bill Cohen cited in his report to Congress this February that aging systems, spot spare parts shortages, and high OPTEMPO [high operating tempo] are placing increased pressure on materiel readiness.'' The Secretary has testified to his ''particular concern'' for ''negative readiness trends in mission capable rates for aircraft.'' Last year, Congress provided DOD with $1.8 billion in Kosovo emergency supplemental funding to meet the most urgent demands.

Yet, our equipment is aging. The average age of Air Force aircraft is now 20 years old. Our state of art air-to-ground mission aircraft, the F–16, has a technology base older than most of its pilots, some of whom are flying F–16 aircraft that have been in service longer than they have been alive! The problems of corrosion, fatigue and even parts obsolescence are rampant. I spend much time at Hill Air Force Base in my state of Utah. There are certain critical components that are still tied to vacuum tube technology. Imagine that! How many of us still listen to vacuum tube radios; some of our younger staff members may not even know what they are! Some of our top-of-the-line tactical fighter aircraft use gyroscopes—which are absolutely critical to positional accuracy—that are several generations old. It bothers me greatly to hear people complain about ''gold-plated'' military aircraft. I would invite any of them to join me in a tour of the Ogden, Utah, depot. When they see the condition of components from our best tactical fighters being serviced, I suspect they would better understand the real meaning of courage.

But let me conclude with a word about the most important resource in this equation: people. We have reduced our forces by 30 percent and increased deployments by nearly 400 percent. The effect is exactly what you would expect. Recently, the Marine Corps' Commandant and the Army Chief of Staff announced that deployments of their aviation and ground equipment are now 16 times the rate during the Cold War. Unprecedented pilot losses, reaching a 33 percent level in the Navy, 15 percent in the Air Force and 21 percent in the Marine Corps. But the most critical losses are found among the highly specialized aircraft service technicians. Specialists in electronic components, air traffic control, armaments and munitions, and other technical specialties, at all levels of service, short-term, mid-term and long-term, are leaving in unprecedented numbers. Even the Air Force's valiant Expeditionary Air Force concept, which organizes a highly mobile slice of the Air Force into 10 task forces, called ''Air Expeditionary Forces,'' faces technical enlisted skill shortages which still burden the fewer and fewer technicians who remain on active duty, according to a General Accounting Office study on military personnel released in early March 2000.

Mr. President, I want to thank my colleagues for listening to this long presentation regarding my concerns for the state of our military aircraft and the people who fly and service them. I know that most will join with me and the committee in calling for a full review of the consequences of the unprecedented peacetime demands being made on our people and their equipment.

NATIONAL GUARD CHALLENGE PROGRAM

Mr. BYRD. Mr. President, I am seriously concerned about Section 910 of S. 2549, the National Defense Authorization Act for Fiscal Year 2001.

Section 910 would effect the transfer of responsibility for the National Guard Youth ChalleNGe program from the Chief of the National Guard Bureau to the Secretary of Defense and would amend the limitation on federal funding for the National Guard Challenge program to limit only Department of Defense funding. This language removes the National Guard Bureau from the ''chain of command'' and from its statutory role as the channel of communication between the federal government and the states (10 U.S.C. Sec. 10501).

Youth ChalleNGe exists in 25 states and is a federal/state partnership program. While there is partial federal funding (which is capped by law at $62.5 million per year), the ChalleNGe staff members are state employees who meet state teacher and counselor certification requirements. All legally binding cooperative agreements currently in place are between the Governors and the Chief, National Guard Bureau.

ChalleNGe is a highly successful program that takes at-risk youths and gives them the opportunity to turn their lives around and become productive members of their communities. Since the program was established, with my assistance in 1991, more than 4,500 young Americans have graduated. Of this number, more than 66% have earned their GED or high school diploma; more than 12% entered the military, and more than 16% enrolled in college.

ChalleNGe is a program in demand by the states. If it were not for the cap on spending, more states would have a ChalleNGe program. Transferring authority from the National Guard to the Office of the Assistant Secretary of Defense for Reserve Affairs could only have a negative impact and upset a program that is operating extremely well under the auspices of the National Guard Bureau. It would add another layer of bureaucracy and require the State National Guard programs to relate through an altogether new ''chain of command'' for the Youth ChalleNGe program, while maintaining the existing ''chain of command'' for all other National Guard activities.

On June 16th of this year, I participated in the graduation ceremony of the cadets of the Mountaineer ChalleNGe program at Camp Dawson, West Virginia. In all my years of delivering commencement speeches and high school diplomas, I can say without reservation that this was the most impressive group of students that I have ever encountered. The graduates sat at full attention throughout the event, with obvious pride in their hard-earned achievements and serious commitment to a future on the right path. Such transformation can not be achieved by mere bootcamp exercises alone. It takes a tough-love approach with caring and compassionate instructors who want to see the lives of these troubled youth turned around forever. The National Guard offers these young people

the very virtues—leadership, followership, community service, job skills, health and nutrition, and physical education—that are in keeping with the Guard's tradition of adding value to America and it certainly showed in West Virginia.

Let us not punish this fine organization which is doing an exceptional job in helping youth in-need.

Mr. WARNER. It is my understanding that the committee report language may not fully and adequately explain the intent of the Committee. The Committee's intent is to reaffirm the role of the Secretary of Defense to establish policy for and oversee the operation of DOD programs. I intend to see that the conference report language adequately expresses the view that the National Guard is to continue to administer the Youth ChalleNGe program under the oversight and direction of the Secretary of Defense.

Mr. LEVIN. I think the Chairman has a workable solution. It is not the intent of the Committee that the National Guard should lose its ability to administer this highly successful program. Rather, the intent is that there be adequate policy direction and oversight of the Youth ChalleNGe program by the Secretary of Defense.

Mr. BYRD. I had intended to offer an amendment to clarify this issue. However, I believe that the comments of the distinguished Chairman and Ranking Minority Member of the Armed Services Committee have helped clear up this matter. I hope the conference report will further clarify the matter.

CONVEYANCE AUTHORITY FOR UTILITY SYSTEMS

Mr. GORTON. Mr. President, I am very concerned about a provision contained in H.R. 4205, the National Defense Authorization Act for Fiscal Year 2001, regarding the conveyance authority for utility systems at U.S. military installations. The House proposes to change existing law in a manner that jeopardizes the ability of a municipal utility in Washington, Tacoma Power, to participate in the competitive selection process and acquire Fort Lewis' electric utility system. Fort Lewis is Washington's major Army base. I oppose changes to DOD's current conveyance authority, when that change impedes competition.

The Department of Defense is privatizing utility systems at military bases throughout the county. Military bases are considered Federal enclaves, and therefore are subject to Federal, rather than State, law. The language contained in H.R. 4205 dramatically weakens existing Federal law by subjecting military bases to State laws, regulations, rulings and orders in the competitive bid process of their utility systems. This would have a negative impact on DOD utility privatization efforts in my state of Washington. The reason for this is that utility service territories in Washington are established by service area agreements—contracts—rather than by State decree. Eliminating the Federal law that applies on military bases would create a host of legal questions, the effect of which is to foster litigation and undercut the DOD privatization process in Washington.

Because I am not a member of the Senate Armed Services Committee, and would therefore not be privy to Conference Committee negotiations, I respectfully request your assistance in assuring that whatever utility language is included in the FY01 Defense Authorization bill properly takes into account the unique circumstances of Washington.

Mr. WARNER. I share the Senator's concerns regarding the impact the House language might have on competition, and will work with you to ensure that Washington state's issues are addressed during the conference. Any suggestions you may have on this matter would be most welcome.

Mr. GORTON. I thank the Senator in advance for your commitment to this effort. I look forward the working with you in the coming weeks to see that this issue is resolved in a favorable manner.

Mr. KENNEDY. Mr. President, this past year, the men and women of the Armed Forces proved, once again, the value of a strong and ready military. Since the end of the Cold War, our Armed Forces have been busier, and have conducted a greater variety of missions around the world, than at any other time during our nation's history, short of war.

Our forces ended Serb aggression in Kosovo, brought peace to East Timor, and aided earthquake victims in Turkey. At this moment, American service men and women are monitoring the demilitarized zone in Korea, enforcing the no-fly zones over Iraq, patrolling the Arabian Gulf for oil smugglers, and assisting in the battle against drugs in Central and South America. These activities are in addition to the daily operations they conduct at home and with our allies overseas to maintain the readiness of our forces.

Our National Guard and Reserve members continue as equal partners in carrying out our national security and national military strategies. Last May, in the span of only one week, C–5 transport aircraft from the 439th Airlift Wing at Westover Air Reserve Base in Massachusetts carried helicopters and equipment to Trinidad-Tobago to aid in the war against drugs, flew the Navy's new mini-submarine to Hawaii, an unprecedented accomplishment and a tribute to their ingenuity and resourcefulness, airlifted Marines to Greece, carried supplies to Europe, and continued their very important training at home.

Last week, over a hundred citizen-soldiers from Bravo Company of the 368th Engineer Combat Battalion left their homes in Attleboro, Massachusetts for duty in Kosovo.

These are just a few examples of what Guard and Reserve members from every state, do for us each day around the world.

We ask the men and women of our Armed Forces to prepare for and respond to every contingency, from supporting humanitarian relief efforts, peacekeeping, and enforcing United Nations sanctions, to fighting a full-scale Major Theater War. A quarter million of our service members are deployed around the world to deter aggression, keep the peace, promote democracy, and foster goodwill and cooperation with our allies, and even with our potential adversaries.

All of our men and women in uniform put our nation's interests above their own. When called upon, they risk their lives for our freedom. As a nation, we often take this sacrifice for granted, until we are reminded of it again by tragic events such as the April training accident in Arizona, where 19 Marines lost their lives in the line of duty. These Marines paid the ultimate sacrifice for their country, and it was fitting for the Senate to honor them with a resolution. I commend my colleague Senator SNOWE for her leadership on that resolution.

More recently, this week, two Arizona Army Guardsmen lost their lives when their Apache helicopter crashed in a night training exercise. Two Navy pilots were killed in a training accident in Maryland. The cost of training in the name of peace and security is high.

One of Congress' most important duties is to make sure that our Armed Forces are able to meet the many challenges of an increasingly unstable international environment. Both the Director of Central Intelligence and the Director of the Defense Intelligence Agency testified before the Senate Armed Services Committee that, more than at any other time in the nation's history, we are at risk of ''substantial surprise'' by adversaries. Their views are supported by the worldwide expansion of information technology, the proliferation of dual-use technology, and the fact that the expertise to develop weapons of mass destruction is available and for hire on the open market.

The growing resentment by potential adversaries of our status as the last superpower makes us susceptible to hostile acts ranging from computer attacks to chemical or biological terrorism. Our military must be equipped to deter this aggression and, if necessary, counter it. The FY 2001 National Defense Authorization Bill takes a positive step toward doing so.

The many activities which our forces have undertaken and maintained in the past decade, in spite of reduced resources, has taken a toll on our people, their equipment, and readiness. This bill continues the increases in defense spending needed to reverse this trend that the President and Congress began last year. At $310 billion, this bill represents real growth, and a necessary investment in the future of the nation's security. At the heart of our armed forces are the soldiers, sailors,

airmen and Marines who took the oath of office to support and defend the Constitution against all of our enemies, foreign and domestic. Clearly, without them, we could not preserve our freedom. Attracting young men and women to serve, and retaining them in an all-volunteer force, is more challenging than ever. Last year, Congress authorized the largest pay raise in nearly two decades, reformed the pay table, and restored the 50% retirement benefit. This year, we continue these efforts to support our service members and their families, by granting a 3.7 percent pay raise, which is one-half percent above inflation. We also provide for the gradual reduction to zero—over five years—of out-of-pocket housing expenses for service members living off base, and we provide better military health care for family members. The bill also directs the implementation of the Thrift Savings Plan that Congress authorized last year. The welfare of the men and women of our armed forces is rightly at the center of this year's Defense Authorization Bill.

The bill also takes a bold and necessary step to honoring the promise of lifetime health care for military retirees. The Armed Services Committee heeded the needs of our military retirees, and addressed their number one priority—the cost of prescription drugs. The Defense Authorization Bill expands the Base Realignment and Closure pharmacy benefit—already available to 450,000 retirees—to the entire 1.4 million Medicare-eligible military retiree community. This benefit lets all men and women in uniform know that we care about their service, and that a career in the military is honorable and worth pursuing. It also lets all military retirees know that Congress is listening, cares, and is willing to act on their behalf.

The bill also continues and expands health care demonstration programs to evaluate how we can best address the health care needs of these retirees. We must complete the evaluation of these programs and move to answer their needs. I am hopeful that soon, we will be able to do more.

The bill also enhances efforts to prepare for and respond to other threats. It authorizes five additional Civil Support Teams to a total of 32 by the end of FY 2001. The teams will be specially trained and equipped to respond to the suspected use of weapons of mass destruction on American soil. While we hope they will never be needed, we must be prepared for any emergency.

The bill adds $74 million for programs to protect against chemical and biological agents, and it funds the research and development for a second generation, single-shot anthrax vaccine. The men and women of our Armed Forces need this support now.

Each service has taken steps to protect the environment, but too little has been done to detect and deal with the effects of unexploded ordnance. On the Massachusetts Military Reservation, unexploded ordnance may be contaminating the soil and groundwater in the area. This situation is unacceptable. If it is not addressed now, it could cause irreparable harm to the environment and the people who live there.

Unexploded ordnance is a problem in every active and formerly-used live-fire training facility. The bill includes $10 million to develop and test new technologies to detect unexploded ordnance and analyze and map the presence of their contaminants, so that they can be more easily cleaned up. For too many years, this issue has been ignored. The time has come for the Department of Defense to take on the task of removing UXO. This step is essential to ensure the continued operation of training ranges, which are vital to the continued readiness of our forces and the safe reuse of facilities that have been closed.

Last May, the country felt the effect of a simple computer virus that disabled e-mail systems throughout the world, and cost industry billions of dollars. The ''Love Bug'' virus also reportedly infected classified e-mail systems within the Department of Defense. Last year, more than 22,000 cyber-attacks took place on DOD computer systems—a 300 percent increase over the previous year. The cyber threat to national security will become more complex and more disruptive in the future. Our armed forces must be better prepared to deal with this threat and to protect these information systems. The bill adds $77 million to address this serious and growing threat.

In the Seapower Subcommittee, under the leadership of our distinguished chair, Senator SNOWE, we heard testimony and continued concern about the Navy's force structure, the shipbuilding rate, and the overall readiness of the fleet. I support the Secretary of the Navy's decision to increase R&D spending for the new land-attack destroyer, DD–21, but I am concerned about the delay in the program, the effect of this delay on fire support requirements of the Marine Corps, and its effect on our shipbuilding industrial base.

The bill includes $550 million for DD–21 research and development. It also asks the Navy to report to Congress on the feasibility of starting DD–21 construction in FY 2004, as originally scheduled, for delivery by 2009, and the effects of the current delay on the destroyer shipbuilding industrial base.

To ease the strain on the shipbuilding industrial base, the bill authorizes the extension of the DDG–51 multi-year procurement, approved by Congress in 1997, to include procurements through fiscal year 2005. This increase will bring greater near-term health to our destroyer shipyards. It could raise the Navy's overall shipbuilding rate to an acceptable level of 9 ships for each of those years, and it could save almost $600 million for these ships by avoiding the additional unit cost of building them at a smaller rate. This increase benefits the Navy, the shipyards, and the shipyard workers, and it is fiscally responsible.

I am particularly concerned about one section of the bill that closes the School of the Americas and then reopens it as the Defense Institute for Hemispheric Security Cooperation.

Despite the additional human rights curriculum, I am concerned that well-known abuses by the School's graduates have caused irreparable harm to its credibility. The School accounts for less than 10 percent of the joint education and training programs conducted by the U.S. military for Latin American forces, but it has graduated some of the most notorious human rights abusers in our hemisphere.

A report of the UN Truth Commission on the School implicated former trainees, including death squad organizer Robert D'Abuisson, in atrocities committed in El Salvador. During the investigation of the 1989 murder of six Jesuit priests in El Salvador, it turned out that 19 of the 26 people implicated in this case were graduates of the School. Other graduates include Leopoldo Galtieri, the former head of the Argentine junta, Manuel Noriega, the former dictator of Panama, and Augusto Pinochet, the former dictator of Chile. In September 1996, after years of accusations that the School teaches soldiers how to torture and commit other human rights violations, the Department of Defense acknowledged that instructors at the School had taught such techniques.

I welcome the Army's recognition that human rights and civil-military relations must be a top priority in our programs with Latin America. The provision in this bill, will close the School and immediately reopen it with a new name at the same location, with the same students and with much of the same curriculum. But this step will not solve the problems that have plagued this institution.

I commend my colleague, Representative MOAKLEY, for his leadership on this issue and his proposal to create a Task Force to assess the type of education and training appropriate for the Department of Defense to provide to military personnel of Latin American nations. These issues demand our attention, and we must address them more effectively.

In summary, I commend my colleagues on the Armed Services Committee for their leadership in dealing with the many challenges facing our nation on national defense. This bill keeps the faith with the 2.2 million men and women who make up our active duty, guard, and reserve forces. It is vital to our nation's security, and I urge the Senate to approve it.

Mr. WARNER. Mr. President, I ask unanimous consent that a previous unanimous consent agreement regarding the ''boilerplate language'' for completing the Defense authorization be modified with the changes that I now send to the desk.

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

The unanimous consent agreement, as modified, is as follows:

I ask unanimous consent that, with the exception of the Byrd amendment on bilateral trade which will be disposed of this evening, that votes occur on the other amendments listed in that Order beginning at 9:30 A.M. on Thursday, July 13, 2000.

I further ask unanimous consent that, upon final passage of H.R. 4205, the Senate amendment, be printed as passed.

I further ask unanimous consent that, following disposition of H.R. 4205 and the appointment of conferees the Senate proceed immediately to the consideration en bloc of S. 2550, S. 2551, and S. 2552 (Calendar Order Numbers, 544, 545, and 546); that all after the enacting clause of these bills be stricken and that the appropriate portion of S. 2549, as amended, be inserted in lieu thereof, as follows:

S. 2550: Insert Division A of S. 2549, as amended;

S. 2551: Insert Division B of S. 2549, as amended;

S. 2552: Insert Division C of S. 2549, as amended; that these bills be advanced to third reading and passed; that the motion to reconsider en bloc be laid upon the table; and that the above actions occur without intervening action or debate.

Finally, I ask unanimous consent with respect to S. 2550, S. 2551, and S. 2552, that if the Senate receives a message with respect to any of these bills from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two houses; that the Chair be authorized to appoint conferees; and that the foregoing occur without any intervening action or debate.

MORNING BUSINESS

Mr. WARNER. Mr. President, if there is nothing further on the authorization bill, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

VICTIMS OF GUN VIOLENCE

Mr. DASCHLE. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

July 12, 1999:

Craig Briskey, 15, Atlanta, GA; Deleane Briskey, 33, Atlanta, GA; Torsha Briskey, 16, Atlanta, GA; Darius Cox, 31, Baltimore, MD; Willie Dampier, 31, Lansing, MI; Albert Fain, 25, Cincinnati, OH; Victor Gonzalez, 20, Holyoke, MA; Larry W. Gray, 52, Memphis, TN; Arvell Henderson, 28, St. Louis, MO; Essie Hugley, 37, Atlanta, GA; Wardell L. Jackson, 19, Chicago, IL; William Kuhn, 25, Pittsburgh, PA; Antoine Lucas, 9, Atlanta, GA; David Antonio Lucas, 13, Atlanta, GA; Edgar McDaniel, 34, Atlanta, GA; Sims Miller, 32, St. Louis, MO; Erica Reyes, 20, Holyoke, MA; Darryl Solomon, 28, Detroit, MI; James Sweeden, 48, Dallas, TX; Anthony White, Detroit, MI; Darrell Lewis White, 28, Memphis, TN; Unidentified male, 15, Chicago, IL.

Deleane Brisky from Atlanta was one of six people I mentioned who was shot and killed one year ago today. On that day, her ex-boyfriend burst into her home, killed her, her sister and four of her six children. The gunman then shot and wounded her 11-year-old son Santonio, who was hiding in a closet, before turning the gun on himself.

The time has come to enact sensible gun legislation. These people, who lost their lives in tragic acts of gun violence, are a reminder of why we need to take action now.

INTEGRATED GASIFICATION COMBINED CYCLE (IGCC) SYSTEM

Mr. SPECTER. Mr. President, Air Products & Chemicals, Inc. of Allentown, Pennsylvania and an industrial team are developing a unique oxygen-producing technology based on high-temperature, ion transport membranes (ITM). The technology, known as ITM Oxygen, would be combined with an integrated gasification combined cycle (IGCC) system to produce oxygen and electric power for the iron/steel; glass, pulp and paper; and chemicals and refining industries. The ITM Oxygen project is a cornerstone project in the Department of Energy's (DOE) Vision 21 program and has the potential to significantly reduce the cost of so-called ''tonnage oxygen'' plants for IGCC systems.

Working in partnership with DOE's National Energy Technology Laboratory, the first of three phases of this $24.8 million, 50 percent cost-shared research program will be completed in September 2001. Research and development conducted as part of phase 1 of the ITM Oxygen program has addressed the high-risk materials, fabrication and engineering issues needed to develop the ITM Oxygen technology to the proof-of-concept point. In phase 2, a full-scale ITM Oxygen module will be tested and will be followed by further scale-up to test the production and integration of multiple full-scale ITM modules. In the final phase, a pre-commercial demonstration unit will be designed, constructed, integrated with a gas turbine and tested at a suitable field site. At the end of phase 3, it is expected that sufficient aspects of the technology will have been demonstrated to enable industrial commercialization.

I thank the Senator from Washington for adding $3.2 million to Department of Energy's IGCC. I also understand that the House of Representatives added $3.2 million to the FY01 budget request for IGCC without designating any one project to receive the increased funding. As part of its FY01 budget, DOE requested $2.2 million as part of its $32 million IGCC budget to complete phase 1 of ITM Oxygen.

Now I would urge the Department of Energy and the National Energy Technology Laboratory to provide $2 million of the $3.2 million as an increase to the FY01 budget request for IGCC to allow the programs second phase to begin in FY01. This additional funding would allow the ITM Oxygen team to have a smooth transition to the program's second phase and to level over future years the DOE cost share needed to maintain the program's schedule. This additional funding would also allow the ITM Oxygen team to make an early commitment to accelerate construction of the test facility and the full-scale ITM Oxygen module. Accelerating this program makes sound business sense. Now I am confident that DOE and the National Energy laboratory will have the funding to do this. I urge them to work with the ITM Oxygen team and make it happen.

JUDICIAL NOMINATIONS IN THE 106TH CONGRESS

Mr. LEAHY. Mr. President, I am concerned at the continuing lack of any real, strong effort to confirm Federal judges this year compared to the situation in the last year of President Bush's term in office with a Democratic controlled Senate. We confirmed 66 judges—actually confirmed judges and had hearings right through September. Now we have very, very few hearings.

While I am glad to see the Judiciary Committee moving forward with a few of the many qualified judicial nominees to fill the scores of vacancies that continue to plague our Federal courts, I am disappointed that there were no nominees to the Court of Appeals included at this hearing. I have said since the beginning of this year that the American people should measure our progress by our treatment of the many qualified nominees, including outstanding women and minorities, to the Court of Appeals around the country. The committee and the Senate are falling well short of the mark.

With 21 vacancies on the Federal appellate courts across the country, and nearly half of the total judicial emergency vacancies in the Federal courts system in our appellate courts, our courts of appeals are being denied the resources that they need. Their ability to administer justice for the American people is being hurt. There continue to be multiple vacancies on the Fourth, Fifth, Sixth, Ninth, Tenth and District of Columbia Circuits. The vacancy rate for our courts of appeals is more than 11 percent nationwide—and that does not begin to take into account the additional judgeships requested by the

Judicial Conference to handle their increased workloads. If we added the 11 additional appellate judges being requested, the vacancy rate would be 16 percent. Still, not a single qualified candidate for one of these vacancies on our Federal appellate courts is being heard today.

At our first executive business meeting of the year, I noted the opportunity we had to make bipartisan strides toward easing the vacancy crisis in our nation's Federal courts. I believed that a confirmation total of 65 by the end of the year was achievable if we made the effort, exhibited the commitment, and did the work that was needed to be done. I urged that we proceed promptly with confirmations of a number of outstanding nominations to the court of appeals, including qualified minority and women candidates. Unfortunately, that is not what has happened.

Just as there was no appellate court nominee included in the April confirmation hearing, there is no appellate court nominee included today. Indeed, this committee has not reported a nomination to a court of appeals vacancy since April 12, and it has reported only two all year. The committee has yet to report the nomination of Allen Snyder to the District of Columbia Circuit, although his hearing was 8 weeks ago; the nomination of Bonnie Campbell to the Eighth Circuit, although her hearing was 6 weeks ago; or the nomination of Judge Johnnie Rawlinson, although her hearing was 4 weeks ago. Left waiting for a hearing are a number of outstanding nominees, including Judge Helene White for a judicial emergency vacancy in the Sixth Circuit; Judge James Wynn, Jr., for a judicial emergency vacancy in the Fourth Circuit; Kathleen McCree Lewis, another outstanding nominee to the multiple vacancies on the Sixth Circuit; Enrique Moreno, for a judicial emergency vacancy in the Fifth Circuit; Elena Kagan, to one of the multiple vacancies on the District of Columbia Circuit; and Roger L. Gregory, an outstanding nominee to another judicial emergency vacancy in the Fourth Circuit.

I deeply regret that the Senate adjourned last November and left the Fifth Circuit to deal with the crisis in the Federal administration of justice in Texas, Louisiana and Mississippi without the resources that it desperately needs. It is a situation that I wished we had confronted by expediting consideration of nominations to that court last year. I still hope that the Senate will consider them this year to help that circuit.

I continue to urge the Senate to meet its responsibilities to all nominees, including women and minorities. That all of these highly qualified nominees are being needlessly delayed is most regrettable. The Senate should join with the President to confirm these well-qualified, diverse and fair-minded nominees to fulfill the needs of the Federal courts around the country.

During the committee's business meeting on June 27, Chairman HATCH noted that the Senate has confirmed seven nominees to the courts of appeals this year—as if we had done our job and need do no more. What he failed to note is that all seven were holdovers who had been nominated in prior years. Five of the seven were reported to the Senate for action before this year, and two had to be reported twice before the Senate would vote on them. The Senate took more than 49 months to confirm Judge Richard Paez, who was nominated back in January 1996, and more than 26 months to confirm Marsha Berzon, who was nominated in January 1998. Tim Dyk, who was nominated in April 1998, was confirmed after more than two years. This is hardly a record of prompt action of which anyone can be proud.

Chairman HATCH then compared this year's total against totals from other presidential election years. The only year to which this can be favorably compared was 1996 when the Republican majority in the Senate refused to confirm even a single appellate court judge to the Federal bench. Again, that is hardly a comparison in which to take pride. Let us compare to the year 1992, in which a Democratic majority in the Senate confirmed 11 Court of Appeals nominees during a Republican President's last year in office among the 66 judicial confirmations for the year. That year, the committee held three hearings in July, two in August, and a final hearing for judicial nominees in September. The seven judicial nominees included in the September 24 hearing were all confirmed before adjournment that year—including a court of appeals nominee. We have a long way to go before we can think about resting on any laurels.

Having begun so slowly in the first half of this year, we have much more to do before the Senate takes its final action on judicial nominees this year. We should be considering 20 to 30 more judges this year, including at least another half dozen for the court of appeals. We cannot afford to follow the ''Thurmond Rule'' and stop acting on these nominees now in anticipation of the presidential election in November. We must use all the time until adjournment to remedy the vacancies that have been perpetuated on the courts to the detriment of the American people and the administration of justice. That should be a top priority for the Senate for the rest of this year. In the last three months in session in 1992, between July 12 and October 8, 1992, the Senate confirmed 32 judicial nominations. I will work with Chairman HATCH to match that record.

One of our most important constitutional responsibilities as United States Senators is to advise and consent on the scores of judicial nominations sent to us to fill the vacancies on the federal courts around the country. I look forward to our next confirmation hearing and to the inclusion of qualified candidates for some of the many vacancies on our Federal Court of Appeals.

DRUNK DRIVING PER SE STANDARD

Mr. DEWINE. Mr. President, now that we have passed the Transportation Appropriations bill and it heads to the conference committee, I strongly urge my colleagues to support in conference a provision in the bill that would encourage states to adopt a .08 Blood-Alcohol Concentration (BAC) level as the per se standard for drunk driving.

This issue is not new to the Senate. In 1998, as the Senate considered the Transportation Equity Act for the 21st Century, or TEA 21, 62 Senators agreed to an almost identical provision—an amendment that Senator LAUTENBERG and I offered to make .08 the law of the land. Sixty-two Senators, Mr. President, agreed that we needed this law because it would save lives.

We made it clear during the debate in 1998 that .08, by itself, would not solve the problem of drunk driving. However, .08, along with a number of other steps taken over the years to combat drunk driving, would save between 500 and 600 lives annually. Let me repeat that, Mr. President—if we add .08 to all the other things we are doing to combat drunk driving—we would save between 500 and 600 more lives every year.

On March 4, 1998—when the Senate voted 62 to 32 in favor of a .08 law—the United States Senate spoke loud and clear. This body said that .08 should be the uniform standard on all highways in this country. The United States Senate said that we believe .08 will save lives. The United States Senate said that it makes sense to have uniform laws, so that when a family drives from one state to another, the same standards—the same tough laws—will apply.

But sadly, Mr. President, despite the overwhelming vote in the Senate—despite the United States Senate's very strong belief that .08 laws will save lives—this provision was dropped in conference. The conferees replaced it with an enhanced incentive grant program that has proven to be ineffective. Since this grant program has been in place, only one state—Texas—has taken advantage of the incentives and put a .08 law into effect.

So, here we are again—back at square one, making the same arguments we made two years ago—the same arguments that compelled 62 United States Senators to vote in favor of .08 legislation. Let's not make the same mistake this time, Mr. President. The Senate kept the .08 provision in the Transportation Appropriations bill we passed last week—this time, we need to do the right thing and keep the provision in the conference report and make it law once and for all.

The case for a .08 law in every state is as compelling today as it was two years ago when we voted on this. The fact is that a person with a .08 Blood-

Alcohol Concentration level is seriously impaired. When a person reaches .08, his/her vision, balance, reaction time, hearing, judgement, and self-control are severely impaired. Moreover, critical driving tasks, such as concentrated attention, speed control, braking, steering, gear-changing and lane-tracking, are negatively impacted at .08.

But, beyond these facts, there are other scientifically sound reasons to enact a national .08 standard. First, the risk of being in a crash increases gradually with each blood-alcohol level, but then rises rapidly after a driver reaches or exceeds .08 compared to drivers with no alcohol in their systems. The National Highway Traffic Safety Administration (NHTSA) reports that in single vehicle crashes, the relative fatality risk for drivers with BAC's between .05 and .09 is over eleven times greater than for drivers with BAC's of zero.

Second, .08 BAC laws have proven results in reducing crashes and fatalities. Back in 1998, when Senator LAUTENBERG and I, argued in support of a national .08 law, we cited a study that compared states with .08 BAC laws and neighboring states with .10 BAC laws. That study found that .08 laws reduced the overall incidence of alcohol fatalities by 16% and also reduced fatalities at higher BAC levels. During our debate two years ago, the accuracy of this report was called into question by opponents of our amendment. Since then, a number of different studies have verified the findings of the original Boston University study. I will talk about these new studies shortly.

Third and finally, according to NHTSA, crash statistics show that even heavy drinkers, who account for a large percentage of drunk driving arrests, are less likely to drink and drive because of the general deterrent effect of .08.

Right now, Mr. President, we have a patchwork pattern of state drunk driving laws. Forty-eight states have a per se BAC law in effect. Thirty-one of these states have a .10 per se standard. Seventeen have enacted a .08 level. With all due respect, Mr. President, this doesn't make sense. The opponents of the .08 level cannot convince me that simply crossing a state border will make a drunk sober. For instance, just crossing the Wilson Bridge from Virginia into Maryland would not make a drunk driver sober.

This states' rights debate reminds me of what Ronald Reagan said when he signed the minimum drinking age bill: ''The problem is bigger than the individual states . . . . It's a grave national problem, and it touches all our lives. With the problem so clear-cut and the proven solution at hand, we have no misgiving about this judicious use of federal power.''

The Administration has set a very laudable goal of reducing alcohol-related motor vehicle fatalities to no more than 11,000 by the year 2005. Mr. President, this goal is going to be very difficult to achieve. But, I believe that recent history provides a road map for how to achieve this goal. Beginning in the late 1970's, a national movement began to change our country's attitudes toward drinking and driving. This movement has helped spur state legislatures to enact stronger drunk driving laws; it led to tougher enforcement; and it caused people to think twice before drinking and driving. In fact, it was this national movement that helped me get a tough DUI law passed in my home state of Ohio back in 1982. In short, these efforts have helped reverse attitudes in this country about drinking and driving—it is now no longer ''cool'' to drink and drive.

The reduction in alcohol-related fatalities since that time is not attributable to one single thing. Rather, it was the result of a whole series of actions taken by state and federal government and the tireless efforts of many organizations, such as Mothers Against Drunk Driving, Students Against Drunk Driving, Advocates for Highway and Auto Safety, and many others.

Despite all of our past efforts, alcohol involvement is still the single greatest factor in motor vehicle deaths and injuries. We must continue to take small, but effective and proven steps forward in the battle against drunk driving. Passage of a national .08 blood alcohol standard is one of these small, effective steps.

Mr. President, how do we know that .08 is an effective measure in combating drunk driving? Earlier I cited a Boston University study which showed that, if all 50 states set .08 as a standard, between 500 and 600 lives would be saved annually. A number of my colleagues questioned that study during the Senate debate back in 1998. But, we don't need to rely on that one single study.

Since we last debated .08, at least three studies have been published on this issue. The most comprehensive of these, conducted by the Pacific Institute for Research and Evaluation, concluded the following: ''With regard to .08 BAC laws, the results suggested that these laws were associated with 8% reductions in the involvement of both high BAC and lower BAC drivers in fatal crashes. Combining the results for the high and low BAC drivers, it is estimated that 275 lives were saved by .08 BAC laws in 1997. If all 50 states (rather than 15 states) had such laws in place in 1997, an additional 590 lives could have been saved.'' Let me repeat that. ''If all 50 states . . . had such laws in place in 1997, an additional 590 lives could have been saved.''

A second study, Mr. President, conducted by NHTSA, looked at eleven states with ''sufficient experience with .08 BAC laws to conduct a meaningful analysis.'' This study found that ''. . . the rate of alcohol involvement in fatal crashes declined in eight of the states studied after the effective date of a .08 BAC law. Further, .08 BAC laws were associated with significant reductions in alcohol-related fatalities, alone or in conjunction with administrative license revocation laws, in seven of eleven states. In five of these seven states, implementation of the .08 BAC law, itself, was followed by significantly lower rates of alcohol involvement among fatalities.''

Finally, the third most recent study, conducted by the Highway Safety Research Center at the University of North Carolina, evaluated the effects of North Carolina's .08 BAC law. Opponents of this amendment use this study as supposed proof that .08 does not work. But, here is what the study concluded: ''It appears that lowering the BAC limit to .08% in North Carolina did not have any clear effect on alcohol-related crashes. The existing downward trend in alcohol-involvement among all crashes and among more serious crashes continued . . .'' In other words, .08 when enacted by a state that is progressive and aggressive in its efforts to deal with drinking drivers helps to continue existing downward trends in alcohol involvement in fatal crashes.

Mr. President, some skeptics still might not be convinced of the positive effects of a national .08 BAC standard. The General Accounting Office (GAO) conducted a critical review of these studies. GAO concluded that there are ''strong indications that .08 BAC laws, in combination with other drunk driving laws (particularly license revocation laws), sustained public education and information efforts, and vigorous and consistent enforcement can save lives.'' The U.S. Department of Transportation (DOT), in its response to the GAO report, concluded that ''significant reductions have been found in most states;'' that ''consistent evidence exists that .08 BAC laws, at a minimum, add to the effectiveness of laws and activities already in place;'' and that ''a persuasive body of evidence is now available to support the Department's position on .08 BAC laws.'' The GAO responded to DOT, stating: ''Overall, we believe that DOT's assessment of the effectiveness of .08 BAC laws is fairly consistent with our own.''

The fact is that since we last debated this issue, all of these published studies have reached the same conclusion: .08 laws will save lives. I urge my colleagues not to be fooled by the opponents' rhetoric during conference negotiations and keep the provision in tact. The opponents attempt to demean .08 laws by saying they will not ''solve the problem of drunk driving.'' These opponents—in the way they use the word ''solve''—are correct: .08 is not a silver bullet. By itself, it will not end drunk driving. However, it is exactly what proponents have always said it was—another proven effective step that we can take to reduce drunk driving injuries and fatalities. Make no mistake—.08 BAC laws will save lives.

I want to conclude by thanking my friend from New Jersey, Senator LAUTENBERG, for his continued dedication to this issue. His hard work and perseverance have helped bring us to the point today where the Senate once again has passed legislation to strongly encourage states to enact this life-saving measure. I would also like to thank Senator RICHARD SHELBY, the Chairman of the Subcommittee, for his support of the .08 measure as the Transportation Appropriations bill was being crafting; and Senator JOHN WARNER for his continued dedication to reducing drunk driving.

Mr. President, .08 is definitely a legislative effort worth fighting for, and I hope we will succeed this time in retaining the provision in the conference report. I thank the Chair and yield the floor.

PROJECT EXILE: THE SAFE STREETS AND NEIGHBORHOODS ACT

Mr. DEWINE. Mr. President, there has been a lot of talk recently in this country about gun control. It is no secret that gun control measures are very controversial and are subject to a great deal of debate—as they should be. But, we have to remember that in the heat of this debate, we must not lose sight of the real issue at hand—and that's gun violence. There is nothing controversial about protecting our children, our families, our communities by keeping guns out of the wrong hands—keeping guns out of the hands of criminals and violent offenders—not law-abiding citizens, Mr. President, but criminals.

These criminals with guns are killing our children. They're killing our young adults. They're killing our friends and our neighbors. I am here on the floor today because I am very troubled by this, Mr. President, and I am troubled by the current Administration's handling of crimes committed with guns. Let me explain.

Right now, current law makes it a federal crime for a convicted felon to ever possess a firearm. So, once a person is convicted of a felony, that person can never again own a gun. It is against federal law to use a gun to commit any crime, regardless of if that crime is otherwise a state crime. And, under federal law, the sentences for these kinds of crimes are mandatory—no second chance, no parole.

In the late 1980's, President Bush made enforcement of these gun laws a priority. His Justice Department told local sheriffs, chiefs of police, and prosecutors that if they caught a felon with a gun—or if they caught someone committing a crime in which a gun was used—the federal government would take the case, and put that criminal behind bars for at least five years—no exceptions. During the last 18 months of the Bush Administration, more than 2,000 criminals with guns were put behind bars.

Consistent, effective enforcement ended once the current Administration took office. Between 1992 and 1998, for example, the number of gun cases filed for prosecution dropped from 7,048 to about 3,807—that's a 46 percent decrease. As a result, the number of federal criminal convictions for firearms offenses has fallen dramatically.

For six years, the Justice Department refused to prosecute those criminals who use a gun to commit state crimes—even though the use of a gun to commit those crimes could be charged as a federal crime. The only cases they would prosecute were those in which a federal crime was already being committed and a gun was used in the commission of that crime.

Even worse, to this very day, some federal gun laws are almost never enforced by this Administration. While Brady law background checks have stopped nearly 300,000 prohibited purchasers of firearms from buying guns, less than .1 percent have actually been prosecuted.

I have repeatedly questioned Attorney General Reno and her deputies about the decline in prosecutions, and their standard response is that the Department of Justice is focusing on so-called ''high-level'' offenders, instead of ''low-level'' offenders, who commit one crime with a gun. They say that they want to prosecute the few sharks at the top rather than the numerous guppies at the bottom of the criminal enterprise. With all due respect, that's nonsense.

Attorney General Reno recently said that she would aggressively prosecute armed criminals, but only if they commit a violent crime. Again, that type of law enforcement policy just doesn't make sense. Current law prohibits violent felons from possessing guns, and so we should aggressively prosecute these cases to take guns away from violent criminals—before they use those guns to injure and kill people. It's that simple.

Mr. President, we have often heard that six percent of the criminals commit 70 percent of the crimes—six percent of the criminals commit 70 percent of the crimes. Well, if you have a violent criminal who illegally possesses a gun, I can bet you that he is part of that six percent! He's one of the bad guys—and we should put him away before he has a chance to use that gun again.

Mr. President, we need to take all of these armed criminals off the streets. That is how we can reduce crime and save lives. Why wait for armed criminals to commit more and more heinous crimes before we prosecute them to the full extent of the law? Why wait, when we can do something before another Ohioan—or any American—becomes a victim of gun violence?

We shouldn't wait, Mr. President. That's why the House of Representatives recently passed legislation that would increase gun prosecutions. And that's why, along with a number of my colleagues, including Senators ABRAHAM, SANTORUM, WARNER, SESSIONS, HELMS, ASHCROFT, and HUTCHINSON from Arkansas, we have introduced the companion to the House-passed bill—a bill that offers the kind of practical solution we need to thwart gun crimes.

Our bill—called ''Project Exile: The Safe Streets and Neighbors Act of 2000''—would provide $100 million in grants over five years to those states that agree to enact their own mandatory minimum five-year jail sentences for armed criminals who use or possess an illegal gun. As an alternative, a state can also qualify for the grants by turning armed criminals over for federal prosecution under existing firearms laws. Therefore, a state has the option of prosecuting armed felons in state or federal courts. Qualifying states can use their grants for any variety of purposes that would strengthen their criminal or juvenile justice systems' ability to deal with violent criminals.

This approach works, Mr. President. In Virginia, for example, the state instituted a program in 1997, also called ''Project Exile.'' Their program is based on one simple principle: Any criminal caught with a gun will serve a minimum mandatory sentence of five years in prison. Period. End of story. As a result, gun-toting criminals are being prosecuted six times faster, and serving sentences up to four times longer than they otherwise would under state law. Moreover, the homicide rate in Richmond already has dropped 40 percent!

Every state should have the opportunity to implement Project Exile in their high-crime communities. The bill that we have introduced will make this proven, commonsense approach to reducing gun violence available to every state. It will take guns out of the hands of violent criminals. It will make our neighborhoods safer. It will save lives.

I urge my colleagues on both sides of the aisle to support and pass this legislation. It's time to protect our children, our families, and our country from armed and dangerous criminals. It's time to get guns out of the wrong hands. It's time we take back our neighborhoods and our communities from the criminals and take action to stop gun-toting criminals.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, July 11, 2000, the Federal debt stood at $5,665,065,032,353.04 (Five trillion, six hundred sixty-five billion, sixty-five million, thirty-two thousand, three hundred fifty-three dollars and four cents).

Five years ago, July 11, 1995, the Federal debt stood at $4,925,464,000,000 (Four trillion, nine hundred twenty-five billion, four hundred sixty-four million).

Ten years ago, July 11, 1990, the Federal debt stood at $3,149,532,000,000

(Three trillion, one hundred forty-nine billion, five hundred thirty-two million).

Fifteen years ago, July 11, 1985, the Federal debt stood at $1,793,175,000,000 (One trillion, seven hundred ninety-three billion, one hundred seventy-five million).

Twenty-five years ago, July 11, 1975, the Federal debt stood at $531,808,000,000 (Five hundred thirty-one billion, eight hundred eight million) which reflects a debt increase of more than $5 trillion—$5,133,257,032,353.04 (Five trillion, one hundred thirty-three billion, two hundred fifty-seven million, thirty-two thousand, three hundred fifty-three dollars and four cents) during the past 25 years.

ADDITIONAL STATEMENTS

200TH ANNIVERSARY OF THE TOWN OF JACKSON, NEW HAMPSHIRE

● Mr. GREGG. Mr. President, I ask my Senate colleagues to join me in commemorating the Town of Jackson, New Hampshire on the occasion of its Bicentennial and in appreciation of the contributions its citizens have made to our nation. Jackson is the only New Hampshire town celebrating its Bicentennial in the Year 2000.

Founded by settlers as New Madbury circa 1775 and incorporated on December 4, 1800, Jackson proudly traces its roots deep into the history of our state and nation. Originally named Adams, in honor of then President John Adams, Jackson selected its current name on July 4, 1829 to honor President Andrew Jackson. It is here, settled gently into the awe inspiring beauty of New Hampshire's Presidential Mountain Range, at the foot of Mount Washington, where Jackson, a quiet farming community with an abundance of open space and spectacular scenic views, evolved into a popular American resort destination for artists and summer vacationers.

The centuries have been bridged by generations of old and new Jackson families. Today, visitors come year round, joining local residents, to enjoy its pastoral vistas, timeless ridge lines, wild and scenic rivers, covered bridge, water falls, white steepled church, mountains, rolling farmland and outdoor recreation amidst the magnificence and splendor of New Hampshire's world famous White Mountain National Forest.

On the occasion of its 200th Birthday in the Year 2000 please join me to proudly salute and celebrate Jackson, New Hampshire, a classic American community with a unique character, spirit and old world charm which has enriched the State of New Hampshire and our Nation.●

MESSAGES FROM THE HOUSE

At 11:22 a.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 bills, in which it requests the concurrence of the Senate:

H.R. 894: An act to encourage States to incarcerate individuals convicted of murder, rape, or child molestation.

H.R. 3909: An act to designate the facility of the United States Postal Service located at 4691 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building.''

H.R. 4063: An act to establish the Rosie the Riveter-World War II Home Front National Historical Park in the State of California, and for other purposes.

H.R. 4391: An act to amend title 4 of the United States Code to establish sourcing requirements for State and local taxation of mobile telecommunications services.

H.R. 4442: An act to establish a commission to promote awareness of the National Wildlife Refuge System among the American public as the System celebrates its centennial anniversary in 2003, and for other purposes.

H.R. 4461: An act making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4528: An act to establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies at foreign institutions of higher education.

H.R. 4579: An act to provide for the exchange of certain lands within the State of Utah.

H.R. 4658: An act to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the ''J.L. Dawkins Post Office Building.''

H.R. 4681: An act to provide for the adjustment of status of certain Syrian nationals.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 253: Concurrent resolution expressing the sense of the Congress strongly objecting to any effort to expel the Holy See from the United Nations as a state participant by removing its status as a Permanent Observer.

H. Con. Res. 348: Concurrent resolution expressing condemnation of the use of children as soldiers and expressing the belief that the United States should support and, where possible, lead efforts to end this abuse of human rights.

At 4:50 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. 4810. An act to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001.

At 9:40 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the House disagreed to the amendment of the Senate 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, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. LEWIS of California, Mr. YOUNG of Florida, Mr. SKEEN, Mr. HOBSON, Mr. BONILLA, Mr. NETHERCUTT, Mr. ISTOOK, Mr. CUNNINGHAM, Mr. DICKEY, Mr. FRELINGHUYSEN, Mr. MURTHA, Mr. DICKS, Mr. SABO, Mr. DIXON, Mr. VISCLOSKY, Mr. MORAN of Virginia, and Mr. OBEY, as the managers of the conference on the part of the House.

The message also announced that the House has passed the following bill, without amendment:

S. 1892. An act to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture, and for other purposes.

MEASURES REFERRED

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

H.R. 3909. An act to designate the facility of the United States Postal Service located at 4601 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building''; to the Committee on Governmental Affairs.

H.R. 4063. An act to establish the Rosie the Riveter-World War II Home Front National Historical Park in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4391. An act to amend title 4 of the United States Code to establish sourcing requirements for State and local taxation of mobile telecommunication services.

H.R. 4442. An act to establish a commission to promote awareness of the National Wildlife Refuge System among the American public as the System celebrates its centennial anniversary in 2003, and for other purposes; to the Committee on Environment and Public Works.

H.R. 4528. An act to establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies at foreign institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4579. An act to provide for the exchange of certain lands within the State of Utah; to the Committee on Energy and Natural Resources.

H.R. 4658. An act to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the ''J.L. Dawkins Post Office Building''; to the Committee on Governmental Affairs.

H.R. 4681. An act to provide for the adjustment of status of certain Syrian nationals.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 348. Concurrent resolution expressing condemnation of the use of children as soldiers and expressing the belief that the United States should support and, where possible, lead efforts to end this abuse of human rights; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4461. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4810. An act to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001.

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 253. Concurrent resolution expressing the sense of the Congress strongly objecting to any effort to expel the Holy See from the United Nations as a state participant by removing its status as a Permanent Observer.

MEASURE READ THE FIRST TIME

The following bill was read the first time by unanimous consent:

H.R. 894. An act to encourage States to incarcerate individuals convicted of murder, rape, or child molestation.

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–9625. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report entitled ''National Water Quality Inventory for 1998''; to the Committee on Environment and Public Works.

EC–9626. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Elimination of the Requirement for Noncombustible Fire Barrier Penetration Seal Materials and Other Minor Changes'' (RIN 3150–AG22) received on June 21, 2000; to the Committee on Environment and Public Works.

EC–9627. A communication from the Director of the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: VSC–24 Revision'' received on June 23, 2000; to the Committee on Environment and Public Works.

EC–9628. A communication from the Director of the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: Standardized NUHOMS–24P and NUHOMS–52B Revision'' received on June 23, 2000; to the Committee on Environment and Public Works.

EC–9629. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report concerning the ready reserve status of the Hopper Dredge Wheeler; to the Committee on Environment and Public Works.

EC–9630. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report entitled ''Navigation Improvements Final Interim Feasibility and Environmental Assessment''; to the Committee on Environment and Public Works.

EC–9631. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report concerning a project for ecosystem and wetland restoration at the Hamilton Army Airfield; to the Committee on Environment and Public Works.

EC–9632. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report concerning a hurricane and storm damage reduction and ecosystem restoration project for Townsends Inlet to Cape May Inlet, New Jersey; to the Committee on Environment and Public Works.

EC–9633. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report concerning a project for hurricane and storm damage reduction for the communities of Bethany Beach and South Bethany, Sussex County, Delaware; to the Committee on Environment and Public Works.

EC–9634. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting the report on portability of Tricare Prime Benefits; to the Committee on Armed Services.

EC–9635. A communication from the Director of Defense Procurement, (OUSD (AT&L) DP (DAR)), Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Reporting Requirements Update'' (DFARS Case 2000–D001) received on June 21, 2000; to the Committee on Armed Services.

EC–9636. A communication from the Director of Defense Procurement, (OUSD (AT&L) DP (DAR)), Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Uncompensated Overtime Source Selection Factor'' (DFARS Case 2000–D013) received on June 21, 2000; to the Committee on Armed Services.

EC–9637. A communication from the Director of Defense Procurement, (OUSD (AT&L) DP (DAR)), Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Production Surveillance and Reporting'' (DFARS Case 99–D026) received on June 21, 2000; to the Committee on Armed Services.

EC–9638. A communication from the Under Secretary of the Navy, Department of Defense, transmitting a report relative to the Navy Marine Corps Intranet services; to the Committee on Armed Services.

EC–9639. A communication from the Secretary of Defense, transmitting, pursuant to law, the report of the Reserve Forces Policy Board for fiscal year 1999; to the Committee on Armed Services.

EC–9640. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the Military Health System; to the Committee on Armed Services.

EC–9641. A communication from the Assistant General counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''DOE Standard; Nuclear Explosive Safety Study Process'' (DOE–STD–3015–97) received on June 29, 2000; to the Committee on Armed Services.

EC–9642. A communication from the Secretary of Defense, transmitting, pursuant to law, the report relative to the demilitarization and disposal of conventional munitions, rockets, and explosives; to the Committee on Armed Services.

EC–9643. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Sunscreen Drug Products for Over-the-Counter Human Use; Final Monograph; Extension of Effective Date; Reopening of Administrative Record'' (RIN 78N–0038) received on June 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9644. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Prescription Drug Marketing Act of 1987; Prescription Drug Amendments of 1992; Policies, Requirements, and Administrative Procedures; Delay of Effective Date; Reopening of Administrative Record'' (RIN 0905–AC81) received on June 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9645. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adhesives and Components of Coatings; Technical Amendment'' (RIN 92F–0043) received on June 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9646. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''General Hospital and Personal use Devices; Classification of the Subcutaneous, Implanted, Intravascular Infusion Port and Catheter and the Percutaneous, Implanted, Long-term Intravascular Catheter'' (RIN 99N–2099) received on June 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9647. A communication from the Assistant General Counsel for Regulations, Office of Student Financial Assistance, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Student Assistance General Provisions, Federal Family Educational Loan Program, William D. Ford Federal Direct Loan Program, and State Student Incentive Grant Program'' received on June 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9648. A communication from the Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Native Hawaiian Curriculum Development, Teacher Training and Recruitment Training'' received on June 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9649. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the report on the Railroad Unemployment Insurance System for the calendar year 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9650. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law the report entitled ''Twenty-First Actuarial Valuation of the Assets and Liabilities Under the Railroad Retirement Acts as of December 31, 1998''; to the Committee on Health, Education, Labor, and Pensions.

EC–9651. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Ophthalmic Drug Products for Over-the-Counter Human Use; Amendment to Final Monograph'' (RIN 0910–AA01) received on June 29, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9652. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Over-the-Counter Human Drugs; Labeling Requirements; Partial Extension of Compliance Dates'' (RIN 0910–AA79) received on June 29, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9653. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers: Technical Amendment'' (RIN 99F–1421) received on June 29, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9654. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Anesthesiology Devices; Classification of Devices to Relieve Upper Airway Obstruction'' (RIN 00P–1117) received on June 29, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9655. A communication from the Administrator of the Office of Workforce Security, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Unemployment Insurance Program Letters 34–97 and 25–00'' received on June 29, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9656. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled ''Assets for Independence Act Amendments of 2000''; to the Committee on Health, Education, Labor, and Pensions.

EC–9657. A communication from the Assistant General Counsel for Regulatory Services, Office of Management, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations—Family Educational Rights and Privacy'' received on July 5, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9658. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Paper and Paperboard Components'' (RIN 94F–0185 and 95F–0111) received on July 10, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9659. A communication from the Program Manager, Bureau of Alcohol, Tobacco and Firearms, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition'' (RIN 1512–AC02) received on June 20, 2000; to the Committee on Finance.

EC–9660. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidelines for the Imposition and Mitigation of Penalties for Violation of 19 U.S.C. 1592'' (RIN 1515–AC08) received on June 20, 2000; to the Committee on Finance.

EC–9661. A communication from the President of the United States, transmitting, pursuant to law, a notification relative to the International Trade Commission; to the Committee on Finance.

EC–9662. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Rev. Proc. 99–18 (Sections 1001 and 1275)'' (Revenue Procedure 2000–29) received on June 23, 2000; to the Committee on Finance.

EC–9663. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 2000–31) received on June 26, 2000; to the Committee on Finance.

EC–9664. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–35: Effect of Reorganization of the Office of Chief Counsel on Letter Ruling and Technical Advice Programs'' (OGI–111483–00) received on June 26, 2000; to the Committee on Finance.

EC–9665. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Proc. 2000–30 Bank Premiums'' (Rev. Rul 2000–30) received on June 26, 2000; to the Committee on Finance.

EC–9666. A communication from the Social Security Administration Regulations Officer, transmitting, pursuant to law, the report of a rule entitled ''Denial of Supplemental Security Income (SSI) Benefits for Fugitive Felons and Probation and Parole Violators'' (RIN 0960–AE77) received on June 27, 2000; to the Committee on Finance.

EC–9667. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''April–June 2000 Bond Factor Amounts'' (Revenue Ruling 2000–31) received on June 27, 2000; to the Committee on Finance.

EC–9668. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Rul. 2000–34 BLS–LIFO Department Store Indexes—May 2000'' (Rev. Rul 2000–34) received on June 29, 2000; to the Committee on Finance.

EC–9669. A communication from Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Regarding Claims for Certain Income Tax Convention Benefits'' (RIN 1545–AV10(TD8889)) received on June 30, 2000; to the Committee on Finance.

EC–9670. A communication from the President of the United States, transmitting, pursuant to law, a report concerning emigration laws and policies of Armenia, Azerbaijan, Georgia, Kazakhstan, Moldova, The Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan; to the Committee on Finance.

EC–9671. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD: Definition of Grantor'' (RIN 1545–AX25 TD8890) received on July 5, 2000; to the Committee on Finance.

EC–9672. A communication from the Chief of the Regulations Branch, Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Country of Origin Marking Rules for Textiles and Textile Products Advanced in Value, Improved in Condition, Or Assembled Abroad'' (T.D. 00–44) received on July 6, 2000; to the Committee on Finance.

EC–9673. A communication from the President of the United States, transmitting, pursuant to law, a proclamation to amend the Generalized System of Preferences concerning Belarus; to the Committee on Finance.

EC–9674. A communication from the Regulations Officer of the Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Determining Disability and Blindness; Substantial Gainful Activity Guides; Final Rules'' (RIN 0960–AB73; 55A–147F) received on July 10, 2000.

EC–9675. A communication from the Regulations Officer of the Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Administrative Procedure for Imposing Penalties for False or Misleading Statements'' (RIN 0960–AF20) received on July 10, 2000.

EC–9676. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Targeted Jobs Tax Credit Settlement Announcement'' (Announcement 2000–58) received on July 10, 2000; to the Committee on Finance.

EC–9677. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''IRA income calculation'' (Notice 2000–39) received on July 10, 2000; to the Committee on Finance.

EC–9678. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska, Subpart C and D –2000–2001 Subsistence Taking of Fish and Wildlife Regulations'' (RIN 1018–AF74) received on June 21, 2000; to the Committee on Energy and Natural Resources.

EC–9679. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Supplementary Guidance and Design Experience for the Fusion Safety Standards DOE–STD–6002–96 and DOE–STD–6003–96'' (DOE–HDBK–6004–99) received on June 21, 2000; to the Committee on Energy and Natural Resources.

EC–9680. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Writer's Guide for Technical Procedures'' (DOE–STD–1029–92, Change Notice No. 1) received on June 21, 2000; to the Committee on Energy and Natural Resources.

EC–9681. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''DOE Handbook; Radiological Worker Training'' (DOE–HDBK–1130–98) received on June 21, 2000; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–549. A petition from a Member of the U.S. House of Representatives relative to the Environmental Protection Agency and the proposed cleanup plan for the Stauffer Superfund site in Tarpon Springs, Florida; to the Committee on Environment and Public Works.

POM–550. A petition from the U.S. Senators from the State of New York relative to the Environmental Protection Agency and ocean disposal criteria; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 2386: A bill to extend the Stamp Out Breast Cancer Act (Rept. No. 106–338).

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1911: A bill to conserve Atlantic highly migratory species of fish, and for other purposes (Rept. No. 106–339).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 1998: A bill to establish the Yuma Crossing National Heritage Area (Rept. No. 106–340).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2247: A bill to establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes (Rept. No. 106–341).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 940: A bill to establish the Lackawanna Heritage Valley American Heritage Area (Rept. No. 106–342).

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 2787: A bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

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. ROBB:

S. 2850. A bill to reduce illegal drug-related crimes in our Nation's communities by providing additional Federal funds to develop and implement community policing and prosecutorial initiatives that address problems associated with the production, manufacture, distribution, importation, and use of illegal drugs; to the Committee on the Judiciary.

By Mr. CLELAND (for himself and Mr. JEFFORDS):

S. 2851. A bill to require certain information from the President before certain deployments of the Armed Forces, and for other purposes; to the Committee on Foreign Relations.

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

S. 2852. A bill to provide for the adjustment of status of certain Syrian nationals; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 2853. A bill to amend the Internal Revenue Code of 1986 to allow distributions to be made from certain pension plans before the participant is served from employment; to the Committee on Finance.

By Mr. ALLARD:

S. 2854. A bill to suspend temporarily the duty on Fructooligosaccharides (FOS); to the Committee on Finance.

By Mr. TORRICELLI:

S. 2855. A bill to amend the Public Health Service Act to provide for the establishment of a national program of autism registries; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELMS:

S. 1856. A bill to provide for the establishment of a new international television service under the Broadcasting Board of Governors to replace Worldnet and BOA–TV to ensure that international television broadcasts of the United States Government effectively represent the United States and its policies; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. TORRICELLI, and Mr. KOHL):

S. 2857. A bill to amend title 11, United States Code, to exclude personally identifiable information from the assets of a debtor in bankruptcy; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ABRAHAM (for himself and Mrs. LINCOLN):

S. Con. Res. 130. Concurrent resolution establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBB:

S. 2850. A bill to reduce illegal drug-related crimes in our Nation's communities by providing additional Federal funds to develop and implement community policing and prosecutorial initiatives that address problems associated with the production, manufacture, distribution, importation, and use of illegal drugs; to the Committee on the Judiciary.

THE COMMUNITY ORIENTED POLICING SERVICES AGAINST DRUGS ACT

Mr. ROBB. Mr. President, I have visited the Carver Neighborhood of Richmond in my state. This neighborhood is a low-income community that thanks to collaborative efforts among the community, city, and federal government, has seen a tremendous decrease in crime, helping to spur a major community revitalization.

We've seen this trend more and more in cities and communities across America. Much has been accomplished in our efforts to revitalize our communities—but more needs to be done. We should build on our past successes and focus our resources on keeping our children safe and our neighborhoods free of fear. We should take what we know works and apply it in our fight against illegal drugs.

It is in this spirit, Mr. President, that I rise to introduce the Community Oriented Policing Services Against Drugs Act. As part of our continuing battle against the proliferation of drugs in our nation's communities, my bill seeks to provide $500 million over five years in federal funds from the COPS Program to state and local law enforcement authorities across the country to eliminate or reduce drug crime in America. We know the COPS Program works, and I'm proud to have expanded it to provide our schools with more than 2,600 police officers to combat school violence.

Specifically, this new program will provide federal funds to hire 1,950 more police officers to enhance existing community policing initiatives throughout approximately 65 cities across the country. Newly hired police officers will be charged with developing and implementing community policing initiatives to combat the production, manufacture, distribution, importation, or use of illegal drugs in our communities.

There are dozens of cities across the country, such as Richmond, Norfolk, and Williamsburg in my state, that are committed to providing a safe environment for citizens to live, work and raise a family but need additional resources to help eliminate drug trafficking and drug-related crime, including violent crime. This legislation will build upon the successful COPS Program and focus an aspect of its community policing initiatives against the scourge of illegal drugs in our neighborhoods.

Mr. President, I ask unanimous consent that this legislation be printed in the RECORD.

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

S. 2850

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 ''Community Oriented Policing Services Against Drugs Act''.

SEC. 2. COMMUNITY ORIENTED POLICING SERVICES AGAINST DRUGS.

Part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) is amended by adding at the end the following:

''SEC. 1710. COMMUNITY ORIENTED POLICING SERVICES AGAINST DRUGS.

''(a) ELIGIBLE COMMUNITY DEFINED.—In this section, the term ''eligible community'' means communities identified by the Attorney General under subsection (c).

''(b) AWARD OF GRANTS.—The Attorney General may award grants in accordance with this part—

''(1) to local law enforcement agencies located in eligible communities, which shall be used for programs, projects, and activities—

''(A) to hire additional community policing officers and civilian personnel to aggressively investigate drug-related crimes; and

''(B) to pay overtime to existing law enforcement officers, to the extent such overtime is devoted to community policing efforts with respect to drug-related crimes; and

''(2) to State and local prosecutors' offices located in eligible communities and to prosecution programs in eligible communities that augment community policing programs, which shall be used to assist in the aggressive prosecution of drug-related crimes.

''(c) IDENTIFICATION OF ELIGIBLE COMMUNITIES.—

''(1) IN GENERAL.—The Attorney General shall identify eligible communities for purposes of subsection (a)(4), based on—

''(A) the extent to which the community is a center of illegal drug production, manufacturing, importation, distribution, or use;

''(B) the extent to which State and local law enforcement and prosecutorial authorities have committed resources to the illegal

drug problem in the community, thereby indicating a need for additional Federal resources to combat issues related to the prevalence of illegal drugs;

''(C) the extent to which illegal drug-related activities in the community have an adverse impact on other communities in the Nation; and

''(D) the extent to which additional Federal resources would assist, eliminate, or reduce illegal drug-related activities in the community.

''(2) USE OF CERTAIN DATA.—In carrying out paragraph (1), the Attorney General shall utilize information from national data sources (including the Uniform Crime Reports of the Federal Bureau of Investigation and the Arrestee Drug Abuse Monitoring (ADAM) program of the National Institute of Justice), including data relating to—

''(A) the number of arrests for drug possession or drug sale in the community;

''(B) the number of arrests for drug-related crime in the community; and

''(C) the number of arrestees testing positive for illegal drug use in the community.

''(d) SMALL COMMUNITY PREFERENCE.—In awarding grants under this section, the Attorney General may set aside 20 percent of award grants to applicants located in eligible communities with a population of less than 35,000.

''(e) FUNDING.—Notwithstanding any other provision of this title, of the amount made available to carry out this part, a total of $500,000,000 shall be used to carry out this section for fiscal years 2001 through 2005.''.

By Mr. GRASSLEY:

S. 2853. A bill to amend the Internal Revenue Code of 1986 to allow distributions to be made from certain pension plans before the participant is severed from employment; to the Committee on Finance.

PHASED RETIREMENT PROGRAMS FACILITATED

● Mr. GRASSLEY. Mr. President, today I am introducing a bill to amend the Internal Revenue Code. My bill will facilitate phased retirement programs. In April I held a hearing in the Special Committee on Aging. The subject of the hearing was employment of older workers. Several experts told us what could be done to encourage older individuals to remain in the labor market. In today's tight labor markets, older workers are in great demand. Employers have numerous strategies to attract and retain them—one of those is phased retirement.

At our hearing, several witnesses testified that statutory changes to permit phased retirement programs would be helpful. One of those witnesses was Ms. September Dau from the Iowa Lakes Rural Electric Cooperative in Estherville, Iowa. Ms. Dau noted that the average age of the workforce at her Rural Electric Cooperative is high. Skilled workers are hard to come by and Iowa Lakes has implemented a phased retirement program in order to retain older workers. But they would like the comfort of knowing that their program is sanctioned.

Phased retirement allows a worker to wind down his or her career, by working part-time and retiring part-time. It helps many people maintain their income level rather than quitting work all at once. Financially, it can allow an individual to postpone the time when he or she has to draw down retirement savings. A study performed by Watson Wyatt Worldwide concluded that 16 percent of larger companies already offer phased retirement in some form and another 28 percent show a moderate to high level of interest in offering it in the next two years. But plan sponsors have worries about running afoul of the ''in-service distribution'' rules. Tax rules bar employees from receiving pension distributions before they reach a pension's normal retirement age, which is usually pegged to Social Security. That rule makes it difficult for those who wish to retire gradually and use reduced pension payments to augment reduced pay. It also helps circumvent the ''do-it-yourself'' phased retirement that some workers are forced into where they retire one day from their long-term employer and go to work the next day for someone else. This bill is designed to overcome those problems. At the same time, this provision is completely voluntary and so will not burden plan sponsors.

As I said, we heard from witnesses who supported phased retirement programs. I mentioned September Dau from the Iowa Lakes Rural Electric Cooperative. But another one was our friend and colleague, Congressman EARL POMEROY of North Dakota. Congressman POMEROY told the Committee that phased retirement programs should be allowed as a way of increasing the attractiveness of defined benefit pension plans. Phased retirement programs could also make defined benefit plans more adaptable to the human resource needs of plan sponsors. This is important to Congressman POMEROY because he is introducing a phased retirement bill that is identical to mine.

Defined benefit plans provide a stream of payments to retirees. They can go a long way to supplementing Social Security. But defined benefit plans are on the decline, especially among small businesses, whose employees are the least likely group to be covered by any form of retirement plan. We know that life expectancy is increasing. We also know that Americans are not saving enough to maintain their standard of living in retirement. By making defined benefit plans more attractive to employers and workers—such as by facilitating phased retirement—we are helping to improve the lives of everyday American people.

I hope that this bill is one step in that direction.

I ask unanimous consent that a copy 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. 2853

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

SECTION 1. CERTAIN PENSION DISTRIBUTIONS ALLOWED BEFORE SEVERANCE FROM EMPLOYMENT.

(a) IN GENERAL.—Section 401(a) of the Internal Revenue Code of 1986 (relating to qualified pension, profit-sharing, and stock bonus plans) is amended by inserting after paragraph (34) the following new paragraph:

''(35) DISTRIBUTION PRIOR TO SEVERANCE FROM EMPLOYMENT.—A trust forming part of a defined benefit plan (or a defined contribution plan which is subject to the funding standards of section 412) shall not constitute a qualified trust under this section if the plan provides a distribution to a participant who has not been severed from employment and the distribution is made before the earliest of the following with respect to the participant:

''(A) Normal retirement age (as defined in section 411(a)(8)).

''(B) Attainment of age 59½.

''(C) The date the participant completes 30 years of service.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2000.●

By Mr. LEAHY (for himself, Mr. TORRICELLI, and Mr. KOHL):

S. 2857. A bill to amend title 11, United States Code, to exclude personally identifiable information from the assets of a debtor in bankruptcy; to the Committee on the Judiciary.

PRIVACY POLICY ENFORCEMENT IN BANKRUPTCY ACT

Mr. LEAHY. Mr. President, today I am introducing legislation, with my friend from New Jersey, Senator TORRICELLI, to protect the personal privacy of consumers whose information is held by firms filing for bankruptcy protection.

The Privacy Policy Enforcement in Bankruptcy Act would prohibit the sale of personally identifiable information held by a failed business if the sale or disclosure of the personal information would violate the privacy policy of the debtor in effect when the personal information was collected. Personally identifiable information, under our legislation, includes name, address, e-mail address, telephone number, Social Security number, credit card number, date of birth and any other identifier that permits the physical or online contacting of a specific individual.

This legislation is needed because the customer databases of failed Internet firms now can be sold during bankruptcy, even in violation of the firm's stated privacy policy. That is wrong.

Toysmart.com, for example, an online toy store, recently filed for bankruptcy and its databases and customer lists were put up for sale as part of the liquidation of the firm's assets. This personal customer information was put on the auction block even though Toysmart.com promised otherwise on its web page.

Toysmart.com's web site states that ''personal information voluntarily submitted by visitors to our site, such as name, address, billing information and shopping preferences, is never shared with a third party.'' Toysmart.com's privacy statement continues: ''When you register with toysmart.com, you can rest assured that your information will never be shared with a third party.''

But on June 8, 2000, one day before filing for bankruptcy, Toysmart.com advertised in the Wall Street Journal

to sell its customer lists and databases. That was a clear violation of Toysmart.com's web site privacy policy. The Federal Trade Commission has filed suit against Toysmart.com for this violation and I commend the FTC for its action.

Yesterday, the Walt Disney Company, the parent company of Toysmart.com, announced that it would try to purchase Toysmart.com's customer information from the bankruptcy court. I applaud Disney for taking this step. There is no guarantee, however, that Disney will be the top bidder for this information and other corporate parents may not be as responsible if one of their subsidiaries fails. Indeed, two other failed web businesses, Boo.com and Craftshop.com, have reportedly sought buyers for its personal customer data.

That is why this Congress should pass the Privacy Policy Enforcement in Bankruptcy Act this year. Consumers deserve this privacy protection.

Mr. President, it is wrong to use our nation's bankruptcy laws as an excuse to violate a customer's personal privacy. Customers have a right to expect an online firm to adhere to its privacy policies whether it is making a profit or has filed for bankruptcy.

I commend Senator TORRICELLI for joining with me to introduce the Privacy Policy Enforcement in Bankruptcy Act. Our legislation will close this loophole in the Bankruptcy Code and ensure that online and offline firms keep their promises to protect the personal privacy of their customers.

I urge my colleagues to support this basic privacy protection legislation.

ADDITIONAL COSPONSORS

S. 682

At the request of Mr. HELMS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 682, a bill to implement the Hague Convention on Protection of Children and Co-operation in Respect of Intercounty Adoption, and for other purposes.

S. 954

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 954, a bill to amend title 18, United States Code, to protect citizens' rights under the Second Amendment to obtain firearms for legal use, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1473

At the request of Mr. ROBB, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

S. 1732

At the request of Mr. BREAUX, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1732, a bill to amend the Internal Revenue Code of 1986 to prohibit certain allocations of S corporation stock held by an employee stock ownership plan.

S. 1755

At the request of Mr. BROWNBACK, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1755, a bill to amend the Communications Act of 1934 to regulate interstate commerce in the use of mobile telephones.

S. 1806

At the request of Mr. BINGAMAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1806, a bill to authorize the payment of a gratuity to certain members of the Armed Forces who served at Bataan and Corregidor during World War II, or the surviving spouses of such members, and for other purposes.

S. 1991

At the request of Mr. THOMPSON, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1991, a bill to amend the Federal Election Campaign Act of 1971 to enhance criminal penalties for election law violations, to clarify current provisions of law regarding donations from foreign nationals, and for other purposes.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2217

At the request of Mr. CAMPBELL, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Delaware (Mr. BIDEN), the Senator from Rhode Island (Mr. L. CHAFEE), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from Wyoming (Mr. ENZI), the Senator from Tennessee (Mr. FRIST), the Senator from Texas (Mr. GRAMM), the Senator from Nebraska (Mr. HAGEL), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oklahoma (Mr. NICKLES), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SHELBY), the Senator from Colorado (Mr. ALLARD), the Senator from Kansas (Mr. BROWNBACK), the Senator from Georgia (Mr. CLELAND), the Senator from North Dakota (Mr. CONRAD), the Senator from South Dakota (Mr. DASCHLE), the Senator from North Dakota (Mr. DORGAN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Washington (Mr. GORTON), the Senator from Minnesota (Mr. GRAMS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Nebraska (Mr. KERREY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Florida (Mr. MACK), the Senator from Nevada (Mr. REID), the Senator from Alabama (Mr. SESSIONS), the Senator from Virginia (Mr. WARNER), the Senator from Arizona (Mr. MCCAIN), the Senator from Idaho (Mr. CRAIG), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 2217, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors 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. 2293

At the request of Mr. SANTORUM, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

S. 2394

At the request of Mr. MOYNIHAN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2394, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

S. 2408

At the request of Mr. BINGAMAN, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. TORRICELLI), the Senator from North Dakota (Mr. CONRAD), the Senator from Rhode Island (Mr. REED), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. SCHUMER), the Senator from Oregon (Mr. WYDEN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 2408, a bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation.

S. 2505

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2505, a bill to amend title XVIII of the Social Security Act to provide increased assess to health care for medical beneficiaries through telemedicine.

S. 2608

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 2608, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers.

S. 2615

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2615, a bill to establish a program to promote child literacy by making books available through early learning and other child care programs, and for other purposes.

S. 2643

At the request of Mr. STEVENS, the names of the Senator from Missouri (Mr. BOND), the Senator from New Mexico (Mr. DOMENICI), the Senator from California (Mrs. FEINSTEIN), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mr. GORTON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 2643, a bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control.

S. 2644

At the request of Mr. GORTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2644, a bill to amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologicals.

S. 2700

At the request of Mr. L. CHAFEE, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Colorado (Mr. CAMPBELL), the Senator from Indiana (Mr. LUGAR), the Senator from Rhode Island (Mr. REED), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2700, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

S. 2707

At the request of Mr. CRAPO, the names of the Senator from Alaska (Mr. MURKOWSKI) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2707, a bill to help ensure general aviation aircraft access to Federal land and the airspace over that land.

S. 2725

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2725, a bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

S. 2726

At the request of Mr. HELMS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2726, a bill to protect United States military personnel and other elected and appointed officials of the United States Government against criminal prosecution by an international criminal court to which the United States is not a party.

S. 2735

At the request of Mr. KOHL, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2735, a bill to promote access to health care services in rural areas.

S. 2787

At the request of Mr. BIDEN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2787, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 2823

At the request of Mr. GRAHAM, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 2823, a bill to amend the Andean Trade Preference Act to grant certain benefits with respect to textile and apparel, and for other purposes.

S. 2828

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 2828, a bill to amend title XVIII of the Social Security Act to require that the Secretary of Health and Human Services wage adjust the actual, rather than the estimated, proportion of a hospital's costs that are attributable to wages and wage-related costs.

S. 2841

At the request of Mr. ROBB, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2841, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. CON. RES. 123

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. Con. Res. 123, a concurrent resolution expressing the sense of the Congress regarding manipulation of the mass and intimidation of the independent press in the Russian Federation, expressing support for freedom of speech and the independent media in the Russian Federation, and calling on the President of the United States to express his strong concern for freedom of speech and the independent media in the Russian Federation.

S.J. RES. 48

At the request of Mr. SANTORUM, his name was added as a cosponsor of S.J. Res. 48, a joint resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

S. RES. 294

At the request of Mr. ABRAHAM, the names of the Senator from Minnesota (Mr. GRAMS), the Senator from Alaska (Mr. STEVENS), and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. Res. 294, a resolution designating the month of October 2000 as ''Children's Internet Safety Month''.

S. RES. 304

At the request of Mr. BIDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 304, a resolution expressing the sense of the Senate regarding the development of educational programs on veterans' contributions to the country and the designation of the week that includes Veterans Day as ''National Veterans Awareness Week'' for the presentation of such educational programs.

AMENDMENT NO. 3185

At the request of Mr. BENNETT, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of amendment No. 3185 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. THOMPSON, his name was withdrawn as a cosponsor of amendment No. 3185 proposed to S. 2549, supra.

AMENDMENT NO. 3732

At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from California (Mrs. BOXER), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of Amendment No. 3732 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 3753

At the request of Mr. DODD, the name of the Senator from West Virginia (Mr.

ROCKEFELLER) was added as a cosponsor of amendment No. 3753 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 3790

At the request of Mr. BRYAN, his name was added as a cosponsor of amendment No. 3790 proposed to H.R. 4578, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

At the request of Mr. SESSIONS, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of amendment No. 3790 proposed to H.R. 4578, supra.

At the request of Mr. BAYH, his name was added as a cosponsor of amendment No. 3790 proposed to H.R. 4578, supra.

AMENDMENT NO. 3795

At the request of Mr. CRAIG, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Colorado (Mr. CAMPBELL) were added as cosponsors of amendment No. 3795 proposed to H.R. 4578, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

CONCURRENT RESOLUTION 130—ESTABLISHING A SPECIAL TASK FORCE TO RECOMMEND AN APPROPRIATE RECOGNITION FOR THE SLAVE LABORERS WHO WORKED ON THE CONSTRUCTION OF THE UNITED STATES CAPITOL

Mr. ABRAHAM (for himself and Mrs. LINCOLN) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 130

Whereas the United States Capitol stands as a symbol of democracy, equality, and freedom to the entire world;

Whereas the year 2000 marks the 200th anniversary of the opening of this historic structure for the first session of Congress to be held in the new Capital City;

Whereas slavery was not prohibited throughout the United States until the ratification of the 13th amendment to the Constitution in 1865;

Whereas previous to that date, African American slave labor was both legal and common in the District of Columbia and the adjoining States of Maryland and Virginia;

Whereas public records attest to the fact that African American slave labor was used in the construction of the United States Capitol;

Whereas public records further attest to the fact that the five-dollar-per-month payment for that African American slave labor was made directly to slave owners and not to the laborer; and

Whereas African Americans made significant contributions and fought bravely for freedom during the American Revolutionary War: Now, therefore, be it

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

(1) the Speaker of the House of Representatives and the President pro tempore of the Senate shall establish a special task force to study the history and contributions of these slave laborers in the construction of the United States Capitol; and

(2) such special task force shall recommend to the Speaker of the House of Representatives and the President pro tempore of the Senate an appropriate recognition for these slave laborers which could be displayed in a prominent location in the United States Capitol.

AMENDMENTS SUBMITTED

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

HATCH AMENDMENT NO. 3796

(Ordered to lie on the table.)

Mr. HATCH submitted an amendment intended to be proposed by him to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title X, add the following:

SEC. . EFFECTS OF WORLDWIDE CONTINGENCY OPERATIONS ON READINESS OF CERTAIN MILITARY AIRCRAFT.

(a) REQUIREMENT FOR REPORT.—The Secretary of Defense shall submit to Congress, not later than 180 days after the date of the enactment of this Act, a report on the effects of worldwide contingency operations of the Navy, Marine Corps, and Air Force on the readiness of aircraft of those Armed Forces. The report shall contain the Secretary's assessment of the effects of those operations on the capability of the Department of Defense to maintain a high level of equipment readiness and to manage a high operating tempo for the aircraft.

(b) EFFECTS CONSIDERED.—The assessment contained in the report shall address the following effects:

(1) The effects of the contingency operations carried out during fiscal years 1995 through 2000 on the aircraft of each of the Navy, Marine Corps, and Air Force in each category of aircraft, as follows:

(A) Combat tactical aircraft.

(B) Strategic aircraft.

(C) Combat support aircraft.

(D) Combat service support aircraft.

(2) The types of adverse effects on the aircraft of each of the Navy, Marine Corps, and Air Force in each category of aircraft specified in paragraph (1) resulting from contingency operations, as follows:

(A) Patrolling in no-fly zones—

(i) over Iraq in Operation Northern Watch;

(ii) over Iraq in Operation Southern Watch; and

(iii) over the Balkans in Operation Allied Force.

(B) Air operations in the NATO air war against Serbia in Operation Sky Anvil, Operation Noble Anvil, and Operation Allied Force.

(C) Air operations in Operation Shining Hope in Kosovo.

(D) All other activities within the general context of worldwide contingency operations.

(3) Any other effects that the Secretary considers appropriate in carrying out subsection (a).

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

THOMAS (AND OTHERS) AMENDMENT NO. 3797

(Ordered to lie on the table.)

Mr. THOMAS (for himself, Mr. HATCH, and Mr. BURNS) submitted an amendment intended to be proposed by them to 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; as follows:

On page 115, line 19, strike the number ''145,000,000'' and insert in lieu thereof the number ''155,000,000'';

On page 112, line 20, strike the number ''693,133,000'' and insert in lieu therof ''685,133,000''; and

On page 113, line 14, strike the number ''693,133,000'' and insert in lieu thereof ''685,133,000''; and

On page 130, line 4, strike the number ''847,596,000'' and insert in lieu thereof ''841,596,000.

REED AMENDMENTS NOS. 3798–3799

(Ordered to lie on the table.)

Mr. REED submitted two amendments intended to be proposed by him to the bill H.R. 4578, supra; as follows:

AMENDMENT NO. 3798

On page 182, beginning on line 9, strike ''$761,937,000'' and all that follows through ''$138,000,000'' on line 17 and insert ''$769,937,000, to remain available until expended, of which $2,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account and $8,000,000 shall be derived by transfer of a proportionate amount from each other account for which this Act makes funds available for travel, supplies, and printing expenses: *Provided,* That $172,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Provided further,* That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $146,000,000''.

AMENDMENT NO. 3799

On page 200, line 24, strike ''$105,000,000'' and insert ''$108,000,000''.

On page 225, between lines 11 and 12, insert the following:

SEC. 3 . (a) The total discretionary amount made available by this Act is reduced by $3,000,000: *Provided,* That the reduction pursuant to this subsection shall be made by reducing by a uniform percentage the amount made available for travel, supplies, and printing expenses to the agencies funded by this Act.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing, by account, of the amounts of the reductions made pursuant to subsection (a).

THOMAS (AND OTHERS) AMENDMENT NO. 3800

(Ordered to lie on the table.)

Mr. THOMAS (for himself, Mr. CRAIG, Mr. GRAMS, Mr. CRAPO, and Mr. ENZI) submitted an amendment intended to be proposed by them to the bill, H.R. 4578, supra; as follows:

On page 125, line 25 strike ''$58,209,000'' through page 126, line 2 and insert in lieu thereof ''$57,809,000, of which $2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

''SEC. . MANAGEMENT STUDY OF CONFLICTING USES.

''(a) SNOW MACHINE STUDY.—Of funds made available to the Secretary of the Interior for the operation of National Recreation and Preservation Programs of the National Park Service $400,000 shall be available to conduct a study to determine how the National Park Service can:

''(1) minimize the potential impact of snow machines and properly manage competing recreation activities in the National Park System, and

''(2) properly manage competing recreational activities in units of the National Park System.

''(b) LIMITATION ON FUNDS PENDING STUDY COMPLETION.—No funds appropriated under this Act may be expended to prohibit, ban or reduce the number of snow machines from units of the National Park System that allowed the use of snow machines during any one of the last three winter seasons until the study referred to in subsection (a) is completed and submitted to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.''.

BYRD AMENDMENT No. 3801

Mr. GORTON (for Mr. BYRD) proposed an amendment to the bill, H.R. 4578, supra; and follows:

At the end of Title III of the bill insert the following

''SEC. . From funds previously appropriated under the heading 'Department of Energy, Fossil Energy Research and Development,' $4,000,000 is immediately available from unobligated balances for computational services at the National Energy Technology Laboratory.''

GORTON AMENDMENT NO. 3802

Mr. GORTON proposed an amendment to the bill, H.R. 4578; supra; as follows:

On page 127, line 11, strike $10,000,000 and insert ''$12,000,000''.

GRAMS (AND WELLSTONE) AMEMDMENT NO. 3803

Mr. GORTON (for Mr. GRAMS (for himself and Mr. WELLSTONE)) proposed an amendment to the bill, H.R. 4578, supra; as follows:

On page 126, line 16, strike ''$207,079,000,'' and insert ''$202,950,000, of which not more than $511,000 shall be used for the preconstruction, engineering, and design of a heritage center for the Grand Portage National Monument in Minnesota,''.

On page 165, line 25, strike ''$618,500,000,'' and inserting ''$622,629,000, of which at least $6,947,000 shall be used for hazardous fuels reduction activities and expenses resulting from windstorm damage in the Superior National Forest in Minnesota, $3,000,000 of which shall not be available until September 30, 2001.

THOMAS (AND OTHERS) AMENDMENT NO. 3804

Mr. THOMAS (for himself, Mr. HATCH, Mr. BURNS, Mr. GRAMS, and Mr. DEWINE) proposed an amendment to the bill, H.R. 4578, supra; as follows:

On page 112, line 20, strike ''$693,133,000'' and insert ''$689,133,000 of which not to exceed $125,900,000 shall be for workforce and organizational support and $16,586,000 shall be for Land and Resource Information Systems''.

On page 113, line 14, strike ''$693,133,000'' and insert ''$689,133,000''.

On page 115, line 19, strike ''$145,000,000'' and insert ''$148,000,000''.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

STEVENS (AND WARNER) AMENDMENT NO. 3805

(Ordered to lie on the table.)

Mr. STEVENS (for himself and Mr. WARNER) submitted an amendment intended to be proposed by them to amendment No. 3758 previously submitted by Mr. KERRY to the bill, S. 2549, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 342. PAYMENT OF FINES AND PENALTIES FOR ENVIRONMENTAL COMPLIANCE VIOLATIONS.

(a) PAYMENT OF FINES AND PENALTIES.—(1) Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2710. Environmental compliance: payment of fines and penalties for violations

''(a) IN GENERAL.—The Secretary of Defense or the Secretary of a military department may not pay a fine or penalty for an environmental compliance violation that is imposed by a Federal agency against the Department of Defense or such military department, as the case may be, unless the payment of the fine or penalty is specifically authorized by law, if—

''(1) the amount of the fine or penalty (including any supplemental environmental projects carried out as part of such penalty) is $1,500,000 or more; or

''(2) the fine or penalty is based on the application of economic benefit criteria or size-of-business criteria.

''(b) DEFINITIONS.—In this section:

''(1)(A) Except as provided in subparagraph (B), the term 'environmental compliance', in the case of on-going operations, functions, or activities at a Department of Defense facility, means the activities necessary to ensure that such operations, functions, or activities meet requirements under applicable environmental law.

''(B) The term does not include operations, functions, or activities relating to environmental restoration under this chapter that are conducted using funds in an environmental restoration account under section 2703(a) of this title.

''(2) The term 'economic benefit criteria', in the case of the imposition of a fine or penalty for an environmental compliance violation, means criteria which determine the existence of the violation, or the amount of the fine or penalty, based on the assumption that a competitive advantage was gained by a failure to invest money necessary to achieve the environmental compliance concerned.

''(3) The term 'size-of-business criteria', in the case of the imposition of a fine or penalty for an environmental compliance violation, means criteria which determine the existence of the violation, or the amount of the fine or penalty, based on an assessment of an entity's net worth and on assumptions regarding the entity's ability to pay the fine or penalty.

''(4) The term 'violation', in the case of environmental compliance, means an act or omission resulting in the failure to ensure the compliance.

''(c) EXPIRATION OF PROHIBITION.—This section does not apply to any part of a violation described in subsection (a) that occurs on or after the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2710. Environmental compliance: payment of fines and penalties for violations.''.

(b) APPLICABILITY.—(1) Section 2710 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of the enactment of this Act.

(2) Subsection (a)(1) of that section, as so added, shall not apply with respect to any supplemental environmental projects referred to in that subsection that were agreed to before the date of the enactment of this Act.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

DOMENICI (AND OTHERS) AMENDMENT NO. 3806

Mr. DOMENICI (for himself, Mrs. FEINSTEIN, Mr. KYL, Mr. CRAIG, Mr. BINGAMAN, and Mr. BAUCUS) proposed an amendment to amendment No. 3795 previously proposed by Mr. CRAIG to the bill, H.R. 4578, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE —HAZARDOUS FUELS REDUCTION

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amendment for ''Wildland Fire Management'' to remove hazardous material to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of the Interior, $120.3 million 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 by such Act, is transmitted by the President to the Congress.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'' to remove hazardous material to alleviate immediate emergency

threats to urban wildland interface areas as defined by the Secretary of Agriculture, $120 million 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 by such Act, is transmitted by the President to the Congress: *Provided further,* That:

(a) In expending the funds provided in any Act with respect to any fiscal year for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may hereafter conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries. Notwithstanding Federal government procurement and contracting laws, the Secretaries may hereafter conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may hereafter, at their sole discretion, limit competition for any contracts, with respect to any fiscal year, including contracts for monitoring activities, to:

(1) local private, non-profit, or cooperative entities;

(2) Youth Conservation Corps crews or related partnerships with state, local, and nonprofit youth groups;

(3) Small or micro-businesses; or

(4) other entities that will hire or train a significant percentage of local people to complete such contracts.

(b) Prior to September 30, 2000, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at risk from wildfire. This list shall include:

(1) an identification of communities around which hazardous fuel reduction treatments are ongoing; and

(2) an identification of communities around which the Secretaries are preparing to begin treatments in calendar year 2000.

(c) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands and at risk from wildfire that are included in the list published pursuant to subsection (b) but that are not included in paragraphs (b)(1) and (b)(2), along with an identification of reasons, not limited to lack of available funds, why there are no treatments ongoing or being prepared for these communities.

(d) Within 30 days after enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register the Forest Service's Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems, and an explanation of any differences between the Cohesive Strategy and other related ongoing policymaking activities including: proposed regulations revising the National Forest System transportation policy; proposed roadless area protection regulations; the Interior Columbia Basin Draft Supplement Environmental Impact Statement; and the Sierra Nevada Framework/Sierra Nevada Forest Plan Draft Environmental Impact Statement. The Secretary shall also provide 30 days for public comment on the Cohesive Strategy and the accompanying explanation.

COLLINS (AND SNOWE) AMENDMENT NO. 3807

Ms. COLLINS (for herself and Ms. SNOWE) proposed an amendment to the bill H.R. 4578, supra; as follows:

On page 121, between lines 18 and 19, insert the following:

For an additional amount for salmon restoration and conservation efforts in the State of Maine, $5,000,000, to remain available until expended, which amount shall be made available to the National Fish and Wildlife Foundation to carry out a competitively awarded grant program for State, local, or other organizations in Maine to fund on-the-ground projects to further Atlantic salmon conservation or restoration efforts in coordination with the State of Maine and the Maine Atlantic Salmon Conservation Plan, including projects to (1) assist in land acquisition and conservation easements to benefit Atlantic salmon; (2) develop irrigation and water use management measures to minimize any adverse effects on salmon habitat; and (3) develop and phase in enhanced aquaculture cages to minimize escape of Atlantic salmon: *Provided,* That, of the amounts appropriated under this paragraph, $2,000,000 shall be made available to the Atlantic Salmon Commission for salmon restoration and conservation activities, including installing and upgrading weirs and fish collection facilities, conducting risk assessments, fish marking, and salmon genetics studies and testing, and developing and phasing in enhanced aquaculture cages to minimize escape of Atlantic salmon, and $500,000 shall be made available to the National Academy of Sciences to conduct a study of Atlantic salmon: *Provided further,* That the amounts appropriated under this paragraph shall not be subject to section 10(b)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(b)(1)): *Provided further,* That the National Fish and Wildlife Foundation shall give special consideration to proposals that include matching contributions (whether in currency, services, or property) made by private persons or organizations or by State or local government agencies, if such matching contributions are available: *Provided further,* That amounts made available under this paragraph shall be provided to the National Fish and Wildlife Foundation not later than 15 days after the date of enactment of this Act: *Provided further,* That the entire amount made available under this paragraph is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

FEINGOLD AMENDMENT NO. 3808

(Ordered to lie on the table.)

Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill, H.R. 4578, supra; as follows:

On page 188, at the end of line 13, insert the following (and renumber accordingly): ''*Provided further,* That funds available to the Indian Health Service for contract health services be used to fund all tribes at a minimum of 60% of level of need.''

FEINGOLD (AND KOHL) AMENDMENT NO. 3809

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself and Mr. KOHL) submitted an amendment intended to be proposed by them to the bill, H.R. 4578, supra; as follows:

On page 126, lines 16 and 17, strike ''$207,079,000, to remain available until expended:'' and insert ''$209,819,000, to remain available until expended, of which $2,540,000 shall be available for repair of erosion at Outer Island Lighthouse, and $200,000 shall be available for the conduct of a wilderness suitability study, at Apostle Islands National Lakeshore, Wisconsin, which amounts shall be derived by transfer of a proportionate amount of funds for administrative expenses from each other account for which this bill makes funds available for administrative expenses:''.

DURBIN AMENDMENT NO. 3810

Mr. DURBIN proposed an amendment to the bill, H.R. 4578, supra; as follows:

Strike section 116.

LIEBERMAN (AND DODD) AMENDMENT NO. 3811

(Ordered to lie on the table.)

Mr. LIEBERMAN (for himself and Mr. DODD) submitted an amendment intended to be proposed by them to the bill, H.R. 4578, supra; as follows:

On page 183, strike line 15 and insert ''$165,000,000, to remain available until expended, of which $8,000,000 shall be derived by transfer of unobligated balances of funds previously appropriated under the heading ''NAVAL PETROLEUM AND OIL SHALE RESERVES'', and of which $8,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.''.

On page 225, between lines 11 and 12, insert the following:

SEC. 3. STRATEGIC PETROLEUM RESERVE PLAN.

(a) IN GENERAL.—For purposes of Amendment No. 6 to the Strategic Petroleum Reserve Plan transmitted by the Secretary of Energy on July 10, 2000, under section 154 of the Energy Policy and Conservation Act (42 U.S.C. 6234), the Secretary may draw down product from the Regional Distillate Reserve only on a finding by the President that there is a severe energy supply interruption.

(b) SEVERE ENERGY SUPPLY INTERRUPTION.—

(1) IN GENERAL.—For the purposes of subsection (a), a severe energy supply interruption shall be deemed to exist if the President determines that—

(A) a severe increase in the price of middle distillate oil has resulted from an energy supply interruption; or

(B)(i) a circumstance other than that described in subparagraph (A) exists that constitutes a regional supply shortage of significant scope or duration; and

(ii) action taken under this section would assist directly and significantly in reducing the adverse impact of the supply shortage.

(2) SEVERE INCREASE IN THE PRICE OF MIDDLE DISTILLATE OIL.—For the purposes of paragraph (1)(A), a severe increase in the price of middle distillate oil'' shall be deemed to have occurred if—

(A) the price differential between crude oil and residential No. 2 heating oil in the Northeast, as determined by the Energy Information Administration, increases by—

(i) more than 15 percent over a 2-week period;

(ii) more than 25 percent over a 4-week period; or

(iii) more than 60 percent over its 5-year seasonally adjusted rolling average; and

(B) the price differential continues to increase during the most recent week for which price information is available.

INHOFE (AND NICKLES) AMENDMENT NO. 3812

Mr. INHOFE (for himself and Mr. NICKLES) proposed an amendment to the bill, H.R. 4578, supra; as follows:

At the appropriate place, add the following:

SEC. . Notwithstanding any other provision of this Act—

(1) $7,372,000 shall be available to the Indian Health Service for diabetes treatment, prevention, and research; and

(2) the total amount made available under this Act under the heading ''NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES'' under the heading ''NATIONAL ENDOWMENT FOR THE ARTS'' under the heading ''GRANTS AND ADMINISTRATION'' shall be $97,628,000.

ASHCROFT AMENDMENT NO. 3813

Mr. ASHCROFT proposed an amendment to the bill, H.R. 4578, supra; as follows:

On page 164, line 23, strike ''6a(i):'' and insert ''6a(i), of which not less than $500,000 shall be available for use for law enforcement purposes in the national forest that, during fiscal year 2000, had both the greatest number of methamphetamine dumps per acre and the greatest number of methamphetamine laboratory law enforcement actions per acre:''.

REID AMENDMENT NO. 3814

(Ordered to lie on the table.)

Mr. REID submitted an amendment intended to be proposed by him to the bill, H.R. 4578, supra; as follows:

On page 112, at the end of line 20, add ''of which no amount shall be available for the Undaunted Stewardship program, of which $1,000,000 shall be available for management of the upper Missouri River with a focus on the increased visitation associated with the Lewis and Clark Bicentennial celebration, of which $1,000,000 shall be available for acquisition from willing sellers of conservation easements in the area of the Lewis and Clark Trail,''.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

STEVENS (AND WARNER) AMENDMENT NO. 3815

Mr. STEVENS (for himself and Mr. WARNER) proposed an amendment to the bill, S. 2549, supra; as follows:

Section 342 is amended by striking the provisions therein and inserting:

SEC. 342. PAYMENT OF FINES AND PENALTIES FOR ENVIRONMENTAL COMPLIANCE VIOLATIONS.

(a) PAYMENT OF FINES AND PENALTIES.—(1) Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2710. Environmental compliance: payment of fines and penalties for violations

''(a) IN GENERAL.—The Secretary of Defense or the Secretary of a military department may not pay a fine or penalty for an environmental compliance violation that is imposed by a Federal agency against the Department of Defense or such military department, as the case may be, unless the payment of the fine or penalty is specifically authorized by law, if the amount of the fine or penalty (including any supplemental environmental projects carried out as part of such penalty) is $1,500,000 or more.

''(b) DEFINITIONS.—In this section:

''(1)(A) Except as provided in subparagraph (B), the term 'environmental compliance', in the case of on-going operations, functions, or activities at a Department of Defense facility, means the activities necessary to ensure that such operations, functions, or activities meet requirements under applicable environmental law.

''(B) The term does not include operations, functions, or activities relating to environmental restoration under this chapter that are conducted using funds in an environmental restoration account under section 2703(a) of this title.

''(2) The term 'violation', in the case of environmental compliance, means an act or omission resulting in the failure to ensure the compliance.

''(c) EXPIRATION OF PROHIBITION.—This section does not apply to any part of a violation described in subsection (a) that occurs on or after the date that is three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2710. Environmental compliance: payment of fines and penalties for violations.''.

(b) APPLICABILITY.—(1) Section 2710 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of the enactment of this Act.

(2) Subsection (a)(1) of that section, as so added, shall not apply with respect to any supplemental environmental projects referred to in that subsection that were agreed to before the date of the enactment of this Act.

LEVIN (AND OTHERS) AMENDMENT NO. 3816

Mr. LEVIN (for himself, Mr. WARNER, and Mr. THOMPSON) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 303, between lines 6 and 7, insert the following:

SEC. 814. PROCUREMENT NOTICE THROUGH ELECTRONIC ACCESS TO CONTRACTING OPPORTUNITIES.

(a) PUBLICATION BY ELECTRONIC ACCESSIBILITY.—Subsection (a) of section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published by means of—

''(i) electronic accessibility that meets the requirements of paragraph (7); or

''(ii) publication in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) by adding at the end the following:

''(7) A publication of a notice of solicitation by means of electronic accessibility meets the requirements of this paragraph for electronic accessibility if the notice is electronically accessible in a form that allows convenient and universal user access through the single Government-wide point of entry designated in the Federal Acquisition Regulation.''.

(b) WAITING PERIOD FOR ISSUANCE OF SOLICITATION.—Paragraph (3) of such subsection is amended—

(1) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(2) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(c) CONFORMING AMENDMENTS FOR SMALL BUSINESS ACT.—Subsection (e) of section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published by means of—

''(i) electronic accessibility that meets the requirements of section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7)); or

''(ii) publication in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(B) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(d) PERIODIC REPORTS ON IMPLEMENTATION OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.—Section 30(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 426(e)) is amended—

(1) in the first sentence, by striking ''Not later than March 1, 1998, and every year afterward through 2003'' and inserting ''Not later than March 1 of each even-numbered year through 2004''; and

(2) in paragraph (4)—

(A) by striking ''Beginning with the report submitted on March 1, 1999,''; and

(B) by striking ''calendar year'' and inserting ''two fiscal years''.

(e) EFFECTIVE DATE AND APPLICABILITY.—This section and the amendments made by this section shall take effect on October 1, 2000. The amendments made by subsections (a), (b) and (c) shall apply with respect to solicitations issued on or after that date.

LEVIN (AND OTHERS) AMENDMENT NO. 3817

Mr. LEVIN (for himself, and Mrs. MURRAY) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 543, strike line 20 and insert the following:

Part III—Air Force Conveyances

SEC. 2861. LAND CONVEYANCE, MUKILTEO TANK FARM, EVERETT, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Port of Everett, Washington (in this section referred to as the ''Port''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 22 acres and known as the Mukilteo Tank Farm for the purposes of permitting the Port to use the parcel for the development and operation of a port facility and for other public purposes.

(b) PERSONAL PROPERTY.—The Secretary of the Air Force may include as part of the conveyance authorized by subsection (a) any

personal property at the Mukilteo Tank Farm that is excess to the needs of the Air Force if the Secretary of Transportation determines that such personal property is appropriate for the development or operation of the Mukilteo Tank Farm as a port facility.

(c) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary of the Air Force may lease all or part of the real property to the Port if the Secretary determines that the real property is suitable for lease and the lease of the property under this subsection will not interfere with any environmental remediation activities or schedules under applicable law or agreements.

(2) The determination under paragraph (1) whether the lease of the real property will interfere with environmental remediation activities or schedules referred to in that paragraph shall be based upon an environmental baseline survey conducted in accordance with applicable Air Force regulations and policy.

(3) Except as provided by paragraph (4), as consideration for the lease under this subsection, the Port shall pay the Secretary an amount equal to the fair market of the lease, as determined by the Secretary.

(4) The amount of consideration paid by the Port for the lease under this subsection may be an amount, as determined by the Secretary, less than the fair market value of the lease if the Secretary determines that—

(A) the public interest will be served by an amount of consideration for the lease that is less than the fair market value of the lease; and

(B) payment of an amount equal to the fair market value of the lease is unobtainable.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the Port.

(e) ADDITIONAL TERMS.—The Secretary of the Air Force, in consultation with the Secretary of Transportation, may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

Part IV—Defense Agencies Conveyances

NATIONAL FRAGILE X AWARENESS WEEK

EDWARDS (AND HAGEL) AMENDMENTS NOS. 3818–3820

Mr. WARNER (for Mr. EDWARDS (for himself and Mr. HAGEL)) proposed three amendments to the resolution (S. Res. 268) designating July 17 through July 23 as ''National Fragile X Awareness Week''; as follows:

AMENDMENT NO. 3818

On page 2 strike line 1 and all that follows to page 3 line 2, and insert: ''*Resolved*, That the Senate designates July 22, 2000 as 'National Fragile X Awareness Day.' ''

AMENDMENT NO. 3819

Strike the preamble and insert:

''Whereas Fragile X is the most common inherited cause of mental retardation, affecting people of every race, income level, and nationality;

''Whereas 1 in every 260 women is a carrier of the Fragile X defect;

''Whereas 1 in every 4,000 children is born with the Fragile X defect, and typically requires a lifetime of special care at a cost of over $2,000,000;

''Whereas Fragile X remains frequently undetected due to its recent discovery and the lack of awareness about the disease, even within the medical community;

''Whereas the genetic defect causing Fragile X has been discovered, and is easily identified by testing;

''Whereas inquiry into Fragile X is a powerful research model for neuropsychiatric disorders, such as autism, schizophrenia, pervasive developmental disorders, and other forms of X-linked mental retardation;

''Whereas individuals with Fragile X can provide a homogeneous research population for advancing the understanding of neuropsychiatric disorders;

''Whereas with concerted research efforts, a cure for Fragile X may be developed;

''Whereas Fragile X research, both basic and applied, has been vastly underfunded despite the prevalence of the disorder, the potential for the development of a cure, the established benefits of available treatments and intervention, and the significance that Fragile X research has for related disorders; and

''Whereas the Senate as an institution and Members of Congress as individuals are in unique positions to help raise public awareness about the need for increased funding for research and early diagnosis and treatment for the disorder known as Fragile X: Now, therefore, be it''.

AMENDMENT NO. 3820

Amend the title as to read: ''Designating July 22, 2000 as 'National Fragile X Awareness Day'.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, July 12, 2000 at 9:30 a.m., in open session to continue to receive testimony in review of the Department of Defense Anthrax Vaccine Immunization Program.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, July 12, 2000 at 9:30 a.m. on the nominations of Francisco Sanchez, to be Assistant Secretary for Aviation and International Affairs of the Department of Transportation; and Ms. Katherine Anderson, Mr. Frank Cruz, Mr. Kenneth Tomlinson, and Dr. Ernest Wilson, to be members of the board of the Corporation of Public Broadcasting.

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

COMMITTEE ON FINANCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, July 12, 2000, to hear testimony on Disclosure of Political Activity of 527 and Other Organizations: Overview of Legislative Proposals.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 12, 2000 at 10:30 am and 2:00 pm to hold two hearings.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on National Science Foundation: Exploring the Endless Frontier during the session of the Senate on Wednesday, July 12, 2000, at 10:00 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, July 12, 2000 at 2:30 p.m. in room 485 of the Russell Senate Building to conduct An Oversight Hearing on the reports of the Bureau of Indian Affairs and the General Accounting Office on Risk Management and Tort Liability.

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

COMMITTEE ON THE JUDICIARY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, July 12, 2000, at 2:00 p.m., in Dirksen 226.

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

SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, July 12, at 2:30 p.m. to conduct an oversight hearing. The subcommittee will receive testimony on the Draft Environmental Impact Statement implementing the October 1999 announcement by President Clinton to review approximately 40 million acres of national forest lands for increased protection.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM AND GOVERNMENT INFORMATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on Wednesday, July 12, 2000 at 10:00 a.m., in SD226.

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

PRIVILEGES OF THE FLOOR

Mr. THOMAS. I ask unanimous consent that Chris Tyler, an intern in my office, be permitted privileges of the floor for the remainder of today's session.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Cary Cascino, an intern on my staff, be granted the privilege of the floor during the remainder of the debate.

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

Mr. CRAIG. Mr. President, I ask unanimous consent that a staff intern, Bill Ebee, be granted the privilege of the floor for the purpose of this debate.

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

MEASURE READ THE FIRST TIME—H.R. 894

Mr. WARNER. Mr. President, I understand that H.R. 894 is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 894) to encourage States to incarcerate individuals convicted of murder, rape, or child molestation.

Mr. WARNER. Mr. President, I ask for its second reading, and object to my own request.

The PRESIDING OFFICER. The bill will receive its second reading on the next legislative day.

NATIONAL FRAGILE X AWARENESS DAY

Mr. WARNER. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from consideration of S. Res. 268, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 268) designating July 17, through July 23 as National Fragile X Awareness Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. Mr. President, Senator EDWARDS and Senator HAGEL have amendments at the desk. I ask unanimous consent that they be considered in the appropriate order, the amendments be agreed to, the motion to reconsider the resolution be laid upon the table, the title amendment be agreed to, and the motion to reconsider be laid upon the table.

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

The amendments (Nos. 3818, 3819, and 3820) were agreed to, as follows:

AMENDMENT NO. 3818

On page 2, strike lines 1 and all that follows to page 3, line 2, and insert: ''*Resolved*, That the Senate designates July 22, 2000 as 'National Fragile X Awareness Day.'''

AMENDMENT NO. 3819

Strike the preamble and insert:

''Whereas Fragile X is the most common inherited cause of mental retardation, affecting people of every race, income level, and nationality;

''Whereas 1 in every 260 women is a carrier of the Fragile X defect;

''Whereas 1 in every 4,000 children is born with the Fragile X defect, and typically requires a lifetime of special care at a cost of over $2,000,000;''

''Whereas Fragile X remains frequently undetected due to its recent discovery and the lack of awareness about the disease, even within the medical community;

''Whereas the genetic defect causing Fragile X has been discovered, and is easily identified by testing;

''Whereas inquiry into Fragile X is a powerful research model for neuropsychiatric disorders, such as autism, schizophrenia, pervasive development disorders, and other forms of X-linked mental retardation;

''Whereas individuals with Fragile X can provide a homogeneous research population for advancing the understanding of neuropsychiatric disorders;

''Whereas with concerted research efforts, a cure for Fragile X may be developed;

''Whereas Fragile X research, both basic and applied, has been vastly underfunded despite the prevalence of the disorder, the potential for the development of a cure, the established benefits of available treatments and intervention, and the significance that Fragile X research has for related disorders; and

''Whereas the Senate as an institution and Members of Congress as individuals are in unique positions to help raise public awareness about the need for increased funding for research and early diagnosis and treatment for the disorder known as Fragile X: Now, therefore, be it''.

AMENDMENT NO. 3820

Amend the title so as to read: ''Designating July 22, 2000, as 'National Fragile X Awareness Day'.''

The resolution (S. Res. 268), as amended, was agreed to.

ORDERS FOR THURSDAY, JULY 13, 2000

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 8:30 a.m. on Thursday, July 13.

I further ask unanimous consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume H.R. 8, the Death Tax Elimination Act.

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

PROGRAM

Mr. WARNER. Mr. President, for the information of all Senators, at 8:30 a.m. the Senate will resume debate of that legislation. By previous consent at 9:30 a.m., the Senate will proceed to the final three votes on the Defense authorization bill. Following the votes, the Senate will return to consideration of the death tax bill with amendments expected to be offered and voted on throughout the day.

As a reminder, Senators should be prepared to complete action on the death tax legislation and the reconciliation bill prior to this week's adjournment.

As previously indicated by the leader, a late session on Friday and a Saturday session may be necessary.

ADJOURNMENT UNTIL 8:30 A.M. TOMORROW

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 9:53 p.m., adjourned until Thursday, July 13, 2000, at 8:30 a.m.

EXTENSIONS OF REMARKS

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 Thursday, July 13, 2000 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 17

1:30 p.m.
Aging
To hold hearings to examine end-of-life issues, focusing on improving care, easing pain, and helping families.
SD–628

JULY 18

9:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366
Health, Education, Labor, and Pensions
To hold hearings on increases in prescrition drug costs.
SD–430

10:30 a.m.
Foreign Relations
To hold hearings to examine national security impliations of granting Permanent Normal Trade Relations statuts to communist China.
SD–419

2:30 p.m.
Agriculture, Nutrition, and Forestry
Production and Price Competitiveness Subcommittee
To hold hearings to examine the future of United States agricultural export program.
SR–328A

JULY 19

9:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366
Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430
Environment and Public Works
Fisheries, Wildlife, and Drinking Water Subcommittee
To hold oversight hearings on the Fish and Wildlife Services's administration of the Federal Aid Program.
SD–406

10 a.m.
Governmental Affairs
To hold hearings on certain legislative proposals and issues relevant to the operations of Inspectors General, including S. 870, to amend the Inspector General Act of 1978 (5 U.S.C. App.) to increase the efficiency and accountability of Offices of Inspecter General within Federal departments, and an Administrative proposal to grant statutory law enforcement authority to 23 Inspectors General.
SD–342

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings on the status of the Biological Opinions of the National Marine Fisheries Service and the U.S. Fish and Wildlife Service on the operations of the Federal hydropower system of the Columbia River.
SD–366
Indian Affairs
To hold oversight hearings on activities of the National Indian Gaming Commission.
SR–485
Foreign Relations
To hold hearings to examine giving permanent normal trade relations status to Communist China, focusing on human rights, labor, trade and economic implications.
SD–419

JULY 20

9 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine implications of high energy prices on Unites States agriculture.
SR–328A

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the United States General Accounting Office's investigation of the Cerro Grande Fire in the State of New Mexico, and from Federal agencies on the Cerro Grande Fire and their fire policies in general.
SD–366
Small Business
To hold hearings to examine the General Accounting Office's performance and accountability review.
SR–428A

10 a.m.
Indian Affairs
To hold hearings on S. 2688, to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools.
SR–485
Foreign Relations
Near Eastern and South Asian Affairs Subcommittee
To hold hearings on issues relating to the governement of Afghanistan, focusing on the conduct of the Taliban (Militia tha rules Afghanistan).
SD–419
Banking, Housing, and Urban Affairs
To hold oversight hearings on the conduct of monetary policy by the Federal Reserve.
SH–216

2 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 2754, to provide for the exchange of certain land in the State of Utah; S. 2757, to provide for the transfer or other disposition of certain lands at Melrose Air Force Range, New Mexico, and Yakima Training Center, Washington; and S. 2691, to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon.
SD–366

JULY 21

9:30 a.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on the Draft Environmental Impact Statement implementing the October 1999 announcement by the President to review approximately 40 million acres of national forest for increased protection.
SD–366

JULY 25

9:30 a.m.
Armed Services
To hold hearings to examine the National Missile Defense Program.
SH–216

10 a.m.
Indian Affairs
To hold oversight hearings on the Native American Graves Protection and Repatriation Act.
SR–485

JULY 26

9 a.m.
Small Business
Business meeting to markup S. 1594, to amend the Small Business Act and Small Business Investment Act of 1958.
SR–428A
Agriculture, Nutrition, and Forestry
To hold hearings to review the federal sugar program.
SR–328A

10 a.m.
Governmental Affairs
To hold hearings on S. 1801, to provide for the identification, collection, and review for declassification of records and materials that are of extraordinary public interest to the people of the United States.
SD–342

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on potential timber sale contract liability incurred

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

by the government as a result of timber sale contract cancellations.
SD–366

Indian Affairs
To hold hearings on S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act.
SR–485

JULY 27

9 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to review proposals to establish an international school lunch program.
SR–328A

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

Daily Digest

HIGHLIGHTS

The House passed H.R. 4810, Marriage Penalty Tax Elimination Reconciliation Act.

Senate

Chamber Action

Routine Proceedings, pages S6485–S6583

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 2850 2857, and S. Con. Res. 130. **Page S6574**

Measures Reported: Reports were made as follows:

S. 2386, to extend the Stamp Out Breast Cancer Act. (S. Rept. No. 106–338)

S. 1911, to conserve Atlantic highly migratory species of fish, with an amendment in the nature of a substitute. (S. Rept. No. 106–339)

S. 1998, to establish the Yuma Crossing National Heritage Area, with an amendment. (S. Rept. No. 106–340)

S. 2247, to establish the Wheeling National Heritage Area in the State of West Virginia, with amendments. (S. Rept. No. 106–341)

H.R. 940, to establish the Lackawanna Heritage Valley American Heritage Area, with an amendment in the nature of a substitute. (S. Rept. No. 106–342)

S. 2787, to reauthorize the Federal programs to prevent violence against women. **Pages S6573–74**

Measures Passed:

National Fragile X Awareness Day: Committee on the Judiciary was discharged from further consideration of S. Res. 268, designating July 22, 2000 as "National Fragile X Awareness Day", and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page S6583**

Warner (for Edwards/Hagel) Amendment No. 3818, designating July 22, 2000 as "National Fragile X Awareness Day". **Page S6583**

Warner (for Edwards/Hagel) Amendment No. 3819, to amend the preamble. **Page S6583**

Warner (for Edwards/Hagel) Amendment No. 3820, to amend the title. **Page S6583**

Death Tax Elimination Act: Senate completed consideration of the motion to proceed to the consideration of H.R. 8, to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period. **Pages S6485–97**

A unanimous-consent-time agreement was reached providing for consideration of the bill and certain amendments to be proposed thereto, on Thursday, July 13, 2000. Further, following the disposition of the amendments, the bill be advanced to third reading and passage occur, all without any intervening action or debate. **Page S6497**

National Defense Authorization: Senate continued consideration of S. 2549, to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto:

Pages S6497–98, S6538–67

Adopted:

By 86 yeas to 11 nays (Vote No. 174) Bennett/Reid Amendment No. 3185, to provide for an adjustment of composite theoretical performance levels of high performance computers. **Pages S6497–98**

Stevens Amendment No. 3815, to provide that the limitation on payment of fines and penalties for environmental compliance violations applies only to fines and penalties imposed by Federal agencies. **Pages S6538–44**

Byrd Amendment No. 3794 (to Amendment No. 3767), to provide for annual reporting of the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China. **Pages S6544–46**

Warner (for Byrd) Amendment No. 3767, to provide for annual reporting of the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China. **Page S6546**

Warner (for Hutchison) Amendment No. 3733, to authorize grants for the maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense employees. **Pages S6550–53**

Warner (for McCain) Amendment No. 3737, to repeal the prohibition on use of Department of Defense funds for the procurement of a nuclear-capable shipyard crane from a foreign source. **Pages S6550–53**

Warner Amendment No. 3734, to postpone implementation of the Defense Joint Accounting System pending an analysis of the system. **Pages S6550–53**

Levin (for Harkin) Modified Amendment No. 3762, to provide for the humane administration of Department of Defense secrecy oaths and policies, consistent with national security needs, where workers and communities at nuclear weapons facilities may have had their health compromised by exposure to radioactive and other hazardous substances. **Pages S6550–53**

Levin/Warner Amendment No. 3816, to streamline the requirements for procurement notice when access to notice is provided electronically through the single Governmentwide point of access designated in the Federal Acquisition Regulation. **Page S6553**

Levin/Murray Amendment No. 3817, to authorize a land conveyance, Mukilteo Tank Farm, Everett, Washington. **Page S6553**

Pending:

Feingold Amendment No. 3759, to terminate production under the D5 submarine-launched ballistic missile program. **Pages S6546–49**

Durbin Amendment No. 3732, to provide for operationally realistic testing of National Missile Defense systems against countermeasures; and to establish an independent panel to review the testing. **Pages S6549–50, S6553–67**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, July 13, 2000, with votes to occur on certain amendments beginning at 9:30 a.m. **Page S6498**

Ordered further, following disposition of H.R. 4205, House companion measure and the appointment of conferees, the Senate proceed to the consideration en bloc of S. 2550, S. 2551, and S. 2552, all related measures; that all after the enacting clause of these bills be stricken and that certain appropriate portions of S. 2549, as amended, be inserted in lieu thereof. **Page S6498**

Ordered further, with respect to S. 2549, S. 2550, S. 2551, and S. 2552, that if the Senate receives a message from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill, and agree to or request a conference with the House thereon; and that the Chair be authorized to appoint conferees. **Page S6498**

Subsequently, the unanimous-consent agreement was modified. **Page S6567**

Interior Appropriations: Senate resumed consideration of H.R. 4578, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, taking action on the following amendment proposed thereto: **Pages S6498–S6538**

Adopted:

Wellstone Amendment No. 3772, to increase funding for emergency expenses resulting from wind storms. **Pages S6498–99**

Gorton Amendment No. 3773, to make a technical correction. **Page S6501**

Gorton (for Byrd) Amendment No. 3801, to approve the reprogramming of funds for computational services at the National Energy Technology Laboratory. **Page S6501**

Gorton Amendment No. 3802, to amend the amount provided for the State of Florida Restoration grants within National Park Service land acquisition. **Page S6501**

Gorton (for Grams/Wellstone) Amendment No. 3803, to provide funding for expenses resulting from windstorms, with an offset. **Pages S6501–02**

Thomas Amendment No. 3804, to provide additional funds for Payment in Lieu of Taxes program. **Pages S6502–03**

Domenici Amendment No. 3806 (to Amendment No. 3795), to protect communities from wildland fire danger. **Pages S6509–18**

Craig Modified Amendment No. 3795, to provide for a committee to review certain proposed rules concerning the planning and management of National Forest Service lands. **Pages S6506–18**

Collins Amendment No. 3807, to make emergency funds available to the United States Fish and Wildlife Service for salmon restoration and conservation efforts in the State of Maine. **Pages S6518–20**

Sessions Amendment No. 3790, to prohibit the use of funds for the publication of certain procedures relating to gaming procedures. **Pages S6514, S6530–36**

Rejected:

By 38 yeas to 62 nays (Vote No. 175), Durbin Amendment No. 3810, to strike the provision relating to renewal of grazing permits and leases. **Pages S6523–28, S6536**

By 27 yeas to 73 nays (Vote No. 176), Inhofe Amendment No. 3812, to provide $7,372,000 to the Indian Health Service for diabetes treatment, prevention, and research, with an offset. **Pages S6528–30, S6537**

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments to be proposed thereto, on Monday, July 17, 2000, with certain votes to occur at 9:45 a.m. on Tuesday, July 18, 2000. Further, that the Senate insist on it's amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. Page S6537

Messages From the House: Page S6571

Measures Referred: Page S6571

Measures Placed on Calendar: Pages S6571–72

Measures Read First Time: Page S6572

Communications: Pages S6572–73

Petitions: Page S6573

Statements on Introduced Bills: Pages S6574–76

Additional Cosponsors: Pages S6576–78

Amendments Submitted: Pages S6578–82

Authority for Committees: Page S6582

Additional Statements: Page S6571

Privileges of the Floor: Page S6583

Record Votes: Three record votes were taken today. (Total—176) Pages S6498, S6536–37

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:53 p.m., until 8:30 a.m. on Thursday, July 13, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6583.)

Committee Meetings

(Committees not listed did not meet)

ANTHRAX VACCINE

Committee on Armed Services: Committee held hearings to examine the threat, effectiveness, safety, and supply of the Department of Defense Anthrax Vaccine Immunization Program and the Food and Drug Administration role with respect to the regulation of the vaccine, receiving testimony from Rudy de Leon, Deputy Secretary, Adm. J. Jarrett Clinton, USPHS, First Assistant to the Assistant Secretary for Health Affairs, Maj. Gen. Randall L. West, Senior Advisor to the Deputy Secretary for Chemical and Biological Protection, Anna Johnson-Winegar, Deputy Assistant to the Secretary for Chemical and Biological Defense, David Oliver, Principal Deputy Secretary for Acquisition, Technology and Logistics, and Robert J. Lieberman, Assistant Inspector General for Auditing, all of the Department of Defense; and Kathryn C. Zoon, Director, Center for Biologics Evaluation and Research, Food and Drug Administration, Department of Health and Human Services.

Hearings recessed subject to call.

DISABLED CHILDREN MEDICAID COVERAGE

Committee on the Budget: Committee concluded hearings on certain provisions of S. 2274, 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, after receiving testimony from Senator Kennedy; Representative Sessions; William J. Scanlon, Director, Health Financing and Public Health Issues, Health, Education, and Human Services Division, General Accounting Office; Arkansas Governor Mike Huckabee, Little Rock; David Alexander, Raymond Blank Children's Hospital, Des Moines, Iowa; Gordon Fay, Montgomery, Alabama; Rebecca Eichhorn, Newberg, Oregon; and Tanya Baker-McCue, Albuquerque, New Mexico.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nominations of Francisco J. Sanchez, of Florida, to be an Assistant Secretary of Transportation, and Katherine Milner Anderson, of Virginia, Frank Henry Cruz, of California, Kenneth Y. Tomlinson, of Virginia, and Ernest J. Wilson III, of Maryland, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting, after the nominees testified and answered questions in their own behalf. Mr. Sanchez was introduced by Senator Graham.

UNITED NATIONS IN AFRICA

Committee on Foreign Relations: Committee concluded hearings to examine the United Nations policy in Africa, focusing on future peace, prosperity and freedom, after receiving testimony from Richard C. Holbrooke, United States Permanent Representative to the United Nations; William Franklin Graham III, Samaritan's Purse, Boone, North Carolina; and Eric G. Berman, Belmont, Massachusetts.

BIOTECHNOLOGY IN COMBATING POVERTY AND HUNGER

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded hearings to examine the role of biotechnology in combating hunger and poverty in developing countries, after receiving testimony from David B. Sandalow, Assistant Secretary of State for Bureau of Oceans, Environment and Science; Andrew Young, GoodWorks International, Atlanta, Georgia; Roger N. Beachy, Donald Danforth Plant Science

Center, St. Louis, Missouri; Brian Halweil, Worldwatch Institute, Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Glenn A. Fine, of Maryland, to be Inspector General, Department of Justice, Dennis M. Cavanaugh, to be United States District Judge for the District of New Jersey, and James S. Moody, Jr., Gregory A. Presnell, and John E. Steele, each to be a United States District Judge for the Middle District of Florida, after the nominees testified and answered questions in their own behalf. Mr. Cavanaugh was introduced by Senators Lautenberg and Torricelli, Mr. Moody, Mr. Presnell, and Mr. Steele, were introduced by Senators Mack and Graham, and Representative McCollum.

IDENTITY THEFT

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings on preventing criminals from using technology to prey upon society, focusing on identity theft prevention measures and the implementation of the Identity Theft and Assumption Deterrence Act (Pub. Law 105–318), after receiving testimony from Jodie Bernstein, Director of the Bureau of Consumer Protection, Federal Trade Commission; James G. Huse, Jr., Inspector General of Social Security, Social Security Administration; Beth Givens, Privacy Rights Clearinghouse, San Diego, California; Steven M. Emmert, Reed Elsevier, Inc., on behalf of Lexis-Nexis and Individual Reference Services Group, and Stuart K. Pratt, Associated Credit Bureaus, Inc., both of Washington, D.C, and Michelle Brown, Los Angeles, California.

NATIONAL SCIENCE FOUNDATION

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on proposed legislation authorizing funds for the National Science Foundation, focusing on its role in and contribution to our nation's mathematics, science and engineering research, and math and science education, after receiving testimony from Rita R. Colwell, Director, National Science Foundation; Douglas E. Harris, Vermont Institute for Science, Math, and Technology, Montpelier; Dennis M. Bartels, San Francisco Exploratorium Center for Teaching and Learning, San Francisco, California; Daniel L. Goroff, Harvard University Derek Bok Center for Teaching and Learning, and Charles M. Vest, Massachusetts Institute of Technology, both of Cambridge, Massachusetts; Joseph G. Danek, Experimental Program to Stimulate Competitive Research Foundation, Washington, D.C.; and Steven J. Wallach, Chiaro Networks, Richardson, Texas.

RISK MANAGEMENT AND TORT LIABILITY

Committee on Indian Affairs: Committee concluded oversight hearings on certain reports on the extent and degree of liability insurance Tribal governments have in order to provide compensation for people injured as a result of accidents or torts committed by Tribal employees, after receiving testimony from Barry T. Hill, Associate Director, Energy, Resources, and Science Issues, Resources, Community, and Economic Development Division, General Accounting Office; Ethan M. Posner, Deputy Associate Attorney General, Department of Justice; Michael J. Anderson, Deputy Assistant Secretary of the Interior for Indian Affairs; and Michael Willis, Hobbs, Straus, Dean and Walker, Washington, D.C., on behalf of Bristol Bay Area Health Corporation.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 4825–4842; and 1 resolution, H. Res. 549, were introduced.

Pages H5954–55

Reports Filed: Reports were filed today as follows.

Filed on July 11, H.R. 3886, to combat international money laundering, amended (H. Rept. 106–728);

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2001 (H. Rept. 106–729);

H. Res. 534, expressing the sense of the House of Representatives that the recent nuclear weapons security failures at Los Alamos National Laboratory demonstrate that security policy and security procedures within the National Nuclear Security Administration remain inadequate, that the individuals responsible for such policy and procedures must be held accountable for their performance, and that immediate action must be taken to correct security deficiencies (H. Rept. 106–730); **Page H5954**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Gutknecht to act as Speaker pro tempore for today. **Page H5847**

Journal: The House agreed to the Speaker's approval of the Journal of July 11 by a yea and nay vote of 354 yeas to 50 nays with 1 voting "present", Roll No. 386. **Pages H5847, H5850–51**

Suspensions: The House agreed to suspend the rules pass the following measures debated on July 11:

Acquisition of the Baca Ranch with the Valles Caldera: S. 1892, to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture (passed by a recorded vote of 377 ayes to 45 noes, Roll No. 388)—clearing the measure for the President; **Pages H5856–57**

Barbara F. Vucanovich Post Office in Reno, NV: H.R. 4169, to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the "Barbara F. Vucanovich Post Office Building;" (passed by a recorded vote of 418 ayes to 1 no, Roll No. 389) and **Pages H5857–58**

Samuel H. Lacy, Sr. Post Office in Baltimore, MD: H.R. 4447, to designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the "Samuel H. Lacy, Sr. Post Office Building" (passed by a recorded vote of 412 ayes with none voting " no", Roll No. 393). **Page H5881**

Marriage Penalty Tax Elimination Reconciliation Act: The House passed H.R. 4810, to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001 by a recorded vote of 269 ayes to 159 noes, Roll No. 392. **Pages H5858–80**

Rejected the Rangel motion to recommit the bill to the Committee on Ways and Means with instructions to report it back with an amendment that makes all tax reductions contingent on Medicare prescription drug benefits and no on-budget deficit by a recorded vote of 197 ayes to 230 noes, Roll No. 391. **Pages H5877–79**

Rejected the Rangel amendment in the nature of a substitute that increases the standard deduction for joint returns so that it is equal to twice the standard deduction for single taxpayers; adjusts the alternative minimum tax so that it would not disallow the full benefit of the increase in the standard deduction; increases the income level at which the earned income credit (EIC) begins to phase out and repeals the reduction in the EIC by the amount of the minimum tax by a recorded vote of 198 ayes to 228 noes, Roll No. 390. **Pages H5868–77**

Agreed to H. Res. 545, the rule that provided for consideration of the bill by a yea and nay vote of 407 yeas to 16 nays, Roll No. 387. **Pages H5851–56**

Committee on Transportation and Infrastructure: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions approved by the Committee on Transportation and Infrastructure on June 21—referred to the Committee on Appropriations. **Pages H5881–82**

Send to Conference—DOD Appropriations: The House disagreed to the Senate amendments to H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001 and agreed to a conference. Appointed as conferees: Chairman Young of Florida and Representatives Lewis of California, Skeen, Hobson, Bonilla, Nethercutt, Istook, Cunningham, Dickey, Frelinghuysen, Obey, Murtha, Dicks, Sabo, Dixon, Visclosky, and Moran of Virginia. **Page H5923**

Agreed to close portions of the conference when classified information is under consideration by a yea and nay vote of 407 yeas to 7 nays, Roll No. 395. **Pages H5023–24**

Foreign Operations Appropriations: The House completed general debate and began considering amendments to H.R. 4811, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001. **Pages H5882–H5923, H5924–53**

Agreed To:

Sherman amendment that increases funding for disease programs related to HIV/AIDS by $10 million and decreases funding for the World Bank International Development Association accordingly; **Pages H5941–42**

Amendments Offered and Debated:

Waters amendment No. 27 printed in the Congressional Record that seeks to increase funding for the Heavily Indebted Poor Country (HIPC) Trust Fund by $155.6 million with offsets of $82.5 million from Export-Import Bank direct loan programs, $7 million from Export-Import Bank administrative expenses, $5.3 million from international military education and training programs, and $200 million from the foreign military financing programs including grants for Israel and Egypt; **Page H5926**

Lee amendment that seeks to increase funding for child survival and disease programs related to HIV/AIDS by $42 million and decrease foreign military financing program grants accordingly; **Pages H5933–39**

Point of Order Sustained Against:

Pelosi amendment that sought to increase funding available for the Heavily Indebted Poor Countries

Trust Fund of the International Bank for Reconstruction and Development by $210 million for FY 2000 and $179.6 million for FY 2001;

Pages H5904–23

Proviso on pages 11 and 12 dealing with the Microenterprise Initiative; **Page H5943**

Payne amendment that sought to make available $720 million for the Development Fund for Africa from the amount appropriated for Development Assistance; **Pages H5948–51**

Payne amendment that sought to make available $500,000 for a grant to the Office of the Facilitator of the National Dialogue for the peace process in the Democratic Republic of the Congo; **Pages H5950–51**

Jackson-Lee amendment that sought to increase funding for peacekeeping operations in Africa by $10 million and decrease funding for international disaster assistance accordingly; **Pages H5951–53**

Withdrawn:

Burton amendment No. 4 printed in the Congressional Record was offered and withdrawn that sought to increase Colombian National Police funding by $99.5 million with funding offsets from the Export-Import Bank and Bilateral Economic Assistance programs; **Pages H5924–26**

Brown of Ohio amendment was offered and withdrawn that sought to increase funding for child survival and disease programs related to tuberculosis by $40 million and decrease the Asian Development Fund accordingly; **Pages H5939–41**

Roemer amendment No. 18 printed in the Congressional Record was offered and withdrawn that sought to increase funding for Microenterprise loans for the poor by $15 million with offsets from other Bilateral Economic Assistance programs;

Pages H5943–45

Smith of Michigan amendment was offered and withdrawn that sought to make available $30 million for plant biotechnology research and development; **Pages H5945–46**

Sanders amendment No. 20 printed in the Congressional Record was offered and withdrawn that sought to increase funding for programs to assist women and children who are victims of international trafficking by $2.5 million and decrease International Military Education and Training funding accordingly; **Pages H5946–48**

Agreed to H. Res. 546, the rule that provided for consideration of the bill by a yea and nay vote of 225 yeas to 199 nays, Roll No. 394. **Pages H5882–89**

Order of Business—Foreign Operations Appropriations: Agreed that no further amendments shall be in order except (1) pro forma amendments offered by the Chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; (2) two amendments debatable for 60 minutes, either amendment No. 11 or amendment No. 15 printed in the Congressional Record and the Lee amendment regarding the Child Survival and Disease Program; (3) two amendments debatable for 30 minutes, amendment No. 28 printed in the Congressional Record and the Payne amendment regarding Development Assistance;

Pages H5932–33

(4) Three amendments debatable for 20 minutes, either amendment No. 5 or amendment No. 6 printed in the Congressional Record, Jackson-Lee amendment regarding conscription under the age of 18, and amendment No. 18 printed in the Congressional Record; **Pages H5932–33**

(5) Thirty-three amendments debatable for 10 minutes, Bereuter amendment regarding North Korea; Baker amendment regarding Panama; Smith of Michigan amendment regarding biotechnology research; Brown of Ohio amendment regarding Child Survival and Disease Program fund; Brown of Ohio amendment regarding the Tariff Act; Jackson-Lee of Texas amendment regarding Peacekeeping Operations; Jackson-Lee of Texas amendment regarding Economic Support Fund, Payne amendment regarding Congo; Payne amendment regarding Sanctions against Angola; **Pages H5932–33**

Payne amendment regarding Peacekeeping Operations; Payne amendment regarding Sudan; Payne amendment regarding Restrictions on Assistance to Governments Destabilizing Angola, Menendez amendment regarding Peru; Filner amendment regarding Economic Support Fund; Conyers amendment regarding Section 558; Capuano amendment regarding Armenia-Azerbaijan Peace and Democracy Initiative; Capuano amendment regarding Termination of Unilateral Agricultural or Medical Sanctions; Nadler amendment regarding Honor Crimes; Jackson of Illinois amendment regarding the African Development Bank; Latham amendment regarding International Financial Institution Loans; Kaptur amendment regarding the Ukraine; Sherman amendment regarding Child Survival; and amendments numbered 7, 9, 13 ,16, 17, 19, 20, 23, 24, 25, and 26. **Pages H5932–33**

Meeting Hour—Thursday, July 13: Agreed that when the House adjourns this legislative day it adjourn to meet at 9 a.m. on Thursday, July 13.

Page H5953

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5956–59.

Quorum Calls—Votes: Four yea and nay votes and six recorded votes developed during the proceedings of the House today and appear on pages H5851, H5856, H5856–57, H5857–58, H5877, H5879–80,

H5880–81, H5881, H5888–89, and H5923–24. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:25 a.m. on Thursday, July 13.

Committee Meetings

FEDERAL FARM POLICY

Committee on Agriculture: Held a hearing to review federal farm policy. Testimony was heard from public witnesses.

Hearings continue July 19.

REVISED SUBALLOCATION OF BUDGET ALLOCATIONS

Committee on Appropriations: Ordered reported a report on the revised suballocation of budget allocations for fiscal year 2001.

DISTRICT OF COLUMBIA BUDGET

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on Fiscal Year 2001 District of Columbia Budget. Testimony was heard from the following officials of the District of Columbia: Anthony A. Williams, Mayor; and Linda M. Cropp, Chairman, Council; and Alice M. Rivlin, Chairman, D.C. Financial Responsibility and Management Assistance Authority.

MEDICARE AND MEDICAID—PAYMENT ERRORS

Committee on the Budget: Health Task Force held a hearing on Blowing Smoke on the Invisible Man, Measuring Fraud, Payment Errors in Medicare and Medicaid. Testimony was heard from the following officials of the GAO: Gloria L. Jarmon, Director, Civil Audits; and William D. Hamel, Special Agent; Penny Thompson, Director, Program Integrity Group, Health Care Financing Administration, Department of Health and Human Services; and Robb Miller, Inspector General, Department of Public Aid, State of Illinois.

DOE'S MANAGEMENT PRACTICES

Committee on the Budget: Natural Resources and the Environment Task Force held a hearing on Department of Energy Management Practices. Testimony was heard from the following officials of the Department of Energy: Carolyn Huntoon, Assistant Secretary, Environmental Management; and Brig. Gen. Thomas Giocanda, USAF, Acting Deputy Administrator, Defense Programs; and Gary Jones, Associate Director, Energy Resources and Science, GAO.

COMMODITY FUTURES MODERNIZATION ACT

Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing on H.R. 4541, Commodity Futures Modernization Act of 2000. Testimony was heard from Arthur Levitt, Chairman, SEC; C. Robert Paul, General Counsel, Commodity Futures Trading Commission; Patrick M. Parkinson, Associate Director, Division of Research and Statistics, Board of Governors, Federal Reserve System; and Lewis A. Sachs, Assistant Secretary, Financial Markets, Department of the Treasury.

MISCELLANEOUS MEASURES

Committee on Government Reform: Subcommittee on Government Management, Information, and Technology held a hearing on the following measures: Federal Property Asset Management Reform Act; and H.R. 3285, Federal Asset Management Improvement Act of 1999. Testimony was heard from Representative Sessions; the following officials of the GSA: David Barram, Administrator; and David L. Bibb, Deputy Associate Administrator, Office of Governmentwide Policy; Bernie Ungar, Director, Governmentwide Business Operations Issues, GAO; Rear Adm. Ronald F. Silva, USCG, Assistant Commandant, Systems and Chief Engineer, U.S. Coast Guard, Department of Transportation; and public witnesses.

HEPATITIS C: VA HEALTH CARE SYSTEM

Committee on Government Reform: Subcommittee on National Security, Veterans' Affairs and International Relations held a hearing on Hepatitis C: Access, Testing and Treatment in the VA Health Care System. Testimony was heard from the following officials of the Department of Veterans Affairs: Thomas Holohan, M.D., Chief, Patient Care Services, Veterans Health Administration; Frank Iber, M.D., Gastroenterologist, Hines VA Medical Center; Samuel B. Ho, M.D., Staff Physician, Minneapolis VA Medical Center; and Norbert Brau, M.D., Staff Physician, Bronx VA Medical Center; and public witnesses.

GLOBAL TERRORISM

Committee on International Relations: Held a hearing on Global Terrorism: South Asia-The New Locus. Testimony was heard from the following officials of the Department of State: Michael A. Sheehan, Ambassador-at-Large, Coordinator for Counterterrorism; and Alan W. Eastham, Jr., Deputy Assistant Secretary, Bureau of South Asian Affairs.

OVERSIGHT—CIVIL RIGHTS DIVISION—DEPARTMENT OF JUSTICE

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the Civil

Rights Division of the Department of Justice. Testimony was heard from Bill Lann Lee, Acting Assistant Attorney General, Civil Rights Division, Department of Justice.

CONTEMPT OF CONGRESS ISSUES; OVERSIGHT—OFFICE OF INSULAR AFFAIRS

Committee on Resources: Approved a motion to sustain rulings by Chairman Don Young on objections to the production of records subject to subpoenas issued by Chairman Don Young under the authority of a resolution adopted by the Committee on Resources on June 9, 1999, which objections were raised by Robert A. Berman, Henry M. Banta, Danielle Brian Stockton, Keith Rutter, and the Project on Government Oversight.

The Committee also held an oversight hearing on Office of Insular Affairs, U.S. Department of the Interior. Testimony was heard from the following officials of the Department of the Interior: Earl E. Devaney, Inspector General; and Ferdinand Aranza, Director, Office of Insular Affairs; and Allen Stayman, Office of Compact Negotiator, E.A.P., Department of State.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the following bills: H.R. 4765, 21st Century Veterans Employment and Training Act; and H.R. 3256, Veterans' Right to Know Act. Testimony was heard from Representatives Pascrell and Doyle; Joseph Thompson, Under Secretary, Benefits, Veterans Benefits Administration, Department of Veterans Affairs; Espiridion Borrego, Assistant Secretary, Veterans' Employment and Training, Department of Labor; Alan Gibson, Disabled Veteran Outreach Program Specialist, State of Missouri; James H. Hartman, Director, Veterans Employment and Training Service, State of New York; Stephen A. Horton, Manager, Employment Security Program Services, Department of Industrial Relations, State of Alabama; and public witnesses.

Hearings continue tomorrow.

COMMITTEE MEETINGS FOR THURSDAY, JULY 13, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, business meeting to mark up H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001, 2 p.m., SD–124.

Committee on Banking, Housing, and Urban Affairs: business meeting to mark up S. 2107, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission; S. 2266, to provide for the minting of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the programs of the United States Olympic Committee; S. 2453, to authorize the President to award a gold medal on behalf of Congress to Pope John Paul II in recognition of his outstanding and enduring contributions to humanity; S. 2459, to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation; S. 2101, to promote international monetary stability and to share seigniorage with officially dollarized countries; and a committee print of a substitute amendment to H.R. 3046, to preserve limited Federal agency reporting requirements on banking and housing matters to facilitate congressional oversight and public accountability, 10 a.m., SD–538.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business; to be followed by oversight hearings to examine American gasoline supply problems, 9:30 a.m., SD–366.

Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on S. 2294, to establish the Rosie the Riveter-World War II Home Front National Historical Park in the State of California; S. 2331, to direct the Secretary of the Interior to recalculate the franchise fee owed by Fort Sumter Tours, Inc., a concessioner providing services to Fort Sumter National Monument, South Carolina; and S. 2598, to authorize appropriations for the United States Holocaust Memorial Museum, 2:30 p.m., SD–366.

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine the annual report of the Postmaster General, 2 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment, Safety and Training, to hold hearings to examine ergonomics and health care, 9:30 a.m., SD–430.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Livestock and Horticulture, hearing to review the agricultural consequences of banning methyl bromide, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the District of Columbia, to mark up the District of Columbia appropriations for fiscal year 2001, 2 p.m., H–144 Capitol.

Committee on Armed Services, Special Oversight Panel on Terrorism, hearing on terrorism and threats to U.S. interests in the Middle East, 10 a.m., 2212 Rayburn.

Subcommittee on Military Personnel, hearing on Department of Defense management of the Anthrax Vaccine Immunization Program, 10 a.m., 2118 Rayburn.

Committee on Commerce, to mark up the following bills: H.R. 2944, Electricity Competition and Reliability Act of 1999; and H.R. 4807, Ryan White CARE Act Amendments of 2000, 10 a.m., 2123 Rayburn.

Committee on Government Reform, Subcommittee on Government Management, Information, and Technology, hearing on H.R. 4012, Construction Quality Assurance Act of 2000, 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to mark up H.R. 534, Fairness and Voluntary Arbitration Act, 10 a.m., B–352 Rayburn.

Subcommittee on Courts and Intellectual Property, oversight hearing on Gene Patents and Other Genomic Inventions, 9:30 a.m., 2141 Rayburn,

Subcommittee on Crime, hearing on the following bills: H.R. 4423, Probation Officers' Protection Act of 2000; and H.R. 3484, Child Sex Crimes Wiretapping Act of 1999, 10 a.m., 2237 Rayburn.

Subcommittee on Crime, oversight hearing on the U.S. Marshals Service, 1:30 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on National Parks, and Public Lands, hearing on the following bills: H.R. 2752, Lincoln County Land Act of 1999; H.R. 4312, Upper Housatonic National Heritage Area Study Act of 2000; H.R. 4613, National Historic Lighthouse Preservation Act of 2000; and H.R. 4721, to provide for all right, title, and interest in and to certain property in Washington County, Utah, to be vested in the United States, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, oversight hearing on the Bureau of Reclamation's Title XVI program, 2 p.m., 1324 Longworth.

Committee on Science, Subcommittee on Energy and Environment, hearing on Strengthening Science at the U.S. Environmental Protection Agency-National Research Council Findings, 2 p.m., 2318 Rayburn.

Subcommittee on Technology, hearing to review the Morella Commission Report: Recommendations to Attract Women and Minorities Into Science, Engineering and Technology, 10:30 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Tax, Finance, and Exports, hearing on the impact of banning snowmobiles inside National Parks on small business, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to mark up the Water Resources Development Act of 2000, 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources, to mark up the Water Resources Development Act of 2000, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, to continue hearings on the following bills: H.R. 4765, 21st Century Veterans Employment and Training Act; and H.R. 3256, Veterans' Right to Know Act, 9 a.m., 334 Cannon.

Committee on Ways and Means, to mark up the following measures: the Comprehensive Retirement Security and Pension Reform Act; and H.J. Res. 103, disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China, 1 p.m., 1100 Longworth.

Subcommittee on Social Security, hearing on Challenges Facing Social Security Disability Programs in the 21st Century, 10 a.m., B–318 Rayburn.

Next Meeting of the **SENATE**

8:30 a.m., Thursday, July 13

Senate Chamber

Program for Thursday: Senate will begin consideration of H.R. 8, Death Tax Elimination Act.

At 9:30 a.m., Senate will continue consideration of S. 2549, Defense Authorization, with votes to occur on certain amendments proposed thereto and on final disposition; following which, Senate will continue consideration of H.R. 8, Death Tax Elimination Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Thursday, July 13

House Chamber

Program for Thursday: Consideration of H.R. 4811, Foreign Operations Appropriations, FY 2001.

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5:30 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $179.00 for six months, $357.00 per year, or purchased for $3.00 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.

Warner (for Hutchison) Amendment No. 3733, to authorize grants for the maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense employees. **Pages S6550–53**

Warner (for McCain) Amendment No. 3737, to repeal the prohibition on use of Department of Defense funds for the procurement of a nuclear-capable shipyard crane from a foreign source. **Pages S6550–53**

Warner Amendment No. 3734, to postpone implementation of the Defense Joint Accounting System pending an analysis of the system. **Pages S6550–53**

Levin (for Harkin) Modified Amendment No. 3762, to provide for the humane administration of Department of Defense secrecy oaths and policies, consistent with national security needs, where workers and communities at nuclear weapons facilities may have had their health compromised by exposure to radioactive and other hazardous substances. **Pages S6550–53**

Levin/Warner Amendment No. 3816, to streamline the requirements for procurement notice when access to notice is provided electronically through the single Governmentwide point of access designated in the Federal Acquisition Regulation. **Page S6553**

Levin/Murray Amendment No. 3817, to authorize a land conveyance, Mukilteo Tank Farm, Everett, Washington. **Page S6553**

Pending:

Feingold Amendment No. 3759, to terminate production under the D5 submarine-launched ballistic missile program. **Pages S6546–49**

Durbin Amendment No. 3732, to provide for operationally realistic testing of National Missile Defense systems against countermeasures; and to establish an independent panel to review the testing. **Pages S6549–50, S6553–67**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, July 13, 2000, with votes to occur on certain amendments beginning at 9:30 a.m. **Page S6498**

Ordered further, following disposition of H.R. 4205, House companion measure and the appointment of conferees, the Senate proceed to the consideration en bloc of S. 2550, S. 2551, and S. 2552, all related measures; that all after the enacting clause of these bills be stricken and that certain appropriate portions of S. 2549, as amended, be inserted in lieu thereof. **Page S6498**

Ordered further, with respect to S. 2549, S. 2550, S. 2551, and S. 2552, that if the Senate receives a message from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill, and agree to or request a conference with the House thereon; and that the Chair be authorized to appoint conferees. **Page S6498**

Subsequently, the unanimous-consent agreement was modified. **Page S6567**

Interior Appropriations: Senate resumed consideration of H.R. 4578, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, taking action on the following amendment proposed thereto: **Pages S6498–S6538**

Adopted:

Wellstone Amendment No. 3772, to increase funding for emergency expenses resulting from wind storms. **Pages S6498–99**

Gorton Amendment No. 3773, to make a technical correction. **Page S6501**

Gorton (for Byrd) Amendment No. 3801, to approve the reprogramming of funds for computational services at the National Energy Technology Laboratory. **Page S6501**

Gorton Amendment No. 3802, to amend the amount provided for the State of Florida Restoration grants within National Park Service land acquisition. **Page S6501**

Gorton (for Grams/Wellstone) Amendment No. 3803, to provide funding for expenses resulting from windstorms, with an offset. **Pages S6501–02**

Thomas Amendment No. 3804, to provide additional funds for Payment in Lieu of Taxes program. **Pages S6502–03**

Domenici Amendment No. 3806 (to Amendment No. 3795), to protect communities from wildland fire danger. **Pages S6509–18**

Craig Modified Amendment No. 3795, to provide for a committee to review certain proposed rules concerning the planning and management of National Forest Service lands. **Pages S6506–18**

Collins Amendment No. 3807, to make emergency funds available to the United States Fish and Wildlife Service for salmon restoration and conservation efforts in the State of Maine. **Pages S6518–20**

Sessions Amendment No. 3790, to prohibit the use of funds for the publication of certain procedures relating to gaming procedures. **Pages S6514, S6530–36**

Rejected:

By 38 yeas to 62 nays (Vote No. 175), Durbin Amendment No. 3810, to strike the provision relating to renewal of grazing permits and leases. **Pages S6523–28, S6536**

By 27 yeas to 73 nays (Vote No. 176), Inhofe Amendment No. 3812, to provide $7,372,000 to the Indian Health Service for diabetes treatment, prevention, and research, with an offset. **Pages S6528–30, S6537**

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments to be proposed thereto, on Monday, July 17, 2000, with certain votes to occur at 9:45 a.m. on Tuesday, July 18, 2000. Further, that the Senate insist on it's amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. Page S6537

Messages From the House: Page S6571

Measures Referred: Page S6571

Measures Placed on Calendar: Pages S6571–72

Measures Read First Time: Page S6572

Communications: Pages S6572–73

Petitions: Page S6573

Statements on Introduced Bills: Pages S6574–76

Additional Cosponsors: Pages S6576–78

Amendments Submitted: Pages S6578–82

Authority for Committees: Page S6582

Additional Statements: Page S6571

Privileges of the Floor: Page S6583

Record Votes: Three record votes were taken today. (Total—176) Pages S6498, S6536–37

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:53 p.m., until 8:30 a.m. on Thursday, July 13, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6583.)

Committee Meetings

(Committees not listed did not meet)

ANTHRAX VACCINE

Committee on Armed Services: Committee held hearings to examine the threat, effectiveness, safety, and supply of the Department of Defense Anthrax Vaccine Immunization Program and the Food and Drug Administration role with respect to the regulation of the vaccine, receiving testimony from Rudy de Leon, Deputy Secretary, Adm. J. Jarrett Clinton, USPHS, First Assistant to the Assistant Secretary for Health Affairs, Maj. Gen. Randall L. West, Senior Advisor to the Deputy Secretary for Chemical and Biological Protection, Anna Johnson-Winegar, Deputy Assistant to the Secretary for Chemical and Biological Defense, David Oliver, Principal Deputy Secretary for Acquisition, Technology and Logistics, and Robert J. Lieberman, Assistant Inspector General for Auditing, all of the Department of Defense; and Kathryn C. Zoon, Director, Center for Biologics Evaluation and Research, Food and Drug Administration, Department of Health and Human Services.

Hearings recessed subject to call.

DISABLED CHILDREN MEDICAID COVERAGE

Committee on the Budget: Committee concluded hearings on certain provisions of S. 2274, 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, after receiving testimony from Senator Kennedy; Representative Sessions; William J. Scanlon, Director, Health Financing and Public Health Issues, Health, Education, and Human Services Division, General Accounting Office; Arkansas Governor Mike Huckabee, Little Rock; David Alexander, Raymond Blank Children's Hospital, Des Moines, Iowa; Gordon Fay, Montgomery, Alabama; Rebecca Eichhorn, Newberg, Oregon; and Tanya Baker-McCue, Albuquerque, New Mexico.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nominations of Francisco J. Sanchez, of Florida, to be an Assistant Secretary of Transportation, and Katherine Milner Anderson, of Virginia, Frank Henry Cruz, of California, Kenneth Y. Tomlinson, of Virginia, and Ernest J. Wilson III, of Maryland, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting, after the nominees testified and answered questions in their own behalf. Mr. Sanchez was introduced by Senator Graham.

UNITED NATIONS IN AFRICA

Committee on Foreign Relations: Committee concluded hearings to examine the United Nations policy in Africa, focusing on future peace, prosperity and freedom, after receiving testimony from Richard C. Holbrooke, United States Permanent Representative to the United Nations; William Franklin Graham III, Samaritan's Purse, Boone, North Carolina; and Eric G. Berman, Belmont, Massachusetts.

BIOTECHNOLOGY IN COMBATING POVERTY AND HUNGER

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded hearings to examine the role of biotechnology in combating hunger and poverty in developing countries, after receiving testimony from David B. Sandalow, Assistant Secretary of State for Bureau of Oceans, Environment and Science; Andrew Young, GoodWorks International, Atlanta, Georgia; Roger N. Beachy, Donald Danforth Plant Science

Center, St. Louis, Missouri; Brian Halweil, Worldwatch Institute, Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Glenn A. Fine, of Maryland, to be Inspector General, Department of Justice, Dennis M. Cavanaugh, to be United States District Judge for the District of New Jersey, and James S. Moody, Jr., Gregory A. Presnell, and John E. Steele, each to be a United States District Judge for the Middle District of Florida, after the nominees testified and answered questions in their own behalf. Mr. Cavanaugh was introduced by Senators Lautenberg and Torricelli, Mr. Moody, Mr. Presnell, and Mr. Steele, were introduced by Senators Mack and Graham, and Representative McCollum.

IDENTITY THEFT

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings on preventing criminals from using technology to prey upon society, focusing on identity theft prevention measures and the implementation of the Identity Theft and Assumption Deterrence Act (Pub. Law 105–318), after receiving testimony from Jodie Bernstein, Director of the Bureau of Consumer Protection, Federal Trade Commission; James G. Huse, Jr., Inspector General of Social Security, Social Security Administration; Beth Givens, Privacy Rights Clearinghouse, San Diego, California; Steven M. Emmert, Reed Elsevier, Inc., on behalf of Lexis-Nexis and Individual Reference Services Group, and Stuart K. Pratt, Associated Credit Bureaus, Inc., both of Washington, D.C, and Michelle Brown, Los Angeles, California.

NATIONAL SCIENCE FOUNDATION

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on proposed legislation authorizing funds for the National Science Foundation, focusing on its role in and contribution to our nation's mathematics, science and engineering research, and math and science education, after receiving testimony from Rita R. Colwell, Director, National Science Foundation; Douglas E. Harris, Vermont Institute for Science, Math, and Technology, Montpelier; Dennis M. Bartels, San Francisco Exploratorium Center for Teaching and Learning, San Francisco, California; Daniel L. Goroff, Harvard University Derek Bok Center for Teaching and Learning, and Charles M. Vest, Massachusetts Institute of Technology, both of Cambridge, Massachusetts; Joseph G. Danek, Experimental Program to Stimulate Competitive Research Foundation, Washington, D.C.; and Steven J. Wallach, Chiaro Networks, Richardson, Texas.

RISK MANAGEMENT AND TORT LIABILITY

Committee on Indian Affairs: Committee concluded oversight hearings on certain reports on the extent and degree of liability insurance Tribal governments have in order to provide compensation for people injured as a result of accidents or torts committed by Tribal employees, after receiving testimony from Barry T. Hill, Associate Director, Energy, Resources, and Science Issues, Resources, Community, and Economic Development Division, General Accounting Office; Ethan M. Posner, Deputy Associate Attorney General, Department of Justice; Michael J. Anderson, Deputy Assistant Secretary of the Interior for Indian Affairs; and Michael Willis, Hobbs, Straus, Dean and Walker, Washington, D.C., on behalf of Bristol Bay Area Health Corporation.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 4825–4842; and 1 resolution, H. Res. 549, were introduced.

Pages H5954–55

Reports Filed: Reports were filed today as follows.

Filed on July 11, H.R. 3886, to combat international money laundering, amended (H. Rept. 106–728);

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2001 (H. Rept. 106–729);

H. Res. 534, expressing the sense of the House of Representatives that the recent nuclear weapons security failures at Los Alamos National Laboratory demonstrate that security policy and security procedures within the National Nuclear Security Administration remain inadequate, that the individuals responsible for such policy and procedures must be held accountable for their performance, and that immediate action must be taken to correct security deficiencies (H. Rept. 106–730); **Page H5954**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Gutknecht to act as Speaker pro tempore for today. **Page H5847**

Journal: The House agreed to the Speaker's approval of the Journal of July 11 by a yea and nay vote of 354 yeas to 50 nays with 1 voting "present", Roll No. 386. **Pages H5847, H5850–51**

Suspensions: The House agreed to suspend the rules pass the following measures debated on July 11:

Acquisition of the Baca Ranch with the Valles Caldera: S. 1892, to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture (passed by a recorded vote of 377 ayes to 45 noes, Roll No. 388)—clearing the measure for the President; **Pages H5856–57**

Barbara F. Vucanovich Post Office in Reno, NV: H.R. 4169, to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the "Barbara F. Vucanovich Post Office Building;" (passed by a recorded vote of 418 ayes to 1 no, Roll No. 389) and **Pages H5857–58**

Samuel H. Lacy, Sr. Post Office in Baltimore, MD: H.R. 4447, to designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the "Samuel H. Lacy, Sr. Post Office Building" (passed by a recorded vote of 412 ayes with none voting " no", Roll No. 393). **Page H5881**

Marriage Penalty Tax Elimination Reconciliation Act: The House passed H.R. 4810, to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001 by a recorded vote of 269 ayes to 159 noes, Roll No. 392. **Pages H5858–80**

Rejected the Rangel motion to recommit the bill to the Committee on Ways and Means with instructions to report it back with an amendment that makes all tax reductions contingent on Medicare prescription drug benefits and no on-budget deficit by a recorded vote of 197 ayes to 230 noes, Roll No. 391. **Pages H5877–79**

Rejected the Rangel amendment in the nature of a substitute that increases the standard deduction for joint returns so that it is equal to twice the standard deduction for single taxpayers; adjusts the alternative minimum tax so that it would not disallow the full benefit of the increase in the standard deduction; increases the income level at which the earned income credit (EIC) begins to phase out and repeals the reduction in the EIC by the amount of the minimum tax by a recorded vote of 198 ayes to 228 noes, Roll No. 390. **Pages H5868–77**

Agreed to H. Res. 545, the rule that provided for consideration of the bill by a yea and nay vote of 407 yeas to 16 nays, Roll No. 387. **Pages H5851–56**

Committee on Transportation and Infrastructure: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions approved by the Committee on Transportation and Infrastructure on June 21—referred to the Committee on Appropriations. **Pages H5881–82**

Send to Conference—DOD Appropriations: The House disagreed to the Senate amendments to H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001 and agreed to a conference. Appointed as conferees: Chairman Young of Florida and Representatives Lewis of California, Skeen, Hobson, Bonilla, Nethercutt, Istook, Cunningham, Dickey, Frelinghuysen, Obey, Murtha, Dicks, Sabo, Dixon, Visclosky, and Moran of Virginia. **Page H5923**

Agreed to close portions of the conference when classified information is under consideration by a yea and nay vote of 407 yeas to 7 nays, Roll No. 395. **Pages H5023–24**

Foreign Operations Appropriations: The House completed general debate and began considering amendments to H.R. 4811, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001. **Pages H5882–H5923, H5924–53**

Agreed To:

Sherman amendment that increases funding for disease programs related to HIV/AIDS by $10 million and decreases funding for the World Bank International Development Association accordingly; **Pages H5941–42**

Amendments Offered and Debated:

Waters amendment No. 27 printed in the Congressional Record that seeks to increase funding for the Heavily Indebted Poor Country (HIPC) Trust Fund by $155.6 million with offsets of $82.5 million from Export-Import Bank direct loan programs, $7 million from Export-Import Bank administrative expenses, $5.3 million from international military education and training programs, and $200 million from the foreign military financing programs including grants for Israel and Egypt; **Page H5926**

Lee amendment that seeks to increase funding for child survival and disease programs related to HIV/AIDS by $42 million and decrease foreign military financing program grants accordingly; **Pages H5933–39**

Point of Order Sustained Against:

Pelosi amendment that sought to increase funding available for the Heavily Indebted Poor Countries

Trust Fund of the International Bank for Reconstruction and Development by $210 million for FY 2000 and $179.6 million for FY 2001;

Pages H5904–23

Proviso on pages 11 and 12 dealing with the Microenterprise Initiative; **Page H5943**

Payne amendment that sought to make available $720 million for the Development Fund for Africa from the amount appropriated for Development Assistance; **Pages H5948–51**

Payne amendment that sought to make available $500,000 for a grant to the Office of the Facilitator of the National Dialogue for the peace process in the Democratic Republic of the Congo; **Pages H5950–51**

Jackson-Lee amendment that sought to increase funding for peacekeeping operations in Africa by $10 million and decrease funding for international disaster assistance accordingly; **Pages H5951–53**

Withdrawn:

Burton amendment No. 4 printed in the Congressional Record was offered and withdrawn that sought to increase Colombian National Police funding by $99.5 million with funding offsets from the Export-Import Bank and Bilateral Economic Assistance programs; **Pages H5924–26**

Brown of Ohio amendment was offered and withdrawn that sought to increase funding for child survival and disease programs related to tuberculosis by $40 million and decrease the Asian Development Fund accordingly; **Pages H5939–41**

Roemer amendment No. 18 printed in the Congressional Record was offered and withdrawn that sought to increase funding for Microenterprise loans for the poor by $15 million with offsets from other Bilateral Economic Assistance programs;

Pages H5943–45

Smith of Michigan amendment was offered and withdrawn that sought to make available $30 million for plant biotechnology research and development; **Pages H5945–46**

Sanders amendment No. 20 printed in the Congressional Record was offered and withdrawn that sought to increase funding for programs to assist women and children who are victims of international trafficking by $2.5 million and decrease International Military Education and Training funding accordingly; **Pages H5946–48**

Agreed to H. Res. 546, the rule that provided for consideration of the bill by a yea and nay vote of 225 yeas to 199 nays, Roll No. 394. **Pages H5882–89**

Order of Business—Foreign Operations Appropriations: Agreed that no further amendments shall be in order except (1) pro forma amendments offered by the Chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; (2) two amendments debatable for 60 minutes, either amendment No. 11 or amendment No. 15 printed in the Congressional Record and the Lee amendment regarding the Child Survival and Disease Program; (3) two amendments debatable for 30 minutes, amendment No. 28 printed in the Congressional Record and the Payne amendment regarding Development Assistance;

Pages H5932–33

(4) Three amendments debatable for 20 minutes, either amendment No. 5 or amendment No. 6 printed in the Congressional Record, Jackson-Lee amendment regarding conscription under the age of 18, and amendment No. 18 printed in the Congressional Record; **Pages H5932–33**

(5) Thirty-three amendments debatable for 10 minutes, Bereuter amendment regarding North Korea; Baker amendment regarding Panama; Smith of Michigan amendment regarding biotechnology research; Brown of Ohio amendment regarding Child Survival and Disease Program fund; Brown of Ohio amendment regarding the Tariff Act; Jackson-Lee of Texas amendment regarding Peacekeeping Operations; Jackson-Lee of Texas amendment regarding Economic Support Fund, Payne amendment regarding Congo; Payne amendment regarding Sanctions against Angola; **Pages H5932–33**

Payne amendment regarding Peacekeeping Operations; Payne amendment regarding Sudan; Payne amendment regarding Restrictions on Assistance to Governments Destabilizing Angola, Menendez amendment regarding Peru; Filner amendment regarding Economic Support Fund; Conyers amendment regarding Section 558; Capuano amendment regarding Armenia-Azerbaijan Peace and Democracy Initiative; Capuano amendment regarding Termination of Unilateral Agricultural or Medical Sanctions; Nadler amendment regarding Honor Crimes; Jackson of Illinois amendment regarding the African Development Bank; Latham amendment regarding International Financial Institution Loans; Kaptur amendment regarding the Ukraine; Sherman amendment regarding Child Survival; and amendments numbered 7, 9, 13 ,16, 17, 19, 20, 23, 24, 25, and 26. **Pages H5932–33**

Meeting Hour—Thursday, July 13: Agreed that when the House adjourns this legislative day it adjourn to meet at 9 a.m. on Thursday, July 13.

Page H5953

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5956–59.

Quorum Calls—Votes: Four yea and nay votes and six recorded votes developed during the proceedings of the House today and appear on pages H5851, H5856, H5856–57, H5857–58, H5877, H5879–80,

H5880–81, H5881, H5888–89, and H5923–24. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:25 a.m. on Thursday, July 13.

Committee Meetings

FEDERAL FARM POLICY

Committee on Agriculture: Held a hearing to review federal farm policy. Testimony was heard from public witnesses.

Hearings continue July 19.

REVISED SUBALLOCATION OF BUDGET ALLOCATIONS

Committee on Appropriations: Ordered reported a report on the revised suballocation of budget allocations for fiscal year 2001.

DISTRICT OF COLUMBIA BUDGET

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on Fiscal Year 2001 District of Columbia Budget. Testimony was heard from the following officials of the District of Columbia: Anthony A. Williams, Mayor; and Linda M. Cropp, Chairman, Council; and Alice M. Rivlin, Chairman, D.C. Financial Responsibility and Management Assistance Authority.

MEDICARE AND MEDICAID—PAYMENT ERRORS

Committee on the Budget: Health Task Force held a hearing on Blowing Smoke on the Invisible Man, Measuring Fraud, Payment Errors in Medicare and Medicaid. Testimony was heard from the following officials of the GAO: Gloria L. Jarmon, Director, Civil Audits; and William D. Hamel, Special Agent; Penny Thompson, Director, Program Integrity Group, Health Care Financing Administration, Department of Health and Human Services; and Robb Miller, Inspector General, Department of Public Aid, State of Illinois.

DOE'S MANAGEMENT PRACTICES

Committee on the Budget: Natural Resources and the Environment Task Force held a hearing on Department of Energy Management Practices. Testimony was heard from the following officials of the Department of Energy: Carolyn Huntoon, Assistant Secretary, Environmental Management; and Brig. Gen. Thomas Giocanda, USAF, Acting Deputy Administrator, Defense Programs; and Gary Jones, Associate Director, Energy Resources and Science, GAO.

COMMODITY FUTURES MODERNIZATION ACT

Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing on H.R. 4541, Commodity Futures Modernization Act of 2000. Testimony was heard from Arthur Levitt, Chairman, SEC; C. Robert Paul, General Counsel, Commodity Futures Trading Commission; Patrick M. Parkinson, Associate Director, Division of Research and Statistics, Board of Governors, Federal Reserve System; and Lewis A. Sachs, Assistant Secretary, Financial Markets, Department of the Treasury.

MISCELLANEOUS MEASURES

Committee on Government Reform: Subcommittee on Government Management, Information, and Technology held a hearing on the following measures: Federal Property Asset Management Reform Act; and H.R. 3285, Federal Asset Management Improvement Act of 1999. Testimony was heard from Representative Sessions; the following officials of the GSA: David Barram, Administrator; and David L. Bibb, Deputy Associate Administrator, Office of Governmentwide Policy; Bernie Ungar, Director, Governmentwide Business Operations Issues, GAO; Rear Adm. Ronald F. Silva, USCG, Assistant Commandant, Systems and Chief Engineer, U.S. Coast Guard, Department of Transportation; and public witnesses.

HEPATITIS C: VA HEALTH CARE SYSTEM

Committee on Government Reform: Subcommittee on National Security, Veterans' Affairs and International Relations held a hearing on Hepatitis C: Access, Testing and Treatment in the VA Health Care System. Testimony was heard from the following officials of the Department of Veterans Affairs: Thomas Holohan, M.D., Chief, Patient Care Services, Veterans Health Administration; Frank Iber, M.D., Gastroenterologist, Hines VA Medical Center; Samuel B. Ho, M.D., Staff Physician, Minneapolis VA Medical Center; and Norbert Brau, M.D., Staff Physician, Bronx VA Medical Center; and public witnesses.

GLOBAL TERRORISM

Committee on International Relations: Held a hearing on Global Terrorism: South Asia-The New Locus. Testimony was heard from the following officials of the Department of State: Michael A. Sheehan, Ambassador-at-Large, Coordinator for Counterterrorism; and Alan W. Eastham, Jr., Deputy Assistant Secretary, Bureau of South Asian Affairs.

OVERSIGHT—CIVIL RIGHTS DIVISION—DEPARTMENT OF JUSTICE

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the Civil

Rights Division of the Department of Justice. Testimony was heard from Bill Lann Lee, Acting Assistant Attorney General, Civil Rights Division, Department of Justice.

CONTEMPT OF CONGRESS ISSUES; OVERSIGHT—OFFICE OF INSULAR AFFAIRS

Committee on Resources: Approved a motion to sustain rulings by Chairman Don Young on objections to the production of records subject to subpoenas issued by Chairman Don Young under the authority of a resolution adopted by the Committee on Resources on June 9, 1999, which objections were raised by Robert A. Berman, Henry M. Banta, Danielle Brian Stockton, Keith Rutter, and the Project on Government Oversight.

The Committee also held an oversight hearing on Office of Insular Affairs, U.S. Department of the Interior. Testimony was heard from the following officials of the Department of the Interior: Earl E. Devaney, Inspector General; and Ferdinand Aranza, Director, Office of Insular Affairs; and Allen Stayman, Office of Compact Negotiator, E.A.P., Department of State.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the following bills: H.R. 4765, 21st Century Veterans Employment and Training Act; and H.R. 3256, Veterans' Right to Know Act. Testimony was heard from Representatives Pascrell and Doyle; Joseph Thompson, Under Secretary, Benefits, Veterans Benefits Administration, Department of Veterans Affairs; Espiridion Borrego, Assistant Secretary, Veterans' Employment and Training, Department of Labor; Alan Gibson, Disabled Veteran Outreach Program Specialist, State of Missouri; James H. Hartman, Director, Veterans Employment and Training Service, State of New York; Stephen A. Horton, Manager, Employment Security Program Services, Department of Industrial Relations, State of Alabama; and public witnesses.

Hearings continue tomorrow.

COMMITTEE MEETINGS FOR THURSDAY, JULY 13, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, business meeting to mark up H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001, 2 p.m., SD–124.

Committee on Banking, Housing, and Urban Affairs: business meeting to mark up S. 2107, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission; S. 2266, to provide for the minting of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the programs of the United States Olympic Committee; S. 2453, to authorize the President to award a gold medal on behalf of Congress to Pope John Paul II in recognition of his outstanding and enduring contributions to humanity; S. 2459, to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation; S. 2101, to promote international monetary stability and to share seigniorage with officially dollarized countries; and a committee print of a substitute amendment to H.R. 3046, to preserve limited Federal agency reporting requirements on banking and housing matters to facilitate congressional oversight and public accountability, 10 a.m., SD–538.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business; to be followed by oversight hearings to examine American gasoline supply problems, 9:30 a.m., SD–366.

Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on S. 2294, to establish the Rosie the Riveter-World War II Home Front National Historical Park in the State of California; S. 2331, to direct the Secretary of the Interior to recalculate the franchise fee owed by Fort Sumter Tours, Inc., a concessioner providing services to Fort Sumter National Monument, South Carolina; and S. 2598, to authorize appropriations for the United States Holocaust Memorial Museum, 2:30 p.m., SD–366.

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine the annual report of the Postmaster General, 2 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment, Safety and Training, to hold hearings to examine ergonomics and health care, 9:30 a.m., SD–430.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Livestock and Horticulture, hearing to review the agricultural consequences of banning methyl bromide, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the District of Columbia, to mark up the District of Columbia appropriations for fiscal year 2001, 2 p.m., H–144 Capitol.

Committee on Armed Services, Special Oversight Panel on Terrorism, hearing on terrorism and threats to U.S. interests in the Middle East, 10 a.m., 2212 Rayburn.

Subcommittee on Military Personnel, hearing on Department of Defense management of the Anthrax Vaccine Immunization Program, 10 a.m., 2118 Rayburn.

Committee on Commerce, to mark up the following bills: H.R. 2944, Electricity Competition and Reliability Act of 1999; and H.R. 4807, Ryan White CARE Act Amendments of 2000, 10 a.m., 2123 Rayburn.

Committee on Government Reform, Subcommittee on Government Management, Information, and Technology, hearing on H.R. 4012, Construction Quality Assurance Act of 2000, 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to mark up H.R. 534, Fairness and Voluntary Arbitration Act, 10 a.m., B–352 Rayburn.

Subcommittee on Courts and Intellectual Property, oversight hearing on Gene Patents and Other Genomic Inventions, 9:30 a.m., 2141 Rayburn,

Subcommittee on Crime, hearing on the following bills: H.R. 4423, Probation Officers' Protection Act of 2000; and H.R. 3484, Child Sex Crimes Wiretapping Act of 1999, 10 a.m., 2237 Rayburn.

Subcommittee on Crime, oversight hearing on the U.S. Marshals Service, 1:30 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on National Parks, and Public Lands, hearing on the following bills: H.R. 2752, Lincoln County Land Act of 1999; H.R. 4312, Upper Housatonic National Heritage Area Study Act of 2000; H.R. 4613, National Historic Lighthouse Preservation Act of 2000; and H.R. 4721, to provide for all right, title, and interest in and to certain property in Washington County, Utah, to be vested in the United States, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, oversight hearing on the Bureau of Reclamation's Title XVI program, 2 p.m., 1324 Longworth.

Committee on Science, Subcommittee on Energy and Environment, hearing on Strengthening Science at the U.S. Environmental Protection Agency-National Research Council Findings, 2 p.m., 2318 Rayburn.

Subcommittee on Technology, hearing to review the Morella Commission Report: Recommendations to Attract Women and Minorities Into Science, Engineering and Technology, 10:30 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Tax, Finance, and Exports, hearing on the impact of banning snowmobiles inside National Parks on small business, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to mark up the Water Resources Development Act of 2000, 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources, to mark up the Water Resources Development Act of 2000, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, to continue hearings on the following bills: H.R. 4765, 21st Century Veterans Employment and Training Act; and H.R. 3256, Veterans' Right to Know Act, 9 a.m., 334 Cannon.

Committee on Ways and Means, to mark up the following measures: the Comprehensive Retirement Security and Pension Reform Act; and H.J. Res. 103, disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China, 1 p.m., 1100 Longworth.

Subcommittee on Social Security, hearing on Challenges Facing Social Security Disability Programs in the 21st Century, 10 a.m., B–318 Rayburn.

Next Meeting of the **SENATE**

8:30 a.m., Thursday, July 13

Senate Chamber

Program for Thursday: Senate will begin consideration of H.R. 8, Death Tax Elimination Act.

At 9:30 a.m., Senate will continue consideration of S. 2549, Defense Authorization, with votes to occur on certain amendments proposed thereto and on final disposition; following which, Senate will continue consideration of H.R. 8, Death Tax Elimination Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Thursday, July 13

House Chamber

Program for Thursday: Consideration of H.R. 4811, Foreign Operations Appropriations, FY 2001.

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